



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

CORRECTED 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-21:106

APPLICANTS: Agent Christine Brown
Owner C. & G. Weiser

SUBJECT PROPERTY: Municipal address **95 Winston Ave., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended by By-law 95-02 & 95-33

ZONING: C/S-1335, C/S-1335a, C/S-1788 Zone (Urban Protected Residential, Etc.)

PROPOSAL: To permit a third-storey addition to an existing single detached dwelling located on a residential parcel of land, notwithstanding that:

1. A maximum building height of three (3) storeys shall be provided, instead of the requirement that no building shall exceed two (2) storeys in height.
2. A maximum floor area ratio factor of 0.53 shall be permitted, permitting a maximum gross floor area of 257.25 square metres, instead of the permitted maximum floor area ratio factor of 0.45, allowing a maximum gross floor area of 217.53 square metres
3. No onsite manoeuvring shall be provided for the (2) required parking spaces instead of the requirement that manoeuvring spaces shall be provided and maintained only on the lot on which the principle use, building or structure is located;
4. The two (2) required parking spaces shall be permitted to be located in the front yard instead of the requirement that only one of the required parking spaces may be located in the front yard.

NOTE:

1. The proposed alterations are subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setbacks and construction types.

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

DATE: Thursday, May 6th, 2021
TIME: 3:25 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

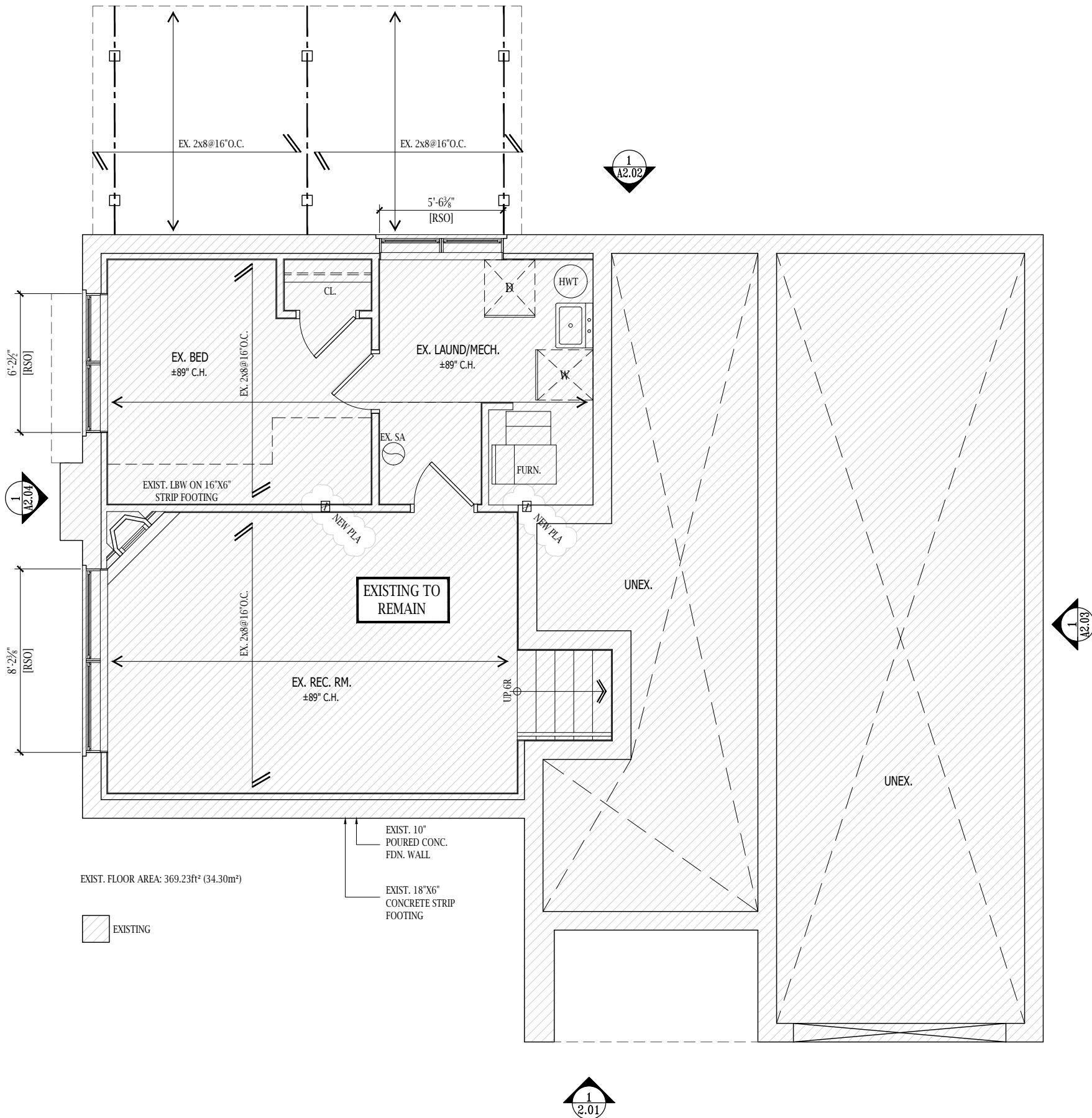
For more information on this matter, including access to drawings illustrating this request:

- 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: April 20th, 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.



EXIST. FLOOR AREA: 369.23ft² (34.30m²)

EXISTING

EXIST. 10" POURED CONC. FDN. WALL
EXIST. 18"x6" CONCRETE STRIP FOOTING

1 PROP. BASEMENT PLAN
A1.01 3/16" = 1'-0"

Ministry of Municipal Affairs and Housing

QUALIFICATION INFORMATION

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

REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 'C' SECTION 3.2 OF THE O.B.C.

CHRISTINE BROWN

BCIN 37240

MY HOUSE DESIGNS

BCIN 113120

CLIENT:

WEISER RESIDENCE

ADDRESS: 95 WINSTON AVENUE

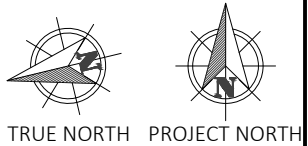
CITY: HAMILTON, ONTARIO, L8S 2S7

DRAWING TITLE:

PROP. BASEMENT PLAN

DRAWN: CB	SCALE:
DATE: Mar. 8, 21	AS NOTED
JOB NO.: 20-067	SHEET: A1.01

Drawings must NOT be scaled. Contractor must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the designer prior to proceeding with any of the work.



8	03.07.21	ISSUED FOR MINOR VARIANCE
7	12.06.20	ISSUED FOR PERMIT
6	10.27.20	ISSUED FOR TRUSSES & HVAC
5	10.03.20	ISSUED FOR PRICING
4	08.22.20	REVISED DESIGNS
3	07.17.20	ISSUED FOR DESIGN REVIEW
2	07.08.20	ISSUED FOR PRELIM DESIGNS
1	07.04.20	ISSUED FOR AS-BUILTS
REF. DATE:		DESCRIPTION:

MY HOUSE DESIGNS

RESIDENTIAL DESIGN AND DRAFTING SERVICES

CHRISTINE BROWN

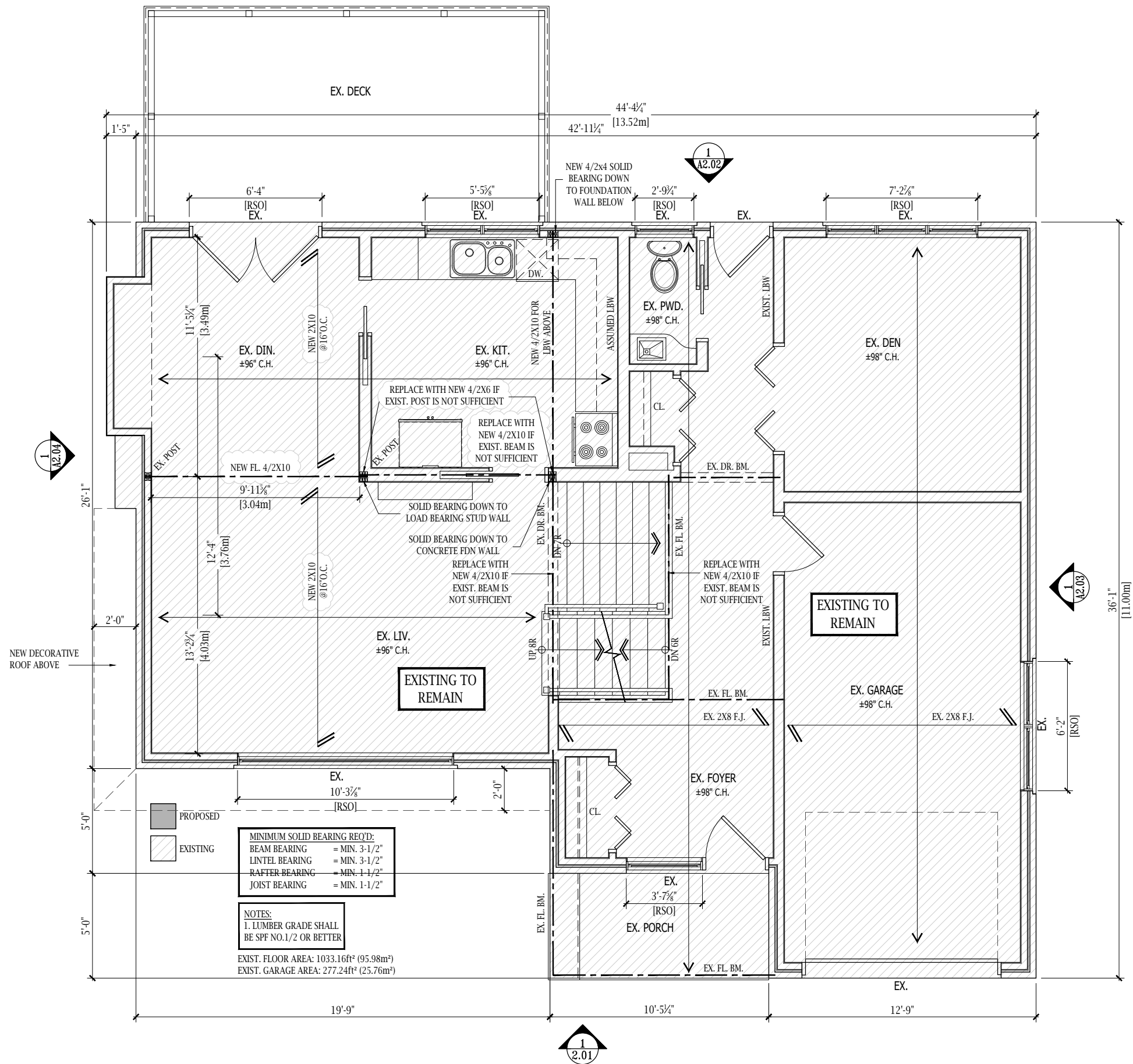
Architectural Technologist

905.802.5272

444 UPPER GAGE AVE.

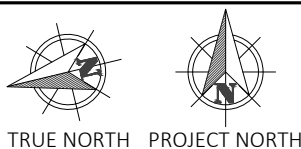
HAMILTON, ON L8V 4H9

cbrown@friendlycadmonkey.com



1
A1.02 PROP. 1ST FLOOR PLAN
3/16" = 1'-0"

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DESIGN AND
DRAFTING SERVICES

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Architectural Technologist
905.802.5272
444 UPPER GAGE AVE.
HAMILTON, ON L8V 4H9
cbrown@friendlycadmonkey.com

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ADDRESS: 95 WINSTON AVENUE
CITY: HAMILTON, ONTARIO, L8S 2S7
DRAWING TITLE:
PROP. 1ST FLOOR PLAN

Ministry of Municipal
Affairs and Housing
QUALIFICATION INFORMATION

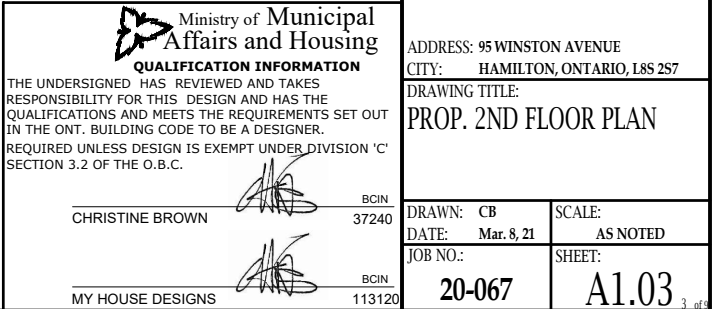
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CHRISTINE BROWN
BCIN 37240

MY HOUSE DESIGNS
BCIN 113120


DRAWN: CB
DATE: Mar. 8, 21
JOB NO.: 20-067

SCALE:
AS NOTED
SHEET:
A1.02




TRUE NORTH PROJECT NORTH

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**MY HOUSE
DESIGNS**

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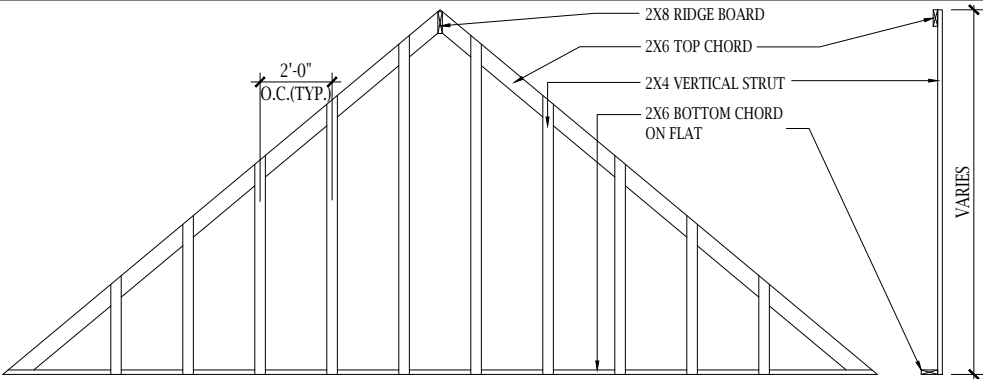


CHRISTINE BROWN
Architectural Technologist
905.802.5272
444 UPPER GAGE AVE.
HAMILTON, ON L8V 4H9
cbrown@friendlycadmonkey.com

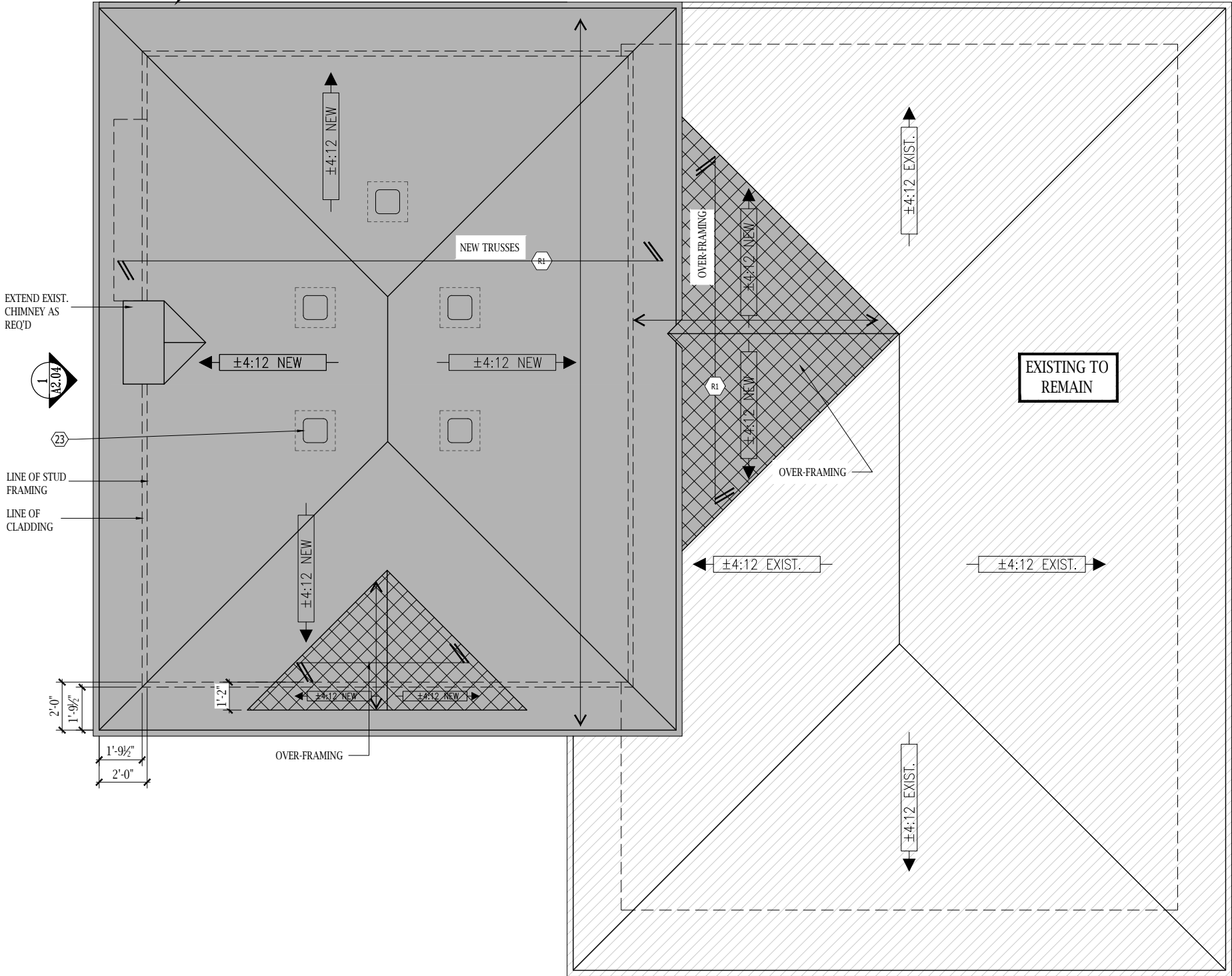
CLIENT:
WEISER RESIDENCE

ADDRESS: 95 WINSTON AVENUE
CITY: HAMILTON, ONTARIO, L8S 2S7
DRAWING TITLE:
PROP. 2ND FLOOR PLAN

DRAWN: CB	SCALE:
DATE: Mar. 8, 21	AS NOTED
JOB NO.: 20-067	SHEET: A1.03 <small>3 of 3</small>



ROOF OVER-FRAMING DETAIL



EXTEND EXIST.
CHIMNEY AS
REQ'D

LINE OF STUD
FRAMING
LINE OF
CLADDING

1
A1.04 PROP. ROOF PLAN
3/16" = 1'-0"

ROOF NOTES:	
1.	9.19.1 ROOF SPACES, VENTING. THE UNOBSTRUCTED VENT AREA SHALL BE NOT LESS THAN 1/300 OF THE INSULATED CEILING AREA, EXCEPT WHERE THE ROOF SLOPE IS LESS THAN 1 IN 6, OR IN ROOFS THAT ARE CONSTRUCTED WITH ROOF JOISTS, THE UNOBSTRUCTED VENT AREA SHALL BE NOT LESS THAN 1/150 OF THE INSULATED CEILING AREA. FOR THIS ADDITION INSTALL MIN. 2 ADDITIONAL PLASTIC, MUSHROOM TYPE HIGH ROOF VENTS AROUND THE SIDES AND REAR SLOPING ROOF PLANES. LOW SIDE ROOF VENTS SHALL BE BUILT INTO A CONTINUOUS STRIP WITHIN THE SOFFIT - ENSURE BUG-SCREENING IS INSTALLED UNDER SOFFIT FINISH. ENSURE MIN. 2½" AIR SPACE IS PROVIDED BETWEEN THE TOP OF INSULATION AND U/S OF ROOF SHEATHING. INSTALL BAFFLES AS REQUIRED.
2.	PROVIDE 'ARMOURGARD' ICE AND WATER PROTECTOR BY 'IKO INDUSTRIES LTD.' OR APPROVED EQUAL(MINISTER'S RULING#94-10-010-12413-R). APPLY MEMBRANE OVER PLYWOOD SHEATHING, MEMBRANE TO EXTEND FROM EDGE OF ROOF OVERHANG (AT LOW SIDE) TO A POINT MINIMUM 5'-0" BEYOND INSIDE FACE OF EXTERIOR WALLS. ALSO INSTALL MEMBRANE UP VALLEYS MINIMUM 1'-6" UP SLOPE EACH WAY TYPICAL.
3.	NEW ROOF TO HAVE NEW ASPHALT SHINGLES, COLOUR AND TEXTURE TO MATCH EXISTING.
4.	PROVIDE FLASHING IN ALL VALLEYS.
5.	ALL EAVESTROUGHS AND DOWNSPOUTS TO BE DIRECTED AWAY FROM HOUSE. PROFILE TO BE APPROVED BY OWNER AND ARCHITECT.
ROOF OVER-FRAMING: EXISTING SHINGLES, OR OTHER ROOF FINISH TO BE REMOVED, EXPOSE ROOF SHEATHING (REPLACE SHEATHING IF REQUIRED). OVER FRAME w/ 2"x6" ROOF RAFTERS @ 16"o.c., PROP DOWN NEW ROOF RAFTERS TO TOP ROOF SHEATHING ON TRUSSES/RAFTERS/JOISTS BELOW w/2"x4" PROPS @ 24"o.c. (MAX). TOE-NAIL TO EXISTING ROOF SHEATHING & RAFTER w/(2) 3" LONG NAILS @ EACH END (TYPICAL). NOTE: ROOF OVER-FRAMING MAY BE PROPPED DOWN TO THE STRUCTURE (ROOF TRUSSES/RAFTERS/JOISTS) @ 24"o.c. GRIDS AS PER SECTION 9.4.2.1.b OF THE 2012 O.B.C. TO TRANSFER THE APPLIED LOAD ON THE OVER FRAMING DOWN TO THE ROOF STRUCTURE BELOW WITHOUT INTRODUCING ANY NEW LOADS TO THE STRUCTURE BELOW OTHER THAN WHAT IT WAS ORIGINALLY DESIGNED TO SUPPORT.	

NOTES:	
1.	LUMBER GRADE SHALL BE SPF NO.1/2 OR BETTER
2.	REMOVE ALL THE EXISTING ROOFING MATERIAL (SHINGLES, PAPER, ETC.) AT OVER-FRAMING ROOF

MINIMUM SOLID BEARING REQ'D:	
BEAM BEARING	= MIN. 3-1/2"
LINTEL BEARING	= MIN. 3-1/2"
RAFTER BEARING	= MIN. 1-1/2"
JOIST BEARING	= MIN. 1-1/2"

DESIGN LOADS:	
DL	= 1.00kPa
LL	= 1.90kPa

PROPOSED	EXISTING	ROOF OVER-FRAMING
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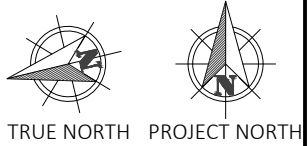
CHRISTINE BROWN
BCIN 37240

MY HOUSE DESIGNS
BCIN 113120

DRAWN: CB
DATE: Mar. 8, 21
JOB NO.: 20-067

SCALE: AS NOTED
SHEET: A1.04

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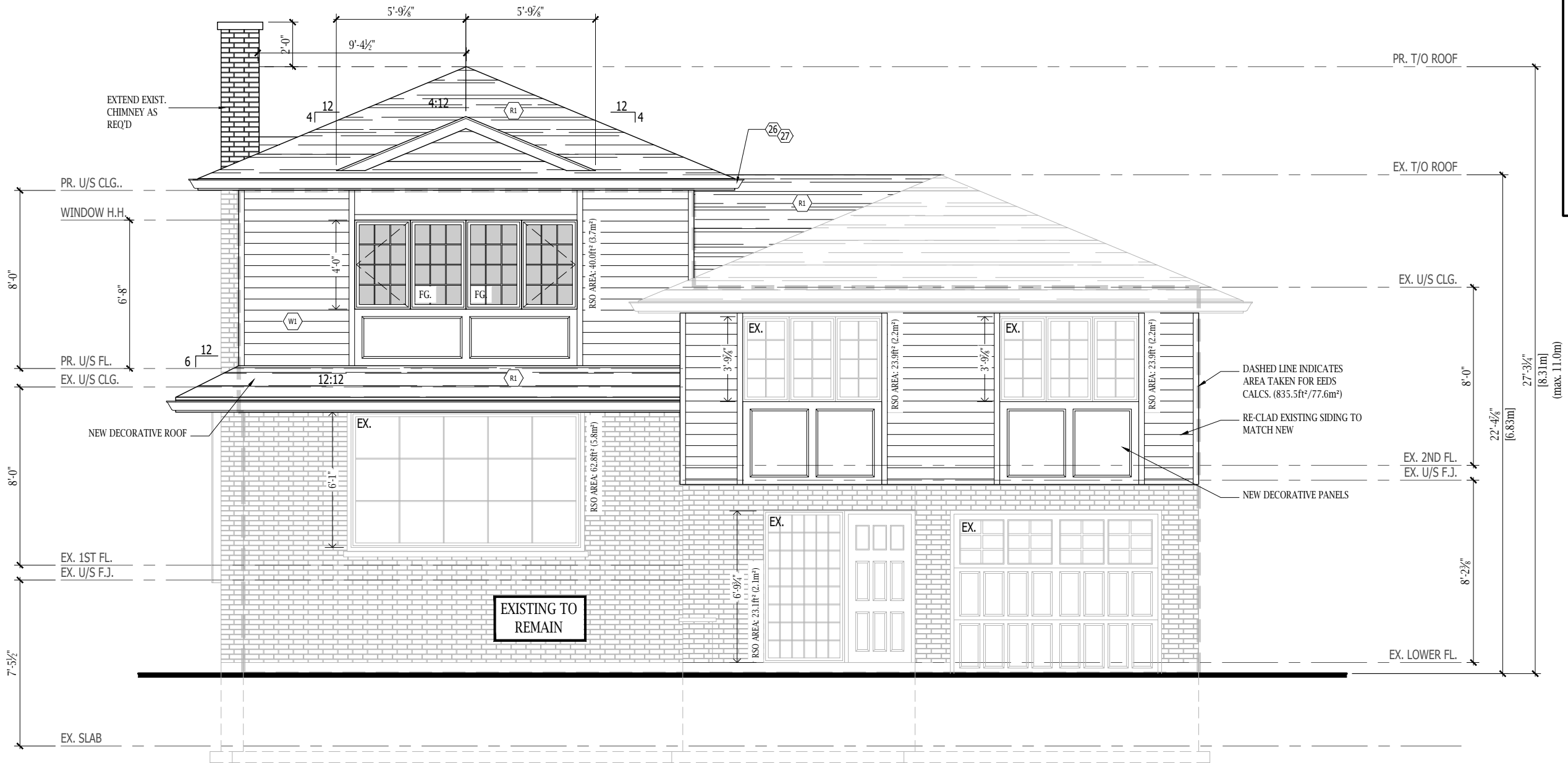
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MY HOUSE DESIGNS
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Architectural Technologist
905.802.5272
444 UPPER GAGE AVE.
HAMILTON, ON L8V 4H9
cbrown@friendlycadmonkey.com

CLIENT:
WEISER RESIDENCE


ADDRESS: 95 WINSTON AVENUE
CITY: HAMILTON, ONTARIO, L8S 2S7
DRAWING TITLE:
PROP. ROOF PLAN




1 FRONT ELEVATION
A2.01 3/16" = 1'-0"

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Architectural Technologist
905.802.5272
444 UPPER GAGE AVE.
HAMILTON, ON L8V 4H9
cbrown@friendlycadmonkey.com

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ADDRESS: 95 WINSTON AVENUE
CITY: HAMILTON, ONTARIO, L8S 2S7
DRAWING TITLE:
FRONT ELEVATION



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Affairs and Housing

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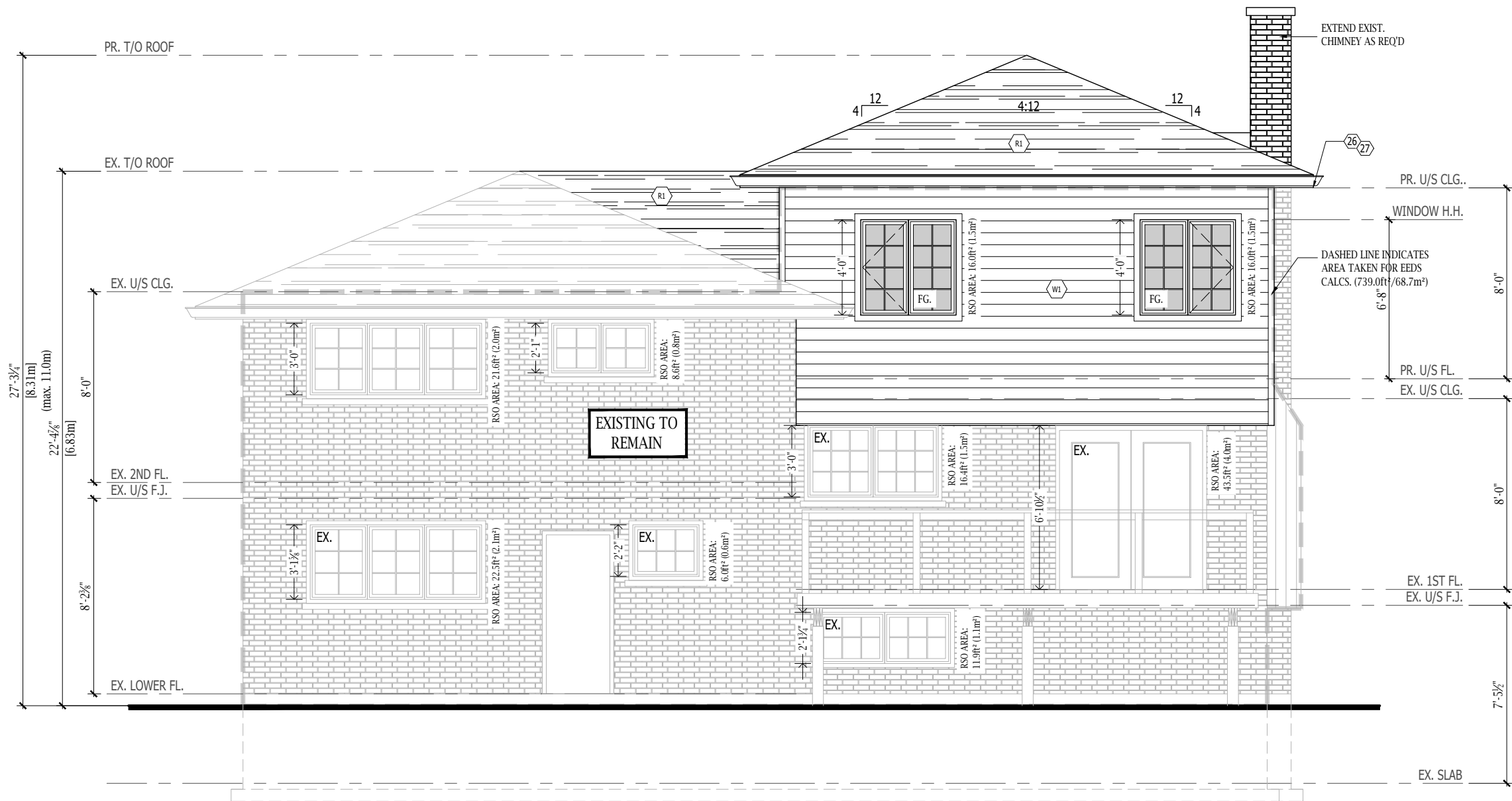
CHRISTINE BROWN

BCIN 37240


MY HOUSE DESIGNS

BCIN 113120

DRAWN: CB	SCALE: AS NOTED
DATE: Mar. 8, 21	
JOB NO.: 20-067	SHEET: A2.01



1 REAR ELEVATION
A2.02 3/16" = 1'-0"



Ministry of Municipal
Affairs and Housing

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CHRISTINE BROWN
BCIN
37240


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BCIN
113120

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DATE: Mar. 8, 21
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SCALE:
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SHEET: A2.02

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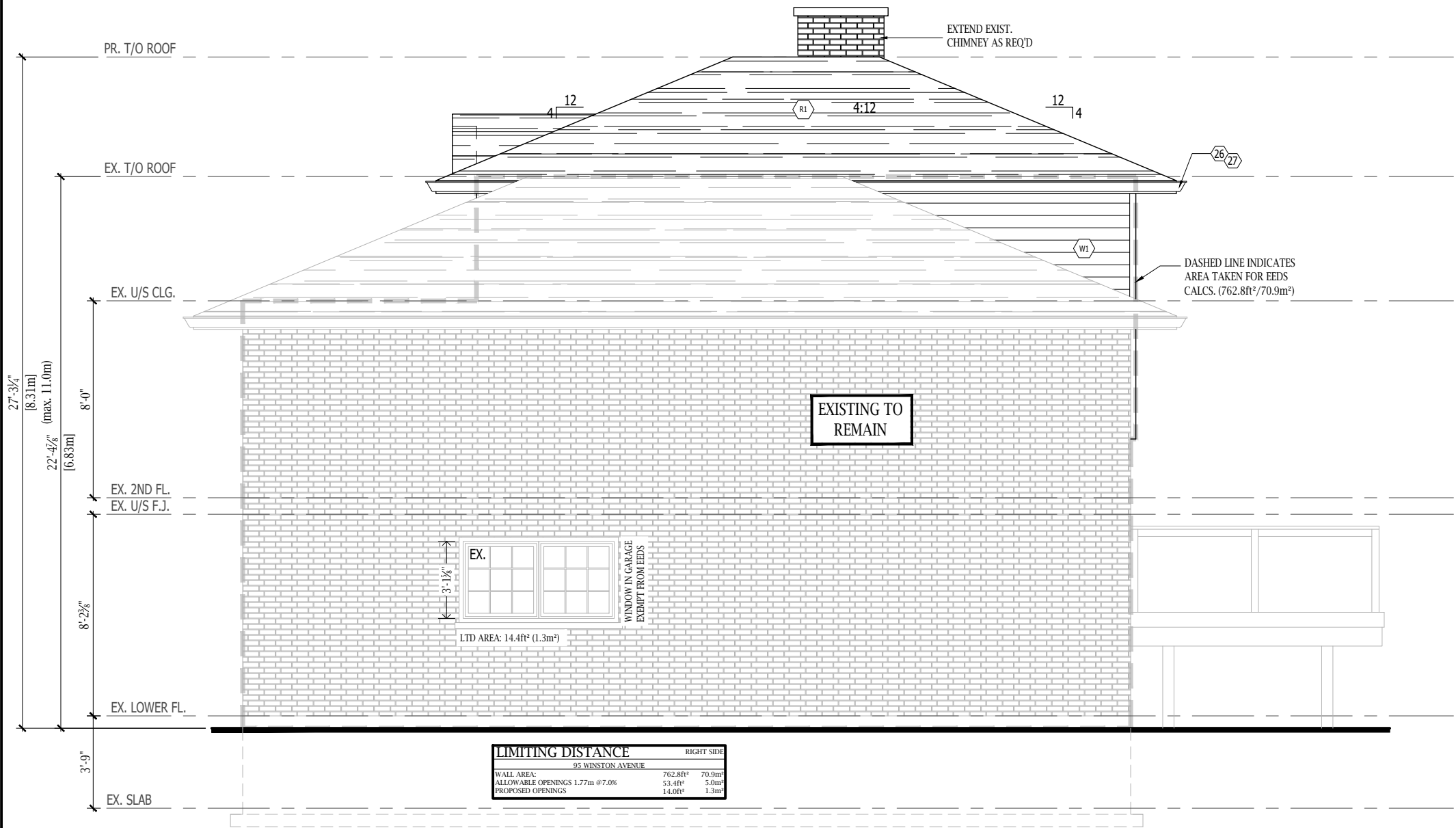
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Architectural Technologist
905.802.5272
444 UPPER GAGE AVE.
HAMILTON, ON L8V 4H9
cbrown@friendlycadmonkey.com

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ADDRESS: 95 WINSTON AVENUE
CITY: HAMILTON, ONTARIO, L8S 2S7
DRAWING TITLE:
REAR ELEVATION



1 RIGHT SIDE ELEVATION
A2.03 3/16" = 1'-0"

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MY HOUSE
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DRAWING TITLE:
RIGHT SIDE ELEVATION

Ministry of Municipal
Affairs and Housing

QUALIFICATION INFORMATION

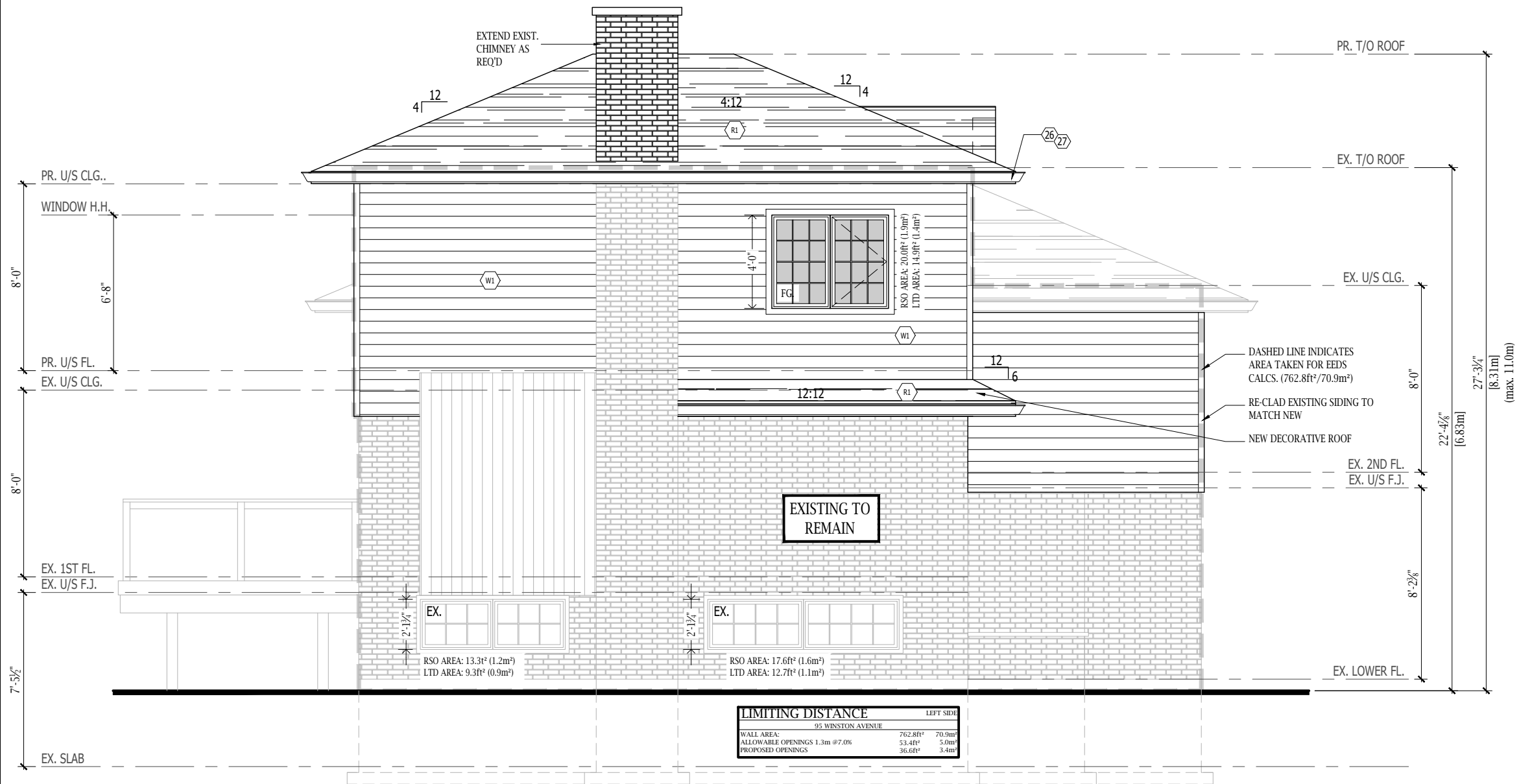
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CHRISTINE BROWN BCIN 37240

MY HOUSE DESIGNS BCIN 113120

DRAWN: CB
DATE: Mar. 8, 21
JOB NO.: 20-067


SCALE:
AS NOTED
SHEET: A2.03



1 LEFT SIDE ELEVATION
A2.04 3/16" = 1'-0"


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DRAWING TITLE:
LEFT SIDE ELEVATION



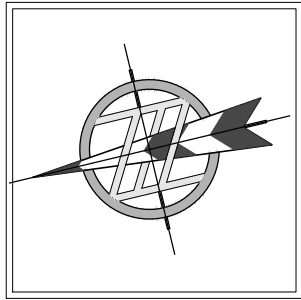
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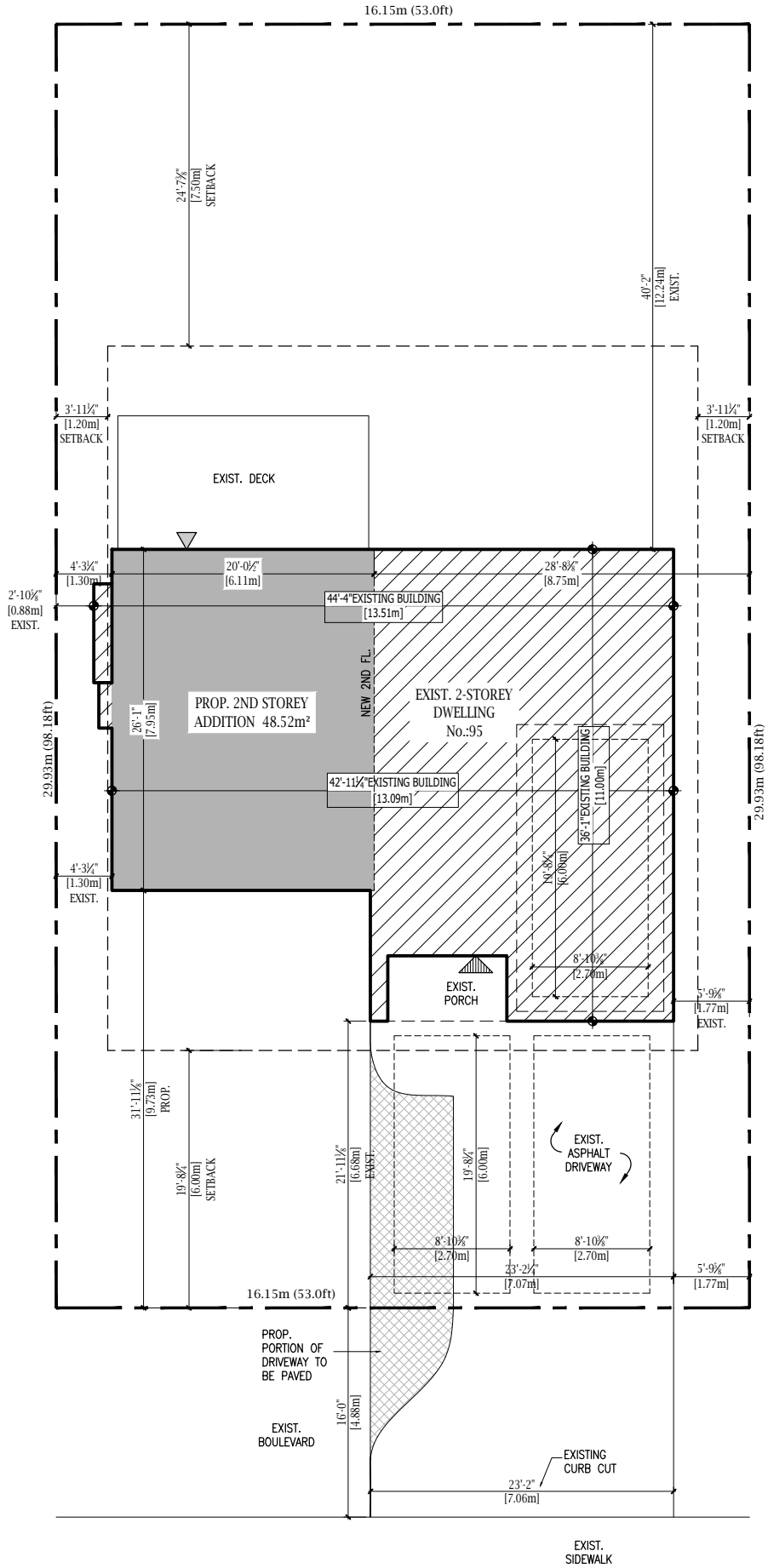
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SITE PLAN LEGEND:	
	PROPERTY LINE
	BUILDING ENVELOPE
	EXISTING TO BE REMOVED
	PROPOSED SOLID HOARDING
	PROPOSED FRAMED HOARDING
	NEW WATER LINE
	NEW SANITARY LINE
	NEW NATURAL GAS LINE
	NEW BURIED HYDRO VAULT
	NEW SUMP LINE TO GRADE
	CONSTRUCTION ACCESS
	EXISTING GRADE
	PROPOSED FINISHED GRADE
	MAIN ENTRY, FRONT DOOR
	SECONDARY ENTRANCE
	EXISTING BUILDING TO REMAIN
	PROPOSED NEW CONSTRUCTION
	PROPOSED NEW DRIVEWAY
	EXISTING TREE TO REMAIN
	EXISTING TREE TO BE REMOVED
	RAIN WATER LEADERS



LOT AREA: 483.41m ²
EXIST. GROSS FLOOR AREA: 208.70m ²
PROPOSED GROSS FLOOR AREA: 257.25m ²
EXISTING F.A.R.: 0.43
PROPOSED F.A.R.: 0.53
MAXIMUM ALLOWED F.A.R.: 0.45
FRONT YARD AREA: 107.98m ²
PROPOSED LANDSCAPING: 60.74m ²
=56.25%
PROPOSED 11 HABITABLE ROOMS
3 PARKING SPOTS MINIMUM
REQUIRED & PROPOSED

WINSTON AVENUE

1 SITE PLAN
SP1.01 1:150

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SITE PLAN

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SHEET:
SP1.01



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	ADDRESS	
Registered Owners(s)	Golda Weiser Chanan Weiser		Phone: _____ E-mail: _____
Applicant(s)*			Phone: _____ E-mail: _____
Agent or Solicitor	Christine Brown		Phone: _____ E-mail: _____

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:

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:

To permit a floor area ratio of 0.53 instead of the maximum allowable 0.45

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

There is a site specific bylaw in this neighbourhood restricting floor area ratios greater than 0.45. The family would like a 2nd storey addition on this side split home for more space for their family. Not exceeding allowable height and not building outside of the building envelope.

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**):

95 Winston Avenue, Hamilton, Ontario, L8S 2S7

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 9.1 to 9.10 above?

This is an old long-standing residential neighbourhood. the answers are probably all "no" but with no proof I need to select "unknown"

8.12 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 ☒

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 reason of its approval to this Application.

March 10
Date


Signature Property Owner

Goldie Weiser Chanan Weiser
Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>16.15m</u>
Depth	<u>98.18m</u>
Area	<u>483.41s.m.</u>
Width of street	<u>8.0m</u>

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: 121.74m²
GROSS FLOOR AREA: 208.70m²
STOREYS: 2
WIDTH: 13.51m
LENGTH: 11.0m

HEIGHT: 6.83m

Proposed

GROUND FLOOR AREA: No change
GROSS FLOOR AREA: 257.25m²
STOREYS: No change
WIDTH: No change
LENGTH: No change

HEIGHT: 8.31m

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: 6.68m
REAR: 12.24m
LEFT: 1.30m
RIGHT: 1.77m

Proposed:

FRONT: }
REAR: } NO CHANGE
LEFT: }
RIGHT: }

13. Date of acquisition of subject lands:
August 2018
-
14. Date of construction of all buildings and structures on subject lands:
1960's
-
15. Existing uses of the subject property:
single family residential
16. Existing uses of abutting properties:
single family residential
17. Length of time the existing uses of the subject property have continued:
at least 60 years
18. Municipal services available: (check the appropriate space or spaces)
Water YES Connected YES
Sanitary Sewer YES Connected YES
Storm Sewers YES
19. Present Official Plan/Secondary Plan provisions applying to the land:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
6593 Zone C, C/S-1335, C/S-1335a, C/S-1788
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. Additional Information
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.