



Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5  
Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202  
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.:** HM/A-20:125

**APPLICANTS:** Jennifer Concelos on behalf of the owners Jill Davis & Jeremy Henderson

**SUBJECT PROPERTY:** Municipal address **60 Bond St. S., Hamilton**

**ZONING BY-LAW:** Zoning By-law 6593, as Amended by By-laws 96-109 & 19-307

**ZONING:** "C/S-1361 and C/S-1788" (Urban Protected Residential etc.) district

**PROPOSAL:** To permit the construction of a 26.6 square metre addition on two floors for a single family dwelling to allow for the creation of a mudroom on the first floor, a den on the second floor and a basement crawlspace and to permit the construction of a roof over an existing 27.7 square metre rear deck, notwithstanding that,

1. The maximum gross floor area for a single detached dwelling in the C/S-1361 District shall not exceed the factor of 0.56 (i.e. 56% of the lot area) instead of the required maximum factor of 0.45 (i.e. 45%).
2. The minimum northerly side yard shall be 0.54 metres instead of the minimum required 1.2m side yard.
3. One (1) parking space shall be required instead of the minimum required 2 parking spaces for a single family dwelling with 8 habitable rooms
4. A manoeuvring space shall not be required for a parking space for a single family dwelling instead of one manoeuvring space having a width of 6.0 metres.
5. The maximum encroachment for an eave and gutter into the northerly side yard shall be 0.39 metres instead of the maximum required 0.29 metres based on one half of the width of the side yard.
6. The maximum encroachment for a roofed-over unenclosed rear porch shall be 5.0 metres into the rear yard instead of the maximum encroachment of 3.0 metres.

**NOTES:**

1. The variances are written as requested by the applicant, except that additional variances have been identified through this review and included to address the encroachments for eaves and gutters into the northerly side yard and for the roofed over deck into the rear yard.

2. The property is zoned Site-Specific C/S-1361 District and C/S-1788 District. The Site-Specific C/S-1361 District applies to properties in the Westdale Neighbourhoods and includes special provisions for gross floor area in which no building or structure shall have a GFA greater than the area within the District of the lot multiplied by a floor area ratio factor of 0.45. Gross Floor Area, as amended is the aggregate of the areas of the building or structure including the basement or cellar but shall not include an attached garage, a detached garage, floor area occupied by heating, air conditioning and laundry equipment. Based on this definition, the reduction of the laundry area has been factored into gross floor area for the proposed dwelling to be expanded.
3. The C/S-1788 District was approved for various parts of the City under amending by-law 19-307 to address changes to the regulations for residential conversions provided in Section 19 of the Zoning By-law.
4. Variance # 6 is required to allow a roofed over portion to be added to the existing rear deck which is 5.0m in depth.
5. The southerly side yard is regarded as legally existing non-complying and would not be subject to a variance as requested by the applicant.

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

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**DATE:** Thursday, August 27th, 2020  
**TIME:** 2:35 p.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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## PUBLIC INPUT

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

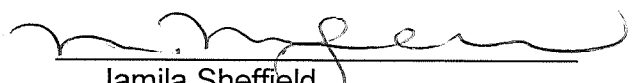
**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

## MORE INFORMATION

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

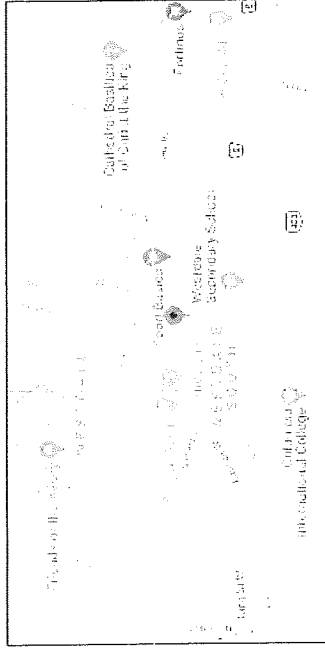
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: August 11th, 2020.

  
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.***

2 STOREY ADDITION TO A SINGLE FAMILY DWELLING  
60 BOND STREET SOUTH, HAMILTON, ON. L8S 1S7

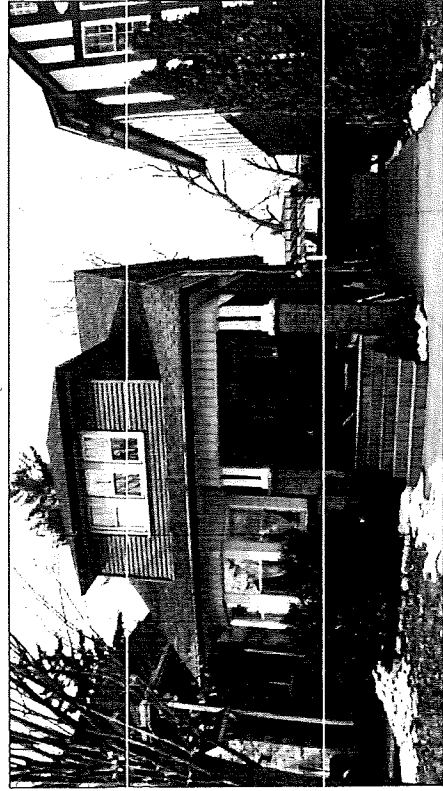


LOCATION MAP.

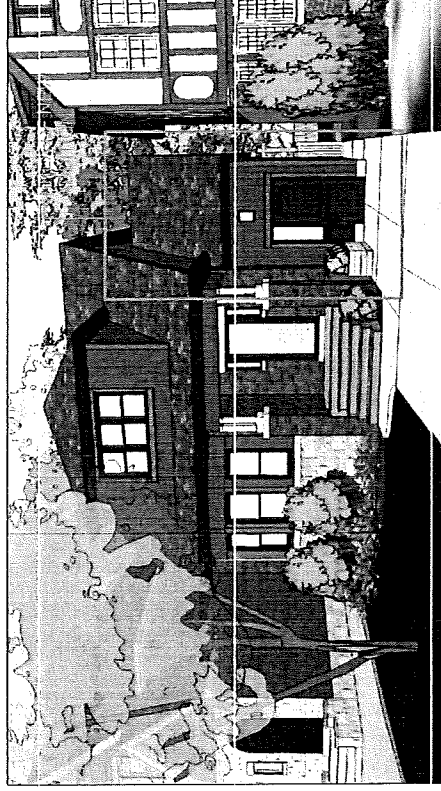
LIST OF PAGES:

- A1 - COVER PAGE & ZONING STATS  
 SP - SITE PLAN  
 A2 - BASEMENT / FOUNDATION PLAN  
 A3 - MAIN FLOOR PLAN  
 A4 - SECOND FLOOR PLAN  
 A5 - FRONT ELEVATION  
 A6 - RIGHT SIDE ELEVATION  
 A7 - REAR ELEVATION

ZONING AND PROPERTY STATISTICS			
DESCRIPTION:	LOT 18 REGISTERED PLAN No. 692 CITY OF HAMILTON	*REFER TO SURVEY/SITE PLAN BY MACKAY MACKAY & PETERS LTD.	
ADDRESS:	60 BOND STREET, HAMILTON, ON.		
	REQUIRED:	PROPOSED:	
ZONING DESIGNATION:	C / S-1361	C / S-1361	
SITE AREA:	360.0 m2	349.4 m2	(EXIST.)
FRONTAGE:	12.0 m	10.6 m	(EXIST.)
FLOOR AREA RATIO:	0.45	*0.56	(PROPOSED)
FRONT YARD TO HOUSE:	6.0 m	4.34 m	(EXIST.)
FRONT YARD TO EAVES:	4.5 m (1.5m ENCR)	3.92 m	(EXIST.)
FRONT YARD TO PORCH:	3.0 m (3.0m ENCR)	4.20 m	(EXIST.)
REAR YARD TO HOUSE:	7.5 m	20.49 m	(EXIST.)
REAR YARD TO EAVES:	6.0 m (1.5m ENCR)	20.19 m	(EXIST.)
RIGHT YARD TO HOUSE:	1.2 m	*0.34 m	(PROPOSED)
RIGHT YARD TO EAVES:	0.6 m (0.6m ENCR)	*0.39 m	(PROPOSED)
LEFT YARD TO HOUSE:	1.2 m	0.29 m	(EXIST.)
LEFT YARD TO EAVES:	0.6 m (0.6m ENCR)	0.22 m	(EXIST.)
LEFT YARD TO COVERED DECK:	1.2 m	*1.0 m	(PROPOSED)
BUILDING HEIGHT:	9.0 m	7.70 m	(EXIST.)
MAX. STOREYS:	2	2	(EXIST.)
HABITABLE ROOMS:	N/A		8
PARKING SPACES:	2	*1	(PROPOSED)
*** VARIANCE REQUIRED			



EXISTING FRONT ELEVATION (FOR REFERENCE ONLY):



**NEW FRONT ELEVATION RENDERING (FOR REFERENCE ONLY):**

ISSUED FOR COMMITTEE  
OF ADJUSTMENT

**PRIVATE RESIDENCE**  
2 STOREY ADDITION TO A  
SINGLE FAMILY DWELLING  
60 BOND STREET SOUTH  
HAMILTON, ON. L8S 1S7

COVER PAGE  
AND ZONING STATS[illegible]







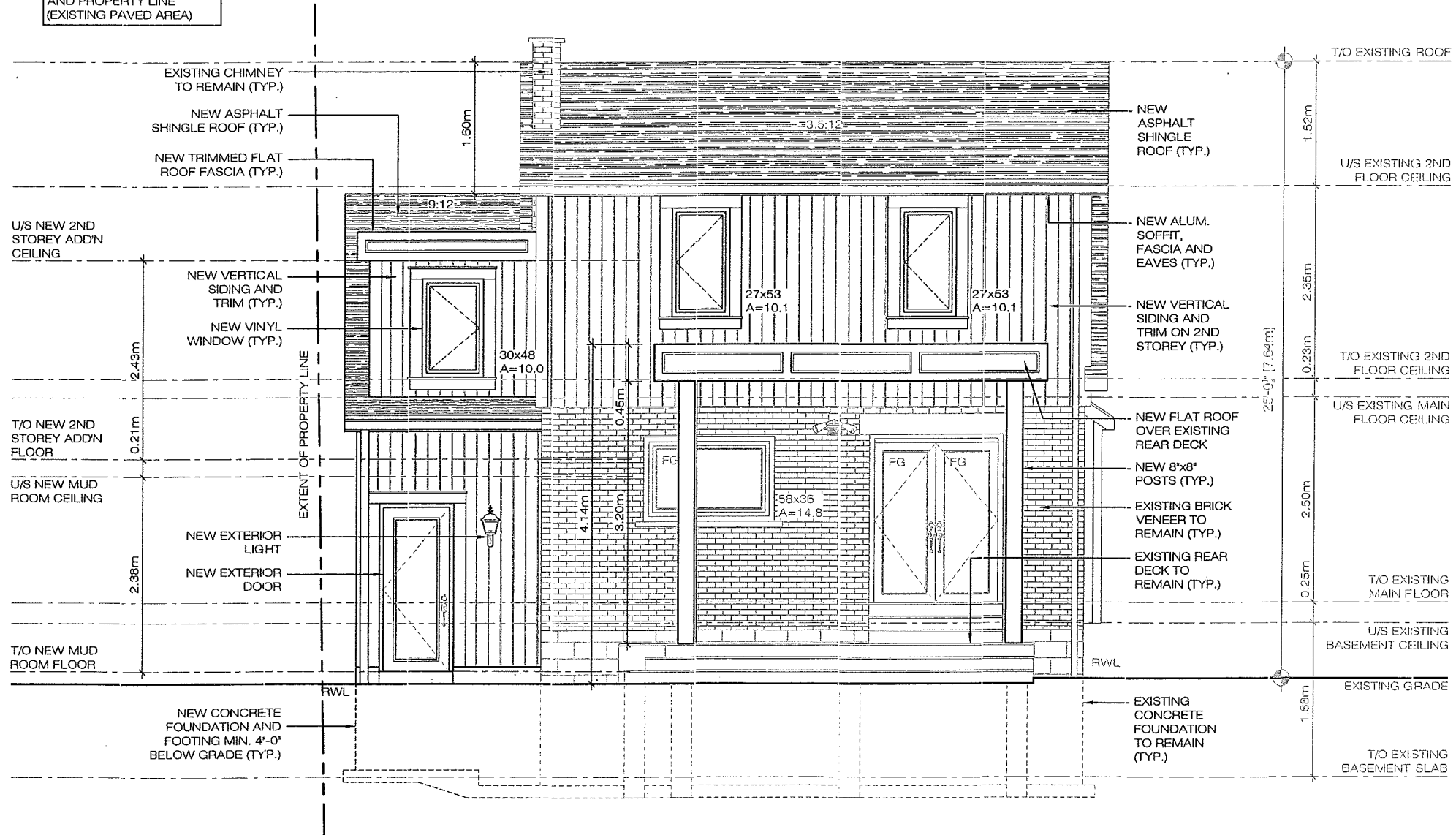
ISSUED FOR COMMITTEE  
OF ADJUSTMENT

**PRIVATE RESIDENCE**  
2 STOREY ADDITION TO A  
SINGLE FAMILY DWELLING  
60 BOND STREET SOUTH  
HAMILTON, ON. L8S 1S7

Sheet Title: **RIGHT SIDE ELEVATION**

	Drawing By:	JC
	Checked By:	DC
	Scaled:	1:50
	Date:	MAY 2020
	Project No.	2020-15
	A7	

ALL EXISTING GRADING TO REMAIN. ALL EXISTING DRAINAGE CONDITIONS TO REMAIN BETWEEN HOUSE AND PROPERTY LINE (EXISTING PAVED AREA)



REAR ELEVATION

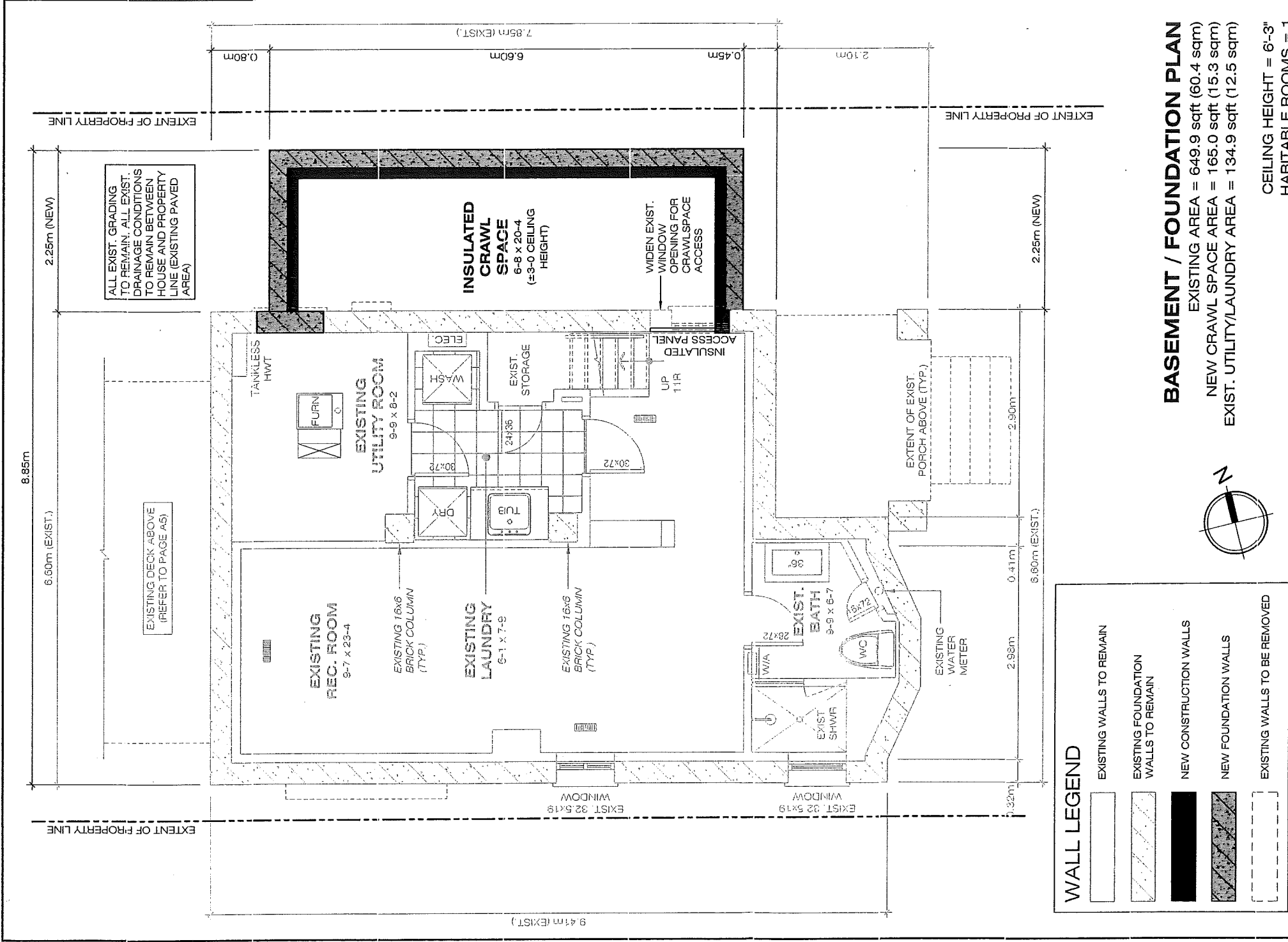
Project Name	Private Residence
Client Name	2 Storey Addition to a Single Family Dwelling
Address	60 Bond Street South, Hamilton, ON, L8S 1S7
Project No.	
Drawn By	JC
Checked By	DC
Date	150
Issue	MAY 2020
Project No.	2020-15

**ISSUED FOR COMMITTEE OF ADJUSTMENT**

**REAR ELEVATION**

**A8**

No.	Date	Issued For	By
1	MAY 13/20	ISSUED FOR C.O.A.	JC
2	MAY 20/20	ISSUED FOR REVIEW	JC
3	MAY 26/20	ISSUED FOR REVIEW	JC



ISSUED FOR COMMITTEE  
OF ADJUSTMENT

Project Name  
**PRIVATE RESIDENCE**  
2 STOREY ADDITION TO A  
SINGLE FAMILY DWELLING  
60 BOND STREET SOUTH  
HAMILTON, ON. L8S 1S7

Drawn By	JC
Checked By	DC
Scale	1:50
Date	MAY 2020
Project No.	2020-15

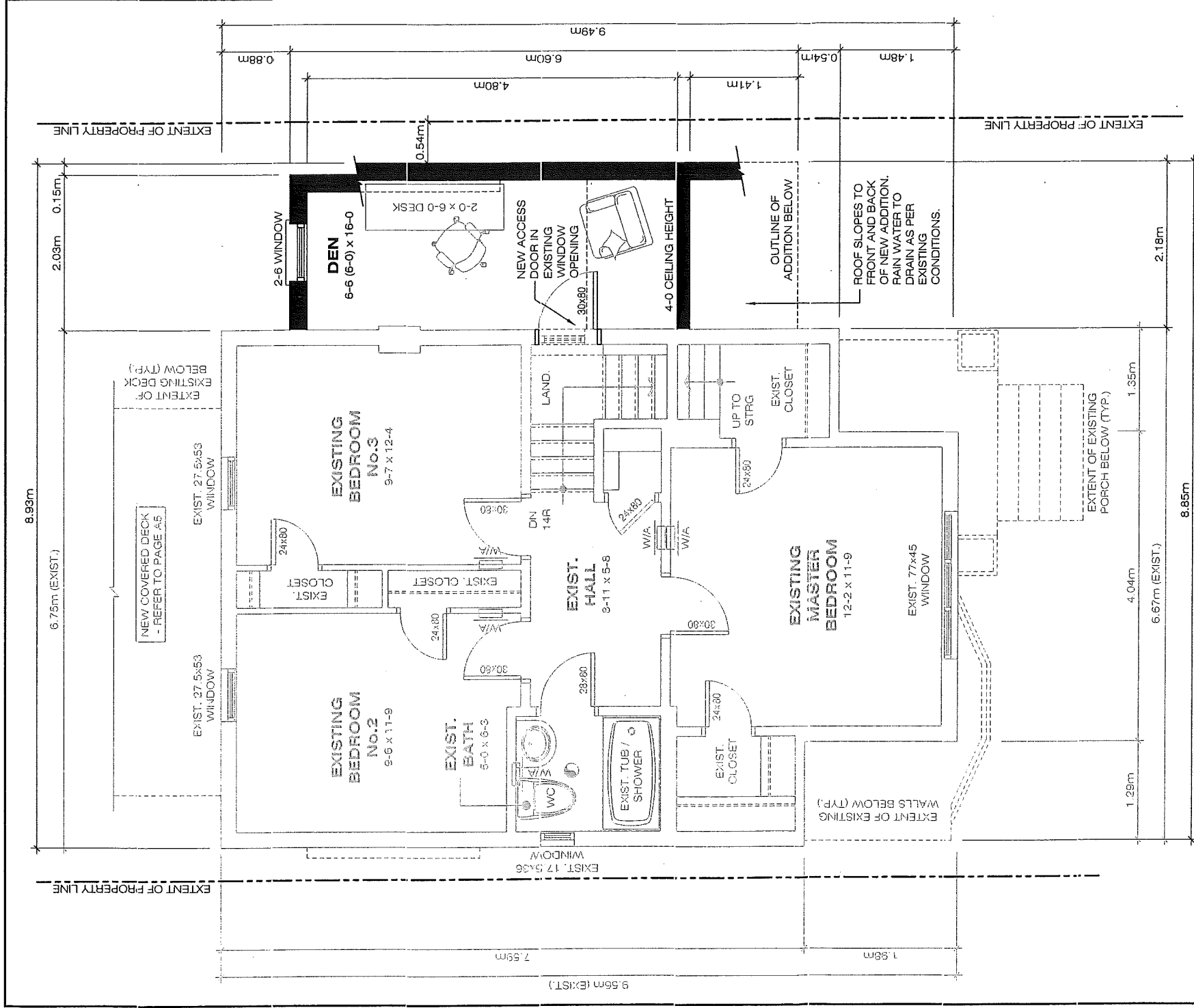
No.	Rev.	Desc./Revision
1	1	W/C 12/20
2	1	W/C 12/20
3	1	W/C 12/20

Sheet Title  
**BASEMENT /  
FOUNDATION PLAN**

**A2**





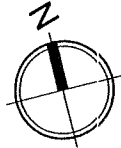


WALL LEGEND

EXISTING WALLS TO REMAIN

NEW CONSTRUCTION WALLS

EXISTING WALLS TO BE REMOVED



SECOND FLOOR PLAN

EXISTING AREA = 664.3 sqft (61.7 sqm)

NEW ADDITION AREA = 123.6 sqft (11.5 sqm)

NEW TOTAL FLOOR AREA = 787.9 sqft (73.2 sqm)

CEILING HEIGHT = 7'-10"  
HABITABLE ROOMS = 4

ISSUED FOR COMMITTEE  
OF ADJUSTMENT

Project Name: PRIVATE RESIDENCE  
2 STOREY ADDITION TO A  
SINGLE FAMILY DWELLING  
60 BOND STREET SOUTH  
HAMILTON, ON. L8S 1S7

Sheet Title: SECOND FLOOR PLAN

	Drawn By:	JC
	Checked By:	DC
	Scale:	1:50
	Date:	MAY 2020
	Project No:	2020-15

A4

[illegible]

**PRIVATE RESIDENCE**  
2 STOREY ADDITION TO A  
SINGLE FAMILY DWELLING  
60 BOND STREET SOUTH  
HAMILTON, ON. L8S 1S7

3	MAY 15/20	ISSUED FOR C OF A
2	APR 30/20	ISSUED FOR REVIEW
1	APR 28/20	ISSUED FOR REVIEW


Drawn By:	JC
Checked By:	DC
Scale:	1:50
Date:	MAY 2020
Project No.	2020-15

5A

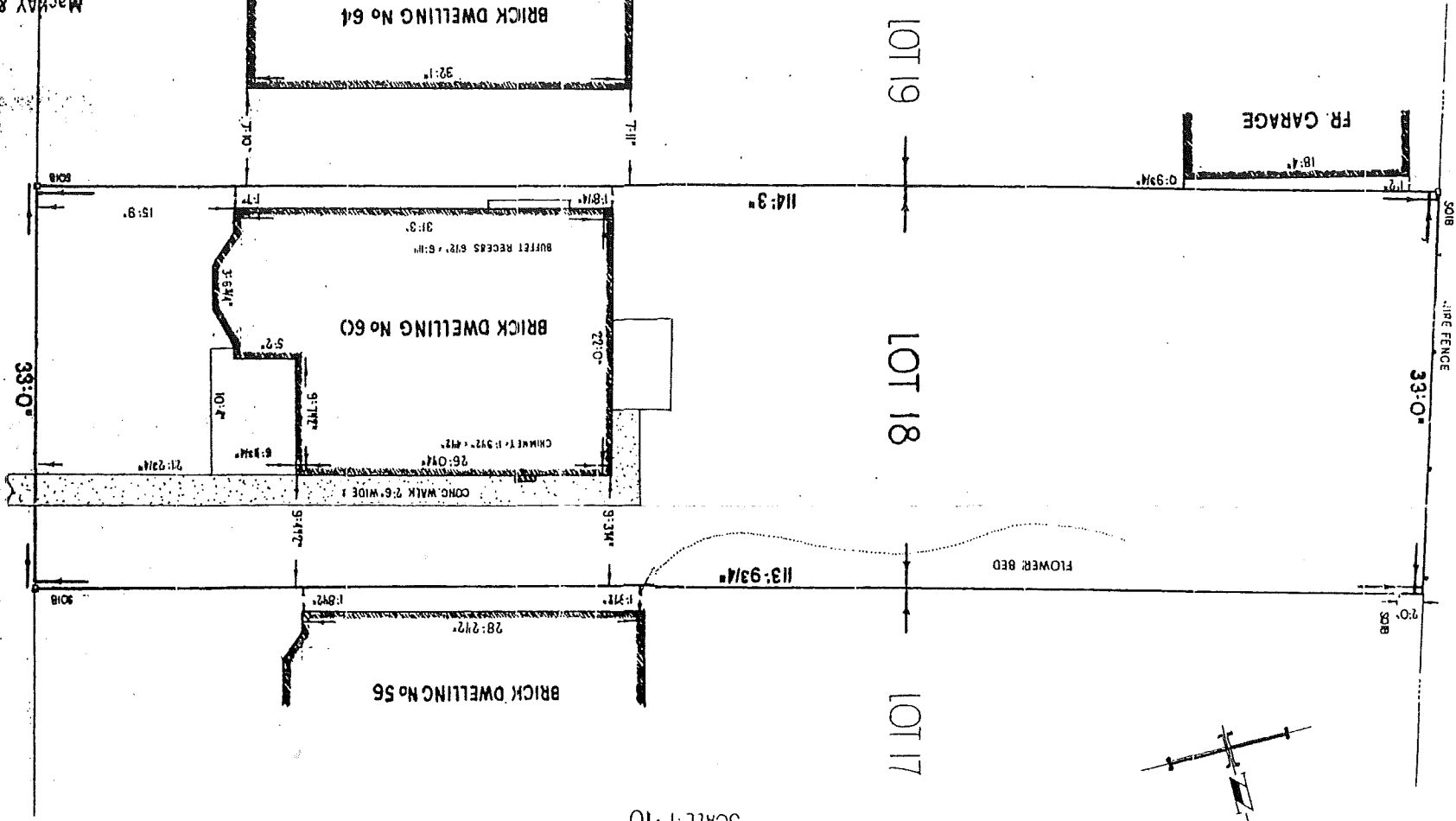
# PLAN

SHOWING

LOT 18

COLLEGIATE PARK  
REGISTERED PLAN No 692  
IN THE  
CITY OF HAMILTON

SCALE 1"=10'



BOND STREET SOUTH

Mackay & Mackay & Peters

ENGINEERS & SURVEYORS

HAMILTON, ONTARIO

ONTARIO LAND SURVEYOR

SEPTEMBER 21, 1964



Hamilton

Planning and Economic Development Department  
Planning Division

20-172187  
**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. HM/A-20:125 DATE APPLICATION RECEIVED

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.

1.

2.

3.

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:

ROYAL BANK OF CANADA  
\_\_\_\_\_  
Postal Code \_\_\_\_\_

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

6. Nature and extent of relief applied for:

- FLOOR AREA RATIO of 0.56 instead of required 0.45
- RIGHT SIDE YARD SETBACK of 0.91m instead of required 1.2m
- LEFT SIDE YARD SETBACK of 1.0m to covered deck instead of req'd 1.2m
- 1 PARKING SPACE w/no manoeuvring instead of required 2 spaces

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

- Existing house floor area ratio does not comply
- New side yard addition for mudroom entry
- Existing deck and parking do not comply

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

LOT 18 REGISTERED PLAN 692  
60 BOND STREET SOUTH, HAMILTON

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?

OWNER'S INFORMATION

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.

x June 13, 2020  
Date

10. Dimensions of lands affected:

Frontage 10.06 m  
Depth 34.84 m  
Area 349.4 m<sup>2</sup>  
Width of street \_\_\_\_\_

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: Ground floor area = 60.9 m<sup>2</sup> Gross floor area = 122.6 m<sup>2</sup>  
Storeys = 2 Width = 6.6 m Length = 9.41 m  
Height = 7.7 m

Proposed: Ground floor area = 76.2 m<sup>2</sup> Gross floor area = 149.4 m<sup>2</sup>  
Storeys = 2 Width = 8.85 m Length = 9.41 m  
Height = 7.7 m

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 setback = 4.34 m Rear setback = 20.49 m  
R. side setback = 2.81 m L. side setback = 6.29 m

Proposed: Front setback = 4.34 m Rear setback = 20.49 m  
R. side setback = 0.54 m L. side setback = 0.29 m

- x 13. Date of acquisition of subject lands:

MAY 2013

- x 14. Date of construction of all buildings and structures on subject lands:

1931

15. Existing uses of the subject property: SINGLE FAMILY DWELLING

16. Existing uses of abutting properties: SINGLE FAMILY DWELLING /

RESIDENTIAL

17. Length of time the existing uses of the subject property have continued:

x 89 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:

Urban Official Plan

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

C / S - 1361

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.**

**PART 24 AFFIDAVIT OR SWORN DECLARATION**

This declaration to be sworn by a Commissioner of Oaths.



Oath.

Declared before me at the

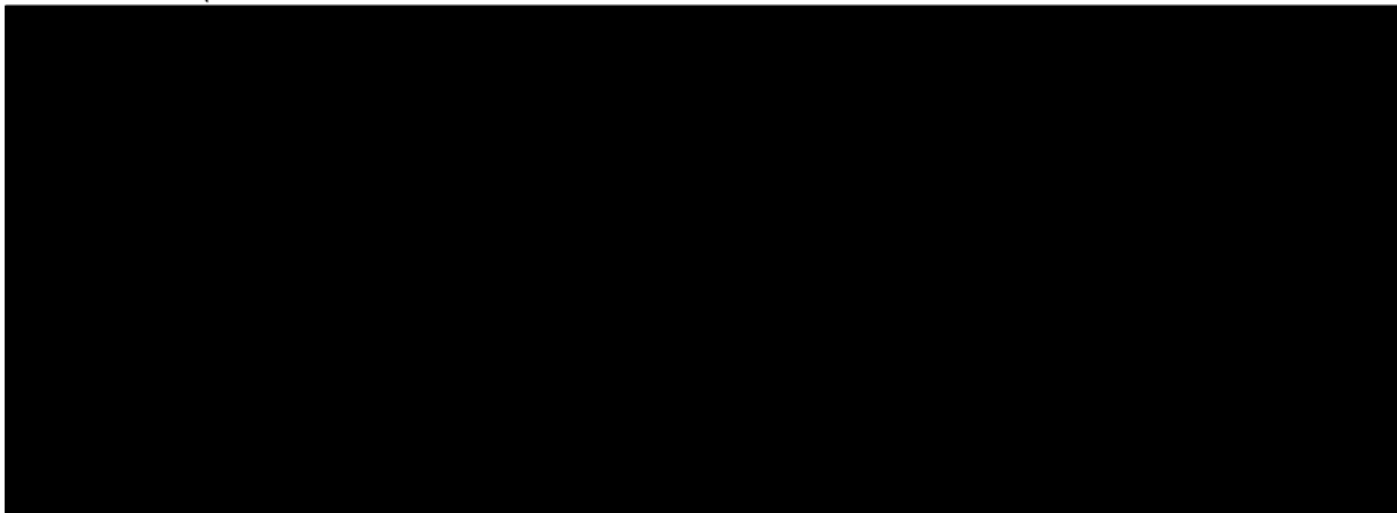
at the \_\_\_\_\_ of \_\_\_\_\_ )

in the City )

of \_\_\_\_\_ )

th

A Commissioner, etc.

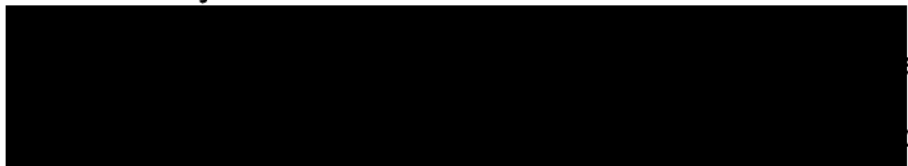


**PART 26 CONSENT OF THE OWNER**

Complete the consent of the owner concerning personal information set out below.

Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.



I hereby agree and acknowledge

\_\_\_\_\_ documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

X May 17, 2020  
Date

Sig

**PART 27 PERMISSION TO ENTER**

X Date: MAY 17/2020

Secretary/Treasurer  
Committee of Adjustment  
City of Hamilton,  
City Hall

Dear Secretary/Treasurer;

Re: Application to Committee of Adjustment

Location of Land: 60 BOND STREET SOUTH  
(Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited

n.

that all properties be identified with the municipal address clearly visible from the street. Where there is no municipal address or the property is vacant then the property shall be identified in accordance with the Committee's policy included on the back of the Application Form. Failure to properly identify the subject property may result in the deferral of the application.

**PART 28 COLLECTION OF INFORMATION**

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1<sup>st</sup> floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone: 905-546-2424, ext.1284.

CITY OF HAMILTON  
COST ACKNOWLEDGEMENT AGREEMENT

This Agreement made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

BETWEEN:

App

"Developer"

-and-

City of Hamilton

hereinafter referred to as the "City"

WHEREAS the Developer represents that he/she is the registered owner of the lands described in Schedule "A" attached hereto, and which lands are hereinafter referred to as the "lands";

AND WHEREAS the Developer has filed for an application for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval/minor variance.

AND WHEREAS it is a policy of the City that any City costs associated with an appeal to the Local Planning Appeal Tribunal, by a party other than the Developer, of an approval of a consent, rezoning, official plan amendment, plan of subdivision, and/or minor variance, such as, but not limited to, legal counsel costs, professional consultant costs and City staff costs, shall be paid by the Developer.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of two dollars (\$2.00) now paid by the City to the Developer, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. In this Agreement:

- (a) "application" means the application(s) for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval or minor variance dated \_\_\_\_\_ with respect to the lands described in Schedule "A" hereto.
- (b) "Expenses" means all expenses incurred by the City if the application is: (a) approved by the City; (b) appealed to the Local Planning Appeal Tribunal by a party other than the developer; and (c) the City appears before the Local Planning Appeal Tribunal or any other tribunal or Court in support of the application, including but not limited to: City staff time, City staff travel expenses and meals, City disbursements, legal counsel fees and disbursements and all consultant fees and disbursements including, without limiting the generality of the foregoing planning, engineering or other professional expenses

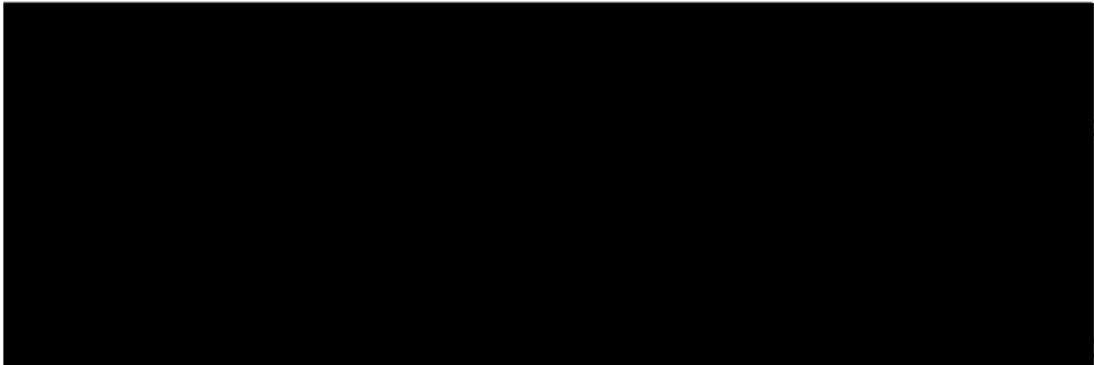
- 2. The City agrees to process the application and, where the application is approved by the City but appealed to the Local Planning Appeal Tribunal by a party other than the Developer, the Developer shall file an initial deposit, in the form of certified cheque or cash with the General Manager, Finance & Corporate Services within fifteen days of the date of the appeal of the application by a third party in the amount of 50% of the estimated expenses associated with the appeal as estimated by the City Solicitor in his sole discretion which shall be credited against the Expenses.
- 3. It is hereby acknowledged that if the deposit required pursuant to section 2 of this Agreement is not paid by the Developer the City shall have the option, at its sole discretion, of taking no further steps in supporting the Developer's application before the Local Planning Appeal Tribunal.

4. It is hereby acknowledged that all expenses shall be paid for by the Developer. The Developer shall reimburse the City for all expenses the City may be put to in respect of the application upon demand.
5. It is hereby acknowledged and agreed that all expenses shall be payable by the Developer whether or not the Developer is successful before the Local Planning Appeal Tribunal or any other tribunal or Court in obtaining approval for their application.
6. The City shall provide the Developer with copies of all invoices of external legal counsel or consultants included in the expenses claimed by the City.
7. The City shall provide the Developer with an accounting of all staff costs and City disbursements included in the expenses claimed by the City.
8. The City may, at any time, draw upon the funds deposited in accordance with sections 2 and 9 of this Agreement to satisfy expenses incurred pursuant to the appeal of the application.
9. In the event that the amount deposited pursuant to section 2 of this Agreement is reduced to less than 10% of the initial deposit, the City may halt all work in respect of the appeal of the application until the Developer deposits with the City a sum sufficient to increase the deposit to an amount which is equal to 100% of the expenses estimated pursuant to paragraph 2 of this Agreement and still to be incurred by the City.
10. Within 60 days of: (a) a decision being rendered in respect of the appeal or any legal proceedings resulting from the decision, whichever is later; or (b) the termination of all legal proceedings in respect of the application, the City shall prepare and submit a final account to the Developer. If there are any deposit funds remaining with the City they shall be applied against the account. Any amount owing in respect of the final account in excess of deposit funds shall be paid by the Developer within 30 days of the date of the final account. If any deposit funds are remaining after the final account has been paid they shall be returned to the developer within 30 days of the date of the final account.
11. This Agreement shall not be construed as acceptance of the application and nothing herein shall require or be deemed to require the City to approve the application.
12. This Agreement shall not stand in lieu of or prejudice the rights of the City to require such further and other agreements in respect of the application that the City may deem necessary.
13. Every term, covenant, obligation and condition in this Agreement ensures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors, trustees and assigns.
14. When the context so requires or permits, the singular number is to be read as if the plural were expressed, and the masculine gender as if the feminine, as the case may be, were expressed; and,
15. This Agreement and the schedules hereto constitute the entire agreement between the parties in respect of the subject matter contained herein and is not subject to, or in addition to, any other agreements, warranties or understandings, whether written, oral or implied. This Agreement may not be modified or amended except by instrument in writing signed by the Developer and the City, and,
16. The waiver or acquiescence by the City of any default by the Developer under any obligation to comply with this Agreement shall not be deemed to be a waiver of that obligation or any subsequent or other default under this Agreement.

17. The Developer covenants and agrees to be bound by the terms and conditions of this Agreement and not to seek a release from the provisions thereof until such time as the Developer's obligations hereunder have been assumed by its successor, assignee or transferee by way of written agreement in the form set out in Schedule "B" to this Agreement.

IN WITNESS WHEREOF the parties hereto have set their corporate seals under the hands of their duly authorized officers.

DATED at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.



oration.

oration

DATED at Hamilton, Ontario this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

City of Hamilton

Per: \_\_\_\_\_  
Mayor

Per: \_\_\_\_\_  
Clerk

Schedule "A"  
Description of Lands

**SCHEDULE "B"**  
**FORM OF ASSUMPTION AGREEMENT**

**THIS AGREEMENT** dated the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_.

**BETWEEN**



OF THE FIRST PART

-and-

\_\_\_\_\_  
(hereinafter called the "Assignee")

-and-

OF THE SECOND PART

CITY OF HAMILTON  
(hereinafter called the "Municipality")

OF THE THIRD PART

**WHEREAS** the owner and the Municipality entered into and executed a Cost Acknowledgement Agreement dated \_\_\_\_\_.

**AND WHEREAS** Assignee has indicated that it will assume all of the Owner's duties, liabilities and responsibilities as set out in the Cost Acknowledgement Agreement.

**AND WHEREAS** Council for the Municipality has consented to releasing the Owner from its duties, liabilities and responsibilities under said Cost Acknowledgement Agreement subject to the Assignee accepting and assuming the Owner's duties, liabilities and responsibilities and subject to the Assignee the Owner and the Municipality entering into and executing an Assumption Agreement.

**NOW THEREFORE THIS AGREEMENT WITNESSETH THAT** in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the parties hereto agree as follows.

1. The Assignee covenants and agrees to accept, assume and to carry out the Owner's duties, liabilities and responsibilities under the Cost Acknowledgement Agreement and in all respects to be bound under said Cost Acknowledgement Agreement as if the Assignee had been the original party to the agreement in place of the Owner.
2. The Municipality hereby releases the Owner from all claims and demands of any nature whatsoever against the Owner in respect of the Cost Acknowledgement Agreement. The Municipality hereby accepts the Assignee as a party to the Cost Acknowledge Agreement in substitution of the Owner, and agrees with the Assignee that the Assignee will be bound by all the terms and conditions of the Cost Acknowledgement Agreement as if the Assignee had been the original executing party in place of the Owner.
3. All of the terms, covenants, provisos and stipulations in the said Cost Acknowledgement Agreement are hereby confirmed in full force save and except



for such modifications as are necessary to make said clauses applicable to the Assignee.

**IN WITNESS WHEREOF** the Parties have hereunto affixed their corporate seals duly attested to by their proper signing officers in that behalf.

**SIGNED, SEALED AND DELIVERED**

X  2

Assignee:

Title:

I have authority to bind the corporation

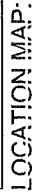
**CITY OF HAMILTON**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

# 2 STOREY ADDITION TO A SINGLE FAMILY DWELLING

60 BOND STREET SOUTH, HAMILTON, ON. L8S 1S7

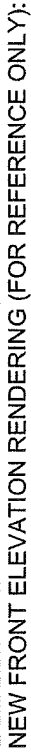


A1 - COVER PAGE & ZONING STATS  
SP - SITE PLAN  
A2 - BASEMENT / FOUNDATION PLAN  
A3 - MAIN FLOOR PLAN  
A4 - SECOND FLOOR PLAN  
A5 - FRONT ELEVATION  
A6 - RIGHT SIDE ELEVATION  
A7 - REAR ELEVATION

\*\*\* VARIANCE REQUIRED \*\*\*

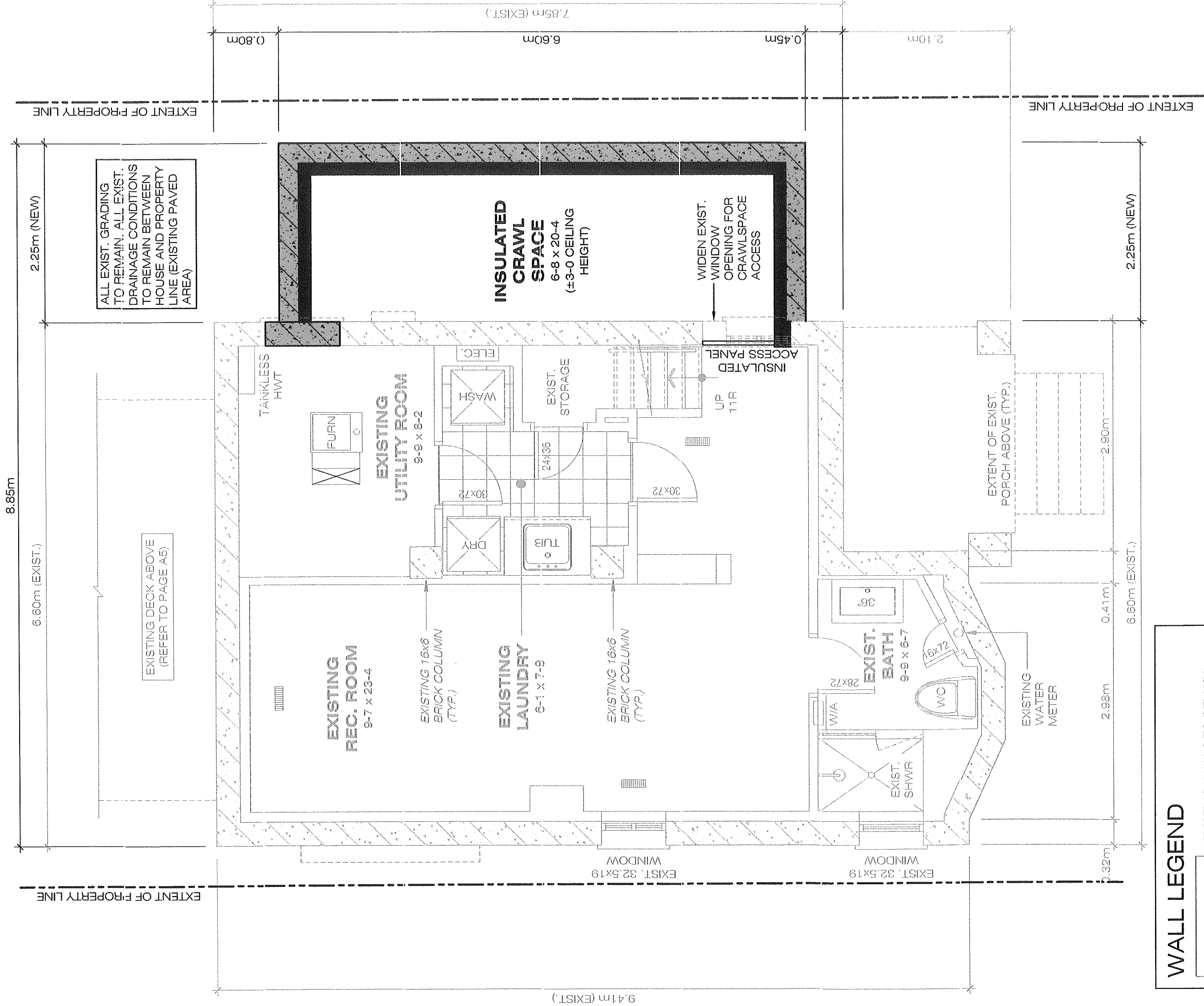
EXISTING FRONT ELEVATION (FOR REFERENCE ONLY):

NEW FRONT ELEVATION RENDERING (FOR REFERENCE ONLY):



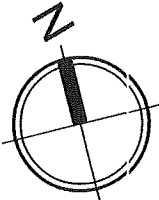
<h1>ISSUED FOR COMMITTEE OF ADJUSTMENT</h1>		Project Name:		<b>PRIVATE RESIDENCE</b> 2 STOREY ADDITION TO A SINGLE FAMILY DWELLING 60 BOND STREET SOUTH; HAMILTON, ON. L8S 1S7		Drawn By: JC Checked By: DC Scale: N.T.S. Date: MAY 2020 Project No. 2020-15	
		Sheet Title:		COVER PAGE AND ZONING STATS		3 MAY 15/20 ISSUED FOR C OF A JC 2 APR 30/20 ISSUED FOR REVIEW JC 1 APR 29/20 ISSUED FOR REVIEW HK No. Date Issue/Revision By:	





WALL LEGEND

- EXISTING WALLS TO REMAIN
- EXISTING FOUNDATION WALLS TO REMAIN
- NEW CONSTRUCTION WALLS
- NEW FOUNDATION WALLS
- EXISTING WALLS TO BE REMOVED



**BASEMENT / FOUNDATION PLAN**  
EXISTING AREA = 649.9 sqft (60.4 sqm)  
NEW CRAWL SPACE AREA = 165.0 sqft (15.3 sqm)  
EXIST. UTILITY/LAUNDRY AREA = 134.9 sqft (12.5 sqm)  
CEILING HEIGHT = 6'-3"  
HABITABLE ROOMS = 1

ISSUED FOR COMMITTEE  
OF ADJUSTMENT

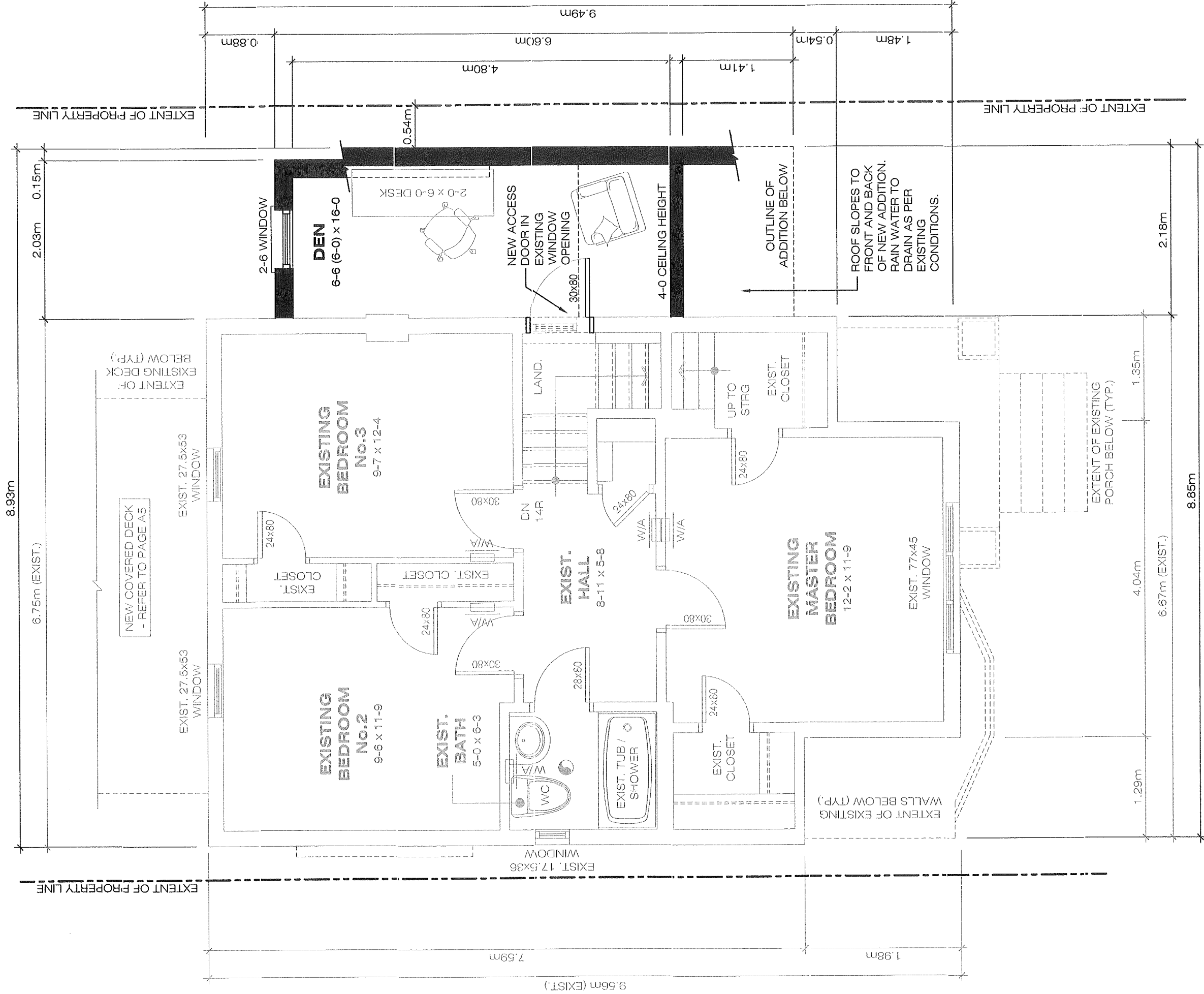
Project Name: PRIVATE RESIDENCE  
2 STOREY ADDITION TO A  
SINGLE FAMILY DWELLING  
60 BOND STREET SOUTH  
HAMILTON, ON. L8S 1S7

Sheet Title: BASEMENT /  
FOUNDATION PLAN

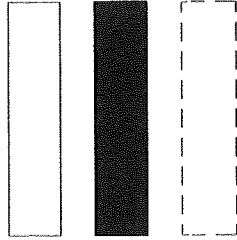
A2		JC	
		DC	
		1:50	
		MAY 2020	
		Date:	
		Project No.	



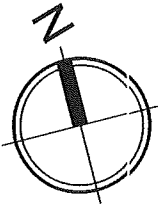




WALL LEGEND



- EXISTING WALLS TO REMAIN
- NEW CONSTRUCTION WALLS
- EXISTING WALLS TO BE REMOVED



**SECOND FLOOR PLAN**  
EXISTING AREA = 664.3 sqft (61.7 sqm)  
NEW ADDITION AREA = 123.6 sqft (11.5 sqm)  
NEW TOTAL FLOOR AREA = 787.9 sqft (73.2 sqm)

CEILING HEIGHT = 7'-10"  
HABITABLE ROOMS = 4

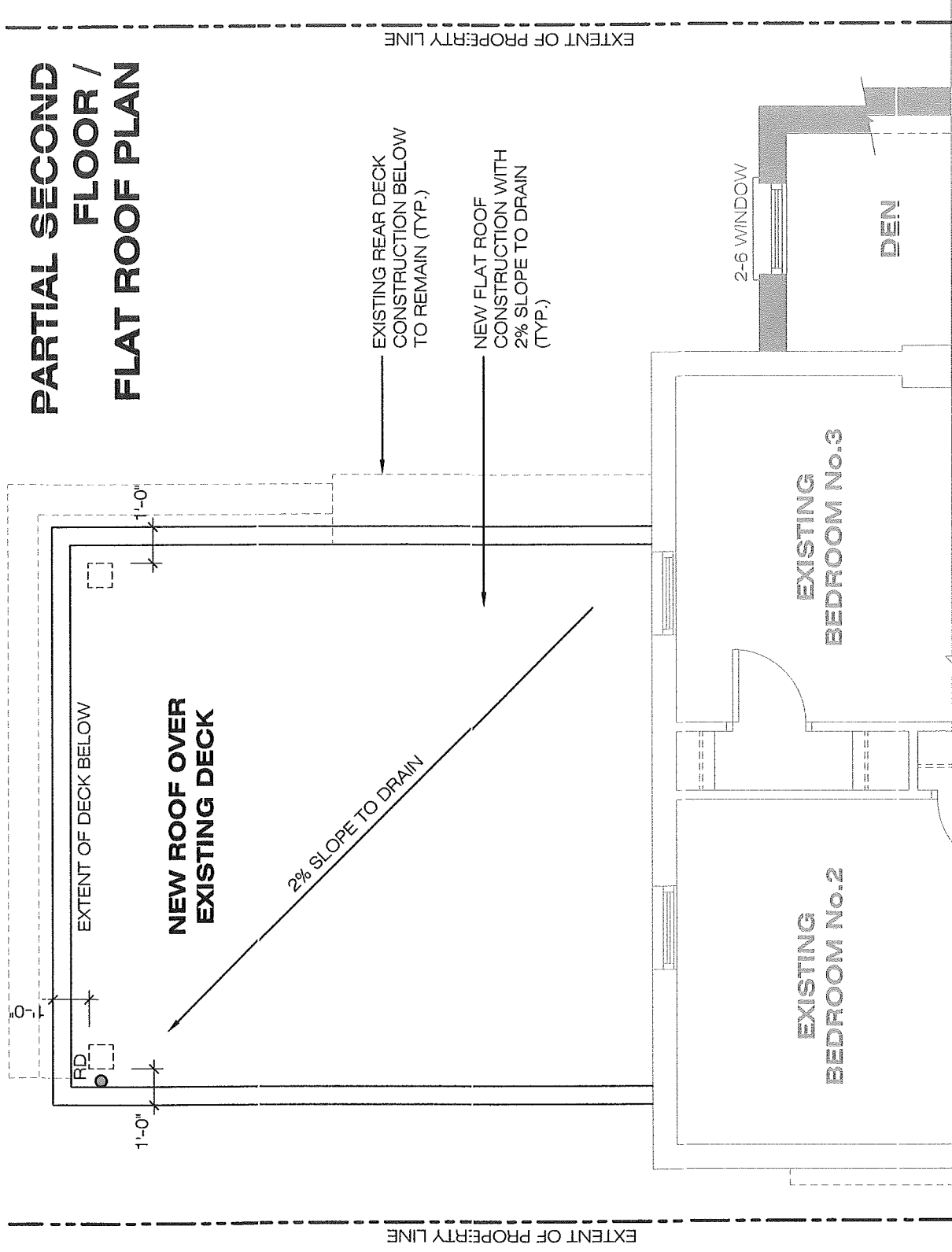
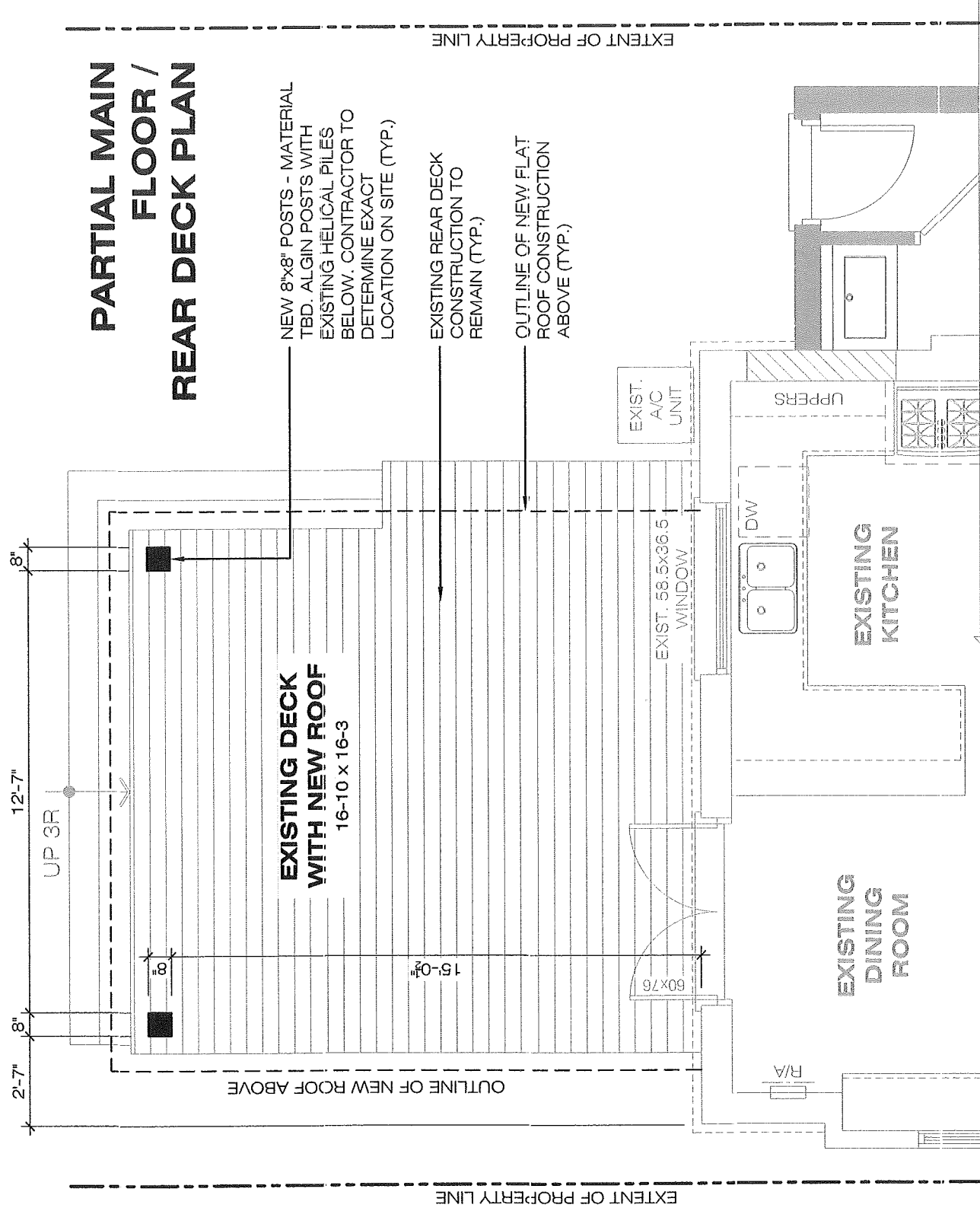
ISSUED FOR COMMITTEE  
OF ADJUSTMENT

PRIVATE RESIDENCE  
2 STOREY ADDITION TO A  
SINGLE FAMILY DWELLING  
60 BOND STREET SOUTH  
HAMILTON, ON. L8S 1S7

SECOND FLOOR PLAN

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A4



ISSUED FOR COMMITTEE  
OF ADJUSTMENT

Project Name: **PRIVATE RESIDENCE**  
2 STOREY ADDITION TO A  
SINGLE FAMILY DWELLING  
60 BOND STREET SOUTH  
HAMILTON, ON. L8S 1S7

Sheet Title:  
**PARTIAL FLOOR PLANS  
OF NEW DECK ROOF**

Drawn By:	JC
Checked By:	DC
Scale:	1:50
Date:	MAY 2020
Project No.	2020-15

A5



ALL EXISTING GRADING TO  
REMAIN. ALL EXISTING  
DRAINAGE CONDITIONS TO  
REMAIN BETWEEN HOUSE  
AND PROPERTY LINE  
(EXISTING PAVED AREA)

FRONT ELEVATION

Drawn By:	JC
Checked By:	DC
Scale:	1:50
Date:	MAY 2020
Project No.:	2020-15

A6

No.	Date	Issue/Revision	By
3	MAY 15/20	ISSUED FOR C OF A	JC
2	APR 30/20	ISSUED FOR REVIEW	JC
1	APR 29/20	ISSUED FOR REVIEW	HK
		Issue/Revision	By

Project Name:  
**PRIVATE RESIDENCE**  
2 STOREY ADDITION TO A  
SINGLE FAMILY DWELLING  
60 BOND STREET SOUTH  
HAMILTON, ON. L8S 1S7

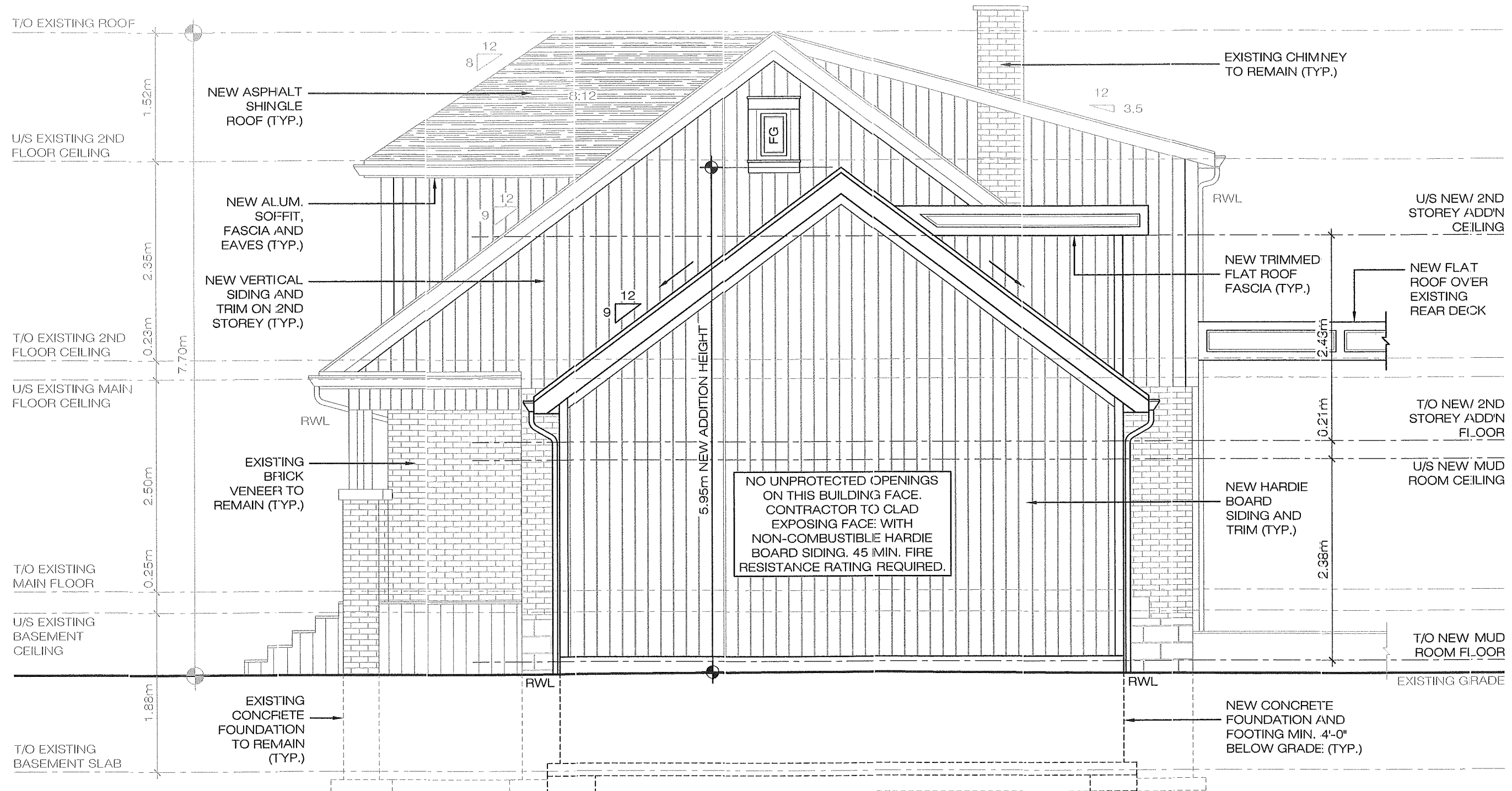
Sheet Title:  
**FRONT ELEVATION**

ISSUED FOR COMMITTEE  
OF ADJUSTMENT



ALL EXISTING GRADING TO  
REMAIN. ALL EXISTING  
DRAINAGE CONDITIONS TO  
REMAIN BETWEEN HOUSE  
AND) PROPERTY LINE  
(EXISTING PAVED AREA)

7A



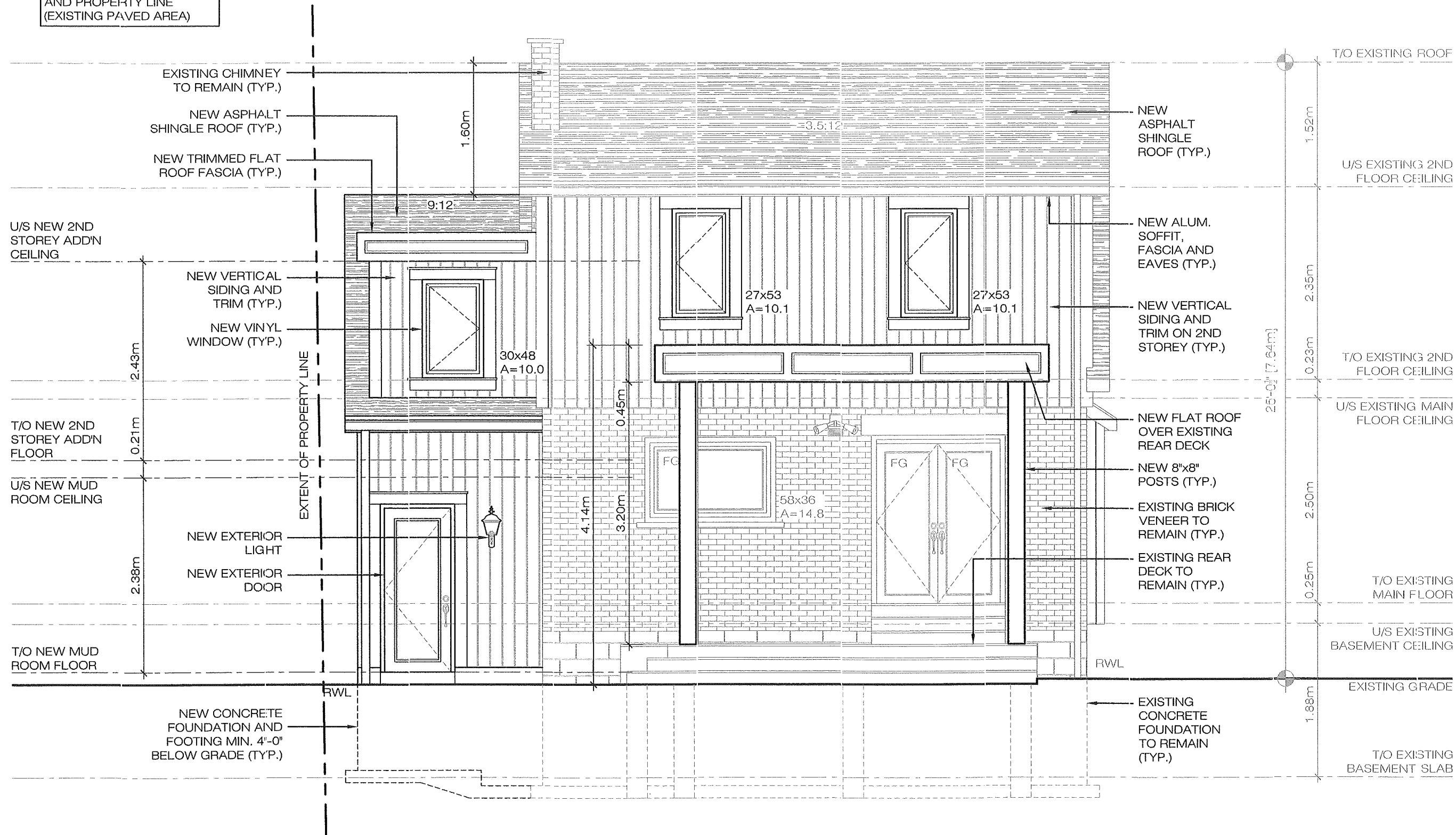
### RIGHT SIDE ELEVATION

**PRIVATE RESIDENCE**  
2 STOREY ADDITION TO A  
SINGLE FAMILY DWELLING  
60 BOND STREET SOUTH  
HAMILTON, ON. L8S 1S7

ISSUED FOR COMMITTEE  
OF ADJUSTMENT

[illegible]

ALL EXISTING GRADING TO  
REMAIN. ALL EXISTING  
DRAINAGE CONDITIONS TO  
REMAIN BETWEEN HOUSE  
AND PROPERTY LINE  
(EXISTING PAVED AREA)



REAR ELEVATION

Drawn By:	JC
Checked By:	DC
Scale:	1:50
Date:	MAY 2020
Project No.:	2020-15

**ISSUED FOR COMMITTEE  
OF ADJUSTMENT**

**PRIVATE RESIDENCE  
2 STOREY ADDITION TO A  
SINGLE FAMILY DWELLING  
60 BOND STREET SOUTH  
HAMILTON, ON. L8S 1S7**

**REAR ELEVATION**

3	MAY 15/20	ISSUED FOR C OF A	JC	
2	APR 30/20	ISSUED FOR REVIEW	JC	
1	APR 29/20	ISSUED FOR REVIEW	HK	
No.	Date:	Issue/Revision		

**A8**

# PLAN

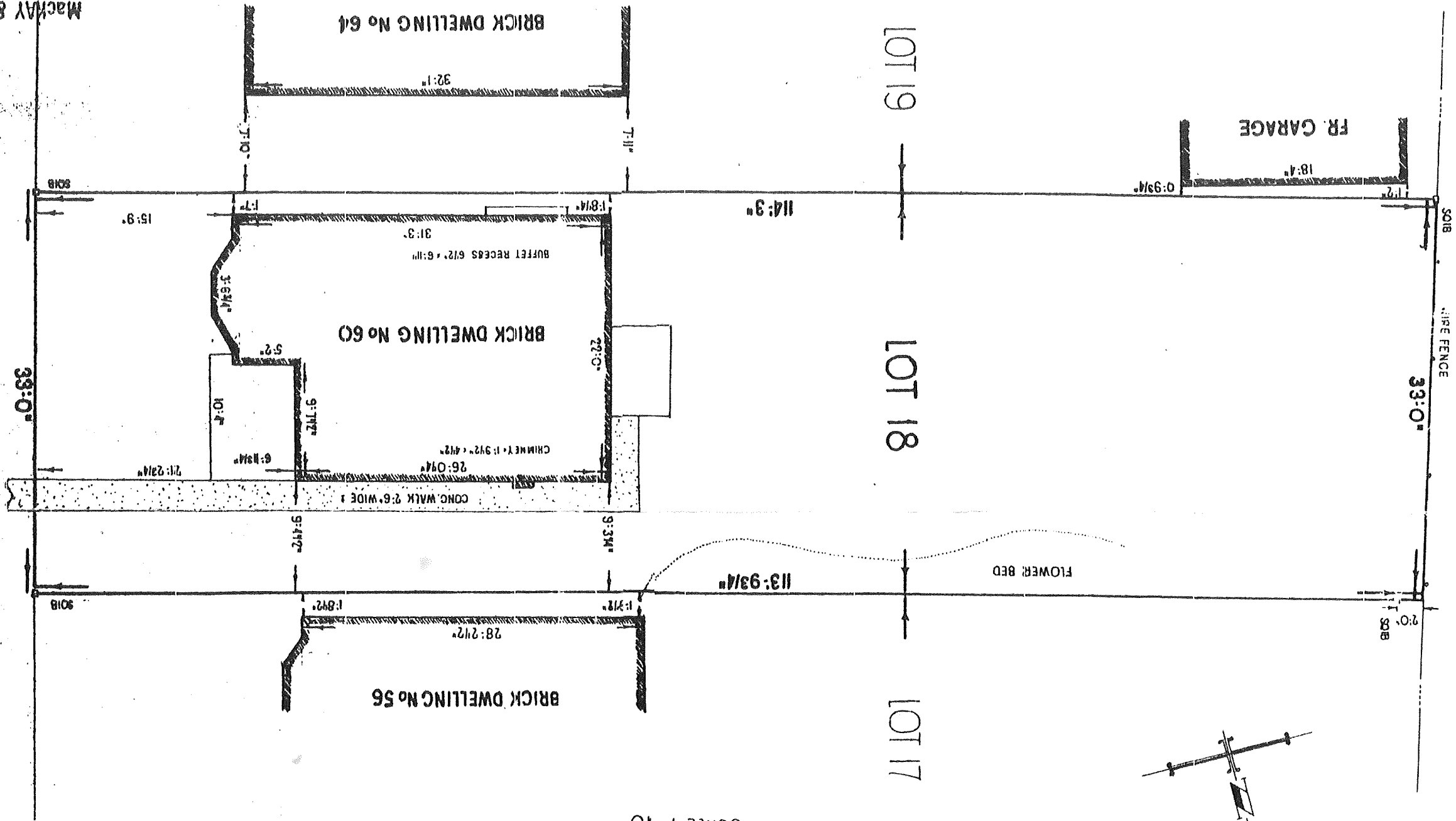
SHOWING

LOT 18

COLLEGIATE PARK  
REGISTERED PLAN No 692  
IN THE

CITY OF HAMILTON

SCALE: 1" = 10'



Mackay & Mackay & Peters  
ENGINEERS & SURVEYORS  
HAMILTON, ONTARIO  
SEPTEMBER 21, 1964  
ONTARIO LAND SURVEYOR

BOND STREET SOUTH