

## **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.:** FL/A-21:191

**APPLICANTS:** Agent Len Angelici  
Owner Scott Docherty

**SUBJECT PROPERTY:** Municipal address **26 Summit Dr., Flamborough**

**ZONING BY-LAW:** Zoning By-law 90-145-Z, as Amended 94-62-Z

**ZONING:** "R1-10" (Urban Residential (Single Detached)) district

**PROPOSAL:** To permit the construction of a new two (2) storey single detached dwelling, notwithstanding that:

1. A maximum of 33.09% lot coverage shall be permitted instead of the requirement that lot coverage is not to exceed a maximum of 25%.

NOTE:

1. Construction of the proposed development is 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:

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**DATE:** Thursday, June 17th, 2021  
**TIME:** 3:00 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:

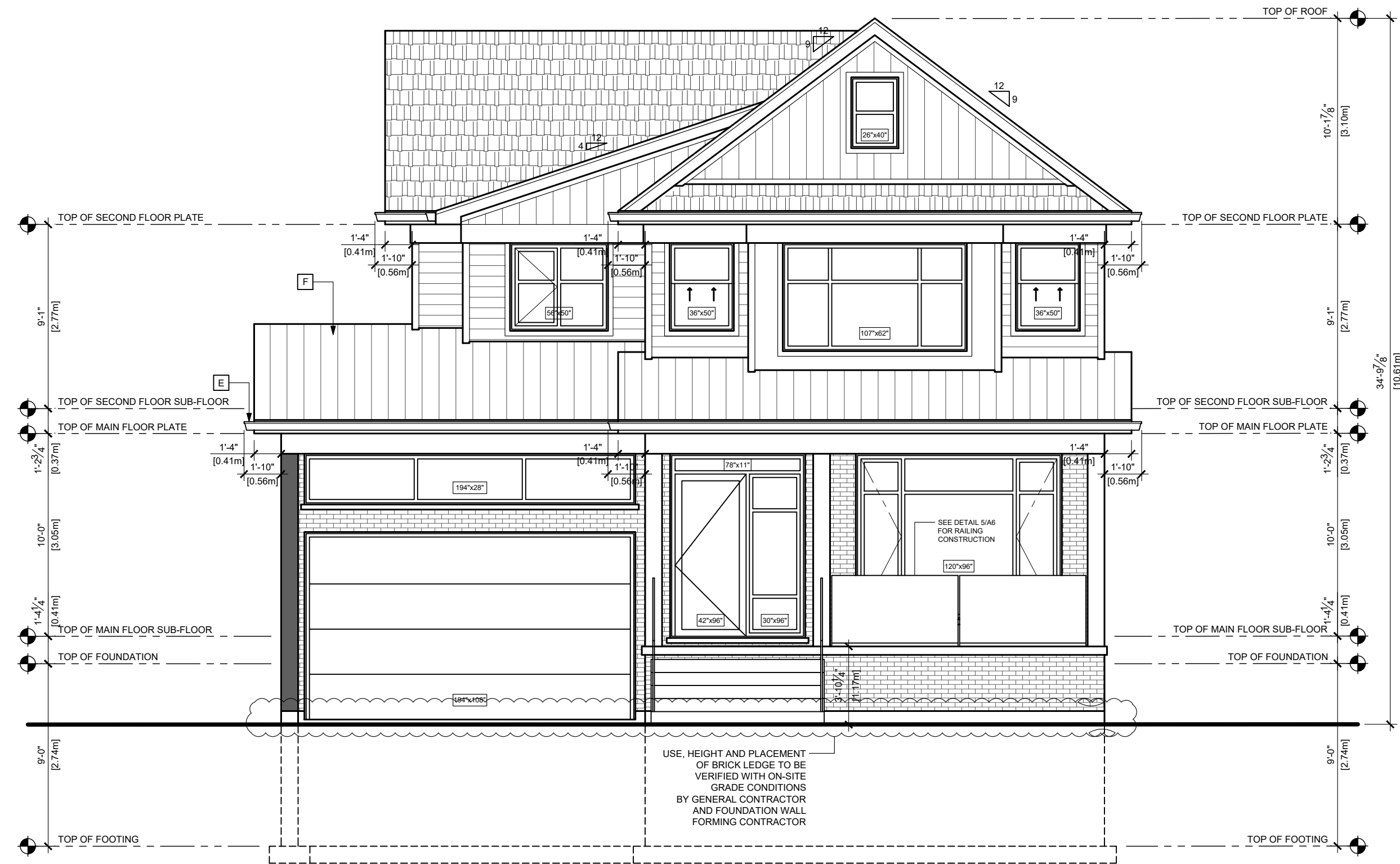
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: June 1st, 2021.

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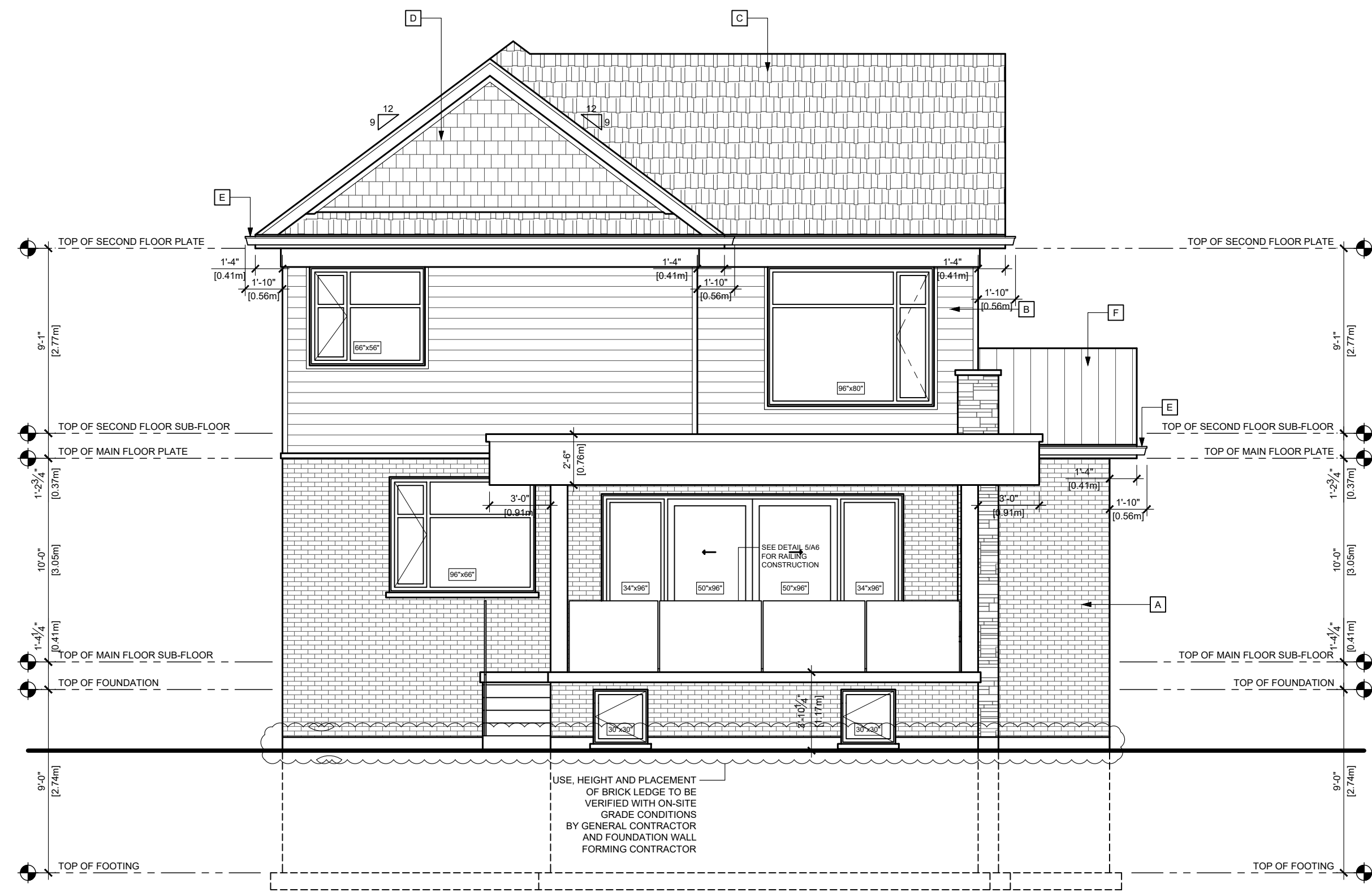
Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

***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.***



FRONT ELEVATION

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



REAR ELEVATION

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

EXTERIOR FINISH INDEX

- [A] BRICK VENEER
- [B] SIDING
- [C] ASPHALT SHINGLES
- [D] CEDAR STYLE SHINGLES
- [E] 5" PRE-FIN. ALUM. EAVETROUGH ON 10" WITH PRE-FIN. ALUM. FASCIA C/W PRE-FIN. ALUM. DOWNSPOUT
- [F] STANDING SEAM METAL ROOF

PROJECT NORTH	TRUE NORTH

No.	REVISION	DATE
01.	DRAWINGS FOR VARIANCE	04/30/2021

- ALL CONTRACTORS AND/OR TRADES SHALL VERIFY ALL DIMENSIONS, NOTES, SITE AND REPORT ANY DISCREPANCIES PRIOR TO THE COMMENCEMENT OF WORK.
- THIS DRAWING IS NOT TO BE SCALED. ALL DRAWINGS, PRINTS AND RELATED DOCUMENTS ARE THE PROPERTY OF LEN ANGELICI DESIGN AND MUST BE RETURNED UPON REQUEST.
- REPRODUCTION OF DRAWINGS AND RELATED DOCUMENTS IN WHOLE OR IN WHOLE IS STRICTLY PROHIBITED WITHOUT WRITTEN CONSENT OF LEN ANGELICI DESIGN.
- CONTRACTOR SHALL REVIEW ALL DRAWINGS PRIOR TO COMMENCING CONSTRUCTION FOR ANY ERRORS OR OMISSIONS.
- LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR THE DESIGN OR PRE-ENGINEERED TRUSSES OR ANY PRE-ENGINEERED PRODUCTS.
- LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR HEATING, PLUMBING, OR ELECTRICAL DRAWINGS.
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- LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR POOR CONSTRUCTION PRACTICES.

SEAL

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.

QUALIFICATION INFORMATION

LEONARD ANGELICI 42391  
NAME BCIN

REGISTRATION INFORMATION

LEN ANGELICI DESIGN 43162  
NAME BCIN

04/30/2021  
DATE SIGNATURE

**Len  
Angelici  
Design**

270 SHERMAN AVE N. UNIT MILL-125  
HAMILTON, ON L8L 6N4  
(905) 393-8868  
info@lenangelicidesign.ca

PROJECT

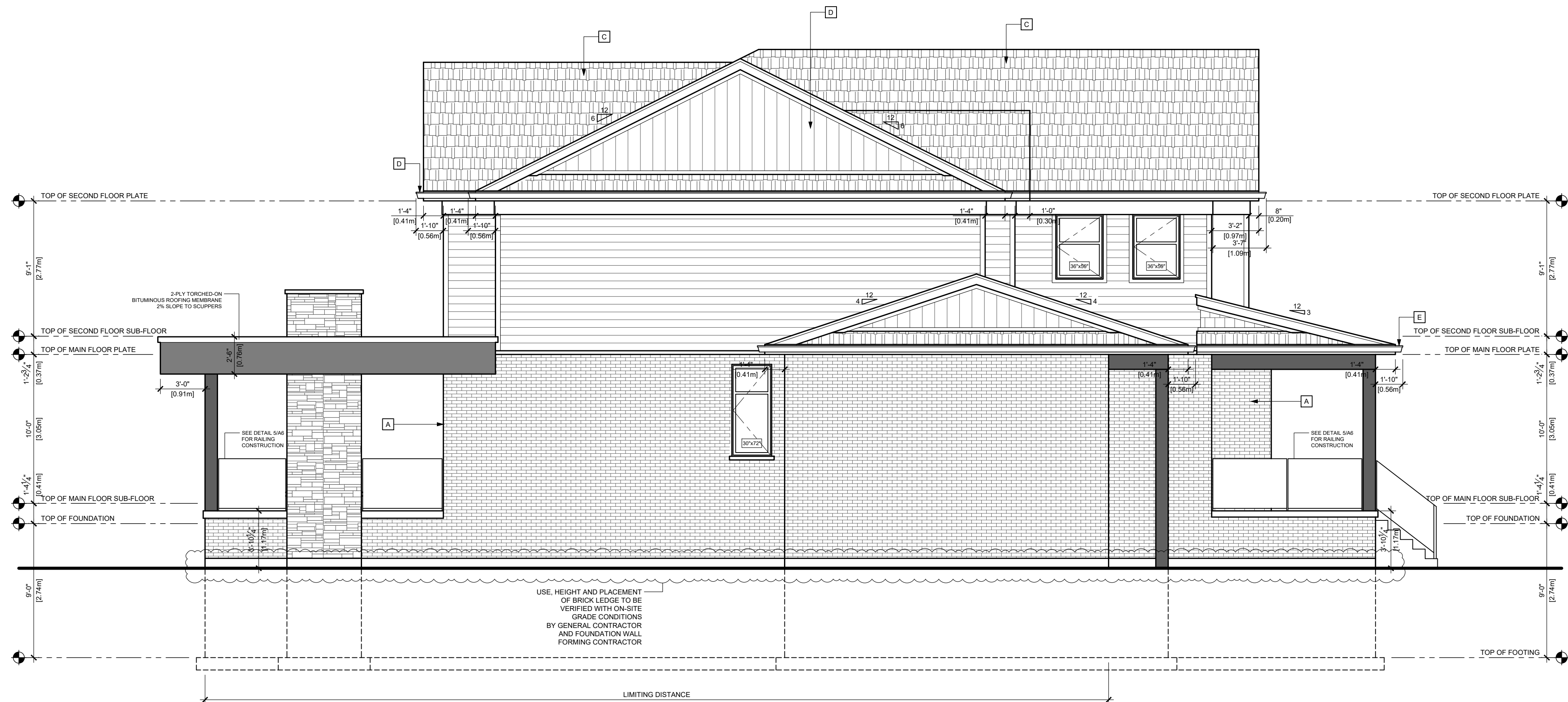
PROPOSED RESIDENCE  
26 SUMMIT DR,  
HAMILTON, ON

SHEET TITLE

FRONT & REAR  
ELEVATIONS

DRAWN BY	L. ANGELICI
DATE	04/30/2021
SCALE	3/16"=1'-0"
PROJECT No.	2021-001

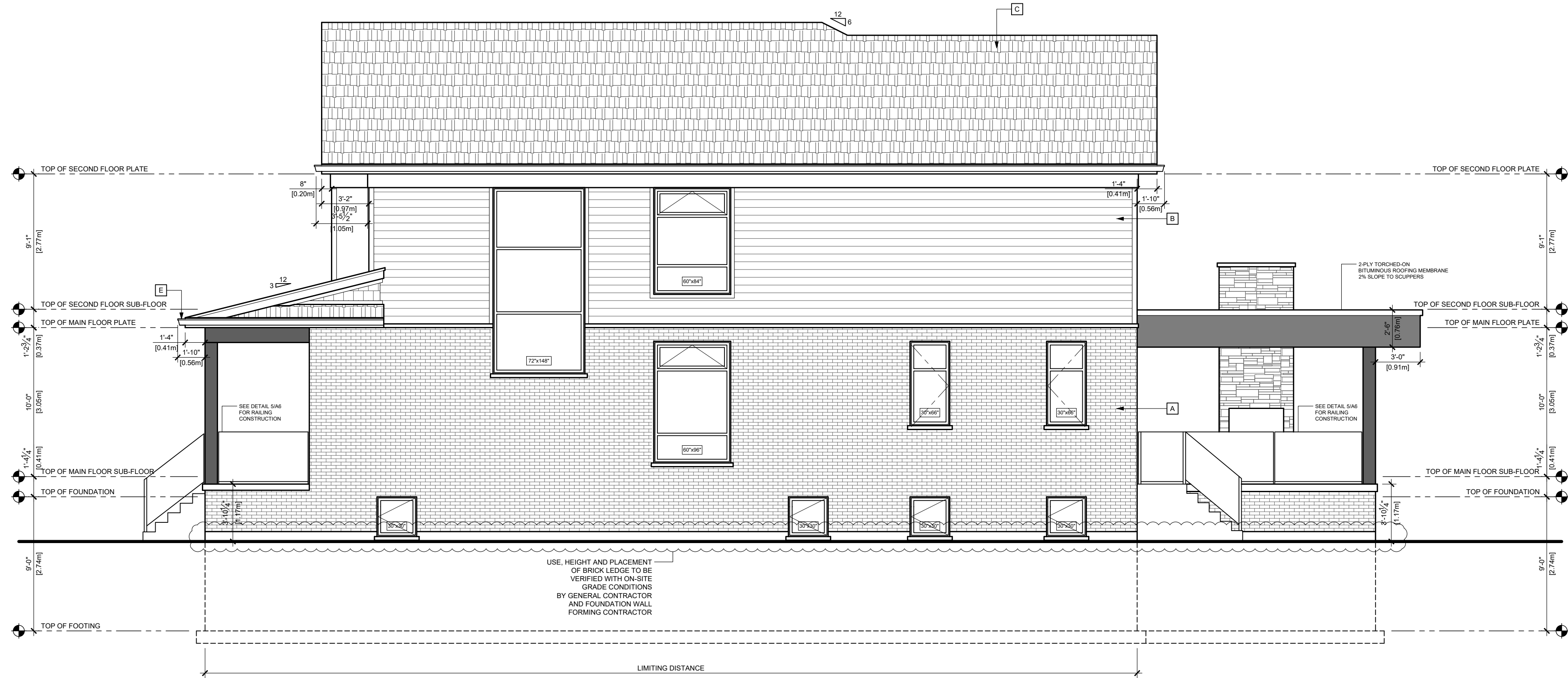
A1



LEFT SIDE ELEVATION

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

WALL AREA: 99.4m<sup>2</sup>  
WALL SETBACK: m  
UNPROTECTED OPENINGS AREA: 1.1m<sup>2</sup> = 1%  
MAXIMUM ALLOWABLE OPENINGS: 1.1%



RIGHT SIDE ELEVATION

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

WALL AREA: 128.2m<sup>2</sup>  
WALL SETBACK: m  
UNPROTECTED OPENINGS AREA: 16.4m<sup>2</sup> = 12.8%  
MAXIMUM ALLOWABLE OPENINGS: 12.8%

EXTERIOR FINISH INDEX

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SEAL

QUALIFICATION INFORMATION	
LEONARD ANGELICI	42391
NAME	BCIN
REGISTRATION INFORMATION	
LEN ANGELICI DESIGN	43162
NAME	BCIN
04/30/2021	SIGNATURE
DATE	

**Len Angelici Design**

270 SHERMAN AVE N, UNIT MILL-125  
HAMILTON, ON L8L 6N4  
(905) 393-8868  
info@lenangelicidesign.ca

PROJECT

PROPOSED RESIDENCE  
26 SUMMIT DR,  
HAMILTON, ON

SHEET TITLE

LEFT & RIGHT SIDE  
ELEVATIONS

DRAWN BY

L. ANGELICI

DATE

04/30/2021

SCALE

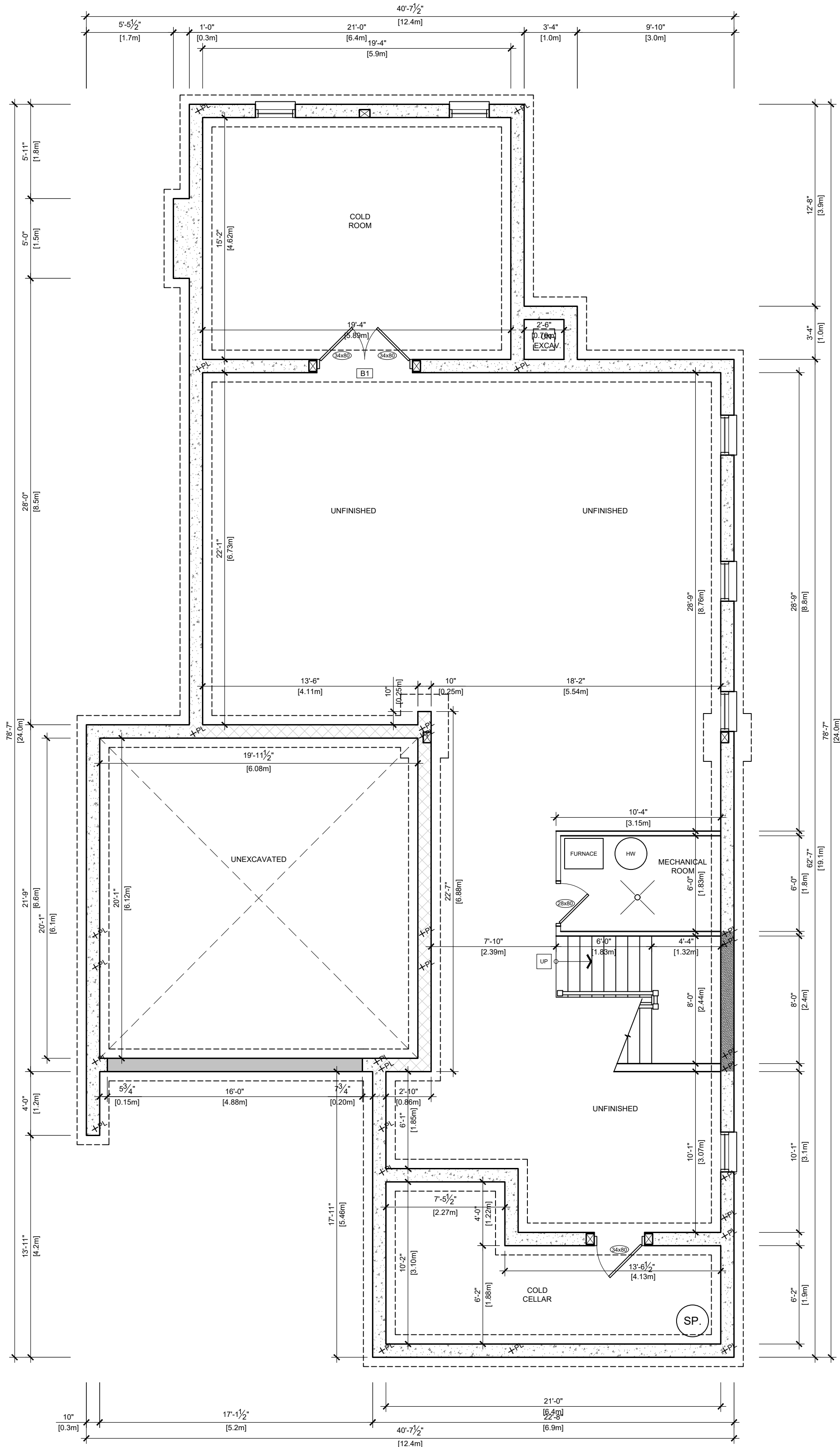
3/16"=1'-0"

PROJECT No.

2021-001

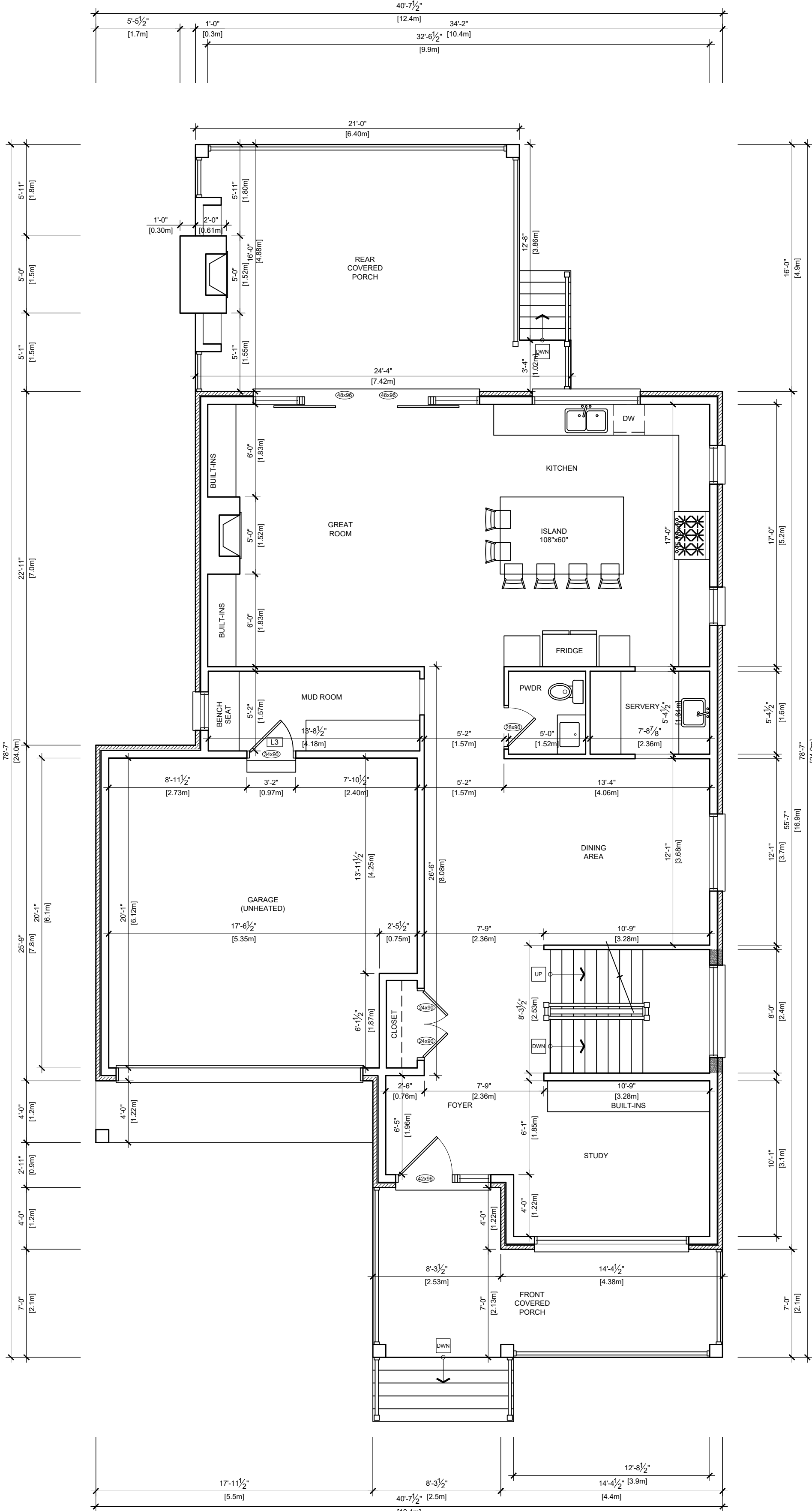
A2





FOUNDATION PLAN

SCALE:  $\frac{3}{16}$ " = 1' - 0"



MAIN FLOOR PLAN

SCALE:  $\frac{3}{16}$ " = 1' - 0"

FLOOR AREA: 1456.6ft<sup>2</sup> (135.3m<sup>2</sup>)  
GARAGE AREA: 424.2ft<sup>2</sup> (39.4m<sup>2</sup>)  
FRONT PORCH AREA: 191.8ft<sup>2</sup> (17.8m<sup>2</sup>)  
REAR PORCH AREA: 347.1ft<sup>2</sup> (32.2m<sup>2</sup>)

GROUND FLOOR AREA:  
= 2419.7ft<sup>2</sup> (224.8m<sup>2</sup>)

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QUALIFICATION INFORMATION

LEONARD ANGELICI 42391  
NAME BCIN

REGISTRATION INFORMATION

LEN ANGELICI DESIGN 43162  
NAME BCIN

04/30/2021  
DATE SIGNATURE

**Len Angelici Design**

270 SHERMAN AVE N, UNIT MILL-125  
HAMILTON, ON L8L 6N4  
(905) 393-8868  
info@lenangelicidesign.ca

PROJECT

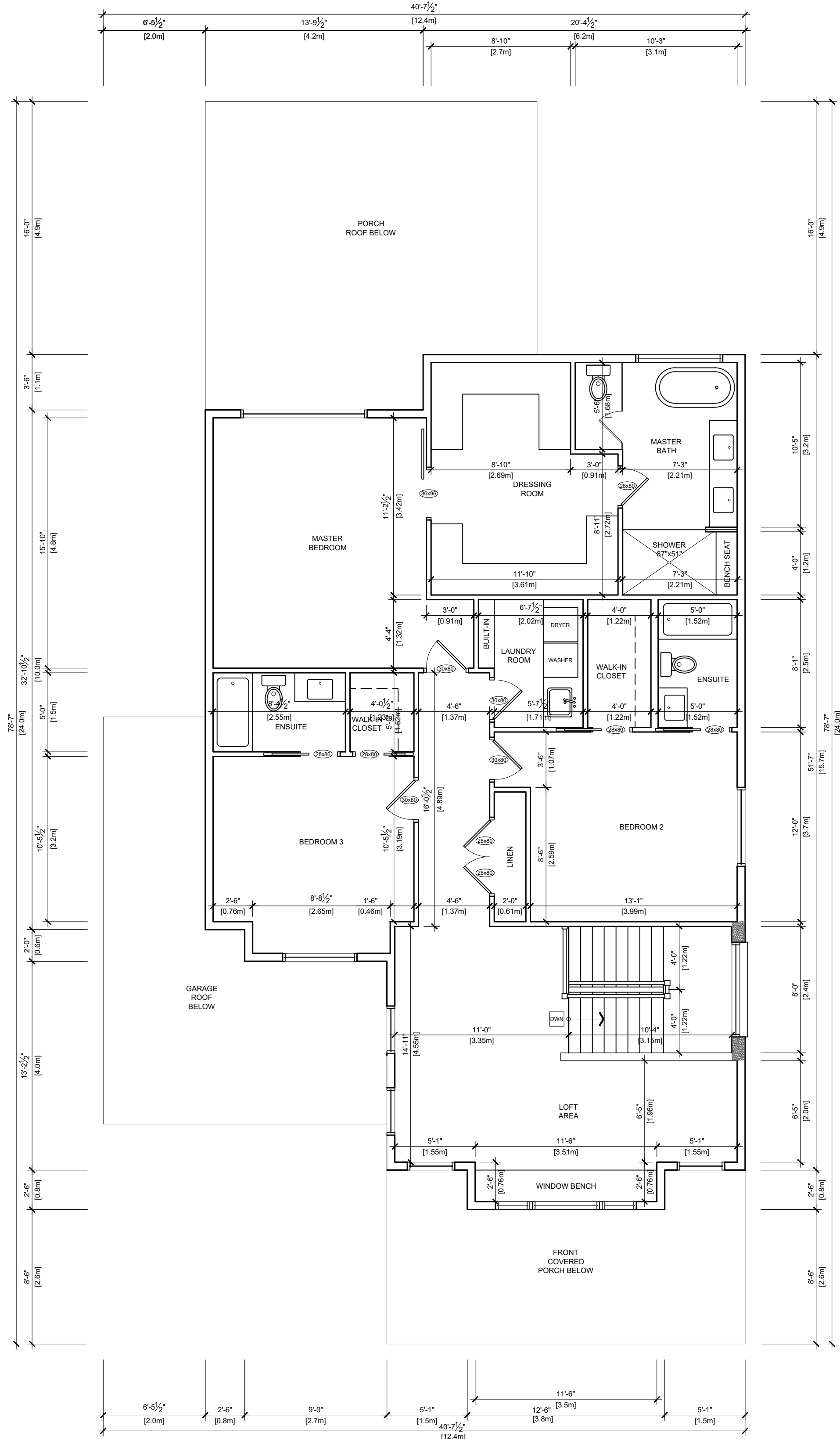
PROPOSED RESIDENCE  
26 SUMMIT DR,  
HAMILTON, ON

SHEET TITLE

PROPOSED  
FOUNDATION & MAIN  
FLOOR PLANS

DRAWN BY  
L. ANGELICI  
DATE  
04/30/2021  
SCALE  
 $\frac{3}{16}$ "=1'-0"  
PROJECT No.  
2021-001

A3



SECOND FLOOR PLAN

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

FLOOR AREA: 1505.8ft² (139.9m²)  
STAIR OPENING AREA: 82.7ft² (7.7m²)

PROJECT NORTH	TRUE NORTH

No.	REVISION	DATE
01.	DRAWINGS FOR VARIANCE	04/30/2021

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LEONARD ANGELICI	42391
NAME	BCIN
REGISTRATION INFORMATION	
LEN ANGELICI DESIGN	43162
NAME	BCIN
04/30/2021	SIGNATURE
DATE	

**Len Angelici Design**

270 SHERMAN AVE N. UNIT MILL-125  
HAMILTON, ON L8L 6N4  
(905) 393-8868  
info@lenangelicidesign.ca

PROJECT
PROPOSED RESIDENCE 26 SUMMIT DR, HAMILTON, ON

SHEET TITLE
PROPOSED SECOND FLOOR PLAN

DRAWN BY L. ANGELICI	A4
DATE 04/30/2021	
SCALE 3/16"=1'-0"	
PROJECT No. 2021-001	









**Committee of Adjustment**  
City Hall, 5<sup>th</sup> Floor,  
71 Main St. W.,  
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221  
Email: [cofa@hamilton.ca](mailto: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)	SCOTT DOCHERTY		
Applicant(s)*	LEN ANGELICI		
Agent or Solicitor			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:  
RELIEF FROM LOT COVERAGE REQUIRMENTS FOR ZONE R1-10 OF 25% TO PROPOSED 33.09%
5. Why it is not possible to comply with the provisions of the By-law?  
SMALL SIZE OF LOT PREVENTS A 3 BEDROOM HOME TO COMPLY WITH THE REQUIRED COVERAGE
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**):  
REGISTERED PLAN 1261, P.I.N. 17514-0027 (L1)  
26 SUMMIT DR  
LOR 2H1  
WATERDOWN, ON
7. PREVIOUS USE OF PROPERTY
- |              |                                     |            |                          |            |                          |
|--------------|-------------------------------------|------------|--------------------------|------------|--------------------------|
| Residential  | <input checked="" type="checkbox"/> | Industrial | <input type="checkbox"/> | Commercial | <input type="checkbox"/> |
| Agricultural | <input type="checkbox"/>            | Vacant     | <input type="checkbox"/> |            |                          |
| 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?

Area has been residential since construction of subject property

- 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.

April 8, 2021

Date



Signature Property Owner

Scott Docherty

Print Name of Owner

10. Dimensions of lands affected:

Frontage	14.858m
Depth	45.72m
Area	679.31m <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: \_

Proposed:

Ground Fl: 135.3m<sup>2</sup>

Second Fl: 139.9m<sup>2</sup>

Building Area: 224.8m<sup>2</sup>

2 stories

width: 12.4m

Length: 24.0m

Height: 10.6m

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

Existing:

Proposed:

Front: 9.0m

Left side: 1.69m

Right side: 1.69m

Rear: 17.41m



13. Date of acquisition of subject lands:  
\_\_\_\_\_
14. Date of construction of all buildings and structures on subject lands:  
\_\_\_\_\_
15. Existing uses of the subject property:  
**SINGLE FAMILY DWELLING**
16. Existing uses of abutting properties:  
**SINGLE FAMILY DWELLINGS**
17. Length of time the existing uses of the subject property have continued:  
**SINCE CONSTRUCTION**
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:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
**R1-10 - Urban Residential (Single Detached)**  
**Parent Bylaw Number: 90-145-Z Flamborough**
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.