



Hamilton

**COMMITTEE OF ADJUSTMENT**

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

Telephone (905) 546-2424, ext. 4221

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

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

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

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

**APPLICATION NO.:** GL/A-20:74

**APPLICANTS:** The Gardener Landscaping c/o Karla Sousa on behalf of the owner Michael Cuffaro

**SUBJECT PROPERTY:** Municipal address **12 Solsbury Cres., (Glanbrook) City of Hamilton**

**ZONING BY-LAW:** Zoning By-law 464, as Amended

**ZONING:** "R4" (Residential "R4") Zone

**PROPOSAL:** To permit the construction of a pavilion (accessory building) in the rear yard of the existing single detached dwelling, notwithstanding,

1. The proposed accessory building shall be permitted to be located 0.9 metres from the northerly side lot line instead of the minimum required distance of 1.0 metres to any lot line;

2. The proposed accessory building measuring 18.1 square metres shall be permitted to encroach 0.3 metres into the minimum required 1.2 metre northerly side yard and 1.4 metres into the minimum required 7.5 metre rear yard notwithstanding an accessory building in excess of 12 square metres is not permitted to be located in any minimum rear or side yard; and,

3. A maximum lot coverage of 36% shall be permitted for all buildings on the lot instead of the maximum permitted lot coverage of 35%.

**NOTES:**

1. A lot area of 420.4 square metres and a total building area of 132.67 square metres has been obtained from building permit 04-229245 issued July 19, 2004 to construct a single detached dwelling.

2. The applicant shall ensure the proposed building height of 3.92 metres has been provided in accordance with the definition of "Height" as defined in the Zoning By-law.

3. A further variance will be required if the eave and gutter of the proposed accessory building encroaches greater than 30 centimetres into a minimum setback area.

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

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**DATE:** Thursday, July 16<sup>th</sup>, 2020

**TIME:** 1:20p.m.

**PLACE:** Via video link or call in (see attached sheet for details)

**To be streamed at [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment) for viewing purposes only**

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

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

### **MORE INFORMATION**

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

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

DATED: June 30<sup>th</sup>, 2020.

*Original Signed*

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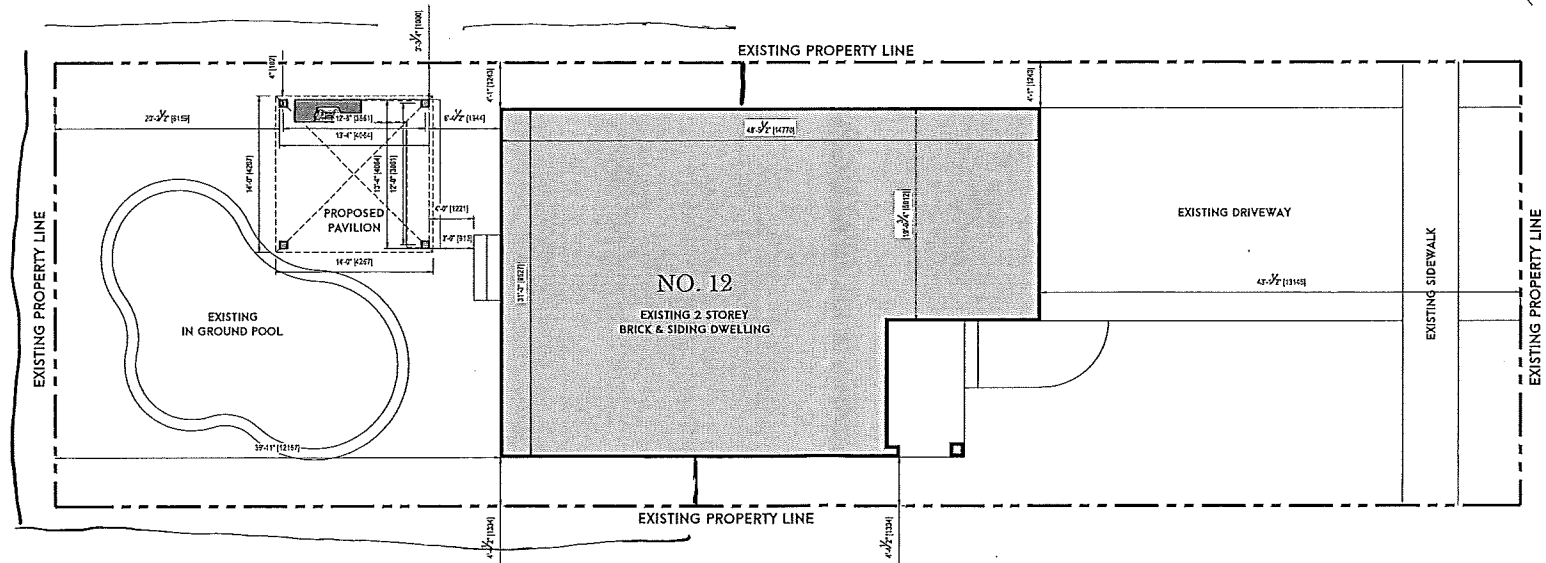
Jamila Sheffield  
Secretary-Treasurer  
Committee of Adjustment

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

3.1.1.2.A ZONE 1 COMPLIANCE PACKAGE FOR SPACE HEATING			
COMPONENT	THERMAL VALUES	COMPLIANCE PACKAGE A1	
		R <sub>SI</sub>	R
CEILING WITH ATTIC SPACE	R <sub>MC</sub> NOMINAL	10.56	60
	MAX U	0.056	0.017
	MIN EFFECTIVE	10.43	59.22
CEILING WITHOUT ATTIC SPACE	R <sub>MC</sub> NOMINAL	5.48	31
	MAX U	0.205	0.035
	MIN EFFECTIVE	4.87	27.65
EXPOSED FLOOR	R <sub>MC</sub> NOMINAL	5.48	31
	MAX U	0.190	0.034
	MIN EFFECTIVE	5.25	29.80
WALLS ABOVE GRADE	R <sub>MC</sub> NOMINAL	3.87	22
	MAX U	0.233	0.059
	MIN EFFECTIVE	3.00	17.03
BASEMENT WALLS	R <sub>MC</sub> NOMINAL	3.52 d	20 d
	MAX U	0.289	0.047
	MIN EFFECTIVE	3.72	21.12
BELOW GRADE SLAB ENTIRE SURFACE > 600 mm BELOW GRADE	R <sub>MC</sub> NOMINAL	--	--
	MAX U	--	--
	MIN EFFECTIVE	--	--
HEATED SLAB OR SLAB < 600 mm BELOW GRADE	R <sub>MC</sub> NOMINAL	1.75	10
	MAX U	0.510	0.050
	MIN EFFECTIVE	1.56	11.13
EDGE OF BELOW GRADE SLAB < 600 mm BELOW GRADE	R <sub>MC</sub> NOMINAL	1.76	10
WINDOWS AND SLIDING GLASS DOORS	MAX U	1.4	0.28
	ENERGY RATING	25	25
SKYLIGHTS	MAX U	2.8	0.48
SPACE HEATING EQUIPMENT	R <sub>MC</sub> AFUE	96%	95%
HV	R <sub>MC</sub> SE	75%	75%
DOMESTIC WATER HEATER	R <sub>MC</sub> EF	0.80	0.83
COLUMN 1	2	2	3

LINTEL DIAGRAM		DRAWING LEGEND																									
<p>TYPICAL 2-PLY</p>		<p>TYPICAL 3-PLY</p>																									
<p>TYPICAL 4-PLY</p>		<table> <tr> <td></td><td>POINT LOAD FROM ABOVE</td> <td></td><td>SECTION CALL OUT</td> </tr> <tr> <td></td><td>BEAM LOCATION</td> <td></td><td>SMOKE ALARM</td> </tr> <tr> <td></td><td>MECHANICAL EXHAUST FAN</td> <td></td><td>BEAM</td> </tr> <tr> <td></td><td>STEEL COLUMN</td> <td></td><td>WALL TAG</td> </tr> <tr> <td></td><td>JOIST SECTION</td> <td></td><td>CONSTRUCTION NOTE</td> </tr> <tr> <td></td><td>WOOD STUD / BUILT UP BEAM</td> <td></td><td>FRAMING CALL OUT</td> </tr> </table>			POINT LOAD FROM ABOVE		SECTION CALL OUT		BEAM LOCATION		SMOKE ALARM		MECHANICAL EXHAUST FAN		BEAM		STEEL COLUMN		WALL TAG		JOIST SECTION		CONSTRUCTION NOTE		WOOD STUD / BUILT UP BEAM		FRAMING CALL OUT
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SITE STATISTICS - 12 SOLSBURY CRES	
ZONE CODE: R4 (RESIDENTIAL 4)	
LOT AREA:	485.10 SQ.M
LOT FRONTAGE:	12.10 M
LOT COVERAGE	
EXISTING DWELLING:	125.33 SQ.M
EXISTING FRONT COVERED PORCH:	7.68 SQ.M
PROPOSED PAVILION:	16.51 SQ.M
TOTAL:	149.52 SQ.M (30.82%) (35% ALLOWED)



SOLSBURY CRESCENT

1:100  
SITE PLAN

EXISTING  
FENCE 6'6" W  
ALL AROUND  
PROPERTY

**HUIS**  
DESIGN STUDIO

HUIS DESIGN STUDIO  
CUSTOM HOME DESIGN AND RENOVATIONS  
14 CORNWALL DRIVE #101 BRAMPTON, ON L6Y 4N5  
TEL: 905.876.1111 | INFO@HUISDESIGNSTUDIO.CA  
HUISDESIGNSTUDIO.CA

**GENERAL NOTES**

DRAWINGS ARE TO BE READ NOT SCALED. DO NOT BEGIN CONSTRUCTION UNTIL DESIGNER OR PROJECT MANAGER HAS BEEN NOTIFIED. UPON COMPLETION OF ANY STAGE OF CONSTRUCTION, THE DESIGNER OR PROJECT MANAGER SHALL BE NOTIFIED TO ENSURE PROPER INSPECTION. ALL DESIGN AND CONSTRUCTION DOCUMENTATION ARE FINAL UNLESS REVISED BY THE DESIGNER. IF ANY DISCREPANCIES ARE DISCOVERED HEREWITH, THE DESIGNER SHALL BE NOTIFIED. THE DRAWINGS AND DOCUMENTS PROVIDED HEREWITH ARE THE EXCLUSIVE PROPERTY OF HUIS DESIGN STUDIO. REPRODUCTION OF THE DOCUMENTS PROVIDED IS PROHIBITED WITHOUT THE CONSENT OF THE DESIGNER.

**QUALIFICATION INFORMATION**

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AS WELL AS ASSUMING THE QUALIFICATION AND REQUIREMENTS MANDATED BY THE ONTARIO BUILDING CODE TO BE A DESIGNER.

NAME: JUSTIN SHERREY 43529  
REGISTRATION NUMBER: B.C.L.N.

**REGISTRATION INFORMATION**

REQUIRED UNDER THE DESIGN ACT, 2006 (O.S.A. 2006-01-01) OF THE ONTARIO BUILDING CODE

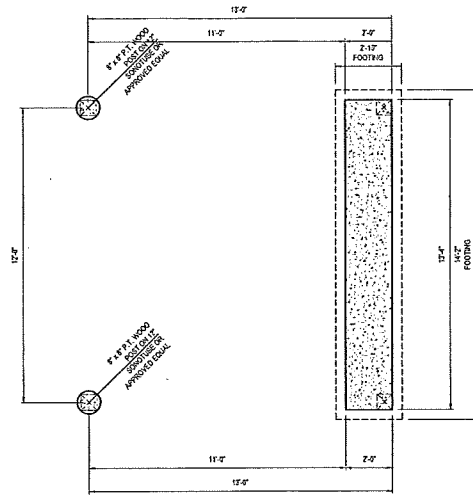
HUIS DESIGN STUDIO 154909  
FIRM NAME: B.C.L.N.

REVISION LIST	
1	ISSUED FOR CLIENT REVIEW
2	ISSUED FOR CLIENT REVIEW
3	ISSUED FOR PERMIT
4	
5	

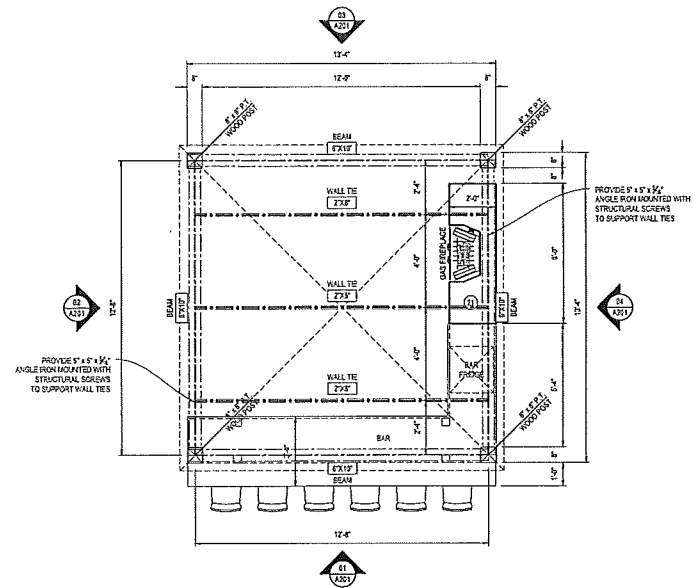
**PROJECT NORTH** **TRUE NORTH**

DRAWING TITLE: SITE PLAN  
DRAWN BY: J.H. CHECKED BY: J.S.  
ADDRESS: 12 SOLSBURY CRESCENT  
PROJECT NO: 2020-007  
SHEET NO: 1 OF 1

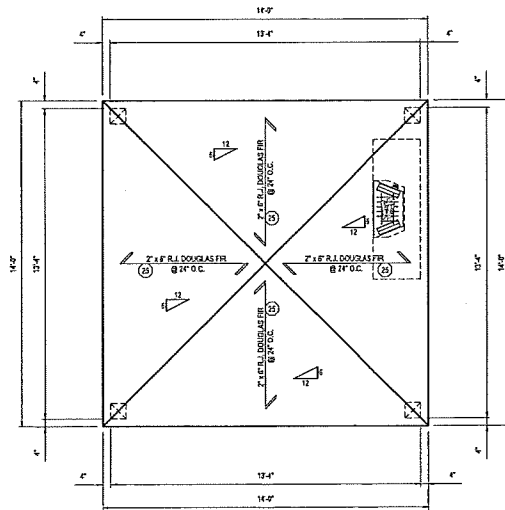
**SP**



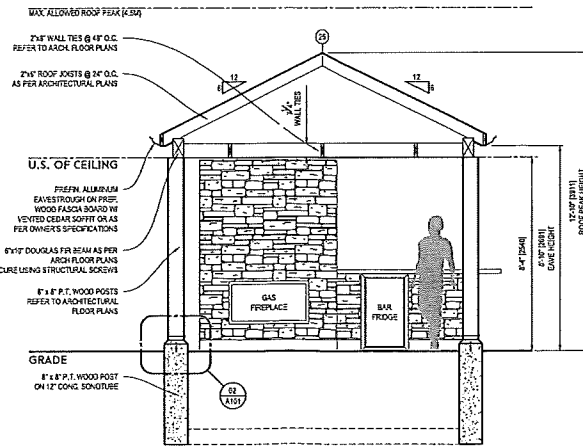
1/4" = 1'-0"  
FOUNDATION PLAN



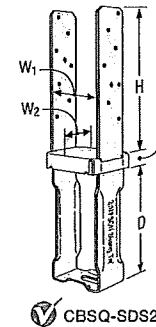
1/4" = 1'-0"  
PAVILION PLAN



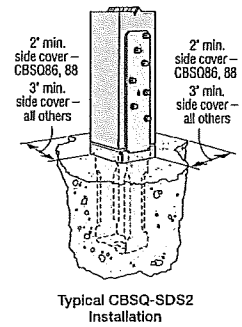
1/4" = 1'-0"  
ROOF PLAN



1/4" = 1'-0"  
01-PAVILION SECTION



1/4" = 1'-0"  
02-POST BASE CONNECTION DETAIL



**HUIS**  
DESIGN STUDIO

HUIS DESIGN STUDIO  
CUSTOM HOME DESIGN AND RENOVATIONS  
1401 ST. JAMES DRIVE #201 | BRAMPTON, ON L6Y 4H5  
1-877-226-1955 | INFO@HUISDESIGNSTUDIO.CA  
HUISDESIGNSTUDIO.CA

**GENERAL NOTES**

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**QUALIFICATION INFORMATION**

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AS WELL AS HAVING THE QUALIFICATION AND REQUIREMENTS MANIFESTED BY THE ONTARIO BUILDING CODE (OBC) DESIGNER.

JUSTIN SHERRY 43529  
NAME B.C.L.M.

**REGISTRATION INFORMATION**

REQUIRED UNDER THE DESIGN & CONSTRUCTION ACT, O.S.A. OF THE ONTARIO BUILDING CODE

HUIS DESIGN STUDIO 154609  
FIRM NAME B.C.L.M.

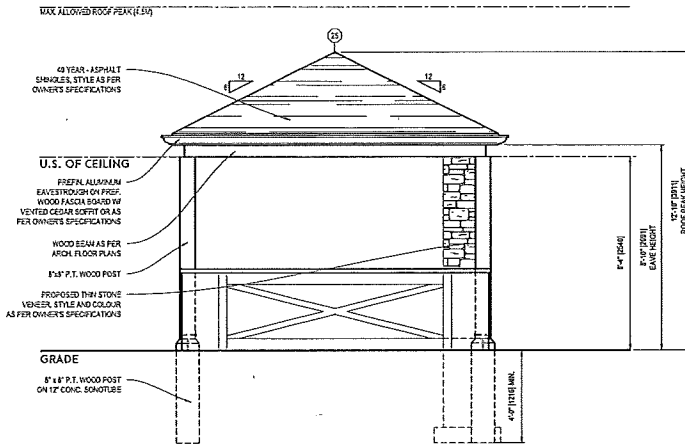
**REVISION LIST**

NO.	DESCRIPTION	DATE
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2	ISSUED FOR CLIENT REVIEW	02.11.2020
3	ISSUED FOR PERMIT	03.23.2020
4		
5		

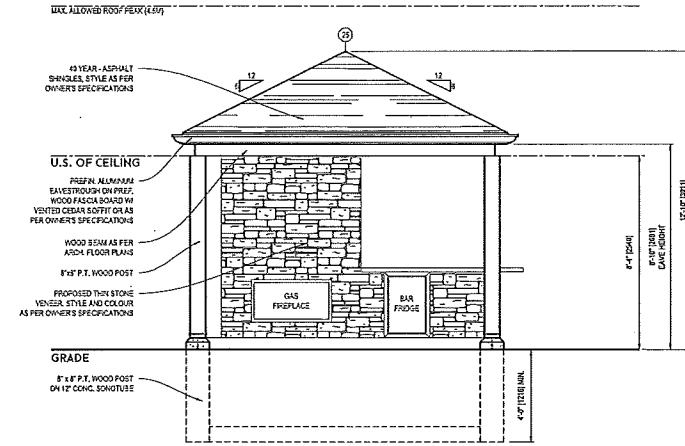
**PROJECT NORTH** **TRUE NORTH**

**DRAWING TITLE:** BASEMENT FLOOR PLAN  
**DRAWN BY:** J.H. **CHECKED BY:** J.H.  
**ADDRESS:** 11 SOLSARY CIRCLE, UNIT 11  
**PROJECT NO.:** 2220-007 **SCALE:** 1/4" = 1'-0"  
**SHEET NO.:** A101

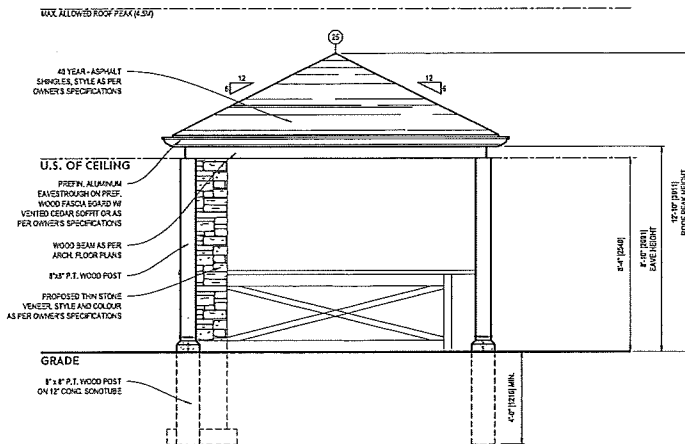
GL/A 20:74  
Sketch 3



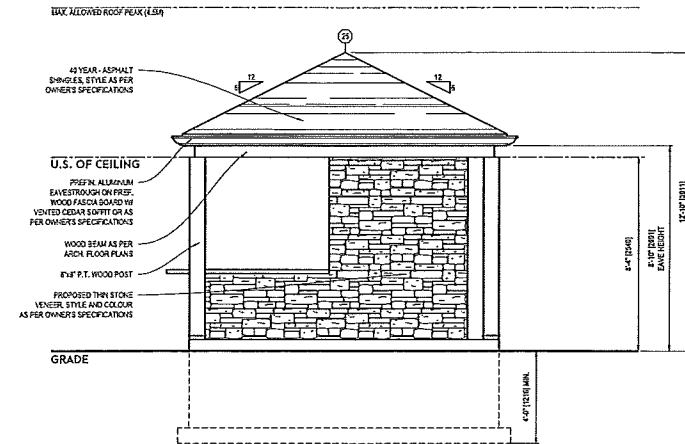
01-ELEVATION



02-ELEVATION



03-ELEVATION



04-ELEVATION

**HUIS**  
DESIGN STUDIO

HUIS DESIGN STUDIO  
CUSTOM HOME DESIGN AND RENOVATIONS  
1A CONESTOGA DRIVE #201 BRAMPTON, ON L6Y 4N5  
TEL: 329-5551 | INFO@HUISDESIGN.CO  
HUISDESIGN.CO

**GENERAL NOTES**

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**QUALIFICATION INFORMATION**

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AS WELL AS HAVING THE QUALIFICATION AND REQUIREMENTS MANDATED BY THE ONTARIO BUILDING CODE TO BE A DESIGNER.



NAME: JUSTIN BERRY 43129  
B.C.L.N.

**REGISTRATION INFORMATION**

REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIV. C.3.4 OF THE ONTARIO BUILDING CODE

HUIS DESIGN STUDIO 154909  
FIRM NAME: B.C.L.N.

REVISION LIST	
1	ISSUED FOR CLIENT REVIEW
2	ISSUED FOR CLIENT REVIEW
3	ISSUED FOR PERMIT
4	
5	

**PROJECT NORTH:**  **TRUE NORTH:** 

**DRAWING TITLE:** ARCHITECTURAL ELEVATIONS  
**DRAWN BY:** J.H. **CHECKED BY:** J.S.  
**ADDRESS:** 12 SOLBURY CRESCENT  
**PROJECT NO.:** 2023-007  
**SHEET NO.:** A201

6-4/A 20:24  
Sketch 34



# Hamilton

Planning and Economic Development Department  
Planning Division

**Committee of Adjustment**  
City Hall  
5<sup>th</sup> floor 71 Main Street West  
Hamilton, Ontario L8P 4Y5

Phone (905) 546-2424 ext.4221  
Fax (905) 546-4202

**PLEASE FILL OUT THE FOLLOWING PAGES AND  
RETURN TO THE CITY OF HAMILTON PLANNING  
DEPARTMENT.**

**FOR OFFICE USE ONLY.**

APPLICATION NO. GL/A-20-74 DATE APPLICATION RECEIVED MAR. 2 2020

PAID \_\_\_\_\_ DATE APPLICATION DEEMED COMPLETE \_\_\_\_\_

SECRETARY'S  
SIGNATURE \_\_\_\_\_

**CITY OF HAMILTON  
COMMITTEE OF ADJUSTMENT  
HAMILTON, ONTARIO**

## *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.

*i AMY CUFFARO*

1. Name of Owner MICHAEL CUFFARO Telephone No. \_\_\_\_\_

2. \_\_\_\_\_

3. Name of Agent THE GARDENER LANDSCAPING Telephone No. \_\_\_\_\_

4. \_\_\_\_\_

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

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

CIBC

\_\_\_\_\_ Postal Code \_\_\_\_\_

\_\_\_\_\_ Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:

REDUCE SET BACK REAR YARD BY 1.3 METRE  
REDUCE SET BACK SIDE YARD BY 0.2 METRE  
FOR A ACCESSORY STRUCTURE.

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

ROOM NOT AVAILABLE TO MOVE AND  
STILL KEEP STRUCTURE (ACCESSORY)  
SAME SIZE

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

# 12 SOLSBURY CR, Mount Hope  
12 Solsbury Cres.

9. PREVIOUS USE OF PROPERTY

Residential ☒ Industrial ☐ Commercial ☐

Agricultural ☐ Vacant ☐

Other

9.1 If Industrial or Commercial, specify use

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

Yes ☐ No ☒ Unknown ☐

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

Yes ☐ No ☒ Unknown ☐

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

Yes ☐ No ☒ Unknown ☐

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

Yes ☐ No ☒ Unknown ☐

9.6 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 ☐

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

Yes ☐ No ☒ Unknown ☐

9.8 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 ☐

9.9 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 ☐



9.10 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 \_\_\_\_\_

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?

MEETING WITH PLANNING / DEVELOPMENT  
ASKED IF THIS WOULD BE SUPPORTED,  
THEY SAID YES.

9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, 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 \_\_\_\_\_

#### ACKNOWLEDGEMENT CLAUSE

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application. <sup>X</sup>

FEB 26 / 2020  
Date

  
Signature Property Owner

MICHAEL CUFFARO? Amy CUFFARO  
Print Name of Owner

10. Dimensions of lands affected:

Frontage 12.3 M  
Depth 34.4 M  
Area 423.12 M  
Width of street 18 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: SINGLE DET. DWELLING

Proposed: SEE DRAWING FOR  
ACCESSORY STRUCTURE

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

Existing: SEE DRAWING

Proposed: SEE DRAWING

13. Date of acquisition of subject lands:  
APPROX 2006
14. Date of construction of all buildings and structures on subject lands:  
APPROX 2006
15. Existing uses of the subject property: RESIDENTIAL - SINGLE FAMILY DWELLING
16. Existing uses of abutting properties: RESIDENTIAL - SINGLE FAMILY DWELLING
17. Length of time the existing uses of the subject property have continued:  
EARLY 2000'S
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:  
R4
21. Has the owner previously applied for relief in respect of the subject property?  
 Yes No  
 If the answer is yes, describe briefly.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?  
 Yes No
23. 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.

**NOTE:** It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.