

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-21:274

APPLICANTS: Agent Ken Bekendam
Owner Alexander Griffith

SUBJECT PROPERTY: Municipal address **73 Albany Ave., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended

ZONING: "C" (Urban Protected Residential) district

PROPOSAL: To permit the conversion of the existing single family dwelling to establish a secondary dwelling unit notwithstanding that:

1. An access driveway width of 2.3m shall be provided instead of the minimum required 2.8m access driveway width.
2. An open stairway may project 0.9m into the required side yard (therefore being 0.3m from the easterly side lot line) whereas the by-law permits an open stairway to project into a required side yard not more than 0.4m.

NOTES:

- i. As it relates to variance #2, the current zoning designation requires a minimum side yard width of 1.2m.
- ii. Please be advised that a variance for a reduced lot area has been requested by the applicant however following the passing of by-law #21-076, this provision is no longer applicable for residential conversions (Secondary Dwelling Units).

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

DATE: Thursday, August 26th, 2021
TIME: 3:20 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

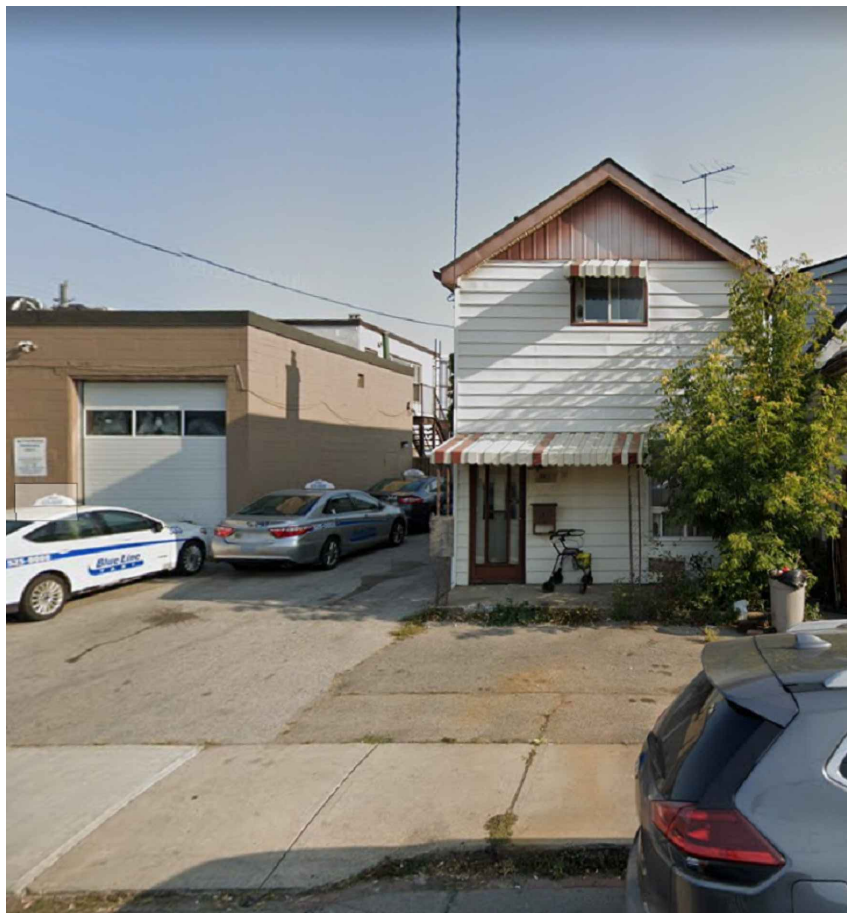
DATED: August 10th, 2021.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

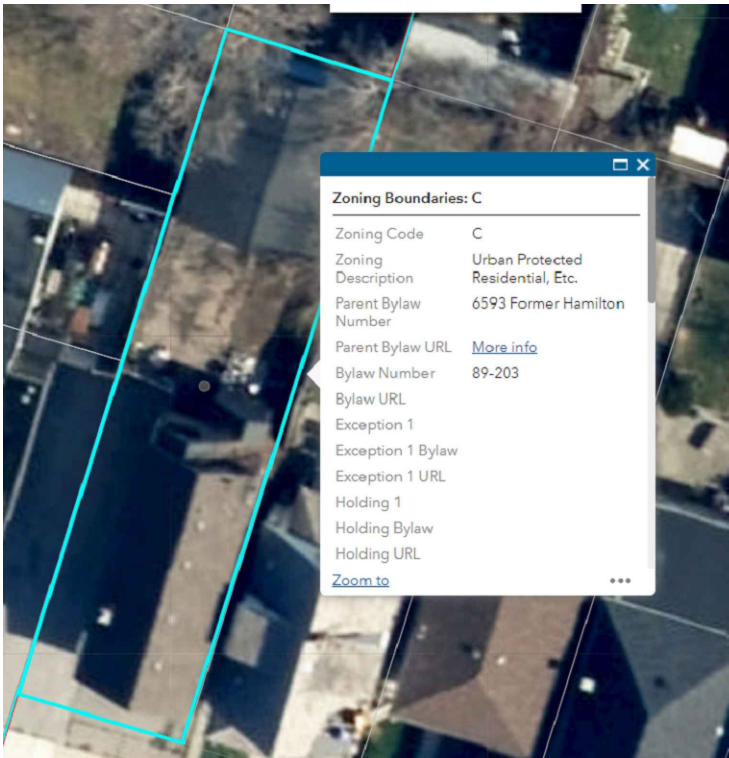
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions,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

SECONDARY DWELLING UNIT

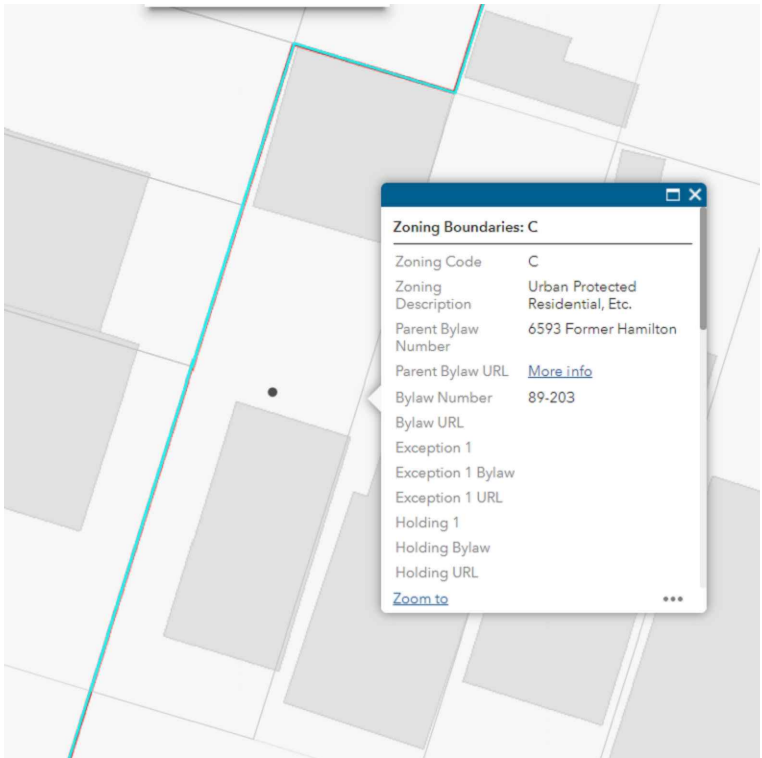
73 ALBANY AVENUE - HAMILTON, ON.



EXISTING BUILDING IMAGE



AERIAL MAP



ZONING MAP



LEAD DESIGNER & CONSULTANT

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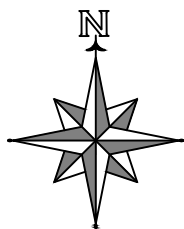
LEAD ENGINEER

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NORTH POSITION:



ADDRESS:

**73 ALBANY
HAMILTON, ON.**

SUBJECT:

TITLE PAGE

PROJECT:

SECONDARY DWELLING UNIT

SCALE:

-

DATE:

JULY 2021

SHEET#:

A 0.01

			ELETRONIC STAMP
<p>GENERAL NOTES:</p> <p>- ALL CONSTRUCTION TO COMPLY WITH THE CURRENT ONTARIO BUILDING CODE (REVISED 2012 OBC – DEC 19, 2017).</p> <p>- ALL DIMENSIONS ARE MEASURED TO ROUGH FRAMING, MASONRY, OR CONCRETE SURFACES U.O N.</p> <p>- ALL DOORS AND WINDOW OPENINGS ARE MEASURED TO ROUGH FRAMING OR MASONRY OPENING.</p> <p>- CONTRACTOR SHALL VERIFY WINDOW OPENINGS WITH THE MANUFACTURER PRIOR TO WORK.</p> <p>- READ ARCHITECTURAL DRAWINGS IN CONJUNCTION WITH ELECTRICAL PLANS SUPPLIED BY LICENSED ELECTRICAL CONTRACTOR.</p> <p>- ALL DIMENSIONS MUST BE CHECKED AGAINST THE ARCHITECTURAL DRAWINGS AND FIELD CONDITIONS BEFORE COMMENCING FABRICATION.</p> <p>- THE CONTRACTOR SHALL PROPERLY SUPERVISE THE WORK AND ENSURE THAT THE WORK IS INSTALLED TO THE CORRECT LINES AND LEVELS, THAT THE CONNECTIONS AND DETAILS CONFORM TO THE DRAWING DETAILS AND SHALL COORDINATE THE INTERFACING OF ALL WORK WITH ALL SUB-TRADES.</p> <p>- PROVIDE POSITIVE FRONT YARD SLOPE TO MUNICIPAL SEWER FOR WATER RUN-OFF.</p> <p>- CONTRACTOR TO BE RESPONSIBLE FOR VERIFYING THE LOCATIONS OF ALL EXISTING UNDERGROUND AND ABOVE UTILITIES AND SERVICES. VARIOUS UTILITIES CONCERNED TO BE GIVEN REQUIRED ADVANCE NOTICE PRIOR TO ANY DIGGING, FOR STAKE OUT.</p> <p>- THE CONTRACTOR IS NOT RESPONSIBLE FOR ACCURACY OF SURVEY DRAWING.</p> <p>- EXISTING DRAINAGE PATTERNS TO REMAIN. ANY NEW SUMP PUMP INSTALLATIONS TO DISCHARGE IN REAR YARD. BUILDING FROM THESE SHALL PROCEED ONLY WHEN MARKED "ISSUED FOR CONSTRUCTION."</p> <p>EXISTING STRUCTURE NOTE:</p> <p>- OWNER AND CONTRACTOR ARE FULLY RESPONSIBLE FOR VERIFYING ALL EXISTING GENERAL AND STRUCTURAL CONDITIONS PRIOR TO ANY WORK. ANY AND ALL DISCREPANCIES SHALL BE REPORTED TO SUITE ADDITIONS INC. PRIOR TO ANY WORK.</p> <p>- OWNER AND CONTRACTOR IS FULLY RESPONSIBLE FOR SHORING EXISTING STRUCTURE PRIOR TO ANY WORK IF REQUIRED.</p> <p>CODE REFERENCES AND SPECIFICATIONS</p> <p>1. FIRE PROTECTION MEASURES ALL FIRE PROTECTION MEASURES MUST COMPLY WITH OBC 9.10. (U.O.N.)</p> <p>2. CEILING HEIGHTS CEILING HEIGHTS SHALL COMPLY WITH OBC 9.5.3.1. AND PART 11 – C102 OF TABLE 11.5.1.1.C.</p> <p>PART 9: BASEMENT SPACE - 2 100 mm (6'-10 3/4") over at least 75% of the basement area except that under beams and ducts the clearance is permitted to be reduced to 1 950 mm (6'-4 7/8")</p> <p>PART 11 (COMPLIANCE ALTERNATIVE): In a house, (a) minimum room height shall not be less than 1 950 mm (6'-4 7/8") over the required floor area and in any location that would normally be used as a means of egress, or (b) minimum room height shall not be less than 2 030 mm (6'-8") over at least 50% of the required floor area, provided that any part of the floor having a clear height of less than 1 400 mm (4'-7 1/8") shall not be considered in computing the required floor area.</p> <p>3. EGRESS FROM DWELLING UNIT EGRESS FROM DWELLING UNIT SHALL COMPLY WITH OBC 9.9.9 AND PART 11 COMPLIANCE – C136 OF TABLE 11.5.1.1.C.</p> <p>PART 9: 9.9.9.1. Travel Limit to Exits or Egress Doors (1) Except as provided in Sentences (2) and (3), every dwelling unit containing more than 1 storey shall have exits or egress doors located so that it shall not be necessary to travel up or down more than 1 storey to reach a level served by, (a) an egress door to a public corridor, enclosed exit stair or exterior passageway, or (b) an exit doorway not more than 1 500 mm above adjacent ground level. (2) Where a dwelling unit is not located above or below another suite, the travel limit from a floor level in the dwelling unit to an exit or egress door is permitted to exceed 1 storey where that floor level is served by an openable window or door, (a) providing an unobstructed opening of not less than 1 000 mm in height and 550 mm in width, and (b) located so that the sill is not more than, (i) 1 000 mm above the floor, and (ii) 7 m above adjacent ground level. (3) The travel limit from a floor level in a dwelling unit to an exit or egress door is permitted to exceed 1 storey where that floor level has direct access to a balcony.</p> <p>9.9.9.2. Two Separate Exits (1) Except as provided in Sentence 9.9.7.3.(1), where an egress door from a dwelling unit opens onto a public corridor or exterior passageway it shall be possible from the location where the egress door opens onto the corridor or exterior passageway to go in opposite directions to two separate exits unless the dwelling unit has a second and separate means of egress.</p>	<p>9.9.9.3. Shared Egress Facilities (1) A dwelling unit shall be provided with a second and separate means of egress where an egress door from the dwelling unit opens onto, (a) an exit stairway serving more than one suite, (b) a public corridor, (i) serving more than one suite, and (ii) served by a single exit, (c) an exterior passageway, (i) serving more than one suite, (ii) served by a single exit stairway or ramp, and (iii) more than 1.5 m above adjacent ground level.</p> <p>PART 11 (COMPLIANCE ALTERNATIVE): In a house, exit requirements are acceptable if at least one of the following conditions exists: (a) a door, including a sliding door, that opens directly to the exterior from a dwelling unit, serves only that dwelling unit and has reasonable access to ground level, and the dwelling units are equipped with smoke alarms installed in conformance with Subsection 9.10.19., (b) an exit that is accessible to more than one dwelling unit and provides the only means of egress from each dwelling unit, provided that the means of egress is separated from the remainder of the building and common areas by a fire separation having a 30 min fire-resistance rating and provided further that the required access to exit from any dwelling unit cannot be through another dwelling unit, service room or other occupancy, and both dwelling units and common areas are provided with smoke alarms that are installed in conformance with Subsection 9.10.19. and are interconnected, or (c) access to an exit from one dwelling unit which leads through another dwelling unit where, (i) an additional means of escape is provided through a window that conforms to the following: (A) the sill height is not more than 1 000 mm above or below adjacent ground level, (B) the window can be opened from the inside without the use of tools, (C) the window has an individual unobstructed open portion having a minimum area of 0.38 m² with no dimension less than 460 mm ,(D) the sill height does not exceed 900 mm above the floor or fixed steps, (E) where the window opens into a window well, a clearance of not less than 1 000 mm shall be provided in front of the window, and (F) smoke alarms are installed in every dwelling unit and in common areas in conformance with Subsection 9.10.19. and are interconnected, (ii) an additional means of escape is provided through a window that conforms to the following: (A) the window is a casement window not less than 1 060 mm high, 560 mm wide, with a sill height not more than 900 mm above the inside floor, (B) the sill height of the window is not more than 5 m above adjacent ground level, and (C) smoke alarms are installed in every dwelling unit and in common areas in conformance with Subsection 9.10.19. and are interconnected, or (iii) the building is sprinklered and the dwelling units are equipped with smoke alarms installed in conformance with Subsection 9.10.19.</p> <p>4. EGRESS FROM BEDROOMS EGRESS FROM BEDROOMS SHALL COMPLY WITH OBC 9.9.10.1</p> <p>PART 9: (1) Except where a door on the same floor level as the bedroom provides direct access to the exterior, every floor level containing a bedroom in a suite shall be provided with at least one outside window that, (a) is openable from the inside without the use of tools, (b) provides an individual, unobstructed open portion having a minimum area of 0.35 m² with no dimension less than 380 mm, and (c) maintains the required opening described in Clause (b) without the need for additional support. (2) Except for basement areas, the window required in Sentence (1) shall have a maximum sill height of 1000 mm above the floor. (3) When sliding windows are used, the minimum dimension described in Sentence (1) shall apply to the openable portion of the window. (4) Where the sleeping area within a live/work unit is on a mezzanine with no obstructions more than 1 070 mm above the floor, the window required in Sentence (1) may be provided on the main level of the live/work unit provided the mezzanine is not more than 25% of the area of the live/work unit or 20 m2, whichever is less, and an unobstructed direct path of travel is provided from the mezzanine to this window. (5) Where a window required in Sentence (1) opens into a window well, a clearance of not less than 550 mm shall be provided in front of the window. (6) Where the sash of a window referred to in Sentence (5) swings towards the window well, the operation of the sash shall not reduce the clearance in a manner that would restrict escape in an emergency. (7) Where a protective enclosure is installed over the window well referred to in Sentence (5), such enclosure shall be openable from the inside without the use of keys, tools or special knowledge of the opening mechanism.</p>	<p>5. SMOKE ALARMS SMOKE ALARMS SHALL COMPLY WITH OBC 9.10.19. AND PART 11 COMPLIANCE – C175 OF TABLE 11.5.1.1.C.</p> <p>PART 9: 9.10.19.1. Required Smoke Alarms (2) Smoke alarms conforming to CAN/ULC-S531, "Smoke Alarms", shall be installed in each dwelling unit and in each sleeping room not within a dwelling unit. (3) Smoke alarms required in Sentence (1) shall have a visual signalling component conforming to the requirements in 18.5.3. (Light, Color and Pulse Characteristics) of NFPA 72, "National Fire Alarm and Signaling Code". (4) The visual signalling component required in Sentence (2) need not, (a) be integrated with the smoke alarm provided it is interconnected to it, (b) be on battery backup, or (c) have synchronized flash rates, when installed in a dwelling unit. (5) The luminous intensity for visual signalling components required in Sentence (2) that are installed in sleeping rooms shall be a minimum of 175 cd. (6) Smoke alarms required in Sentence (1) shall be installed on or near the ceiling.</p> <p>9.10.19.3. Location of Smoke Alarms (1) Within dwelling units, sufficient smoke alarms shall be installed so that, (a) there is at least one smoke alarm installed on each storey, including basements, and (b) on any storey of a dwelling unit containing sleeping rooms, a smoke alarm is installed, (i) in each sleeping room, and (ii) in a location between the sleeping rooms and the remainder of the storey, and if the sleeping rooms are served by a hallway, the smoke alarm shall be located in the hallway. (2) Within a house that contains an interior shared means of egress or common area, a smoke alarm shall be installed in each shared means of egress and common area. (3) A smoke alarm required in Sentences (1) and (2) shall be installed in conformance with CAN/ULC-S553, "Installation of Smoke Alarms".</p> <p>9.10.19.4. Power Supply (1) Except as provided in Sentences (2) and (3), smoke alarms required in Sentences 9.10.19.1.(1) and 9.10.19.3.(2)shall, (a) be installed with permanent connections to an electrical circuit, (b) have no disconnect switch between the overcurrent device and the smoke alarm, and (c) in case the regular power supply to the smoke alarm is interrupted, be provided with a battery as an alternative power source that can continue to provide power to the smoke alarm for a period of not less than 7 days in the normal condition, followed by 4 min of alarm.</p> <p>9.10.19.5. Interconnection of Smoke Alarms (1) Where more than one smoke alarm is required in a dwelling unit, the smoke alarms shall be wired so that the activation of one alarm will cause all alarms within the dwelling unit to sound.</p> <p>PART 11 (COMPLIANCE ALTERNATIVE):. Smoke alarms may be battery operated.</p>	



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NORTH POSITION:

ADDRESS:	73 ALBANY HAMILTON, ON.
SUBJECT:	CONSTRUCTION NOTES 1 OF 2
PROJECT:	SECONDARY DWELLING UNIT

SCALE:	-
DATE:	JULY 2021
SHEET#:	A 0.02

			ELETRONIC STAMP
<div><div>6. CARBON MONOXIDE ALARMS</div><div>CARBON MONOXIDE ALARMS SHALL COMPLY WITH OBC 9.33.4. AND PART 11 COMPLIANCE – C197 OF TABLE 11.5.1.1.C.</div><div>PART 9:</div><div>9.33.4.1. Application</div><div>(1) This Subsection applies to every building that,</div><div>(a) contains a residential occupancy, and</div><div>(b) contains a fuel-burning appliance or a storage garage.</div><div>9.33.4.2. Location of Carbon Monoxide Alarms</div><div>(1) Where a fuel-burning appliance is installed in a suite of residential occupancy, a carbon monoxide alarm shall be installed adjacent to each sleeping area in the suite.</div><div>(2) Where a fuel-burning appliance is installed in a service room that is not in a suite of residential occupancy, a carbon monoxide alarm shall be installed,</div><div>(a) adjacent to each sleeping area in every suite of residential occupancy that is adjacent to the service room, and</div><div>(b) in the service room.</div><div>(3) Where a storage garage is located in a building containing a residential occupancy, a carbon monoxide alarm shall be installed adjacent to each sleeping area in every suite of residential occupancy that is adjacent to the storage garage.</div><div>(4) Where a storage garage serves only the dwelling unit to which it is attached or built in, a carbon monoxide alarm shall be installed adjacent to each sleeping area in the dwelling unit.</div><div>(5) A carbon monoxide alarm shall be mechanically fixed,</div><div>(a) at the manufacturer's recommended height, or</div><div>(b) in the absence of specific instructions, on or near the ceiling.</div><div>9.33.4.3. Installation and Conformance to Standards</div><div>(1) The carbon monoxide alarm required by Article 9.33.4.2. shall,</div><div>(a) except as permitted in Sentence (2), be permanently connected to an electrical circuit and shall have no disconnect switch between the overcurrent device and the carbon monoxide alarm,</div><div>(b) be wired so that its activation will activate all carbon monoxide alarms within the suite, where located within a suite of residential occupancy,</div><div>(c) be equipped with an alarm that is audible within bedrooms when the intervening doors are closed, where located adjacent to a sleeping area, and</div><div>(d) conform to,</div><div>(i) CAN/CSA-6.19, "Residential Carbon Monoxide Alarming Devices", or</div><div>(ii) UL 2034, "Single and Multiple Station Carbon Monoxide Alarms".</div><div>(2) Where the building is not supplied with electrical power, carbon monoxide alarms are permitted to be battery operated.</div><div>PART 11 (COMPLIANCE ALTERNATIVE):.</div><div>Carbon monoxide alarms may be battery operated or plugged into an electrical outlet.</div><div>7. FIRE-RESISTANCE RATINGS FOR WALLS, COLUMNS AND ARCHES</div><div>FIRE-RESISTANCE RATINGS FOR WALLS, COLUMNS AND ARCHES SHALL COMPLY WITH OBC 9.10.8.3 AND PART 11 COMPLIANCE - C147 OF TABLE 11.5.1.1.C.</div><div>PART 9:</div><div>(1) Except as otherwise provided in this Subsection, all load bearing walls, columns and arches in the storey immediately below a floor or roof assembly shall have a fire-resistance rating of not less than that required for the supported floor or roof assembly.</div><div>PART 11 (COMPLIANCE ALTERNATIVE):.</div><div>(a) Except as provided in (b) and (c), 30 min rating is acceptable.</div><div>(b) In a house, 15 min horizontal fire separation is acceptable where,</div><div>(i) smoke alarms are installed in every dwelling unit and in common areas in conformance with Subsection 9.10.19., and</div><div>(ii) smoke alarms are interconnected.</div><div>(c) In a house, the fire-resistance rating of the fire separation is waived where the building is sprinklered.</div><div>8. SEPARATION OF SERVICE ROOMS</div><div>SEPARATION OF SERVICE ROOMS SHALL COMPLY WITH OBC 9.10.10.4</div><div>PART 9:</div><div>9.10.10.1. Appliances and Equipment to be Located in a Service Room</div><div>(1) Except as provided in Sentences (2) and (3) and Article 9.10.10.5., fuel-fired appliances shall be located in a service room separated from the remainder of the building by a fire separation having not less than a 1 h fire-resistance rating.</div><div>(2) Except as required in the appliance installation standards referenced in Sentences 6.2.1.4.(1) and 9.33.1.2.(1), fuel fired spaceheating appliances, space-cooling appliances and service water heaters need not be separated from the remainder of the building as required in Sentence (1) where the equipment serves,</div><div>(a) not more than one room or suite,</div><div>(b) a house, or</div><div>(c) a building, other than a house, with a building area of not more than 400 m² and a building height of not more than 2 storeys.</div><div>(3) Sentence (1) does not apply to fireplaces and cooking appliances.</div></div>	<div><div>9. SEPARATION OF RESIDENTIAL SUITES</div><div>SEPARATION OF RESIDENTIAL SUITES SHALL COMPLY WITH OBC 9.10.9.14 AND PART 11 COMPLIANCE - C152 OF TABLE 11.5.1.1.C.</div><div>PART 9:</div><div>(1) Except as provided in Sentences (2) and (3) and Article 9.10.21.2., suites in residential occupancies shall be separated from adjacent rooms and suites by a fire separation having a fire-resistance rating of not less than 45 min.</div><div>(2) Sleeping rooms in boarding, lodging or rooming houses where sleeping accommodation is provided for not more than 8 boarders or lodgers shall be separated from the remainder of the floor area by a fire separation having a fire-resistance rating of not less than 30 min where the sleeping rooms form part of the proprietor's residence and do not contain cooking facilities.</div><div>(3) Except as provided in Sentences (4) and (5), dwelling units that contain 2 or more storeys including basements shall be separated from the remainder of the building by a fire separation having a fire-resistance rating of not less than 1 h.</div><div>(4) Except as provided in Sentence (5), dwelling units in a house shall be separated from each other and common areas by a fire separation having a fire-resistance rating of not less than 45 min.</div><div>(5) The fire-resistance rating of the fire separation required in Sentence (4) is permitted to be waived where the house is sprinklered.</div><div>PART 11 (COMPLIANCE ALTERNATIVE):</div><div>(a) Except as provided in (b) and (c), 30 min fire separation is acceptable.</div><div>(b) In a house, 15 min horizontal fire separation is acceptable where,</div><div>(i) smoke alarms are installed in every dwelling unit and in common areas in conformance with Subsection 9.10.19., and</div><div>(ii) smoke alarms are interconnected.</div><div>(c) In a house, the fire-resistance rating of the fire separation is waived where the building is sprinklered.</div><div>10. CLOSURES (DOORS):</div><div>CLOSURES SHALL COMPLY WITH OBC 9.10.13.1 AND PART 11 COMPLIANCE - C155 OF TABLE 11.5.1.1.C.</div><div>PART 9:</div><div>(1) Except as provided in Article 9.10.13.2., openings in required fire separations shall be protected with a closure conforming to Table 9.10.13.1. and shall be installed in conformance with NFPA 80, "Fire Doors and Other Opening Protectives", unless otherwise specified in this Part.</div><div>PART 11 (COMPLIANCE ALTERNATIVE):</div><div>Existing functional closures are acceptable subject to C.A.'s C8 and C156.</div><div>(a) Existing functional and sound doors in existing buildings that are either hollow metal or kalamein and containing wired glass at least 6 mm thick and conforming to Sentence 3.1.8.14.(2) are permitted in lieu of doors not required to exceed 45 min,</div><div>(b) all existing functional and sound hollow metal or kalamein doors which carry existing 1.5 h labels are acceptable in lieu of current 1.5 h labels and may contain wired glass panels not exceeding 0.0645 m², at least 6 mm thick and conforming to Sentence 3.1.8.14.(2), and</div><div>(c) every fire door, window assembly or glass block used as a closure in a required fire separation shall be installed in conformance with good engineering practice. In a house, existing unlabelled doors at least 45 mm solid core wood or metal clad are acceptable. For existing closures, ratings of 20 min will not be required where the entire floor area is sprinklered.</div><div>11. LAUNDRY FIXTURES</div><div>LAUNDRY FIXTURES SHALL COMPLY WITH OBC 9.31.4.2.</div><div>PART 9:</div><div>(1) Laundry facilities or a space for laundry facilities shall be provided in every dwelling unit or grouped elsewhere in the building in a location conveniently accessible to occupants of every dwelling unit.</div><div>12. NATURAL VENTILATION</div><div>NATURAL VENTILATION SHALL COMPLY WITH OBC 9.32.2.1 AND PART 11 COMPLIANCE - C194 OF TABLE 11.5.1.1.C.</div><div>PART 9:</div><div>(1) The unobstructed openable ventilation area to the outdoors for rooms and spaces in a residential occupancy ventilated by natural means shall conform to Table 9.32.2.1.</div><div>PART 11 (COMPLIANCE ALTERNATIVE):</div><div>In a house, rooms or spaces to be ventilated by natural means in accordance with Subsection 9.32.2. or by providing adequate mechanical ventilation.</div></div>	<div><div>13. ELECTRICAL FACILITIES</div><div>ELECTRICAL FACILITIES SHALL COMPLY WITH OBC 9.34.</div><div>14. INTERCONNECTION OF SYSTEMS</div><div>INTERCONNECTION OF SYSTEMS SHALL COMPLY WITH OBC 6.2.3.9 AND PART 11 COMPLIANCE – C91 OF TABLE 11.5.1.1.C.</div><div>PART 6:</div><div>(1) In a residential occupancy, air from one suite shall not be circulated to any other suite or to a public corridor or public stairway.</div><div>PART 11 (COMPLIANCE ALTERNATIVE):</div><div>In a building containing not more than four dwelling units or residential suites, the existing heating or air-conditioning system may be altered to serve more than one dwelling unit or suite, provided smoke alarms are installed in each dwelling unit or suite and provided a smoke detector is installed in the supply or return air duct system serving the entire building which would turn off the fuel supply and electrical power to the heating system upon activation of such detector.</div><div>15. PENETRATIONS</div><div>PIPING, TUBING, DUCTS, CHIMNEYS, WIRING, CONDUIT, ELECTRICAL OUTLET BOXES AND OTHER SIMILAR SERVICE EQUIPMENT THAT PENETRATE A FIRE SEPARATION MUST BE NON COMBUSTIBLE AND FIRE STOPPED.</div><div>16. PLUMBING</div><div>ALL PLUMBING MUST CONFORM TO O.REG.332/12, DIV. B PART 7 OF THE BUILDING CODE</div><div>17. HANDRAILS AND GUARDRAILS</div><div>INSTALL HANDRAILS AND GUARDRAILS IN ACCORDANCE WITH 9.8.7. AND 9.8.8 OF THE BUILDING CODE RESPECTIVELY</div></div>	

<div><div><div><div></div><div>legal second suites.com</div></div></div></div>	<div>LEAD DESIGNER & CONSULTANT</div> <div>Ken Bekendam B.A. BUSCOM, L.T.</div> <div>kenbekendam@gmail.com</div> <div>office: 855.546.4467 cell: 905.961.0647</div>	<div>LEAD ENGINEER</div> <div>Robert Mendez P. Eng 100054193</div> <div>robertmendez@yahoo.com</div> <div>cell: 416.807.1572</div>	<div><div><div><div></div><div>2021-07-02</div><div>R.L. MENDEZ</div><div>100054193</div><div><i>Robert Mendez</i></div><div>PROVINCE OF ONTARIO</div></div></div></div>	<div>NORTH POSITION:</div>	<div>ADDRESS:</div> <div>73 ALBANY HAMILTON, ON.</div>	<div>SCALE:</div> <div>-</div>
					<div>SUBJECT:</div> <div>CONSTRUCTION NOTES 2 OF 2</div>	<div>DATE:</div> <div>JULY 2021</div>
					<div>PROJECT:</div> <div>SECONDARY DWELLING UNIT</div>	<div>SHEET#:</div> <div>A 0.03</div>

SITE INFORMATION & STATISTICS	
ADDRESS	73 ALBANY AVENUE - HAMILTON - ON.
ZONING TYPE	C
LOT AREA	2) \$\$ SQ FT (&' &"* SQ M)
LOT FRONTAGE	25' (7.62m)

GENERAL NOTES:

1. ALL CONSTRUCTION TO COMPLY WITH THE REVISED ONTARIO BUILDING CODE 2012.
2. ALL DIMENSIONS ARE MEASURED TO ROUGH FRAMING OR TO MASONRY SURFACES UNLESS OTHERWISE NOTED.
3. ALL DOORS AND WINDOW OPENINGS ARE MEASURED TO ROUGH FRAMING OR MASONRY OPENINGS.
4. CONTRACTOR IS TO VERIFY WINDOW OPENINGS WITH WINDOW MANUFACTURER PRIOR TO COMMENCING WORK.
5. READ ARCHITECTURAL DRAWINGS IN CONJUNCTION WITH STRUCTURAL, MECHANICAL AND ELECTRICAL DRAWINGS.
6. ELEVATION REFERENCES ARE BASED ON 100'-0" = 131.70m GEODETIC ELEVATIONS AS NOTED ON A1 SITE PLAN.
7. ALL DIMENSIONS MUST BE CHECKED AGAINST THE ARCHITECTURAL DRAWINGS AND THE FIELD CONDITIONS BEFORE COMMENCING FABRICATION. AND INCONSISTENCIES ARE TO BE REPORTED TO THE CONSULTANT BEFORE PROCEEDING WITH THE WORK.
8. THE CONTRACTOR SHALL PROPERLY SUPERVISE THE WORK AND ENSURE THAT THE WORK IS INSTALLED TO THE CORRECT LINES AND LEVELS, THAT THE CONNECTIONS AND DETAILS CONFIRM TO THE DRAWING DETAILS AND SHALL COORDINATE THE INTERFACING OF ALL WORK WITH ALL SUB-TRADES.
9. PROVIDE POSITIVE FRONT YARD SLOPE TO MUNICIPAL SEWER FOR WATER RUN-OFF.
10. CONTRACTOR TO BE RESPONSIBLE FOR VERIFYING THE LOCATIONS OF ALL EXISTING UNDERGROUND AND ABOVE UTILITIES AND SERVICES. VARIOUS UTILITIES CONCERNED TO BE GIVEN REQUIRED ADVANCING NOTICE PRIOR TO ANY DIGGING, FOR STAKE OUT.
11. REFER TO LANDSCAPING PLAN FOR PLANTING CONFIRM LAYOUT WITH LANDSCAPE CONTRACTOR
12. DESIGNER NOT RESPONSIBLE FOR ACCURACY OF SURVEY DRAWING.

EXISTING STRUCTURE NOTE:

OWNER AND CONTRACTOR IS FULLY RESPONSIBLE FOR VERIFYING ALL EXISTING STRUCTURAL CONDITIONS PRIOR TO ANY WORK, ANY AND ALL DISCREPANCIES SHALL BE REPORTED TO THE OWNER PRIOR TO ANY WORK, OWNER AND CONTRACTOR IS FULLY RESPONSIBLE FOR SHORING EXISTING STRUCTURE PRIOR TO ANY WORK.

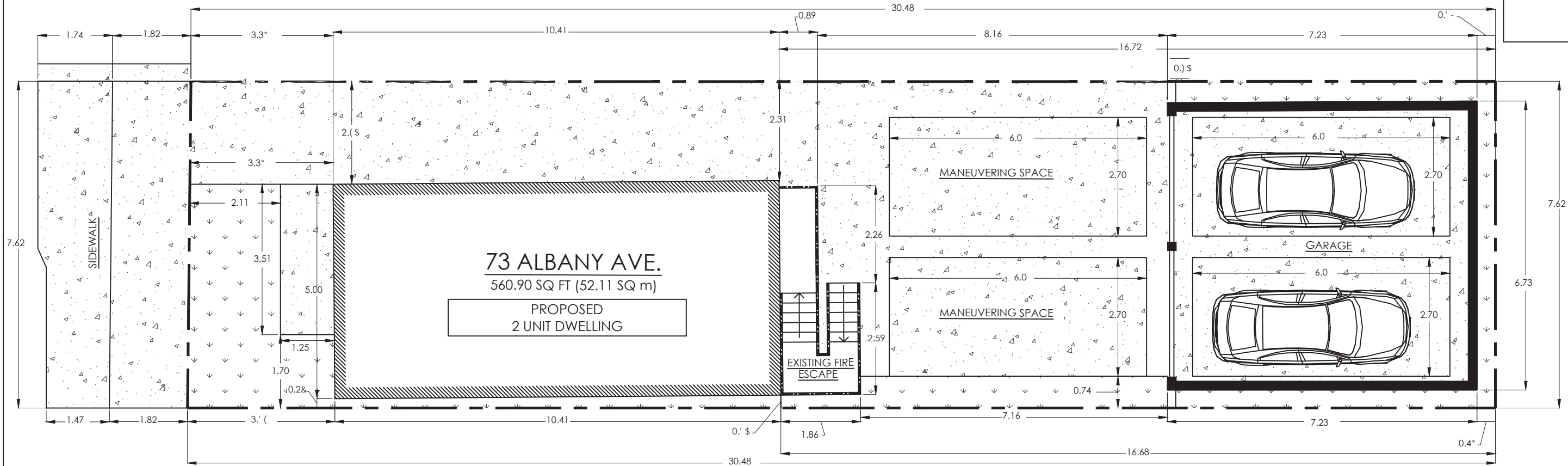
BUILDING CODE COMPLIANCE NOTE:

THESE DRAWINGS DO NOT REPRESENT A COMPREHENSIVE AND EXHAUSTIVE GUIDE FOR COMPLIANCE WITH THE ONTARIO BUILDING CODE. IT IS ASSUMED THAT THE CONTRACTOR HAS REASONABLY SUFFICIENT KNOWLEDGE OF THE ONTARIO BUILDING CODE IN ORDER TO PERFORM ALL WORK AS PER THESE DRAWINGS IN SUCH A WAY THAT WILL COMPLY WITH ALL ASPECTS OF THE O.B.C. AND WILL NOT CONTRAVENE ANY OTHER APPLICABLE LAWS.

SITE PLAN:

BASED ON HAMILTON SITE MAPS AND MEASUREMENTS ON SITE DESIGNER ASSUMES NO RESPONSIBILITY FOR ACCURACY OF HAMILTON MAPS. THIS SITE SHALL NOT BE USED FOR ANY OTHER PURPOSES. NO WORK TO ENCROACH ONTO ADJOINING PROPERTIES

ELETRONIC STAMP



LANDSCAPED FRONT YARD
LANDSCAPED AREA = 158.02 SQFT = 54.26%
HARD SURFACE AREA = 133.15 SQFT = 45.74%



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NORTH POSITION:



ADDRESS:

73 ALBANY
HAMILTON, ON.

SUBJECT:

SITE PLAN

PROJECT:

SECONDARY DWELLING UNIT

SCALE:

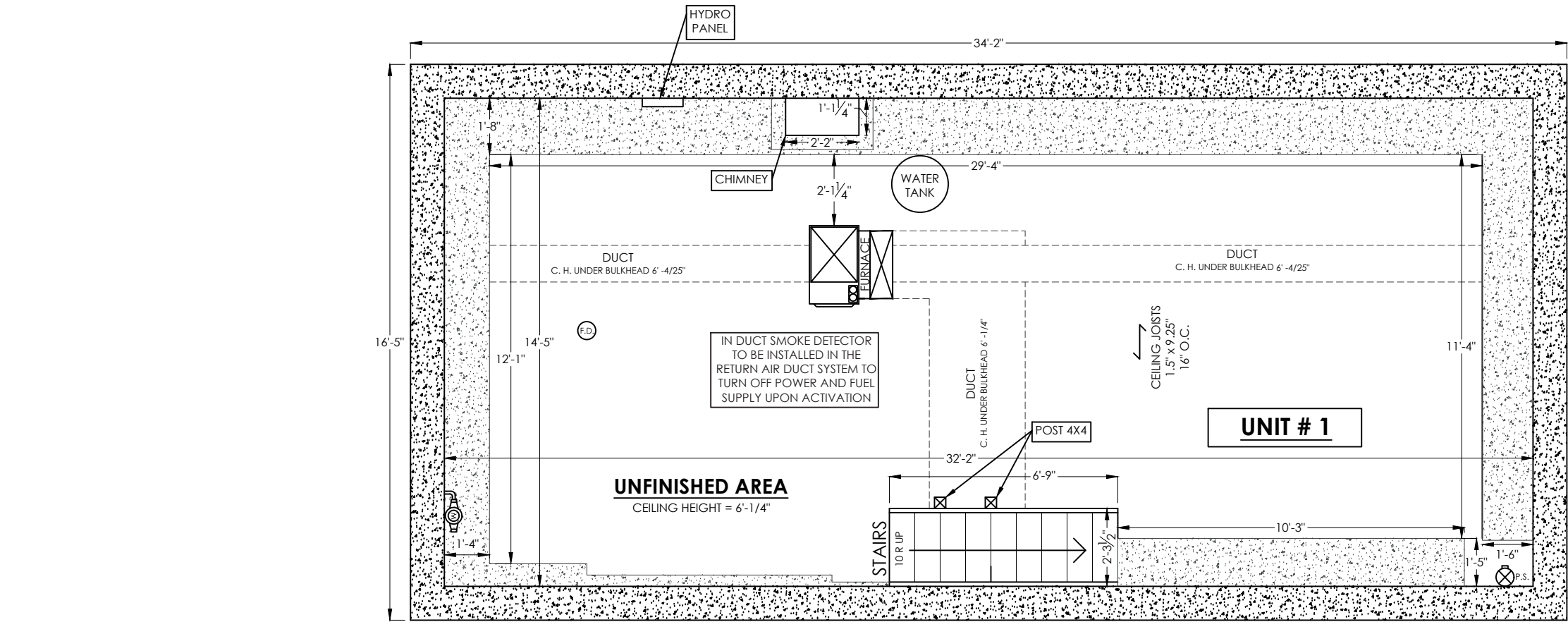
1" = 1'

DATE:

JULY 2021

SHEET#:

SP 1.01



BASEMENT TO REMAIN UNFINISHED

NOTE: ALL SMOKE ALARMS
TO BE INTERCONNECTED
BETWEEN DWELLING UNITS

BATH		ROOM NAME
E.F.		EXHAUST FAN
2		SPECIFICATION TAG
S.A.		SMOKE ALARM
C.M.A.		CARBON MONOXIDE ALARM
C.H. = 8'-10"		CEILING HEIGHT
		STRUCTURAL BEAM OR WALL
P.S.		PLUMBING STACK
		WATER METER
F.D.		FLOOR DRAIN
		STRUCTURAL COLUMN
		FOUNDATION WALL
		EXISTING EXTERIOR WALLS
		NEW EXTERIOR WALLS
		EXISTING INTERIOR WALLS
		NEW INTERIOR WALLS
		STRUCTURAL WALLS
		NEW STRUCTURAL BEAMS
		WINDOWS
SUPPLY		SUPPLY REGISTER
RETURN		RETURN GRILLE
DOOR LEGEND		DOOR TYPE DOOR SIZE
A		A. PANEL DOOR
B		B. FIRE DOOR w/ SELF CLOSER (45 MIN)
C		C. FIRE DOOR w/ SELF CLOSER (20 MIN)
D		D. EXTERIOR DOOR
E		E. BIFOLD CLOSET
F		F. SLIDING DOOR
G		G. POCKET DOOR



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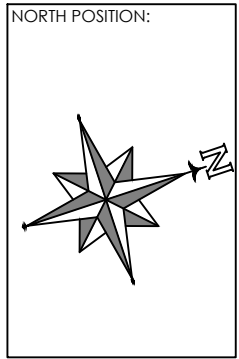
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ADDRESS:	73 ALBANY HAMILTON, ON.
SUBJECT:	EXISTING/PROPOSED BASEMENT - UNIT#1
PROJECT:	SECONDARY DWELLING UNIT

SCALE:	1/4" = 1'
DATE:	JULY 2021
SHEET#:	A 1.01

SEPARATION BETWEEN SUITES:
SEPARATION BETWEEN SUITES TO HAVE A FIRE RESISTANCE RATING OF **30 MINS** AS PER O.B.C. 9.10.9.14 (1), PART 11 C152 (a) AND PART 9.11.2.1(1) - STC 50. REFER TO SB3 TABLE 1 AND 2 FOR ASSEMBLY DETAILS.

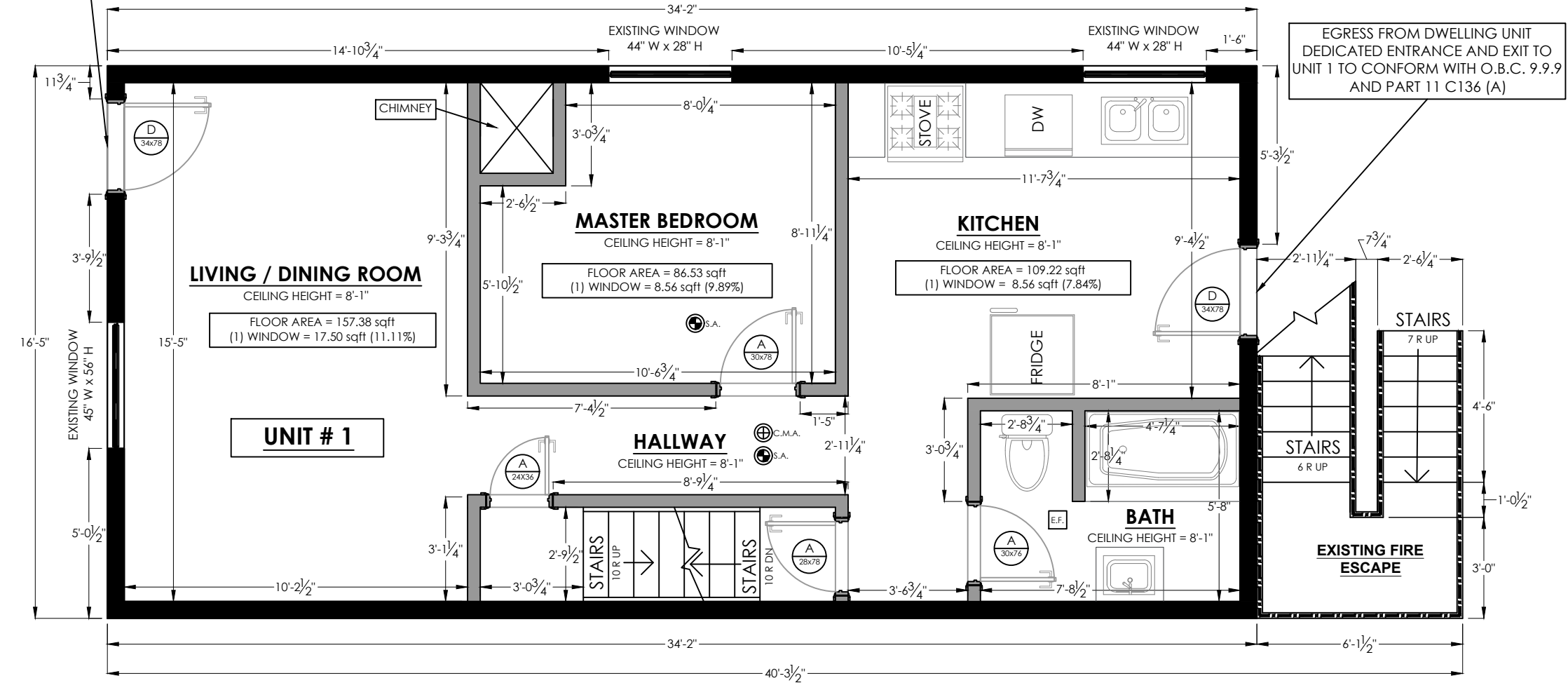
VERTICAL PARTITION (WALLS) - W4A (1HR FRR, STC51)

- NEW 2 x 4 STUD WALL SPACED 16" O.C.
- 3.5" THICK ABSORPTIVE MATERIAL
- RESILIENT METAL CHANNELS SPACED 24" O.C
- 2 LAYERS 5/8" TYPE X GYPSUM BOARD ON CHANNEL SIDE
- 1 LAYER 5/8" TYPE X GYPSUM BOARD ON OTHER SIDE

HORIZONTAL PARTITION (CEILING) - F8D (30MIN FRR, STC50)

- EX. WOOD JOISTS @ 16" O.C.
- 6" THICK ABSORPTIVE MATERIAL IN CAVITY (FIBRE FROM ROCK/SLAG W/ MIN 90mm & MIN. SURFACE AREA MASS OF 2.8 KG/SQ. M
- RESILIENT METAL CHANNELS SPACED @ 16" O.C.

EGRESS FROM DWELLING UNIT DEDICATED ENTRANCE AND EXIT TO UNIT 1 TO CONFORM WITH O.B.C. 9.9.9 AND PART 11 C136 (A)



NEW F8D CEILING ASSEMBLY REQUIRED

NOTE: ALL SMOKE ALARMS TO BE INTERCONNECTED BETWEEN DWELLING UNITS

PLANS LEGEND	
BATH	ROOM NAME
E.F.	EXHAUST FAN
2	SPECIFICATION TAG
S.A.	SMOKE ALARM
C.M.A.	CARBON MONOXIDE ALARM
C.H. = 8'-10"	CEILING HEIGHT
	STRUCTURAL BEAM OR WALL
P.S.	PLUMBING STACK
	WATER METER
F.D.	FLOOR DRAIN
	STRUCTURAL COLUMN
	FOUNDATION WALL
	EXISTING EXTERIOR WALLS
	NEW EXTERIOR WALLS
	EXISTING INTERIOR WALLS
	NEW INTERIOR WALLS
	STRUCTURAL WALLS
	NEW STRUCTURAL BEAMS
	WINDOWS
SUPPLY	SUPPLY REGISTER
RETURN	RETURN GRILLE
DOOR LEGEND	
A	DOOR TYPE
30x60	DOOR SIZE
A. PANEL DOOR	
B. FIRE DOOR w/ SELF CLOSER (45 MIN)	
C. FIRE DOOR w/ SELF CLOSER (20 MIN)	
D. EXTERIOR DOOR	
E. BIFOLD CLOSET	
F. SLIDING DOOR	
G. POCKET DOOR	



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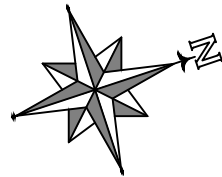
LEAD ENGINEER

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NORTH POSITION:



ADDRESS:

73 ALBANY
HAMILTON, ON.

SUBJECT:

EXISTING/PROPOSED
GROUND FLOOR - UNIT #1

PROJECT:

SECONDARY DWELLING UNIT

SCALE:

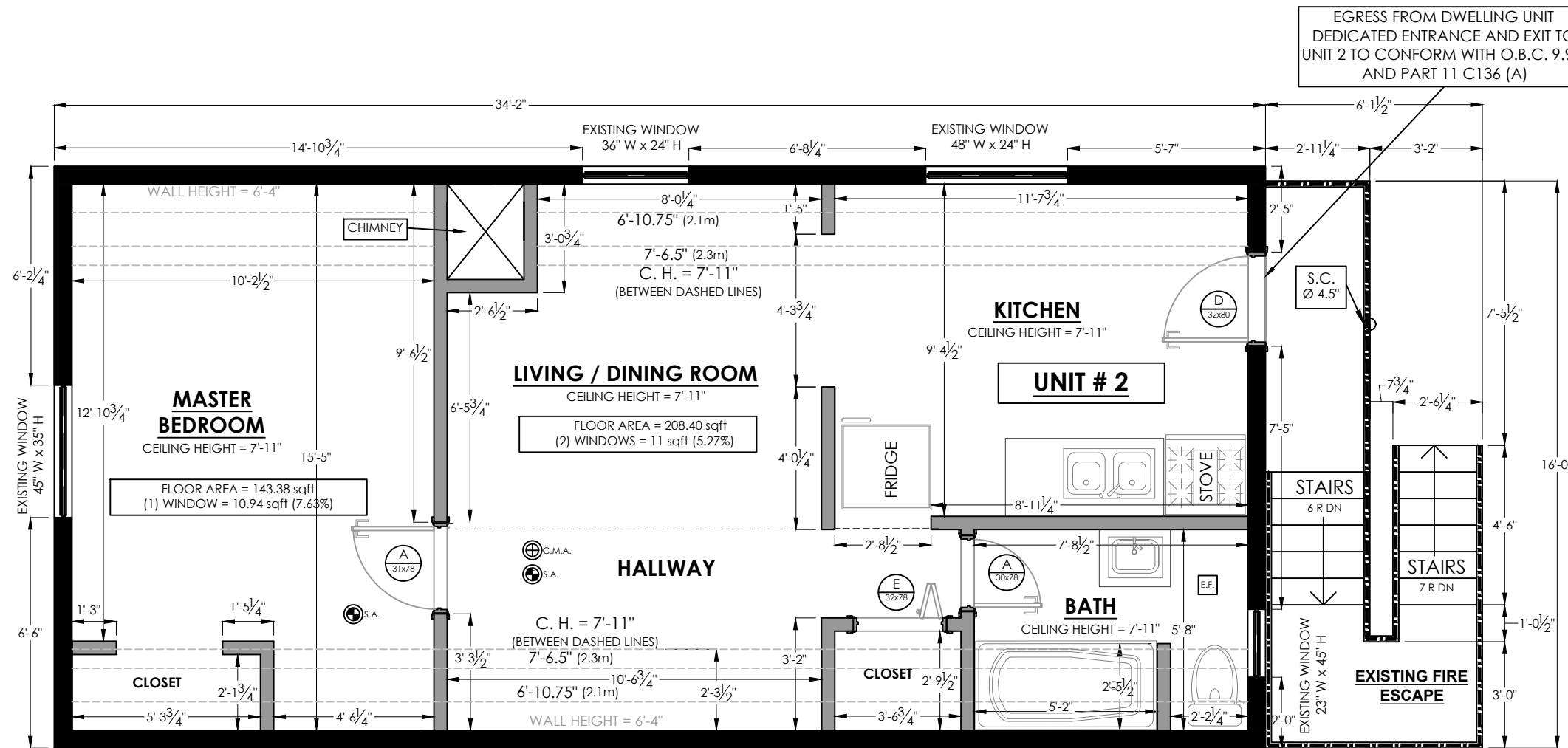
1" = 1'

DATE:

JULY 2021

SHEET#:

A 1.02



NO CHANGES TO THIS FLOOR PLAN

NOTE: ALL SMOKE ALARMS
TO BE INTERCONNECTED
BETWEEN DWELLING UNITS



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**73 ALBANY
HAMILTON, ON.**

**EXISTING/PROPOSED
SECOND FLOOR - UNIT #2**

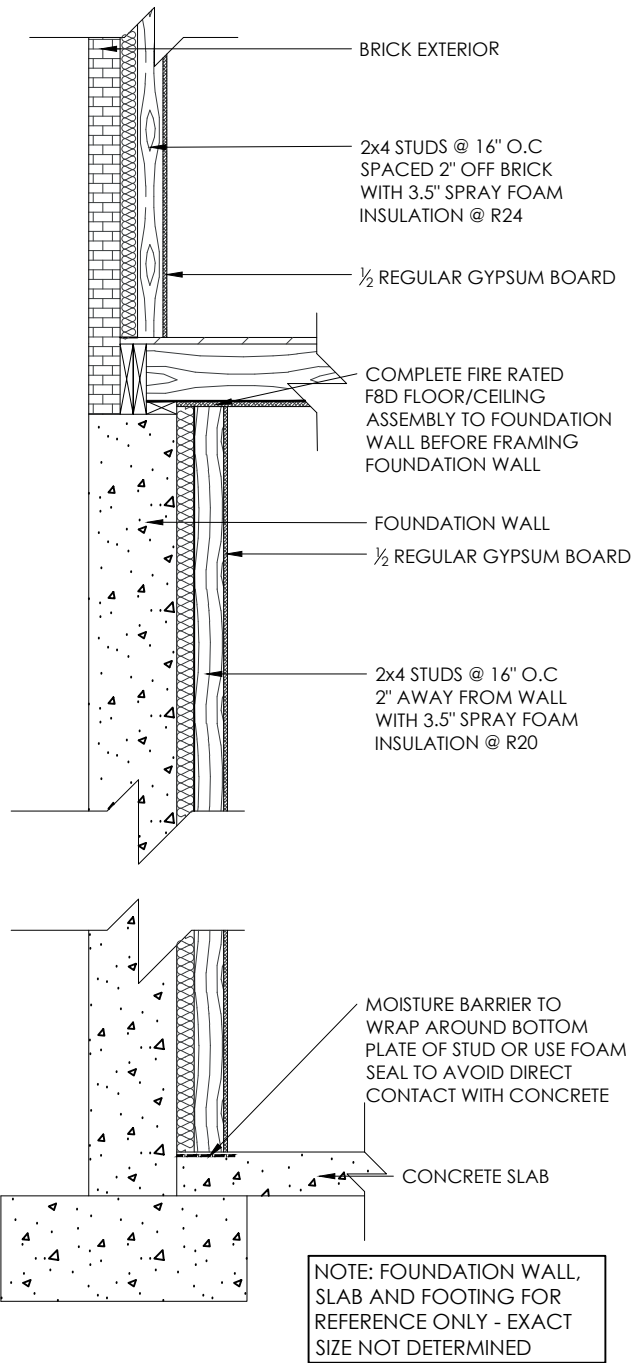
SECONDARY DWELLING UNIT

$$\frac{1''}{4} = 1'$$

JULY 2021

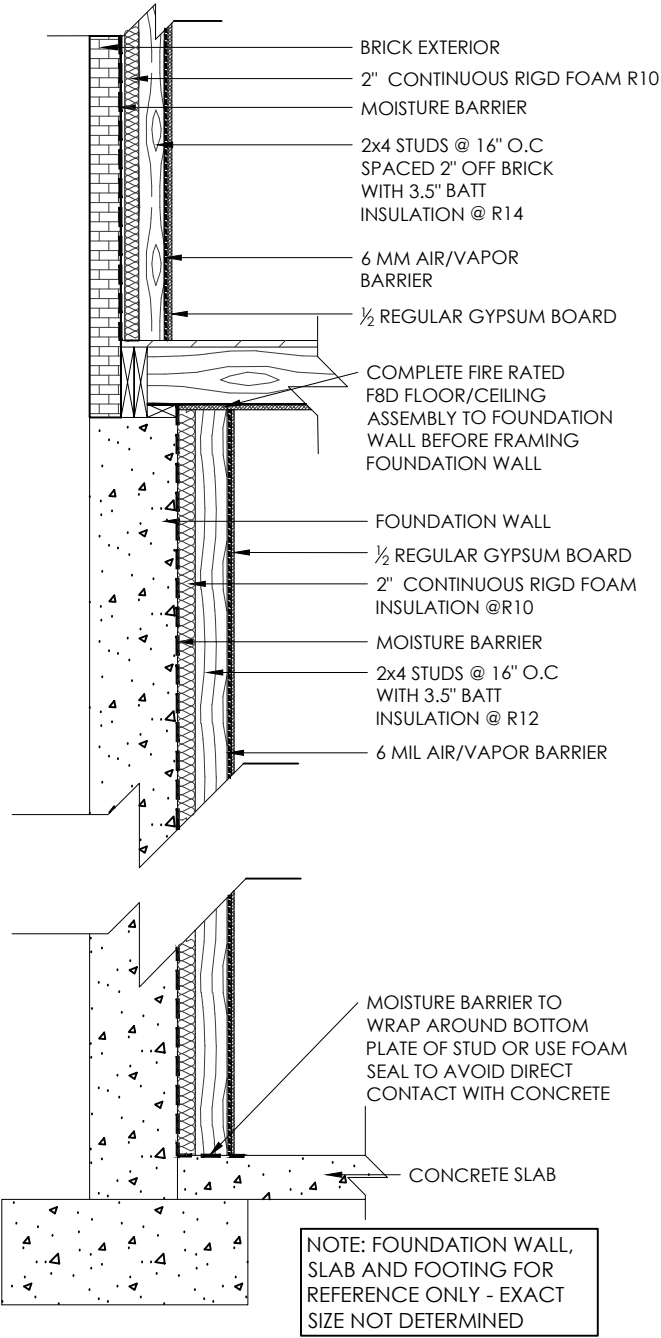
A 1.03

SPRAY FOAM DETAIL

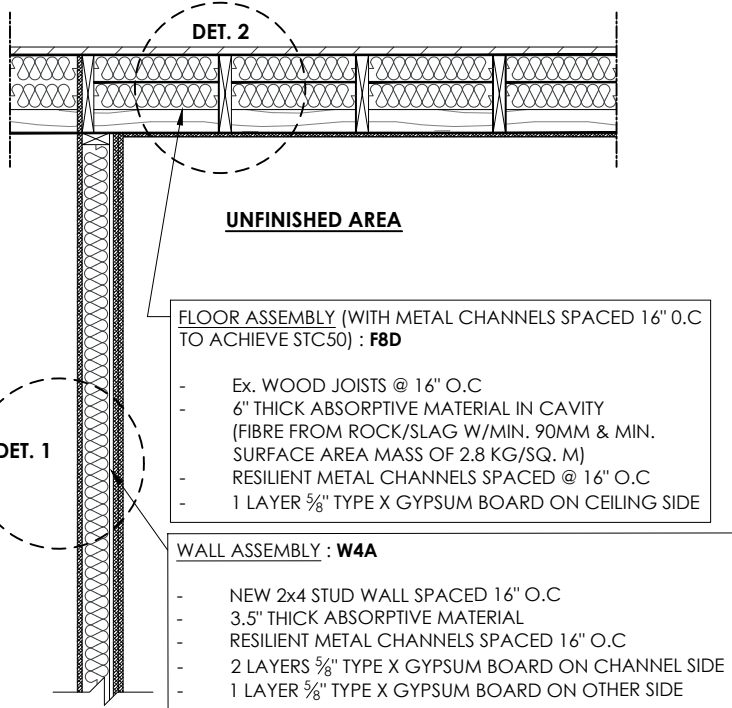
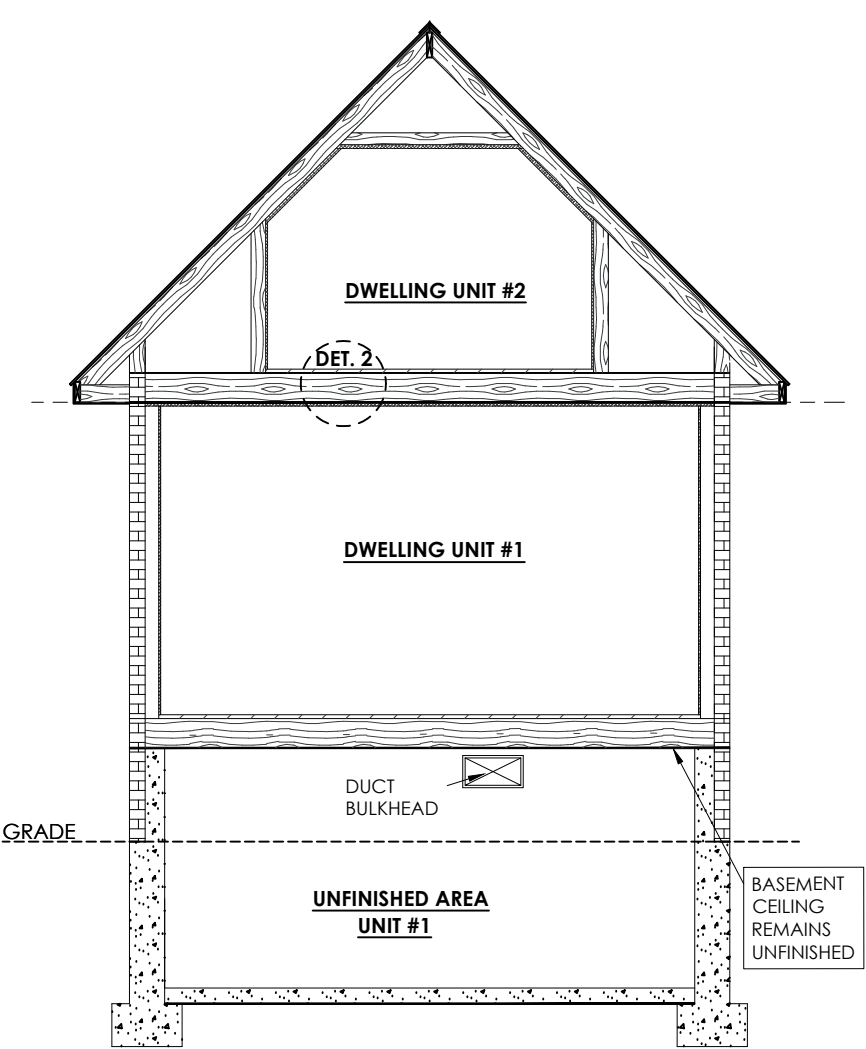


EXTERIOR FOUNDATION WALL DETAIL
FOR NEW PORTIONS ONLY

BATT INSULATION DETAIL



EXTERIOR FOUNDATION WALL DETAIL
FOR NEW PORTIONS ONLY



FIRE RESISTANCE RATING FOR NEW PORTIONS OF CEILING
(THROUGHOUT) AND SERVICE ROOM WALL

LEAD DESIGNER & CONSULTANT

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NORTH POSITION:

ADDRESS:

73 ALBANY
HAMILTON, ON.

SUBJECT:

CROSS SECTION 1 OF 2

PROJECT:

SECONDARY DWELLING UNIT

SCALE:

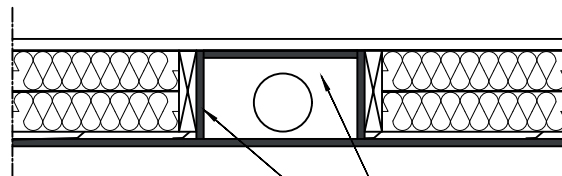
-

DATE:

JULY 2021

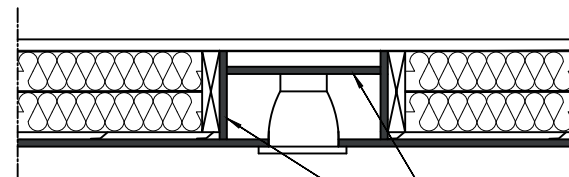
SHEET#:

A 4.01



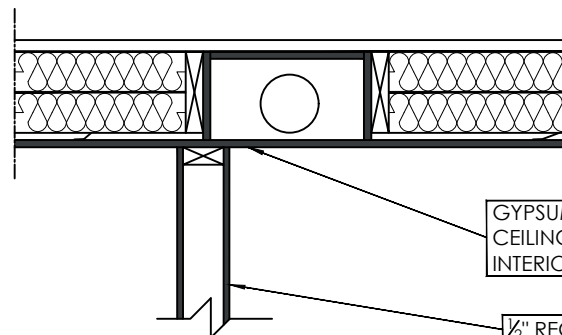
1 LAYER $\frac{5}{8}$ " TYPE X GYPSUM BOARD SURROUNDING VENT PIPE
NOTE: OPTION OF USING FIRE DAMPER FOR BATH FANS

FOR VENTS (BATH FANS, KITCHEN EXHAUSTS, & CLOTHES DRYERS)



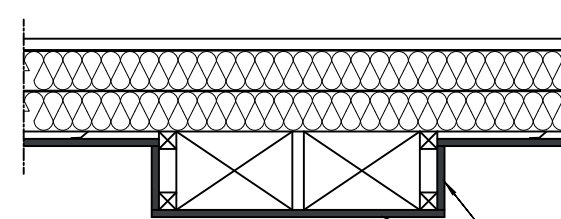
1 LAYER $\frac{5}{8}$ " TYPE X GYPSUM BOARD SURROUNDING RECESSED LIGHTING (POTLIGHTS)

FOR RECESSED LIGHTS



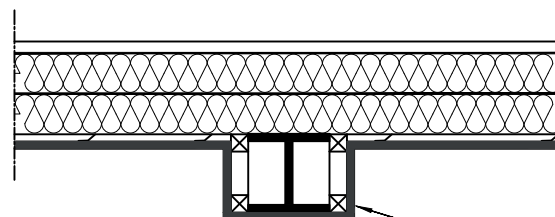
GYPSUM BOARD OF FIRE RATED CEILING TO BE CONTINUOUS ABOVE INTERIOR FRAMED WALLS
 $\frac{1}{2}$ " REGULAR GYPSUM BOARD

FOR INTERIOR PARTITIONS



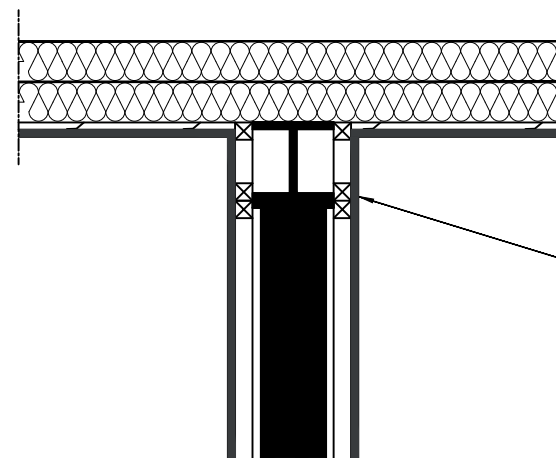
1 LAYER OF $\frac{5}{8}$ " TYPE X GYPSUM BOARD BELOW AND AROUND DUCTS

FOR DUCTS



1 LAYER OF $\frac{5}{8}$ " TYPE X GYPSUM BOARD AROUND BEAM

FOR BEAM



1 LAYER OF $\frac{5}{8}$ " TYPE X GYPSUM BOARD AROUND BEAM AND COLUMN CONNECTION

FOR STRUCTURAL BEAMS, COLUMNS & WALLS

LEAD DESIGNER & CONSULTANT

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NORTH POSITION:

ADDRESS:

**73 ALBANY
HAMILTON, ON.**

SUBJECT:

CROSS SECTION 2 OF 2

PROJECT:

SECONDARY DWELLING UNIT

SCALE:

-

DATE:

JULY 2021

SHEET#:

A 4.02

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)	Alexander Griffith		
Applicant(s)*	Ken Bekendam		
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:
 n/a

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:

Driveway access width to 2.31m whereas the bylaw requires 2.8m
Lot area reduction to 232sqm whereas the bylaw requires 270sqm
Rear yard encroachment of 1.86m for a rear existing open fire escape whereas the bylaw requires 1m

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

Existing site constraints

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**):

73 Albany Ave, Hamilton

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?

Existing residential use

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.

June 14th
Date


Signature Property Owner

Alexander GRIFFIN
Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>7.62m</u>
Depth	<u>30.48m</u>
Area	<u>232.26</u>
Width of street	<u>unknown</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: See site plan

Proposed
See site plan

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

Existing:
See site plan

Proposed:
See site plan

13. Date of acquisition of subject lands:
2020
14. Date of construction of all buildings and structures on subject lands:
unknown
15. Existing uses of the subject property:
residential
16. Existing uses of abutting properties:
residential, commercial
17. Length of time the existing uses of the subject property have continued:
unknown
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:
neighbourhoods
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
C - Urban Protected Residential
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.