



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th 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

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-21:52

APPLICANTS: Owner Matthew DiMascio
Agent Hank Nauta

SUBJECT PROPERTY: Municipal address **9 Clare Ave., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended by By-Law 19-277

ZONING: C/S-1436b district (Urban Protected Residential, Etc.)

PROPOSAL: To permit the construction of an existing single family dwelling having 224.3 square metres of gross floor area, notwithstanding that:

1. The maximum building height for a single detached dwelling shall be three (3) storeys instead of the required two-and-a-half (2.5) storey maximum height.
2. The minimum easterly side yard shall be 1.2 metres instead of 1.7 metres for a side yard in which a swale has not been provided.
3. The minimum front yard landscaped area shall be 32% instead of the minimum required 50% landscaped area for a single family dwelling.

NOTES:

1. Site Plan Approval is required for the proposed single family dwelling because the property is located along the Hamilton Beach Strip. At this time, a Site Plan Review application has not been submitted for review and additional variances may be required.
2. The variance for building height has been written as requested by the applicant. Additional variances have also been identified through the review of the application and have been included.
3. The Zoning By-law defines "storey" and "half storey" as follows:

Storey, Half" shall mean that portion of a building situated wholly or in part within a sloping roof and in which:

(a) there is sufficient space to provide a height between finished floor and finished ceiling of at least 2.3m (7 feet, 7 inches) over a floor area equal to at least fifty percent of the area of the floor; or

(b) there is sufficient space to provide a height between finished floor and finished ceiling of at least 2.1m (6 feet, 11 inches) over all of the area of the floor.

"Storey" shall mean that portion of a building, other than a cellar, included between the surface of any floor and the surface of the floor, roof deck or ridge next above it, except an attic storey

As the proposed third floor would be developed as a living area containing a 2.4m high ceiling, it was determined to be a full storey instead of a half storey and subject to a minor variance.

4. The property is Zoned Site-Specific "C/S-1436b" District which applies to lands in the Beach strip area that are along the Bay side and was created under amending by-law 99-170 to address requirements for development in this area. The Site-Specific "C/S-1436b" District was amended under By-law 19-277. One of the modifications under the amending by-law is that the elevation above sea level was changed from 76.0m to 76.5m. Based on the submitted plans, it was not possible to determine this requirement. Therefore, additional variances may be required if the proposal does not comply.
5. Concerning Variance #3, the submitted plans did not show the proposed driveway width. However, the applicant has indicated that the driveway width would be the width of the dwelling (i.e. 8.2m) to accommodate two garage parking spaces. Therefore, the variance is required because the front yard landscaped area would be less than the minimum required 50%.
6. A variance for the encroachment of a canopy into the easterly side yard is not required providing the variance is approved for the easterly side yard.

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

DATE: Thursday, March 18th, 2021
TIME: 1:35 p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at
www.hamilton.ca/committeeofadjustment
for viewing purposes only

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

DATED: March 2nd, 2021.

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.

THESE PLANS FORM THE BASIS FOR PERMIT ISSUANCE. ANY DEVIATIONS FROM THESE PLANS AND DETAILS, INCLUDING THE VENTILATION SYSTEM, HEATING SYSTEM, WOODSTOVE, FIREPLACES, DECKS, BALCONIES AND FINISHED BASEMENTS, WILL REQUIRE A REVISED DRAWING AND CLEARANCE BY THE BUILDING DEPARTMENT.

REFER TO GENERAL NOTES PAGE FOR STANDARD SITE AND GRADING CONSTRUCTION NOTES, OBC REQUIREMENTS AND TYPICAL CONSTRUCTION ASSEMBLIES. REFER TO STANDARD DETAIL PAGE FOR CONSTRUCTION DETAILS.

- GENERAL NOTES**
1. ALL WORK PERFORMED AND MATERIAL SUPPLIED SHALL COMPLY TO THE LATEST EDITION OF THE ONTARIO BUILDING CODE.
 2. NAUTA HOME DESIGNS IS NOT LIABLE FOR ANY ERRORS OR OMISSIONS FOUND IN THESE BLUEPRINTS.
 3. DO NOT SCALE BLUEPRINTS.

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REVISIONS

DATE	ITEM

QUALIFICATION 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.

Hank Nauta
NAME

SIGNATURE

BCIN

REGISTRATION INFORMATION
Required unless design is exempt under 2.17.4.1. of the building code.

Nauta Home Designs
NAME

BCIN



1-866-474-4320

1789 MERRITTVILLE HWY
WELLAND, ON L3B 5N5

PLAN NUMBER:

T S 8 1 1

CONTRACT NUMBER:

2018-145

PROJECT :

3 STOREY
2,214 SQ. FT.

WIDTH: 30' 6"

DEPTH: 55' 0"

BDRMS: 3

BATHS: 2

LOCATION:

9 CLARE AVENUE
HAMILTON, ON

TITLE:

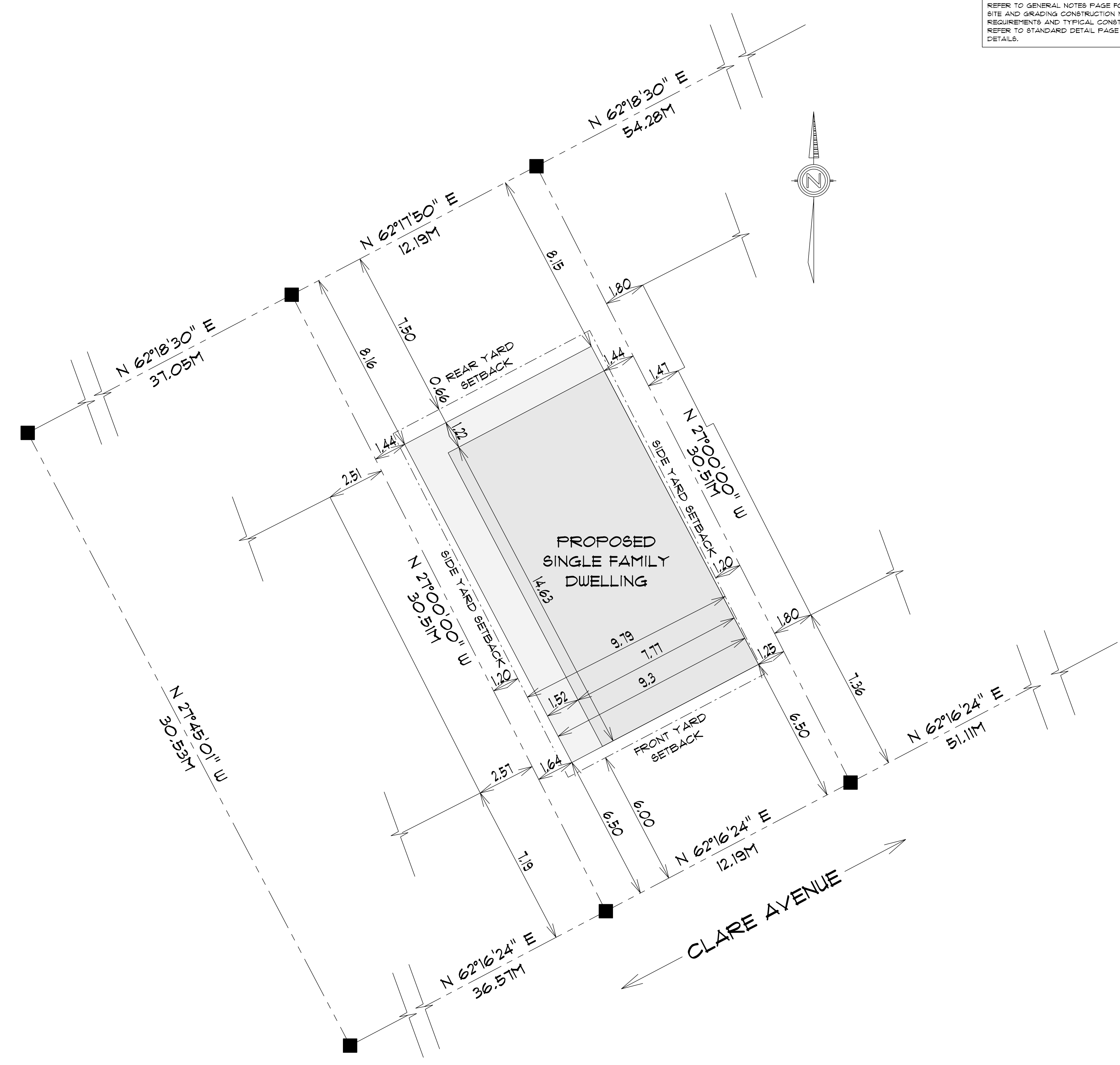
SITE PLAN

ISSUED FOR	DATE
VARIANCE:	2/2/2020

DRAWN BY: JT

CHECKED BY:

DATE :	PAGE:
FEBRUARY 2021	2 OF 7



SITE STATISTICS

	sq. FT.	sq. M.	%
LOT AREA	4003.1 sq. FT.	371.9 sq. M.	
PROPOSED LOT COVERAGE	1885.5 sq. FT.	174.3 sq. M.	39.61%
MAXIMUM LOT COVERAGE	NO RESTRICTION		

9 CLARE AVENUE
HAMILTON, ONTARIO
SITE PLAN 1 : 200
February 4, 2021 J.T. 10:52 AM

WWW.NAUTAHOMEDESIGNS.COM 1-866-474-4320
SEARCH OVER 1000 HOUSE PLANS ONLINE,
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T S S 11

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WIDTH: 30' 6"

DEPTH: 55' 0"

BDRMS: 3

BATHS: 2

LOCATION:

9 CLARE AVENUE

HAMILTON, ON

TITLE:

FRONT ELEV.

LEFT ELEV.

ISSUED FOR

DATE

VARIANCE: 2/2/2020

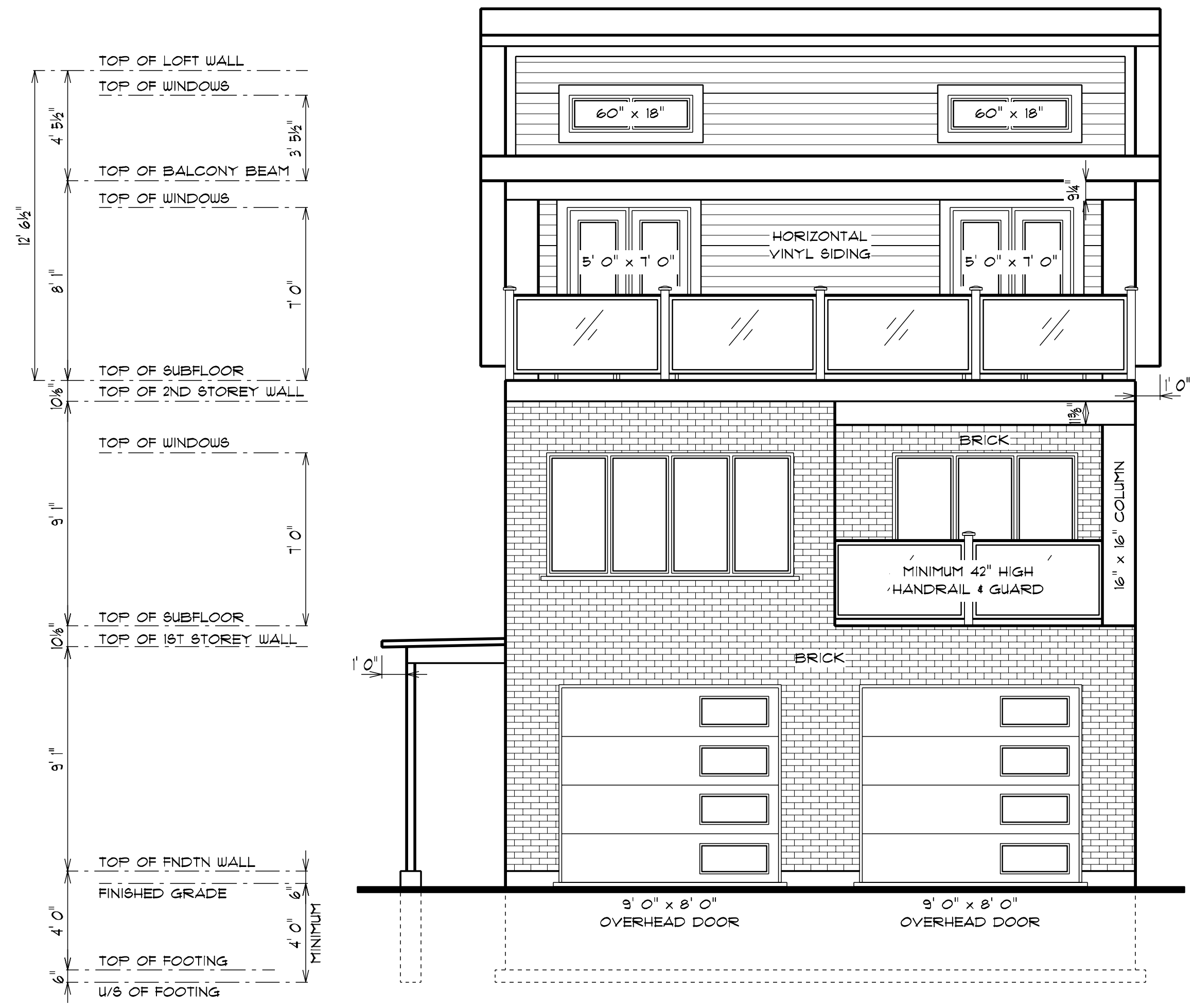
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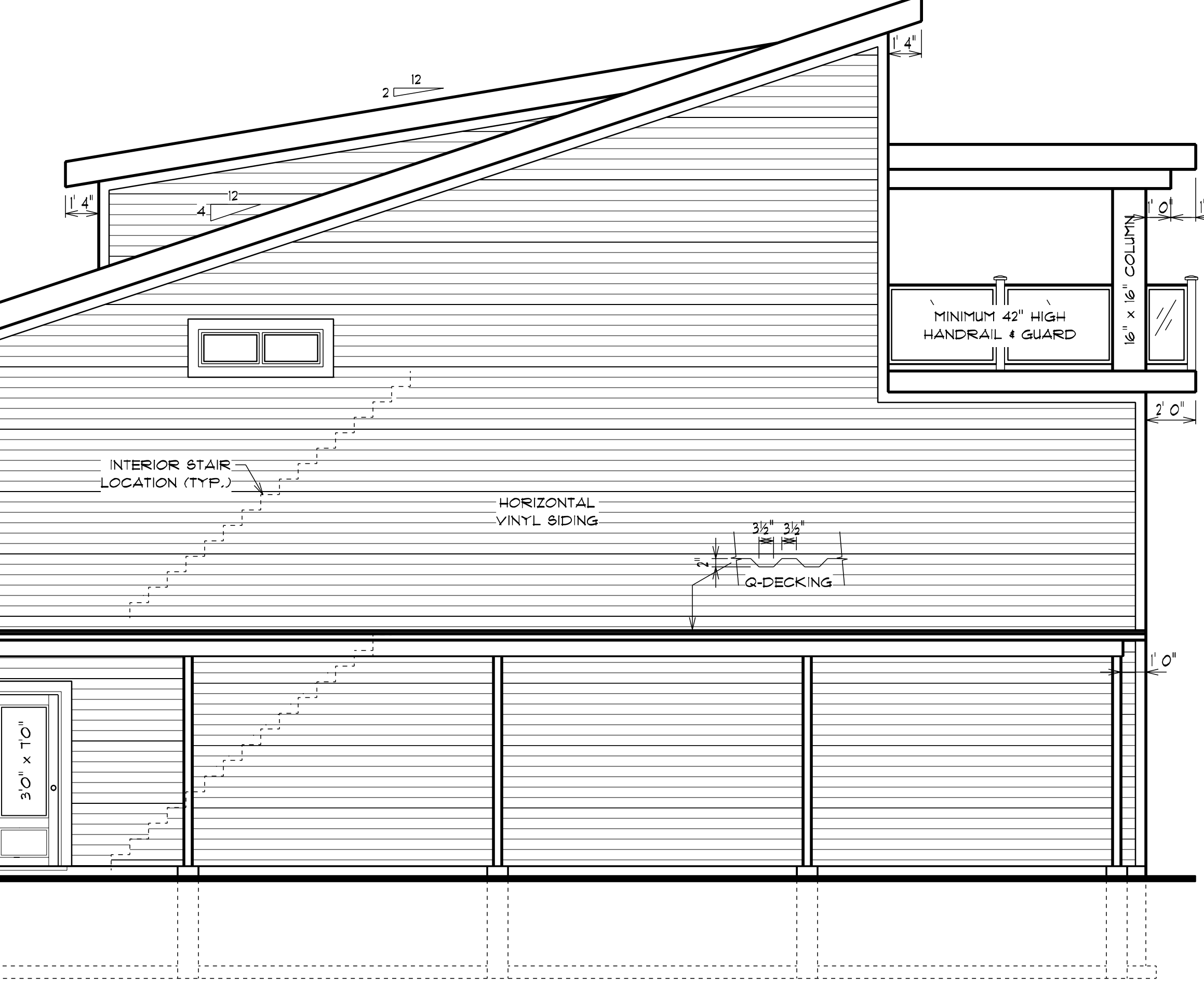
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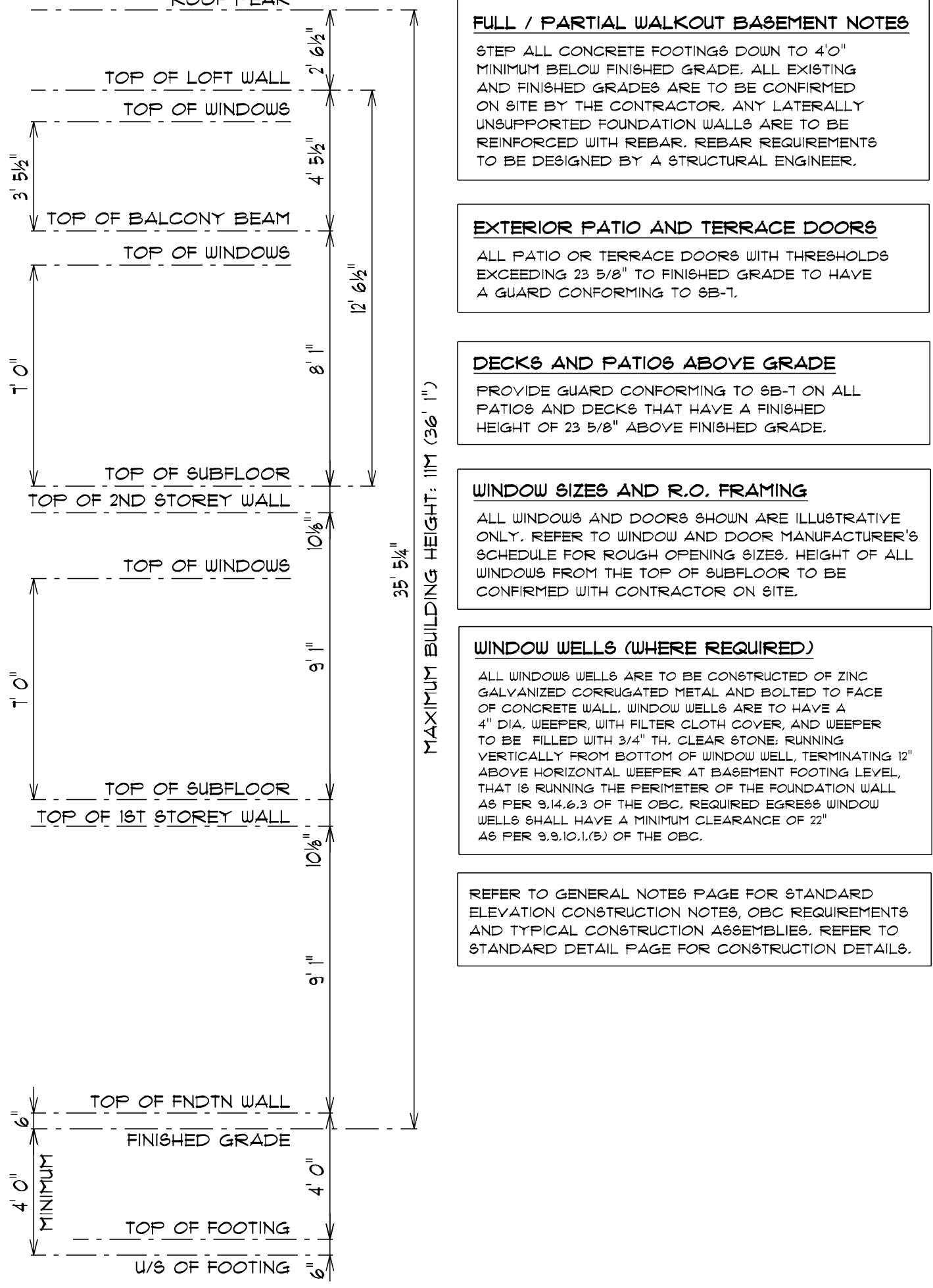
FEBRUARY 2021 3 OF 7



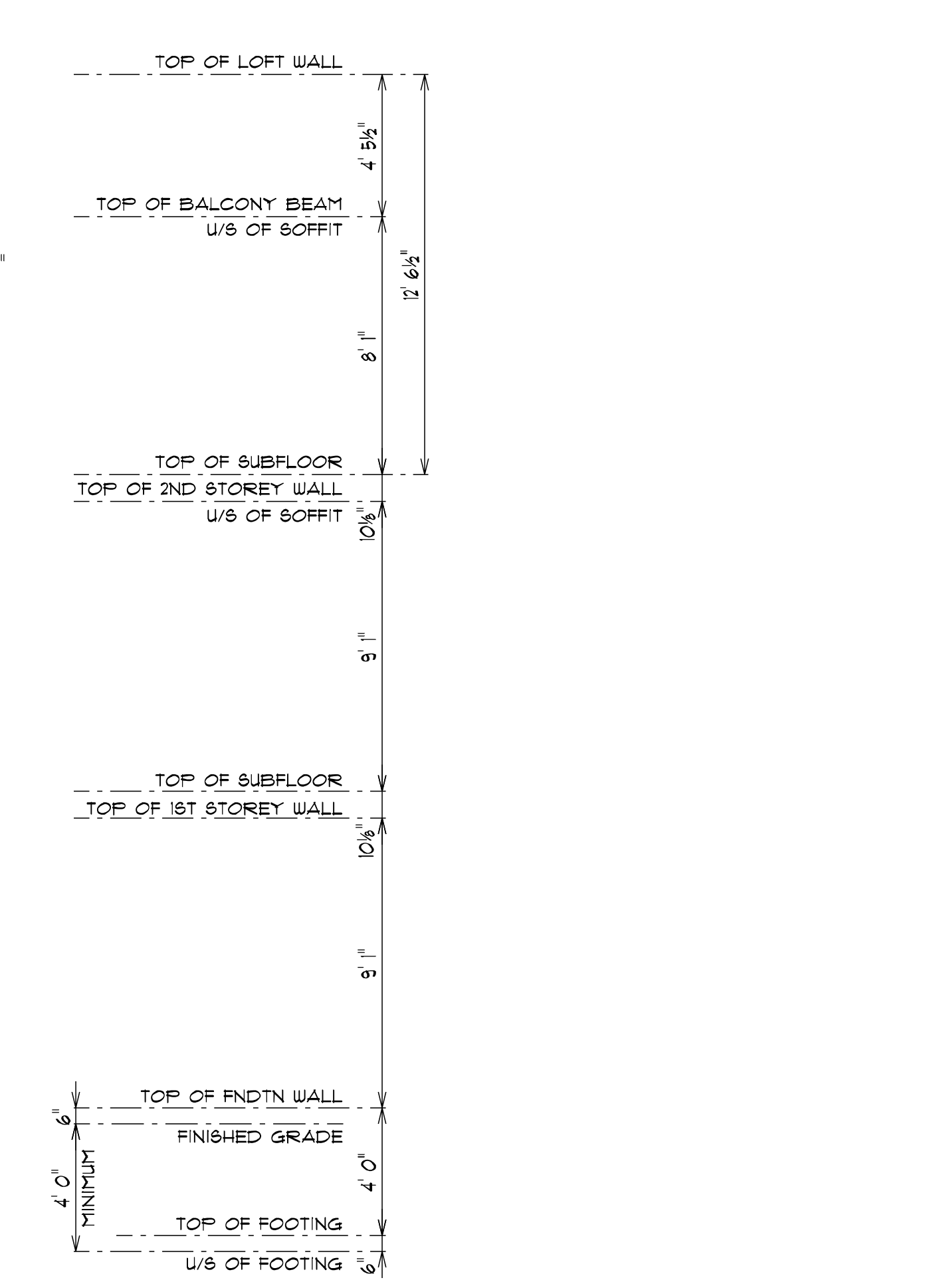
FRONT ELEVATION 1/4" = 1' 0"
February 4, 2021 J.T. 10:52 AM



LEFT ELEVATION 1/4" = 1' 0"
February 4, 2021 J.T. 10:52 AM



MAXIMUM BUILDING HEIGHT: 38' 5 1/4"



MAXIMUM BUILDING HEIGHT: 38' 5 1/4"

FULL / PARTIAL WALKOUT BASEMENT NOTES
STEP ALL CONCRETE FOOTINGS DOWN TO 4'0" MINIMUM BELOW FINISHED GRADE. ALL EXISTING AND FINISHED GRADES ARE TO BE CONFIRMED ON SITE BY THE CONTRACTOR. ANY LATERALLY UNSUPPORTED FOUNDATION WALLS ARE TO BE REINFORCED WITH REBAR. REBAR REQUIREMENTS TO BE DESIGNED BY A STRUCTURAL ENGINEER.

EXTERIOR PATIO AND TERRACE DOORS
ALL PATIO OR TERRACE DOORS WITH THRESHOLDS EXCEEDING 23 5/8" TO FINISHED GRADE TO HAVE A GUARD CONFORMING TO SB-1.

DECKS AND PATIOS ABOVE GRADE
PROVIDE GUARD CONFORMING TO SB-1 ON ALL PATIOS AND DECKS THAT HAVE A FINISHED HEIGHT OF 23 5/8" ABOVE FINISHED GRADE.

WINDOW SIZES AND R.O. FRAMING
ALL WINDOWS AND DOORS SHOWN ARE ILLUSTRATIVE ONLY. REFER TO WINDOW AND DOOR MANUFACTURER'S SCHEDULE FOR ROUGH OPENING SIZES. HEIGHT OF ALL WINDOWS FROM THE TOP OF SUBFLOOR TO BE CONFIRMED WITH CONTRACTOR ON SITE.

WINDOW WELLS (WHERE REQUIRED)
ALL WINDOW WELLS ARE TO BE CONSTRUCTED OF ZINC GALVANIZED CORRUGATED METAL AND BOLTED TO FACE OF CONCRETE WALL. WINDOW WELLS ARE TO HAVE A 4" DIA. REEFER WITH FILTER CLOTH COVER AND REEFER TO BE FILLED WITH 3/4" TH. CLEAR STONE, RUNNING VERTICALLY FROM BOTTOM OF WINDOW WELL, TERMINATING 12" ABOVE HORIZONTAL REEFER AT BASEMENT FOOTING LEVEL. THAT IS RUNNING THE PERIMETER OF THE FOUNDATION WALL AS PER 9.14.6.3 OF THE OBC. REQUIRED EGRESS WINDOW WELLS SHALL HAVE A MINIMUM CLEARANCE OF 21" AS PER 9.9.10.1.1.5 OF THE OBC.

REFER TO GENERAL NOTES PAGE FOR STANDARD ELEVATION CONSTRUCTION NOTES, OBC REQUIREMENTS AND TYPICAL CONSTRUCTION ASSEMBLIES. REFER TO STANDARD DETAIL PAGE FOR CONSTRUCTION DETAILS.

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BCIN: _____

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NAUTA HOME DESIGNS

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T S S 11

CONTRACT NUMBER:
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2,214 S.Q. FT.

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DEPTH: 55' 0"
BDRMS: 3
BATHS: 2

LOCATION:
9 CLARE AVENUE
HAMILTON, ON

TITLE:
REAR ELEV.
RIGHT ELEV.

ISSUED FOR: _____
DATE: 2/2/2020

VARIANCE: _____

DRAWN BY: JT
CHECKED BY: _____

DATE: FEBRUARY 2021
PAGE: 4 OF 7

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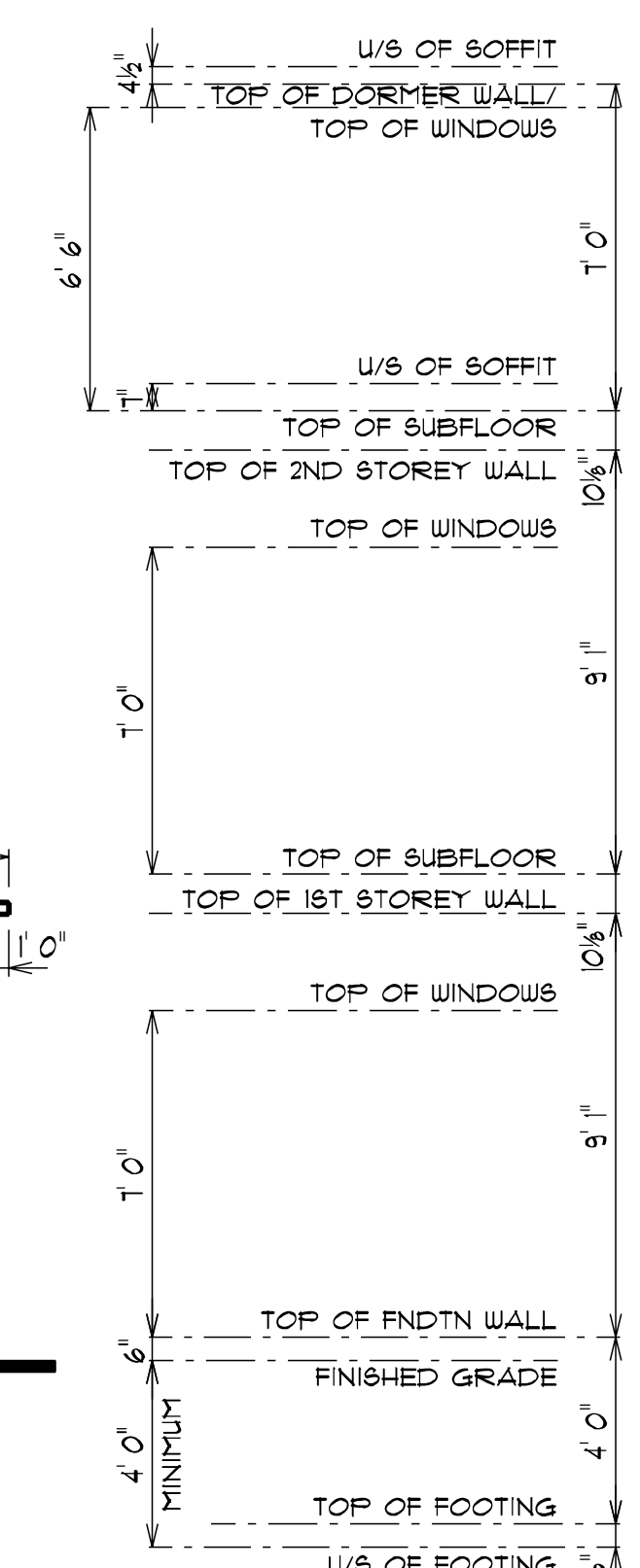
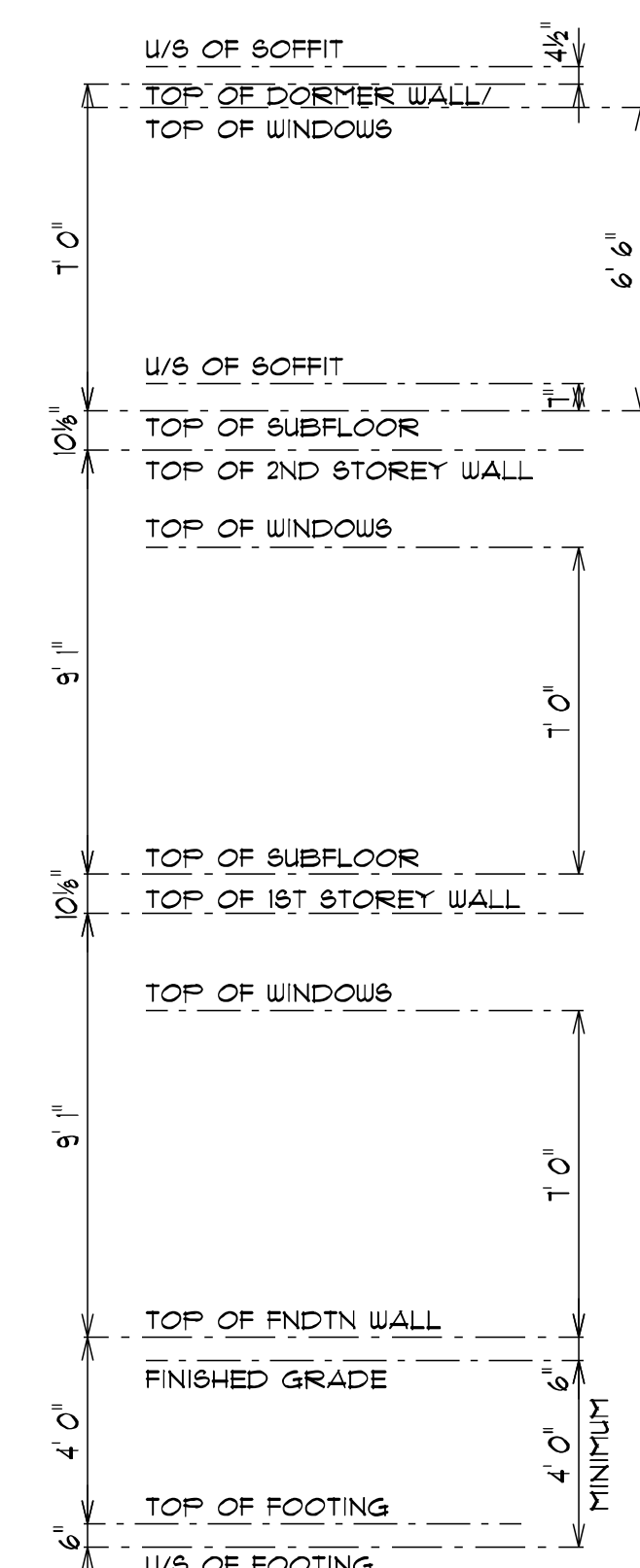
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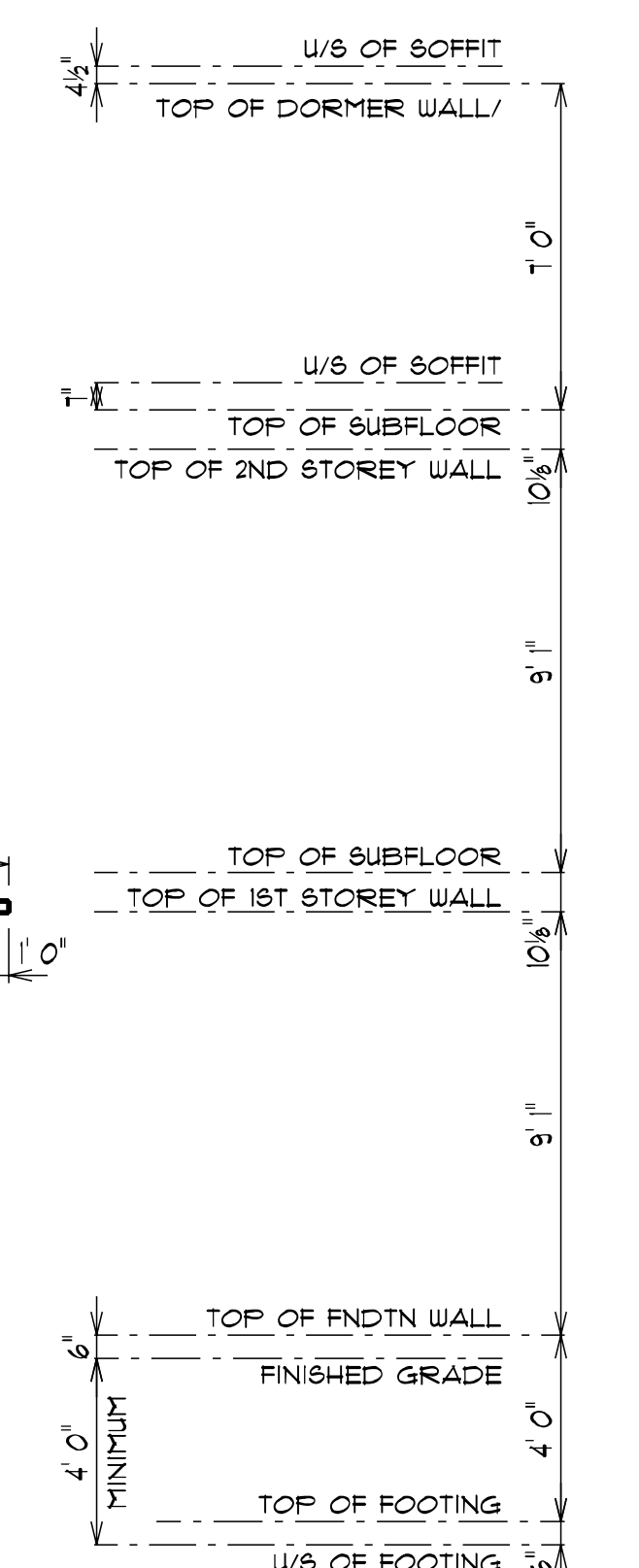
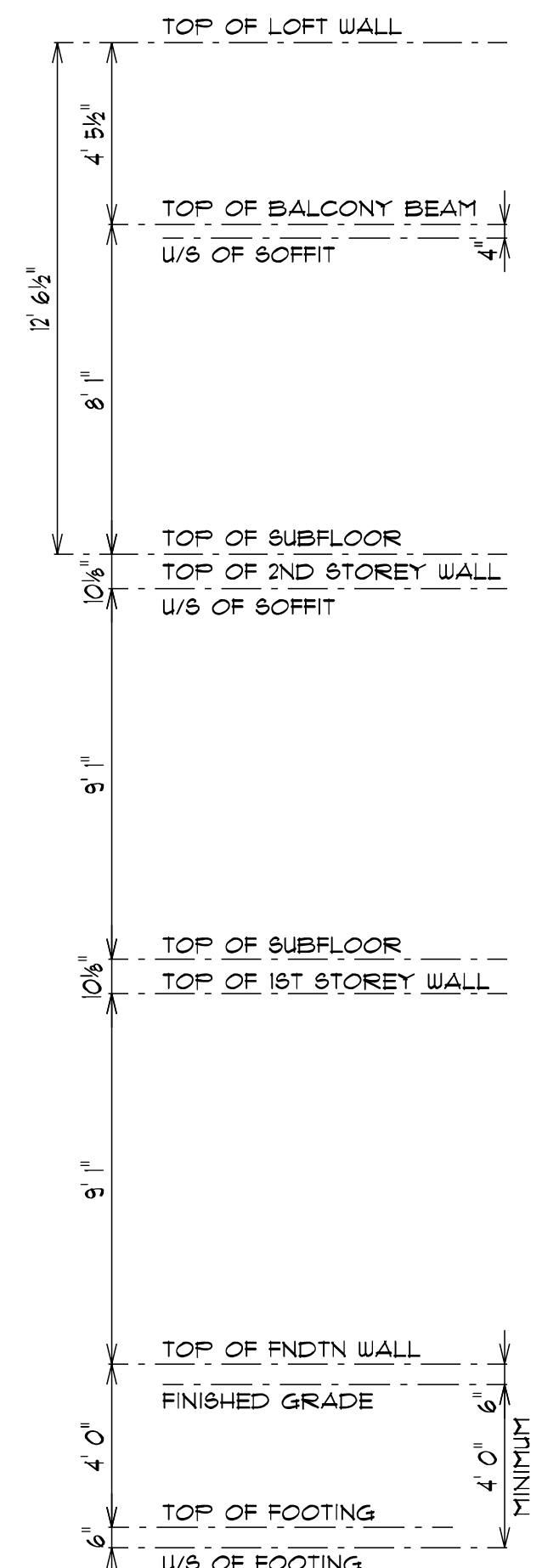
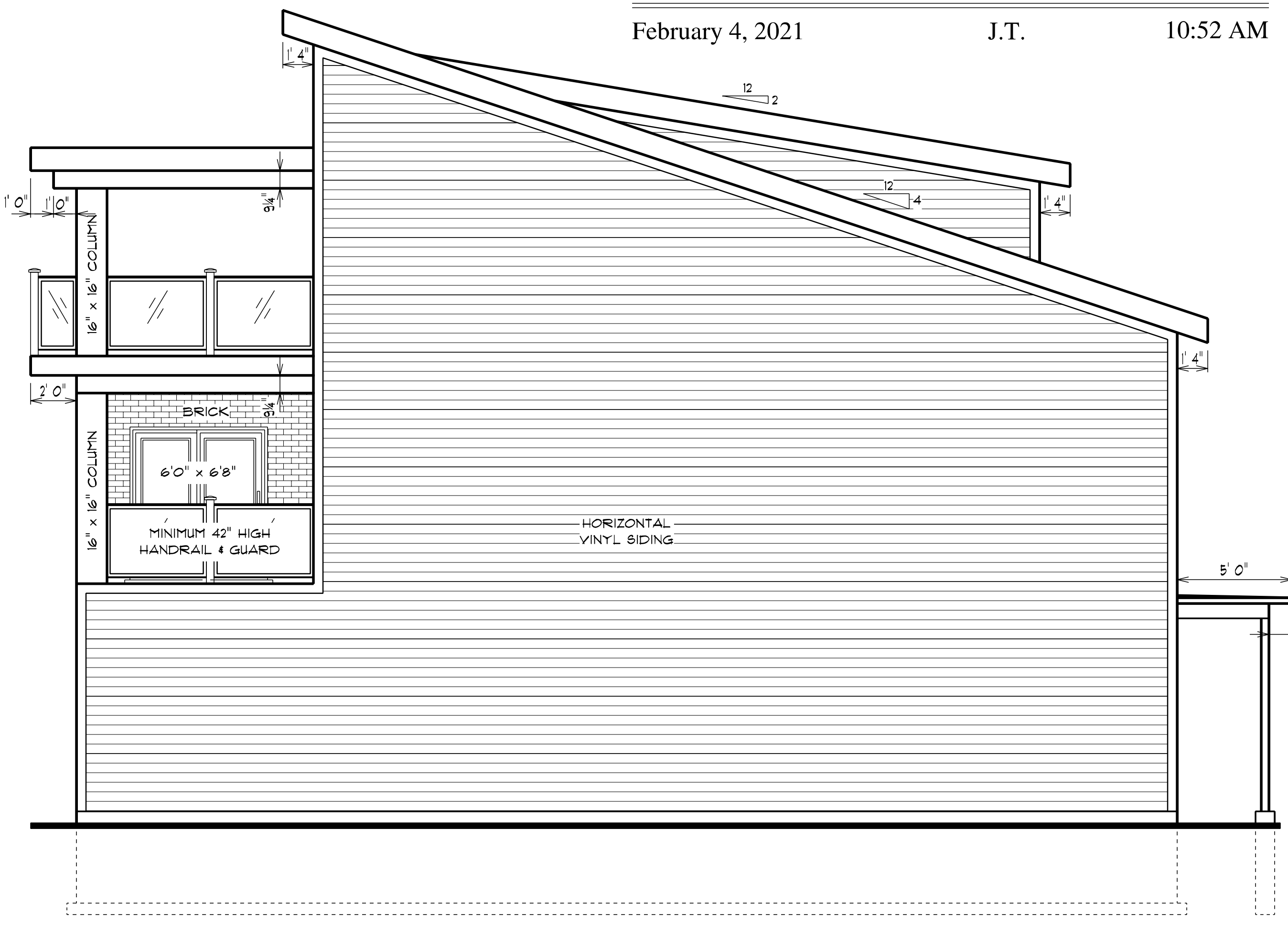
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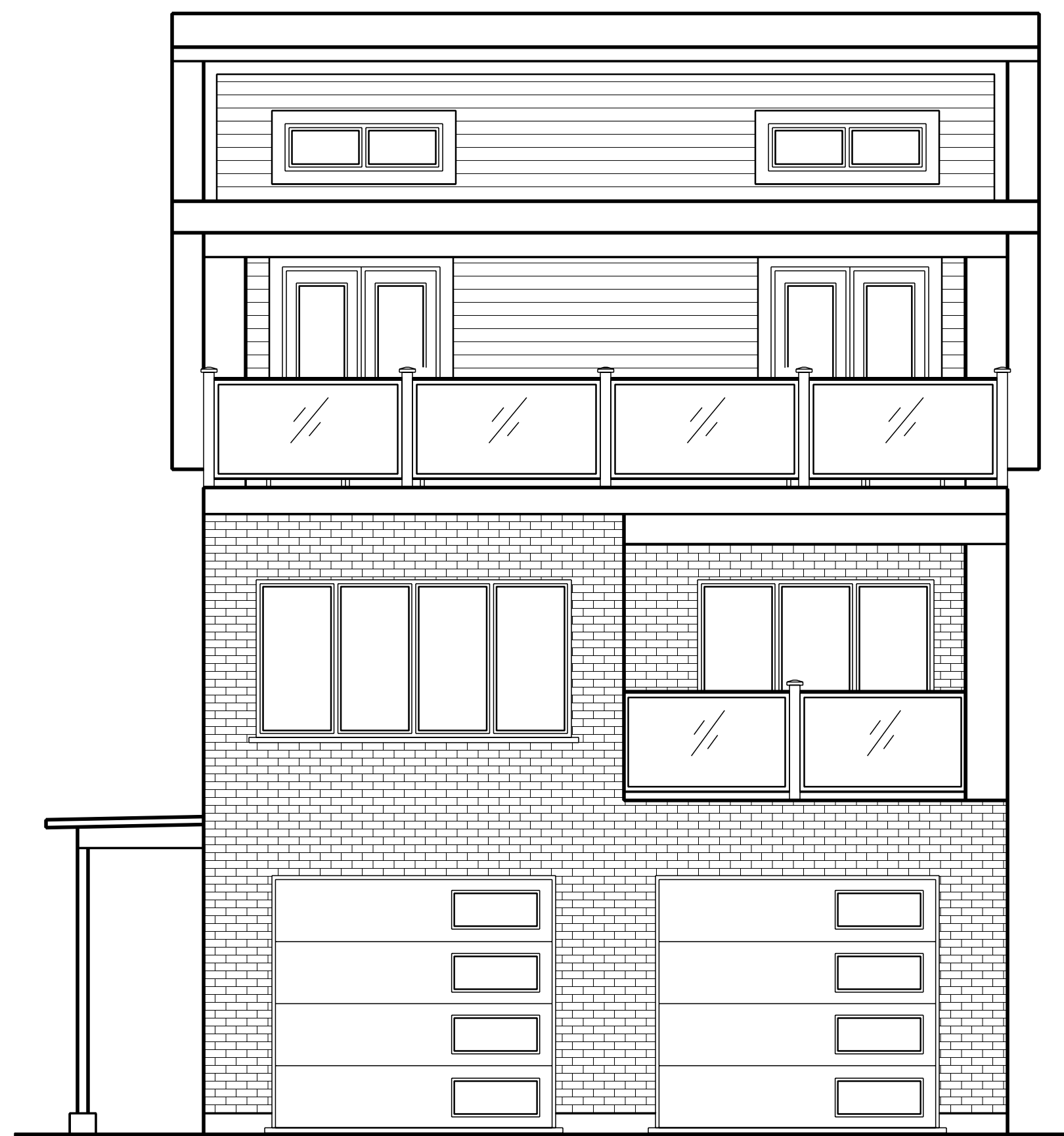


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RIGHT ELEVATION 1/4" = 1' 0"
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TS811

CUSTOM TWO STOREY
2,214 SQ. FT.
PROJECT ADDRESS
9 CLARE AVENUE
HAMILTON, ON

DESIGN BY: NAUTA HOME DESIGNS

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ENGINEERING CHECKLIST

ALL STRUCTURAL APPLICATIONS OUTSIDE OF PART 9 OF THE OBC REQUIRE ENGINEERING DETAILS AND / OR NOTES THAT ARE TO BE SIGNED AND SEALED BY A QUALIFIED STRUCTURAL ENGINEER THAT IS LICENSED TO CONSULT IN THE PROVINCE OF ONTARIO.

ITEMS REQUIRED FOR PERMIT INDICATED BY: ●

1. STEEL BEAMS NOT IN COMPLIANCE WITH PART 9 SPAN TABLES OF THE OBC.
2. STEEL BEAMS WITH CONCENTRATED POINT LOADS
3. REBAR REINFORCEMENT OF LATERALLY UNSUPPORTED FOUNDATION WALLS AS DEFINED BY PART 9.15.4.3. OF THE OBC.
4. RETAINING WALLS
5. TIMBER POST AND BEAM SIZING
6. TIMBER POST AND BEAM CONNECTIONS
7. TALL WALL DESIGN FOR WALLS EXCEEDING 18'4 1/2" IN HEIGHT.
8. SUSPENDED CONCRETE SLABS NOT IN COMPLIANCE WITH O.B.C. 9.39.1.4 WITH SPANS EXCEEDING 8'0"
9. H.S.S. STEEL COLUMNS AND CONNECTIONS
10. "HINGED" WALL CONSTRUCTION AS PER 9.23.10.4. (NON-CONTINUOUS STUDS FOR A FULL STOREY)
11. LVL OR PARALLAM BEAMS AND HEADERS
12. PRE-ENGINEERED FLOOR SYSTEMS (WOOD IS OR FLOOR TRUSSES)
13. PRE-ENGINEERED ROOF TRUSSES
14. OTHER STRUCTURAL APPLICATIONS OUTSIDE OF PART 9 OF THE OBC. SPECIFY.

PERMIT DOCUMENTATION REQUIRED

CONSULT WITH LOCAL MUNICIPALITIES AND ALL OTHER GOVERNMENT AGENCIES OR CONSERVATION AGENCIES PRIOR TO APPLYING FOR A BUILDING PERMIT. CONSULT WITH BUILDING DEPARTMENT FOR A COMPREHENSIVE LIST OF ALL DOCUMENTATION REQUIRED FOR A BUILDING PERMIT. 2 COPIES OF ALL OR SOME OF THE DOCUMENTS LISTED BELOW REQUIRED FOR PERMIT APPLICATION. DOCUMENTS REQUIRED FOR PERMIT ARE NOT LIMITED TO THE ITEMS LISTED BELOW.

- 1) **BLUEPRINTS**
ONTARIO BUILDING CODE COMPLIANT SET OF CONSTRUCTION BLUEPRINTS.
- 2) **HYAC REPORT**
PROVIDES HEAT LOSS/GAIN CALCULATIONS, VENTILATION AND DUCT DESIGN AND REQUIRED EFFICIENCIES FOR HEATING AND COOLING EQUIPMENT.
- 3) **STRUCTURAL ENGINEERING**
ALL STRUCTURAL APPLICATIONS OUTSIDE OF PART 9 OF THE OBC REQUIRE ENGINEERING DETAILS OR NOTES THAT ARE TO BE SIGNED AND SEALED BY A QUALIFIED STRUCTURAL ENGINEER LICENSED TO CONSULT IN THE PROVINCE OF ONTARIO.
- 4) **LEGAL GRADE SURVEY / SITE PLAN**
SHOWS THE LOCATION OF THE HOUSE ON THE PROPERTY AND THE EXISTING AND PROPOSED GRADES. GRADING PLAN TO BE COMPLETED BY A LICENSED ONTARIO LAND SURVEYOR OR OTHER QUALIFIED DESIGNER.
- 5) **PRE-ENGINEERED WOOD PRODUCTS**
INCLUDES TRUSS DRAWINGS AND TRUSS LAYOUT, LVL OR GLU-LAM BEAMS, WOOD I FLOOR SYSTEMS, FLOOR TRUSS SYSTEMS, LVL HEADERS OR FLOOR BEAMS, AND PARALLAM STUDS.
- 6) **SEPTIC PERMIT**
ONLY REQUIRED WHEN MUNICIPAL SEWER SERVICES ARE NOT AVAILABLE.
- 7) **MINOR VARIANCE / RE-ZONING APPROVALS**
ONLY REQUIRED WHEN ZONING AND BY-LAW REQUIREMENTS ARE NOT MET. CONSULT WITH LOCAL MUNICIPALITY FOR APPROVAL REQUIREMENTS.
- 8) **CONSERVATION AUTHORITY APPROVALS**
ONLY REQUIRED WHEN CONSERVATION AGENCIES HAVE JURISDICTION ON THE PROPERTY. CONSULT WITH LOCAL CONSERVATION AGENCIES FOR BOUNDARIES OF AUTHORITY AND POSSIBLE APPROVAL REQUIREMENTS.
- 9) **FILLED APPLICATION FORMS & FEES**
ALL NECESSARY APPLICATION FORMS ARE TO BE FILLED OUT WITH ALL REQUIRED INFORMATION AND FEES TO BE PAID AS DEEMED NECESSARY BY THE BUILDING DEPARTMENT.

9B-12 ENERGY EFFICIENCY DESIGN SUMMARY

ZONE 1	9B-12 PRESCRIPTIVE PACKAGE - TABLE 9.1.1.24	
ELEVATION	TOTAL AREA OF EXPOSED WALLS	TOTAL AREA OPENINGS
FRONT		
LEFT		
REAR		
RIGHT		
TOTAL		

TOTAL % OF OPENINGS IN EXPOSED WALLS

LIMITING DISTANCE CALCULATIONS

LEFT ELEVATION	EXPOSED BUILDING FACE MAX. AREA OF GLAZED OPENINGS PROPOSED WINDOW AREA	RIGHT ELEVATION	EXPOSED BUILDING FACE MAX. AREA OF GLAZED OPENINGS PROPOSED WINDOW AREA

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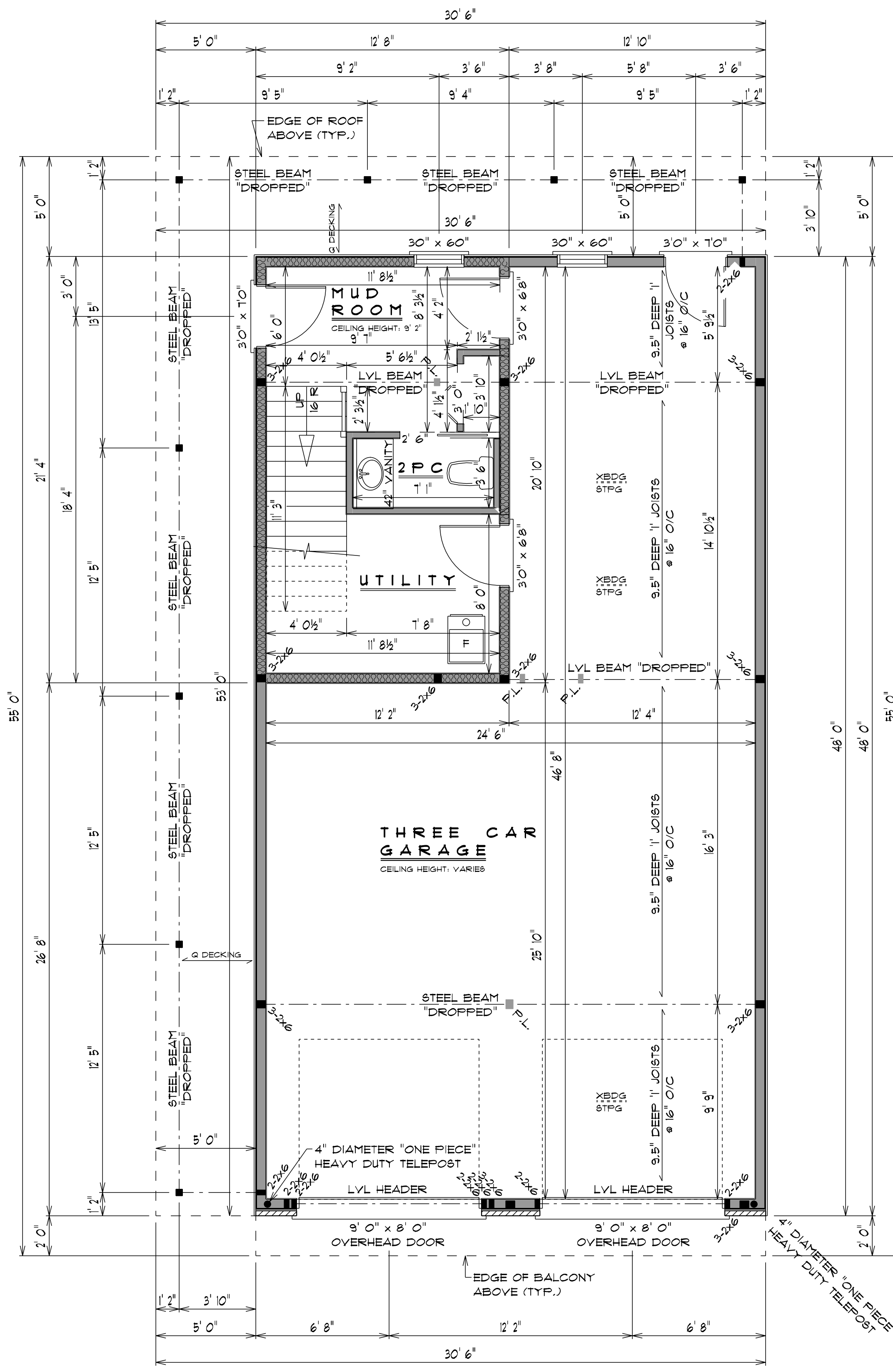
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DRAWN BY: JT

CHECKED BY:

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PAGE: 1 OF 7

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1ST FLOOR PLAN 1/4" = 1' 0"

1ST FLOOR AREA = 274.5 SQ. FT.
 GROSS FLOOR AREA = 2214.4 SQ. FT.
 February 4, 2021 J.T. 10:53 AM

FRAMING NOTES
 PROVIDE WOOD BLOCKING REINFORCEMENT IN BATHROOM STUD WALLS FOR FUTURE GRAB BAR INSTALLATION AS PER 9.5.2.3. OF THE OBC.
 PROVIDE FULL BEARING W/ BUILT UP WOOD COLUMNS UNDER ALL BEAMS AND GIRDER TRUSSES.
 REFER TO MANUFACTURER'S WINDOW AND DOOR SCHEDULE FOR ROUGH OPENING SIZES.
 REFER TO SUPPLIER'S TRUSS LAYOUT FOR ROOF FRAMING.

☉ SMOKE ALARM
 ☉ CARBON MONOXIDE ALARM
 ☉ EXHAUST FAN

LINTEL NOTES
 ALL WINDOW AND DOOR LINTELS SHALL BE #2 GRADE 2x10 UNLESS NOTED OTHERWISE ON THESE PLANS.

MECHANICAL NOTES
 SEE HVAC REPORT FOR DUCTWORK SCHEMATIC.
 ALL EXHAUST FANS TO VENT TO THE EXTERIOR.
 EXHAUST FANS AS PER 9.32.3.5 OF THE OBC.
 INSULATION R VALUES TO COMPLY WITH 9B-12 OF THE OBC.

REFER TO GENERAL NOTES PAGE FOR STANDARD FLOOR PLAN CONSTRUCTION NOTES, OBC REQUIREMENTS AND TYPICAL CONSTRUCTION ASSEMBLIES. REFER TO STANDARD DETAIL PAGE FOR CONSTRUCTION DETAILS.

GENERAL NOTES

- ALL WORK PERFORMED AND MATERIAL SUPPLIED SHALL COMPLY TO THE LATEST EDITION OF THE ONTARIO BUILDING CODE.
- NAUTA HOME DESIGNS IS NOT LIABLE FOR ANY ERRORS OR OMISSIONS FOUND IN THESE BLUEPRINTS.
- DO NOT SCALE BLUEPRINTS.

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REVISIONS

DATE	ITEM

QUALIFICATION INFORMATION



Ministry of Municipal Affairs and Housing
 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.

Hank Nauta
 NAME

SIGNATURE

BCIN

REGISTRATION INFORMATION
 Required unless design is exempt under 2.17.4.1. of the building code.

Nauta Home Designs
 NAME

SIGNATURE

BCIN



1-866-474-4320

1789 MERRITTVILLE HWY
 WELLAND, ON L3B 5N5

PLAN NUMBER:

T S B 11

CONTRACT NUMBER:

2018-145

PROJECT :

3 STOREY
 2,214 SQ. FT.

WIDTH: 30' 6"
 DEPTH: 55' 0"

BDRMS: 3
 BATHS: 2

LOCATION:

9 CLARE AVENUE
 HAMILTON, ON

TITLE:

1ST FLOOR PLAN

ISSUED FOR: DATE:

VARIANCE: 2/2/2020

DRAWN BY: JT

CHECKED BY:

DATE: PAGE:

FEBRUARY 2021 5 OF 7

WWW.NAUTAHOMEDESIGNS.COM 1-866-474-4320
 SEARCH OVER 1000 HOUSE PLANS ONLINE,
 CUSTOM DESIGNS, ADDITIONS, & RENOVATIONS.

THESE PLANS FORM THE BASIS FOR PERMIT ISSUANCE. ANY DEVIATIONS FROM THESE PLANS AND DETAILS, INCLUDING THE VENTILATION SYSTEM, HEATING SYSTEM, WOODSTOVE, FIREPLACES, DECKS, BALCONIES AND FINISHED BASEMENTS, WILL REQUIRE A REVISED DRAWING AND CLEARANCE BY THE BUILDING DEPARTMENT.

- GENERAL NOTES**
1. ALL WORK PERFORMED AND MATERIAL SUPPLIED SHALL COMPLY TO THE LATEST EDITION OF THE ONTARIO BUILDING CODE.
 2. NAUTA HOME DESIGNS IS NOT LIABLE FOR ANY ERRORS OR OMISSIONS FOUND IN THESE BLUEPRINTS.
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REVISIONS

DATE	ITEM

QUALIFICATION 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.

Hank Nauta
NAME

SIGNATURE

BCIN

REGISTRATION INFORMATION

Required unless design is exempt under 7.17.4.1. of the building code.

Nauta Home Designs
NAME

BCIN



1-866-474-4320

1789 MERRITTVILLE HWY
WELLAND, ON L3B 5N5

PLAN NUMBER:

T S B I I

CONTRACT NUMBER:

2018-145

PROJECT :

3 STOREY
2,214 SQ. FT.

WIDTH: 30' 6"

DEPTH: 55' 0"

BDRMS: 3

BATHS: 2

LOCATION:

9 CLARE AVENUE
HAMILTON, ON

TITLE:

2ND FLOOR PLAN

ISSUED FOR: DATE:

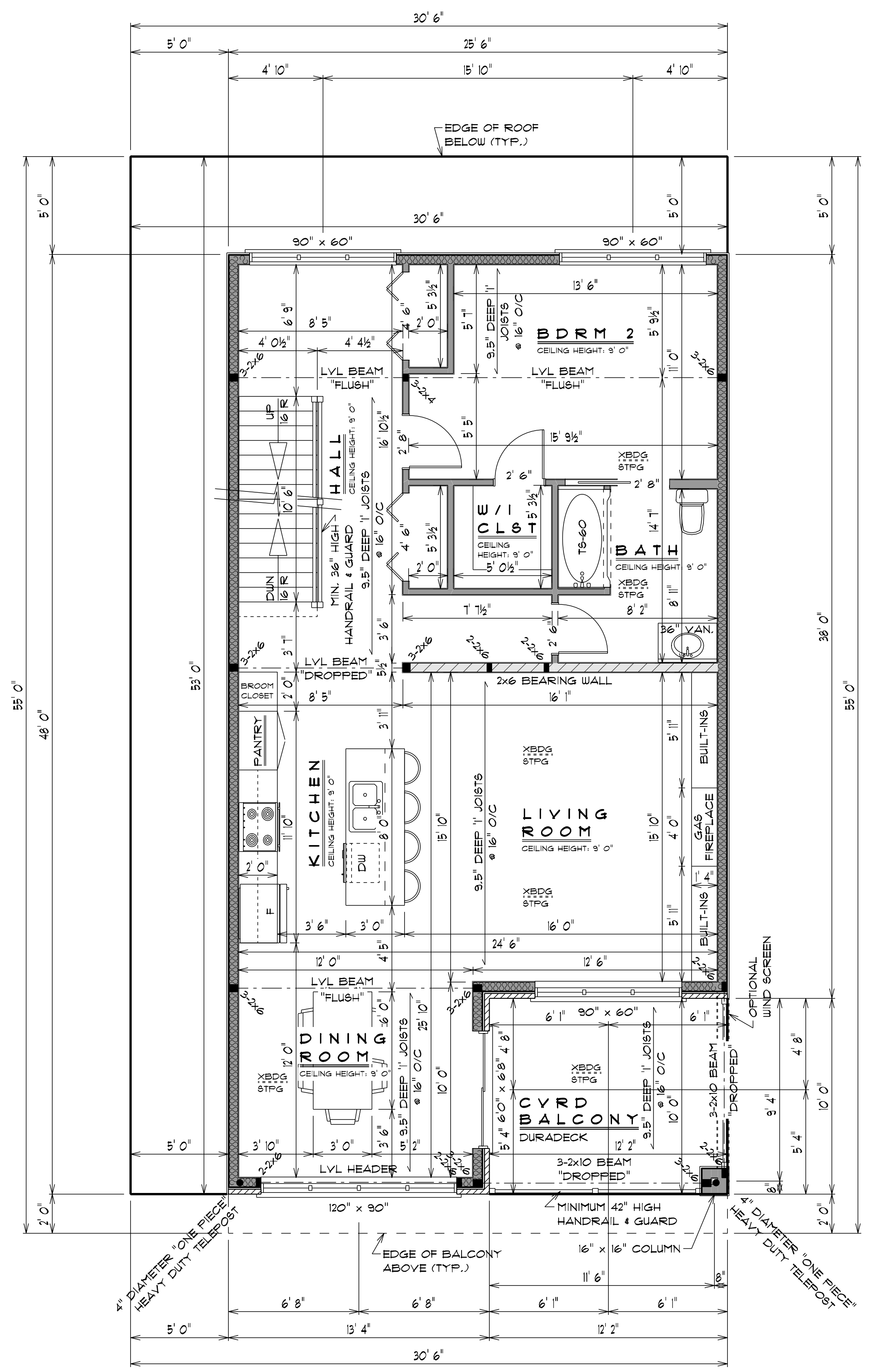
VARIANCE: 2/2/2020

DRAWN BY: JT

CHECKED BY:

DATE: PAGE:

FEBRUARY 2021 6 OF 7



2ND FLOOR PLAN 1/4" = 1' 0"

2ND FLOOR AREA = 1111.6 SQ. FT.
GROSS FLOOR AREA = 2214.4 SQ. FT.
February 4, 2021 J.T. 10:53 AM

FRAMING NOTES

PROVIDE WOOD BLOCKING REINFORCEMENT IN BATHROOM STUD WALLS FOR FUTURE GRAB BAR INSTALLATION AS PER 9.5.2.3. OF THE OBC.

PROVIDE FULL BEARING W/ BUILT UP WOOD COLUMNS UNDER ALL BEAMS AND GIRDER TRUSSES.

REFER TO MANUFACTURER'S WINDOW AND DOOR SCHEDULE FOR ROUGH OPENING SIZES.

REFER TO SUPPLIER'S TRUSS LAYOUT FOR ROOF FRAMING.

- ☼ SMOKE ALARM
- ☼ CARBON MONOXIDE ALARM
- ☼ EXHAUST FAN

LINTEL NOTES

ALL WINDOW AND DOOR LINTELS SHALL BE #2 GRADE 2x10 UNLESS NOTED OTHERWISE ON THESE PLANS.

MECHANICAL NOTES

SEE HVAC REPORT FOR DUCTWORK SCHEMATIC.

ALL EXHAUST FANS TO VENT TO THE EXTERIOR.

EXHAUST FANS AS PER 9.32.3.5 OF THE OBC.

INSULATION R VALUES TO COMPLY WITH 9B-12 OF THE OBC.

REFER TO GENERAL NOTES PAGE FOR STANDARD FLOOR PLAN CONSTRUCTION NOTES, OBC REQUIREMENTS AND TYPICAL CONSTRUCTION ASSEMBLIES. REFER TO STANDARD DETAIL PAGE FOR CONSTRUCTION DETAILS.



Hamilton

Planning and Economic Development Department
Planning Division

Committee of Adjustment

City Hall
5th 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. _____	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.

- Name of Owner Matthew DiMascio Telephone No.
-
- Name of Agent Hank Nauta Telephone No.
-

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

- Names and addresses of any mortgagees, holders of charges or other encumbrances:
N/A

Postal Code _____

Postal Code _____

6. Nature and extent of relief applied for:
Application for relief from zoning by-law restriction of two-and-a-half storey construction
to allow for living space in the attic of a mono-slope roof (resulting in a design which is
technically defined as a three storey building.)

7. Why it is not possible to comply with the provisions of the By-law?
The desired design requires a raised heel on the loft roof which does not fit within the
definition of a two-and-a-half storey building).

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

9. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other _____

9.1 If Industrial or Commercial, specify use
N/A

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?

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.

JANUARY 27, 2021
Date


Signature Property Owner

Matthew DiMascio
Print Name of Owner

10. Dimensions of lands affected:

Frontage 12.19 m
Depth 30.51 m
Area 371.9 sq. m
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: N/A

Proposed: Ground Floor Area: 274.5 sq. ft. Gross Floor Area: 2,214.4 sq. ft.
Number of stories: 3 Width: 30' 6" Depth: 55' 0"
Height: 35' - 5 1/4"

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

Existing: N/A

Proposed: Distance to: Front - 6.50 m
Left (west) side - 1.64 m
Rear - 8.16 m
Right (east) side - 1.25 m

13. Date of acquisition of subject lands:
May 29, 2020

14. Date of construction of all buildings and structures on subject lands:
N/A

15. Existing uses of the subject property: Vacant

16. Existing uses of abutting properties: Residential

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

18. Municipal services available: (check the appropriate space or spaces)
Water Connected No
Sanitary Sewer Connected No
Storm Sewers

19. Present Official Plan/Secondary Plan provisions applying to the land:
N/A

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
C/S-1436b

21. Has the owner previously applied for relief in respect of the subject property?
Yes No
If the answer is yes, describe briefly.
N/A

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