

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-21:260

APPLICANTS: Owner Mark Smith

SUBJECT PROPERTY: Municipal address **265 Paling Ave., Hamilton**

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

ZONING: C district (Urban Protected Residential., etc.)

PROPOSAL: To permit the replacement of the roof over the front portion of the existing one-storey single family dwelling; to construct a second storey addition over the remained of the existing dwelling; and to construct a two-storey addition at the rear of the dwelling upon demolition of the existing rear addition, notwithstanding,

1. A minimum front yard depth of 1.4 metres shall be provided to the one-storey portion of the dwelling and a minimum front yard depth of 3.3 metres shall be provided to the two-storey portion of the dwelling instead of the minimum required front yard depth of 6.0 metres;
2. A minimum northerly side yard width of 0.3 metres and a minimum southerly side yard width of 0.8 metres shall be provided instead of the minimum required side yard width of 1.2 metres;
3. The eave and gutter encroachment for the one-storey portion of the dwelling shall be permitted to be located 1.3 metres from the street line instead of maintaining a minimum distance of 1.5 metres from the front lot line;
4. The eave and gutter shall be permitted to encroach the entire width of both the northerly and southerly side yards instead of the maximum permitted encroachment of one-half the width of the required side yard;
5. The roofed-over unenclosed porch, including steps, at the front of the dwelling shall be permitted to be 0.0 metres from the street line instead of maintaining a minimum distance of 1.5 metres from the front lot line;
6. A minimum of 19% of the gross area of the front yard shall be provided as landscaped area instead of providing a minimum of 50% of the gross area of the front yard as landscaped area; and,
7. Two (2) on-site parking spaces shall be provided instead of providing a minimum of three (3) parking spaces required to be provided for a single-family dwelling containing ten (10) habitable rooms.

NOTES:

1. The requested variance for a reduced lot width and a reduced lot area is not required as this is a Lot of Record.
2. The portion of the dwelling shown as “vestibule” is deemed to form part of the principal dwelling and not an encroachment as this space is not shown to be a separate self-contained space leading from the outside to the interior of the dwelling.
3. Zoning compliance for permitted yard encroachments is dependent upon approval of the requested variances for reduced yard. Further review will be required should the variances not be approved as requested.
4. The applicant shall ensure that the proposed building height has been calculated in accordance with “Grade” as defined within the Zoning By-law.

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

DATE:	Thursday, September 9th, 2021
TIME:	2:15 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 24th, 2021.

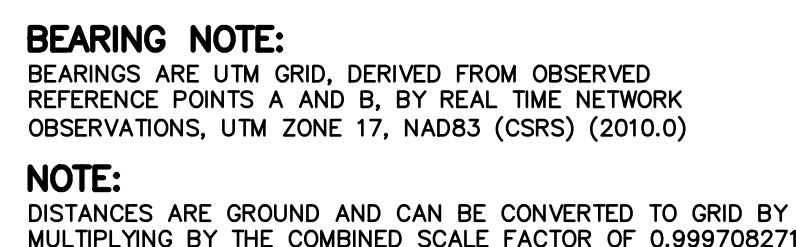
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.

SCALE 1:75 METRIC

1.5 0.75 0 1.5 3 4.5 metres

S.D. McLAREN, O.I.S. – 2020



INTEGRATION DATA		
OBSERVED REFERENCE POINTS (ORP's): UTM ZONE 17, NAD83 (CSRS) (2010.0). COORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O.R.G. 216/10		
POINT ID	NORTHING	EASTING
ORP (A)	4788731.098	597527.544
ORP (B)	4788631.466	597484.845
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN		

BENCHMARK:

MONUMENT 0011965U150

PARKDALE SCHOOL, AT NORTHWEST CORNER
OF PARKDALE AVENUE AND ROXBOROUGH
AVENUE, OPPOSITE BUILDING NO. 148,
TABLET IN EAST CONCRETE FOUNDATION
WALL OF ENCLOSURE AROUND BOYS'
ENTRANCE, AT NORTH END OF BUILDING, 30
CM NORTH OF BLOCK FOUNDATION, 30 CM
BELOW BRICK, 1.5 M ABOVE ROAD LEVEL.

ELEVATION: 92.177 METRES

NOTE:

UNDERGROUND SERVICE AND UTILITY LOCATIONS
MUST BE VERIFIED PRIOR TO CONSTRUCTION

INVERTS MUST BE VERIFIED PRIOR TO
CONSTRUCTION


METRIC NOTE:
DISTANCES AND COORDINATES
SHOWN ON THIS PLAN ARE IN
METRES AND CAN BE
CONVERTED TO FEET
BY DIVIDING BY 0.3048

SURVEYOR'S CERTIFICATE:
 I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH
 THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS
 MADE UNDER THEM
 2. THE SURVEY WAS COMPLETED ON THE 14th DAY OF AUGUST, 2020

AUGUST 20, 2020

DATE _____ S. DAN McLAREN, O.L.S.

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REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN
PART WITHOUT THE WRITTEN PERMISSION OF S.D. McLaren, O.L.S.



A.T. McLaren Limited
LEGAL AND ENGINEERING SURVEYS

69 JOHN STREET SOUTH, SUITE 230
HAMILTON, ONTARIO, L8N 2B9

PHONE (905) 527-8559 FAX (905) 527-0032




Drawn JWB	Checked DG	Crew Chief SM	Scale 1:100	Dwg. No. 36403
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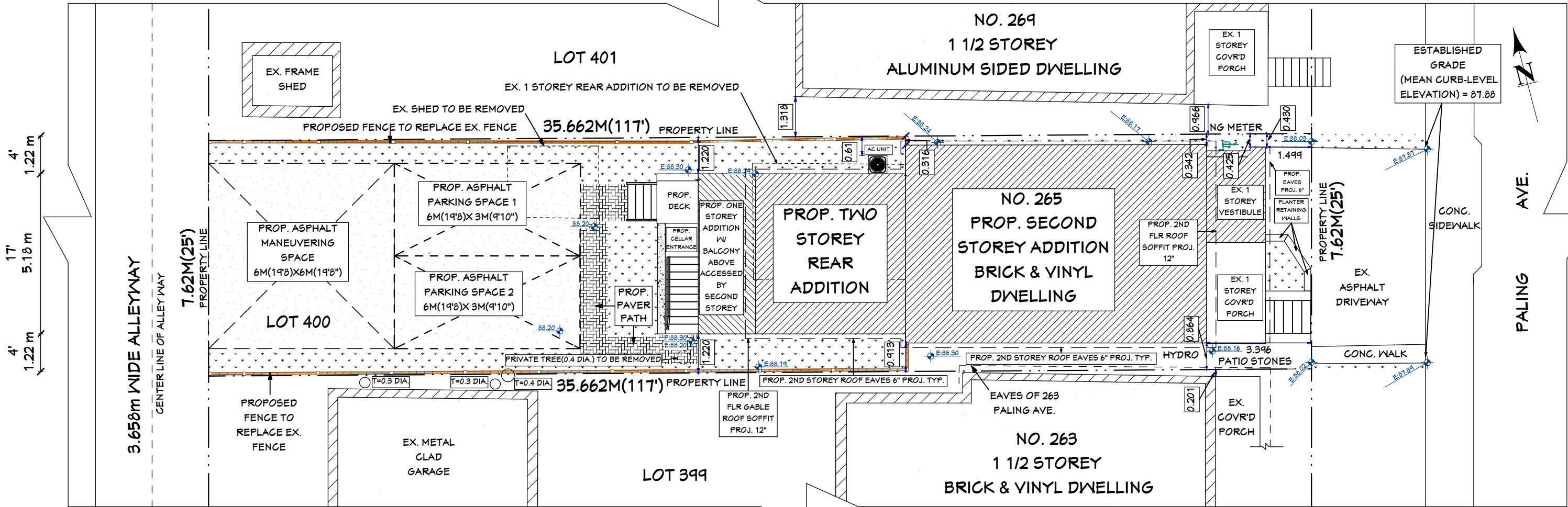
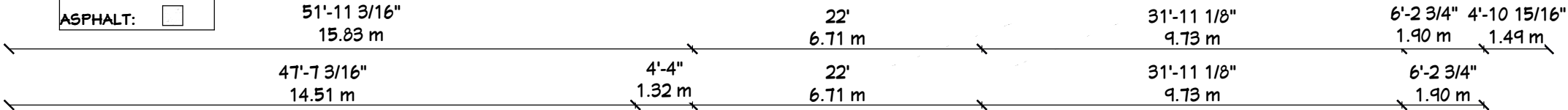
SKETCH OF SURVEY PREPARED BY A.T.
MACLAREN LTD, O.L.S., AUGUST 20,2020,
LOT 400, REGISTERED PLAN 544,
CITY OF HAMILTON

SITE STATISTICS (*SEE PAGES A1.01-A1.04 FOR ADDITIONAL DIMENSIONS)
[ZONING] [LOT NO:] [PLAN NO:] [LOT AREA] [LOT FRONTAGE] [LOT DEPTH]
[C] [LOT 400] [544] [271.74sqm] [7.62m] [35.662m]
HAMILTON BY-LAW 6543
HEIGHT: 2 STOREYS, 8.85M(FROM ESTABLISHED MEAN CURB LEVEL ELEVATION 87.88 (3.69M EAST OF FRONT YARD PROPERTY LINE) TO HIGHEST RIDGE).
SECOND FLOOR ROOF IS AN ATTIC STOREY AS PER BY-LAW DEFINITIONS. LOWER FLOOR AREA DEFINED AS A CELLAR AS PER BY-LAW DEFINITION, CELLAR
CLEAR HEIGHT BELOW GRADE= 1.3M, CELLAR CLEAR HEIGHT ABOVE GRADE= 1.15M

FRONT YARD LANDSCAPING(TO REMAIN
UNCHANGED FROM EXISTING
CONDITION)
FRONT YARD = 3.396 X 1.62 = 25.885QSM
VESTIBULE=5.695QSM
FRONT STEPS=2.485QSM
GROSS AREA OF FRONT YARD =
FRONT YARD - VESTIBULE - WALKWAY
=17.71, REQUIRED LANDSCAPING %50
=8.865QSM
EXISTING LANDSCAPING= 3.375QSM

[SETBACKS]	[GARAGE GATE]	[MIN. REQ.]	[SETBACKS]	[EXIST. MAIN BLDG.]	[EX. VESTIBULE]	[PROP. 2ND FLR.]	[PROP. REAR ADDT'N]	[MIN. REQ.]
REAR YARD	1M	1M	FRONT YARD(NORTH EAST)	3.396M	1.499M	3.396M	--	6M
NORTH SIDE YARD	0.685M		FRONT YARD(SOUTH EAST)	3.396M	1.499M	3.396M	--	6M
SOUTH SIDE YARD	0.685M		REAR YARD (NORTH WEST)	22.54M	--	22.54M	15.83M	7.5M
			REAR YARD (SOUTH WEST)	22.54M	--	22.54M	15.83M	7.5M
			NORTH SIDE YARD	0.316M(W)0.342M(E)	0.425M	Same as Ex.	1.22M	1.2M
			SOUTH SIDE YARD	0.913M(W)0.864M(E)	4.15M	Same as Ex.	1.22M	1.2M

HATCHING LEGEND	
GRASS:	
PAVERS:	
ASPHALT:	



GENERAL NOTES

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> VERIFY ALL EXTERIOR FINISH MATERIALS PRIOR TO CONSTRUCTION, PRODUCTS USED MAY BE DIFFERENT FROM THOSE NOTED ON THE DRAWINGS.

PROPOSED SITE PLAN

SCALE: 3/32" = 1'-0"

DATE	ISSUE / REVISION
08.03.21	ISSUED FOR REVIEW
07.04.21	REISSUED FOR REVIEW
21.05.21	REISSUED FOR REVIEW
23.06.21	ISSUED FOR COFA

**ZONING
COMPLIANCE
REVIEW
(NOT FOR
CONSTRUCTION)**

MARK H SMITH DESIGNS INC.

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AND BUILDING PERMIT
SERVICES



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A: 280 ST. GEORGE ST SUITE 504
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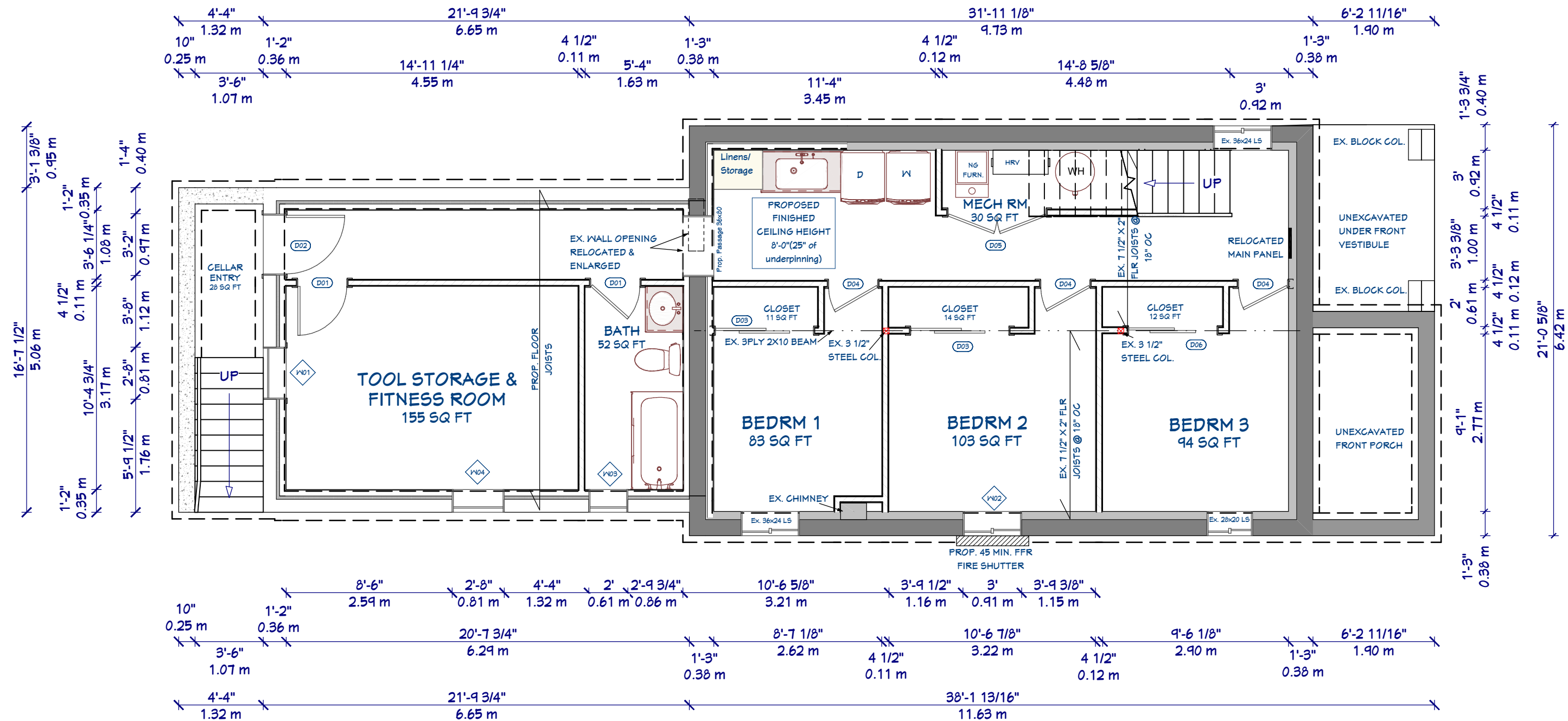
**PROJECT: 265 PALING AVE.
PROPOSED SINGLE FAMILY
DWELLING**

DRAWN BY: MARK SMITH

DO NOT SCALE DRAWINGS

PAGE SP1.01

NOTE: ALL DIMENSIONS PROVIDED TO
ROUGH OPENINGS.
1/2" ADDED FOR EACH SIDE OF
WINDOW
1" ADDED FOR EACH SIDE OF DOOR



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PROPOSED CELLAR PLAN

*REFER PAGE A2.01 FOR CELLAR HEIGHTS
RELATIVE TO GRADE

EX. GFA: 62.25SQM
PROP. GFA: 33.69SQM
TOTAL GFA: 95.94SQM
TOTAL ROOMS= 4(3 BEDRMS, 1 STORAGE)
SCALE: 3/16" = 1'-0"

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07.04.21	REISSUED FOR REVIEW
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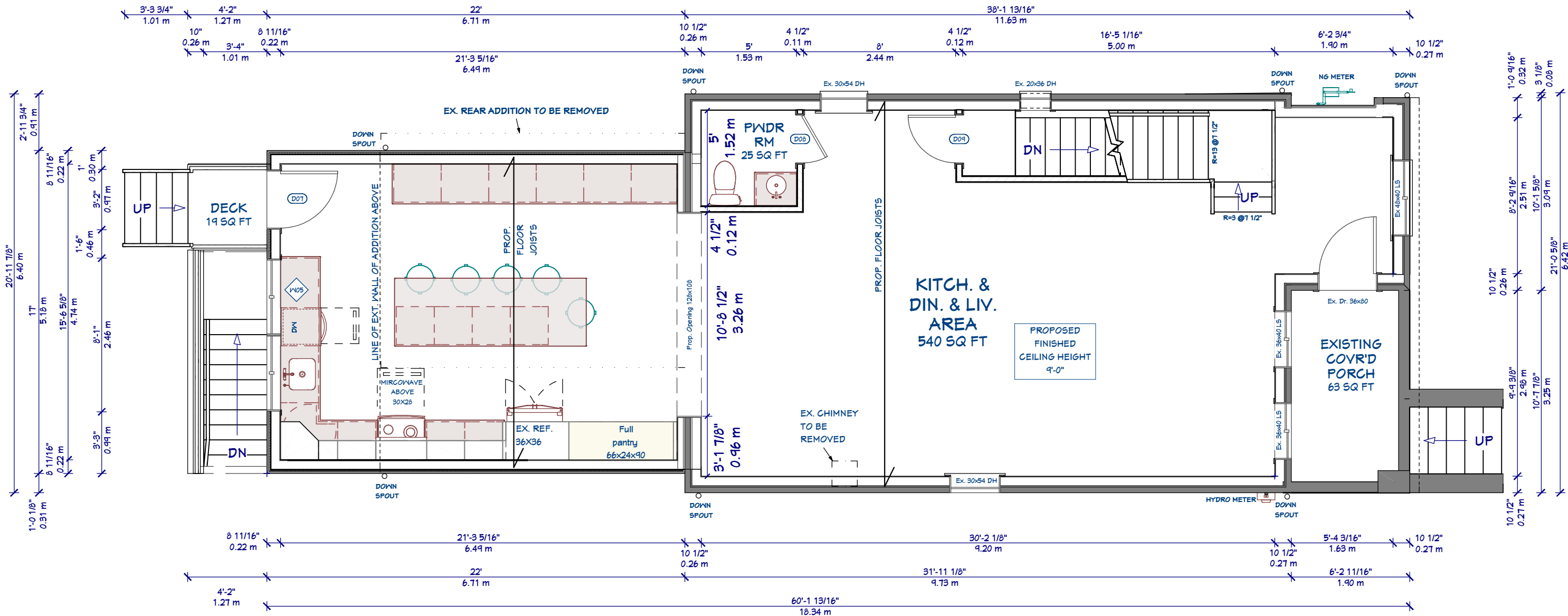
PROJECT: 265 PALING AVE.
PROPOSED SINGLE FAMILY
DWELLING

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DO NOT SCALE DRAWINGS

PAGE A1.01

NOTE: ALL DIMENSIONS PROVIDED TO
ROUGH OPENINGS.
1/2" ADDED FOR EACH SIDE OF
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1" ADDED FOR EACH SIDE OF DOOR



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PROPOSED FIRST FLOOR PLAN

EXISTING FIRST FLOOR GFA: 86.41SQM
PROPOSED FIRST FLOOR GFA: 16.25SQM
TOTAL FIRST FLOOR GFA: 102.66SQM
TOTAL ROOMS: 1 KITCH. & DIN. & LIVING AREA

SCALE 3/16" = 1'-0"

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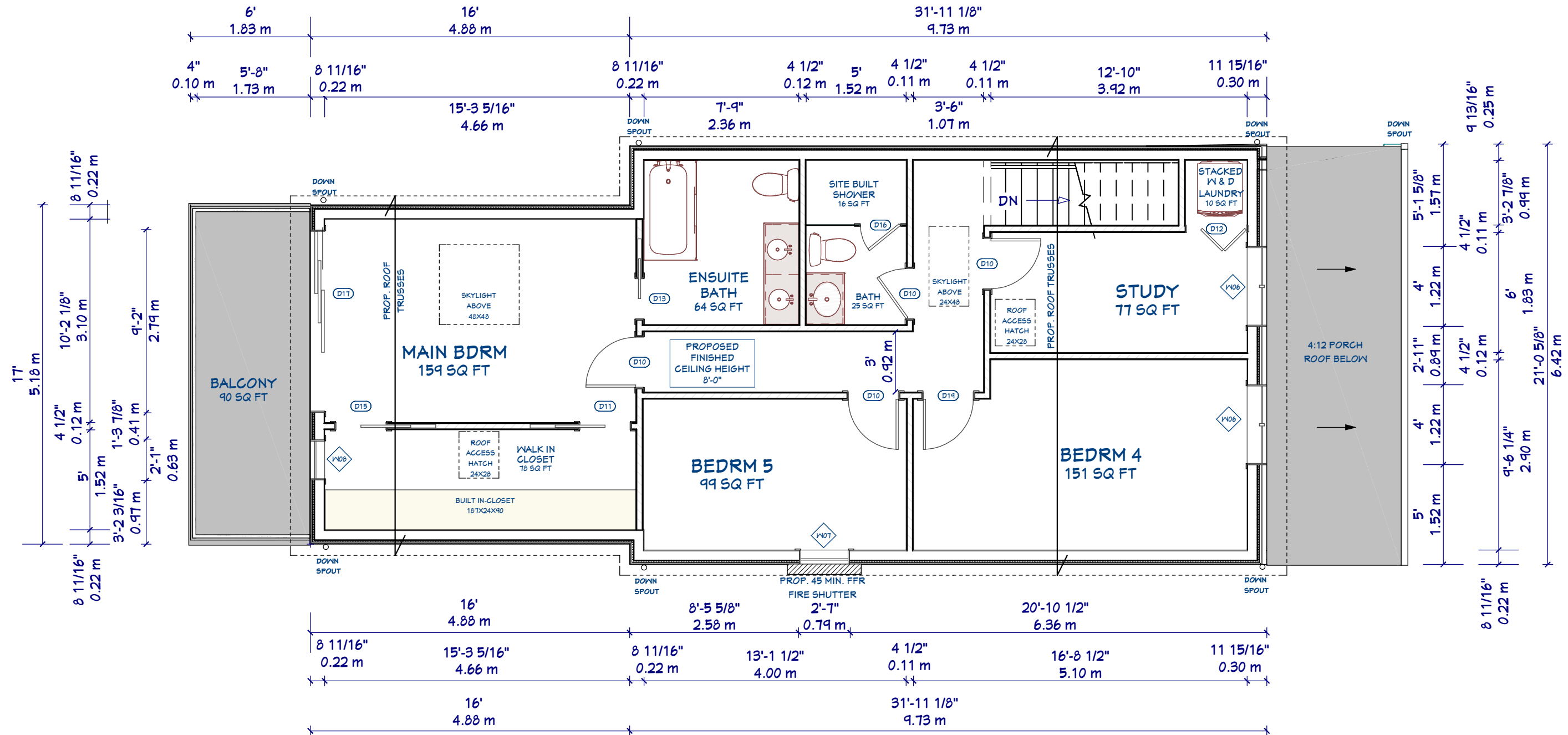
PROJECT: 265 PALING AVE.
PROPOSED SINGLE FAMILY
DWELLING

DRAWN BY: MARK SMITH

DO NOT SCALE DRAWINGS

PAGE A1.02

NOTE: ALL DIMENSIONS PROVIDED TO
ROUGH OPENINGS.
1/2" ADDED FOR EACH SIDE OF
WINDOW
1" ADDED FOR EACH SIDE OF DOOR



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PROPOSED SECOND FLOOR PLAN

PROPOSED SECOND FLOOR GFA: 87.44SQM
TOTAL BUILDING GFA: 190.15SQM

TOTAL ROOMS: 4 (3 BEDRM, 1 STUDY)
TOTAL ROOMS ALL FLOORS = 9 ROOMS

SCALE 3/16" = 1'-0"

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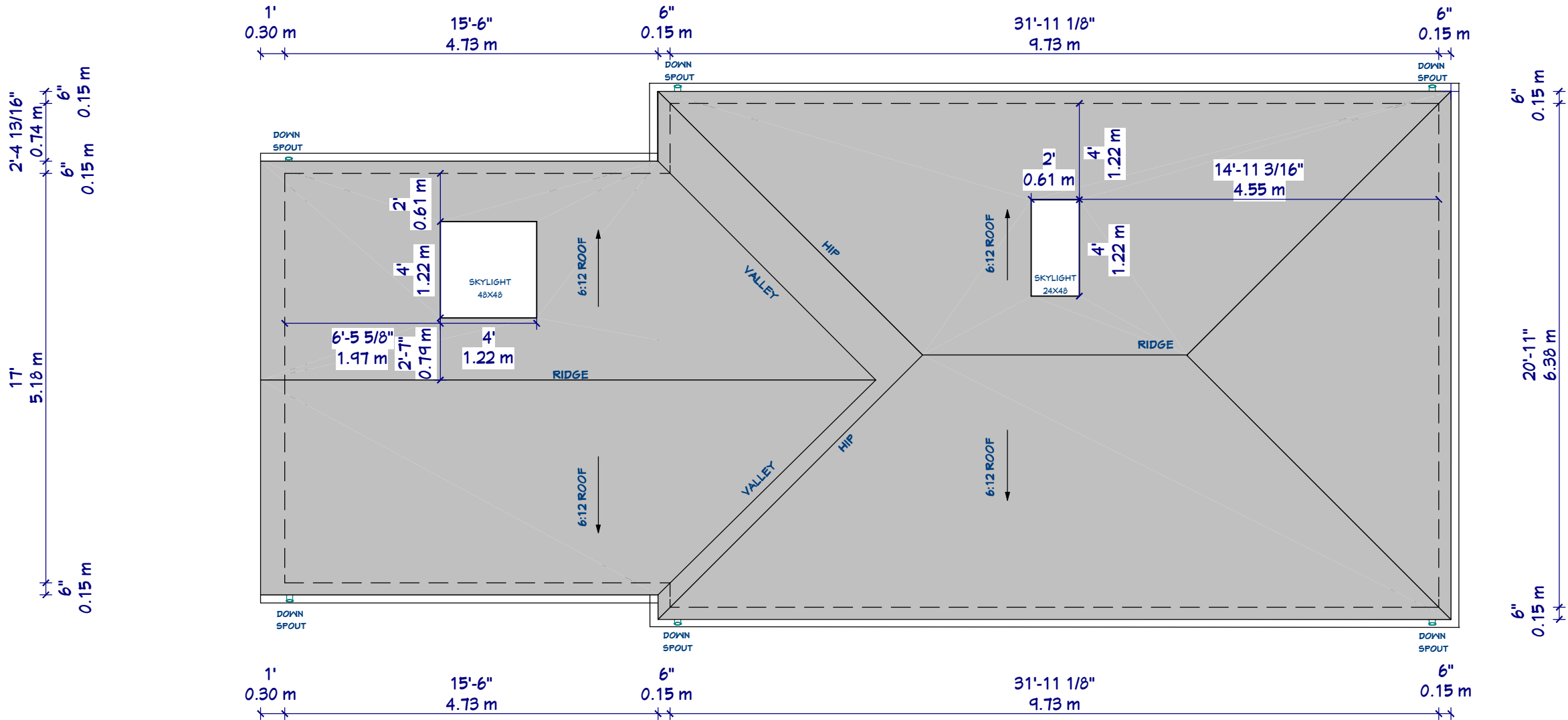
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PROPOSED SINGLE FAMILY
DWELLING

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PAGE A1.03



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PROPOSED ROOF PLAN, ATTIC STOREY

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

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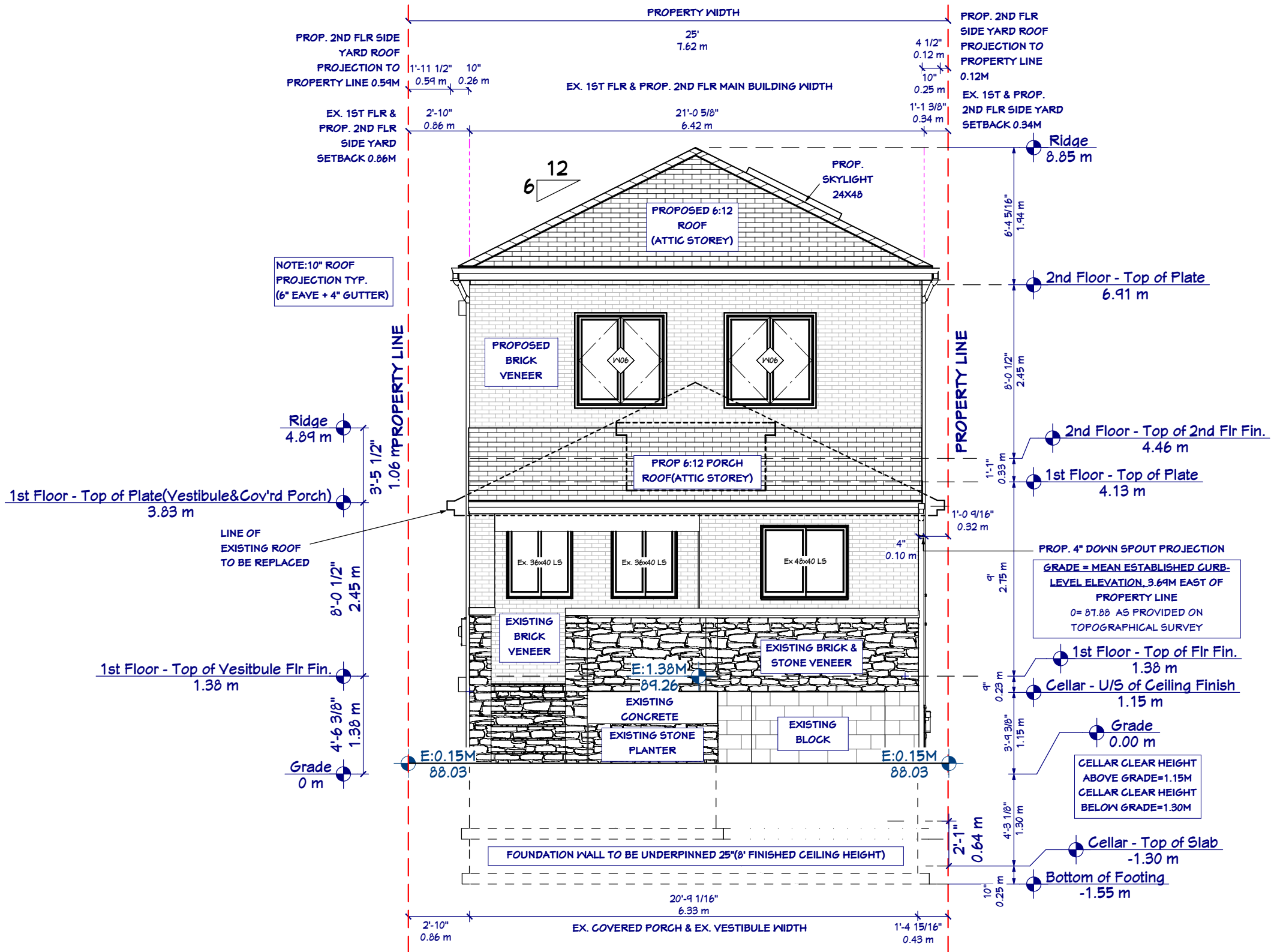
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PROPOSED SINGLE FAMILY
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DRAWN BY: MARK SMITH

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> THE OWNER MUST VERIFY WINDOW, SKYLIGHT AND DOOR APPEARANCES (GRILL, ETC...), GLASS TYPE AND OPERATOR TYPE WITH THE CONTRACTOR AND SUPPLIER BEFORE ORDERING. WINDOWS, SKYLIGHTS AND DOORS SHOWN IN THESE DRAWINGS ARE A GRAPHIC REPRESENTATION ONLY AND MAY NOT REPRESENT THE FINAL PRODUCT. CONSULT CATALOGUES AND BROCHURES FROM THE CHOSEN SUPPLIER TO VERIFY THAT ALL WINDOWS, SKYLIGHTS AND DOORS LISTED IN THE DRAWINGS MEET EXPECTATIONS.

> VERIFY ALL EXTERIOR FINISH MATERIALS PRIOR TO CONSTRUCTION, PRODUCTS USED MAY BE DIFFERENT FROM THOSE NOTED ON THE DRAWINGS.

PROPOSED EAST ELEVATION

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

DATE	ISSUE / REVISION
08.03.21	ISSUED FOR REVIEW
07.04.21	REISSUED FOR REVIEW
21.05.21	REISSUED FOR REVIEW
23.06.21	ISSUED FOR COFA

**ZONING
COMPLIANCE
REVIEW
(NOT FOR
CONSTRUCTION)**

MARK H SMITH DESIGNS INC.

SPECIALIZING IN
RESIDENTIAL DESIGN
AND BUILDING PERMIT
SERVICES



M: 647 604 0393
E: INFO@MARKHSMITH.CA
A: 280 ST. GEORGE ST SUITE 504
TORONTO, ON, M5R 2P1

PROJECT: 265 PALING AVE.
PROPOSED SINGLE FAMILY
DWELLING

DRAWN BY: MARK SMITH

DO NOT SCALE DRAWINGS

PAGE A2.01

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	MAILING ADDRESS
Registered Owners(s)	Marta Villalta Mauricio Villalta	
Applicant(s)*	Mark Smith	
Agent or Solicitor	Mark Smith	

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:

Proposed Second floor addition, proposed two storey rear addition, proposed underpinning and rear cellar entrance
- ☐ Secondary Dwelling Unit

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

Due to home owners growing family, they need to increase living space in the building in order to support their five children and grandparents.
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**):

Lot 400 of registered plan 544, 265 Paling Ave. L8H 5J8, Hamilton ON.
7. PREVIOUS USE OF PROPERTY
- Residential☒

Industrial☐

Commercial☐

Agricultural☐

Vacant☐

Other☐

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 8.1 to 8.10 above?

Official plan designation as neighbourhood, low density residential area.

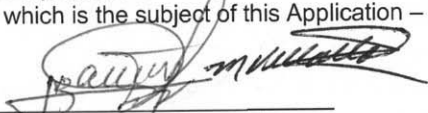
- 8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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.

Jun/3/2021
Date


Signature Property Owner(s)

Mauricio E. Villalta
MAURICIO VILLALTA
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>7.62m</u>
Depth	<u>35.66m</u>
Area	<u>271.73</u>
Width of street	<u>7.14m</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: _

Exist. First Floor Area: 86.59sqm, Exist. Basement 62.25sqm
Exist. GFA: 148.84sqm, 2 Storeys, Height

Proposed

Prop. First Floor Area: 102.6sqm, Prop. Second Floor Area: 87.4sqm

Prop. Total GFA: 190.1sqm

Prop. Height 8.85m, 2 Storeys

Please see drawing pages A1.01-A1.04 for additional dimensions

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

Existing:

Refer to Attached Drawing Package **Pages REF.01.-REF.07**

Proposed:

Refer to attached drawing Package **Pages SP1.01,A1.01-A1.04,A2.01-A2.04**

13.

Date of acquisition of subject lands:
Feb 1st 1995
-
14.

Date of construction of all buildings and structures on subject lands:
Unknown
-
15.

Existing uses of the subject property (single family, duplex, retail, factory etc.):

Single Family Dwelling
16.

Existing uses of abutting properties (single family, duplex, retail, factory etc.):

Single Family dwellings on each side.
17.

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

Since neighborhood was originally developed.
18.

Municipal services available: (check the appropriate space or spaces)
Water ☒ Connected ☒
Sanitary Sewer ☒ Connected ☒
Storm Sewers ☒
19.

Present Official Plan/Secondary Plan provisions applying to the land:

Urban, Neighbourhood, Residential, No secondary plan provisions apply.
20.

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

Zoned "C" (Urban Protected Residential, Etc.) in Zoning By-law No. 6593.
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.



Hamilton

March 30, 2021

FILE: ALR
FOLDER: 21-113568-00 ALR
ATTENTION OF: Brody Paul
TELEPHONE NO: (905) 546-2424
EXTENSION: 6261

280 ST. GEORGE ST SUITE 504
TORONTO, ON M5R 2P7

Re: **APPLICABLE LAW REVIEW**

Address: 265 PALING AVENUE, HAMILTON
Present Zoning: "C" (Urban Protected Residential, Etc.)
Zoning By-law: Hamilton 6593

An Applicable Law Review respecting zoning bylaw compliance has been completed and the following comments are provided.

COMMENTS:

1. The applicant is proposing a second-storey addition to the existing single family dwelling as well as a two-storey rear addition. The proposal also includes a balcony and deck in the rear yard, and a covered porch in the front yard.
2. The property is currently zoned "C" (Urban Protected Residential, Etc.) in Hamilton Zoning By-law No. 6593.
3. The proposed use of a Single Family Dwelling is permitted in the current zoning designation, pursuant to Section 9(1) of Hamilton Zoning By-law No. 6593.
4. Building Division records indicate that the last recognized use of this property is a single family dwelling, which is permitted.
5. The proposed development has been reviewed and compared to the standards of the "C" District, as indicated in the following chart:

By-law Section	Required By By-Law	Provided	Conforming/ Non-Conforming
"C" District Regulations Section Nine			
Height Requirements Section 9(2) "Basement" means a storey which is partly below	In a "C" District, no building shall exceed two and a half storeys, and no structure shall exceed 11.0 metres (36.09 feet), in height. (9141/60) (79-288) (80-049)	Appears to be two (2) storeys (8.70 metres) NOTE: It appears that	Appears to Comply NOTE: The applicant shall

By-law Section	Required By By-Law	Provided	Conforming/ Non-Conforming
<p>adjacent ground but which is not more than one-half of the clear height from the top of its floor to the underside of its finished ceiling below the adjacent ground.</p> <p>“Cellar” shall mean that portion of building which is partly below adjacent ground but which has more than <u>one-half of the clear height from the top of its floor to the underside of its finished ceiling below adjacent ground.</u></p> <p>“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, <u>except an attic storey:</u></p>	<p>“Storey, Half” shall mean that portion of a building situated wholly or in part within a sloping roof and in which:</p> <p>(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</p> <p>(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.</p> <p>“Storey, Attic” shall mean the portion of a building situated wholly, or in part, within the roof and which is not a half-storey;</p>	<p>with the proposed underpinning the area identified as “basement” on the submitted elevation drawings, would be considered a “cellar” as defined, and therefore not deemed a storey as per the noted definitions. Applicant to confirm.</p> <p>Applicant to also note the definition of “Storey, Half” and “Storey, Attic”, and to confirm the proposed addition does not exceed 2 and a half storeys, as it is unclear from the drawings if the second storey is to be open to the roof of the building, and whether this is to be considered an “attic, storey”, or a “half, storey”, as defined.</p> <p>NOTE: The height of the building “shall not include any portion of a building designed, adapted or used for such features as a...parapet or other similar structure</p>	<p>confirm that building Height has been provided in accordance with the definition of Height and the definition of Grade as defined by the Zoning By-law</p>
<p>Front Yard (min) Section 9(3)(i)</p>	<p>A front yard of a depth of at least 6.0 metres (19.69 feet).</p>	<p>A minimum front yard depth of 3.40 metres has been indicated, for both existing first storey and the proposed second storey addition.</p>	<p>Non-conforming</p>
<p>Side Yard (min) Section 9(3)(ii)</p>	<p>A side yard along each side lot line, of a width of at least 1.2 metres (3.94 feet);</p> <p>NOTE: As per Section 18(3)(v), a minimum side yard of 0.9 metres is required for Lot of Record. See comment(s)</p>	<p>Southerly side yard indicated as 0.86 metres.</p> <p>Northerly side yard indicated 0.31 metres.</p> <p>NOTE: See review of</p>	<p>Non-conforming</p>

By-law Section	Required By By-Law	Provided	Conforming/ Non-Conforming
	below.	Section 18(3)(v).	
Rear Yard (min) Section 9(3)(iii)	A rear yard of a depth of at least 7.5 metres (24.61 feet).	Rear yard indicated as 15.83 metres	Conforms
Intensity of Use Section 9(4)	Every lot or tract of land in a "C" District shall have a width of at least 12.0 metres (39.37 feet) and an area of at least 360.0 square metres (3,875.13 square feet) within the district.	Lot width of 7.62 metres indicated, and an area of 271.72 m2 NOTE: Existing site conditions. See review of Section 18(3)(v).	Non-conforming NOTE: Existing site conditions. See review of Section 18(3)(v).
Abatement of Yards, etc., for Lots of Record: Section 18(3)(v)	In the case of a lot of record without sufficient width, depth or area to meet the requirements of this By-Law, a single family dwelling may nevertheless be erected upon it, provided that each side yard has a width of at least ten per cent of the width of the lot, <u>but in no case less than 0.9 metres</u> (2.95 feet), and that the rear yard has a depth of at least twenty-five per cent of the depth of the lot, but in no case less than 3.0 metres. Side Yard Requirement: 10% of 7.62 m (0.76m), <u>but in no case less than 0.9 m</u> Rear Yard Requirement: 25% of 35.66m (8.92m), but in no case less than 3.0 m.	Southerly side yard indicated as 0.86 metres. Northerly side yard indicated 0.31 metres. Rear yard indicated as 15.83	Non-conforming NOTE: See review of Section 9(3)(ii) regarding minimum required side yard.
Supplementary Requirements and Modifications Section 18			
Encroachment on Yards Section 18(3)(vi)(b) A front yard of a depth of at least 6.0 metres (19.69 feet). A rear yard of a depth of at least 7.5 metres (24.61 feet).	A canopy, cornice, eave or gutter may project, (i) into a required front yard not more than 1.5 metre provided that no such projection shall be closer to a street line than 1.5 metres (ii) into a required rear yard not more than 1.5 metre	(i) Soffit of principle building indicated as 3.09 m to front lot line (based on prop soffit projection of 12") OR projects 2.91 m into required front yard. Eaves of proposed vestibule indicated as 1.35 m to front lot line	Non-conforming

By-law Section	Required By By-Law	Provided	Conforming/ Non-Conforming
A side yard along each side lot line, of a width of at least 1.2 metres (3.94 feet); NOTE: [0.9 m as per Section 18(3)(v)]	<p>(iii) into a required side yard not more than one-half of its width, or 1.0 metre, whichever is the lesser;</p> <p>NOTE: 0.45 m permitted projection of eaves into side yard, as per Section 18(3)(v)</p>	<p>(based on prop projection of 6") OR projecting 4.65 into required front yard.</p> <p>(iii) Eaves do not project into required rear yard.</p> <p><u>Northerly Side Yard:</u> Eaves indicated as 0.16 m to northerly lot line (based on prop eave projecting 6") OR projecting 0.74 m into required northerly side yard.</p> <p><u>Southerly Side Yard:</u> Eaves indicated as 0.71 m to southerly lot line (based on prop eave projecting 6") OR projecting into 0.41 m into required southerly side yard.</p>	
Encroachment on Yards Section 18(3)(vi)(c)	An open fire escape or open stairway may project: <p>(i) into a required rear yard not more than 1.0 metre; or</p> <p>(ii) into a required side yard not more than one-third of its width, or 1.0 metre, whichever is the lesser;</p>	It appears an open stairway is proposed in the rear yard ("prop basement entrance"), which does not encroach into a required rear yard or required side yard.	Conforms
Encroachment on Yards Section 18(3)(vi)(cc) <p>A front yard of a depth of at least 6.0 metres (19.69 feet).</p> <p>A rear yard of a depth of at least 7.5 metres (24.61 feet).</p> <p>A side yard along each side lot line, of a width of at least 1.2 metres (3.94 feet); NOTE: [0.9 m as per Section 18(3)(v)]</p>	<p>A bay, balcony or dormer may project</p> <p>(i) into a required front yard not more than 1.0 metre (3.28 feet), provided that no such projection shall be closer to a street line than 1.5 metres (4.92 feet)</p> <p>(ii) into a required rear yard not more than 1.0 metre (3.28 feet); or</p> <p>(iii) into a required side yard not more than one-third of its width, or 1.0 metre (3.28 feet), whichever is the lesser,</p>	A balcony is proposed in the rear yard that does not project into a required yard.	Conforms

By-law Section	Required By By-Law	Provided	Conforming/ Non-Conforming
Encroachment on Yards Section 18(3)(vi)(ccc) A front yard of a depth of at least 6.0 metres (19.69 feet). A rear yard of a depth of at least 7.5 metres (24.61 feet). A side yard along each side lot line, of a width of at least 1.2 metres (3.94 feet); NOTE: [0.9 m as per Section 18(3)(v)]	A vestibule may project (i) into a required front yard not more than 1.2 metres (3.94 feet), provided that no such projection shall be closer to a street line than 1.5 metres (ii) into a required rear yard not more than 1.2 metres (3.94 feet); or (iii) into a required side yard not more than one-third of its width or 1.2 metres (3.94 feet), whichever is the lesser; NOTE: One-third width of 0.9 m as per Section 18(3)(v) = 0.33 m permitted projection into required side yard. Provided that the sum of the lengths of such projections shall not exceed one-third of the width of the front yard or rear yard nor one-third the length of the side yard into which they project, but no case shall exceed 3.0 metres (9.84 feet).	The proposed vestibule, not including the proposed eaves (see review of Section 18(3)(vi)(b) above), projects 4.50 metres into the required front yard, and 0.47 metres into the required side yard.	Non-conforming
Encroachment on Yards Section 18(3)(vi)(d) <u>"Storey"</u> 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, <u>except an attic storey</u> :	A roofed-over or screened but otherwise unenclosed one-storey porch at the first storey level, including eaves and gutters, may project into a required front yard or rear yard to a distance of not more than 3.0 metres, and every such projecting porch shall be distant at least 1.5 metres from the front lot line.	A roofed-over but otherwise unenclosed porch has been indicated at the front of the building, however it is unclear if is located entirely at the first storey level and if it is one-storey in height including the "porch roof". NOTE: See definition of "Storey", and previous comment above regarding Section 9(2)	Unable to Determine Compliance
Encroachment on Yards Section 18(3)(vi)(e)	A terrace, uncovered porch, platform or ornamental feature which does not extend more than 1.0 metre (3.28 feet)	An uncovered "deck" is proposed in the rear yard that does not appear to extend more	Appears to Conform

By-law Section	Required By By-Law	Provided	Conforming/ Non-Conforming
<p>A front yard of a depth of at least 6.0 metres (19.69 feet).</p> <p>A rear yard of a depth of at least 7.5 metres (24.61 feet).</p> <p>A side yard along each side lot line, of a width of at least 1.2 metres (3.94 feet); NOTE: [0.9 m as per Section 18(3)(v)]</p>	<p>above the floor level of the first storey, may project into a required yard, if distant at least 0.5 metres (1.64 feet) from the nearest side lot line and at least 1.5 metres (4.92 feet) from the nearest street line</p>	<p>than 1.0 metres above the floor level of the first storey (see comment above regarding Section 9(2) and number of storeys), which does not project into a required yard.</p>	
<p>Accessory Buildings Section 18(4)(v)</p>	<p>Air conditioners and pumps (including heat pumps and swimming pool pumps) and other similar mechanical equipment shall be located only in accordance with the following regulations:</p> <p>(a) Within a required front yard, provided such equipment shall have a minimum setback of 3.0 metres from the street line, a minimum setback of 0.6 metres from a side lot line and is screened from the street by an enclosure or landscaping; and,</p> <p>(b) Within a required side yard or required rear yard provided such equipment has a minimum setback of 0.6 metres from the side lot line or rear lot line.</p>	<p>An air conditioner is indicated which appears to be located in the southerly required side yard, however, the specific distance to the side lot line has not been indicated.</p>	<p>Unable to Determine Compliance</p>
<p>Front Yard Landscaping Section 18(14)(i)</p> <p>(ii) for the purposes of clause 14.(i), the gross area of the front yard shall be calculated as the area between the front lot line and the front of the principle dwelling and the area extending from the side lot line to side lot line but subtracting:</p>	<p>Notwithstanding any other provisions of this By-Law, for any single family dwelling, two family dwelling or three family dwelling, not less than 50% of the gross area of the front yard shall be used for a landscaped area excluding concrete, asphalt, gravel, pavers, or other similar materials;</p>	<p>Insufficient information provided.</p>	<p>Unable to Determine Compliance</p>

By-law Section	Required By By-Law	Provided	Conforming/ Non-Conforming
(a) unenclosed entrance porches; (b) vestibules; (c) ramps; (d) front steps; (e) chimneys; (f) bay windows; (g) ornamental projections; (h) terraces; (i) platforms; and, (j) a walkway between the front entrance of the principle building and the front lot line or driveway with a maximum width of 0.6m;			
Parking and Loading Requirements Section 18A			
Parking - Required Section 18A(1)(a) and Table 1 "Habitable Room" means any room of a residential building or an institutional building, used or capable of being used by one or more persons for living, eating or sleeping, or as a kitchen serving a dwelling unit; but does not include a bathroom, water-closet compartment, laundry, serving or storage pantry, corridor or other space not for use frequently or during extended periods.	Single Family Dwelling: 2 parking spaces for each Class A dwelling unit, for the first 8 habitable rooms in the dwelling unit plus 0.5 parking space for each additional habitable room; <u>Basement:</u> Tool storage and Fitness Room Bedroom 1 Bedroom 2 Bedroom 3 <u>First Floor:</u> Kitchen and Dining Area Living Area <u>Second Floor:</u> Bedroom 4 Bedroom 5 Study Main Bedroom TOTAL = 10 Habitable Rooms appear to be indicated	3 parking spaces indicated	Conforms

By-law Section	Required By By-Law	Provided	Conforming/ Non-Conforming
	THEREFORE 3 parking spaces required.		
Parking – Required Manoeuvring Space Section 18A(1)(f)	A minimum manoeuvring space width of 6.0 metres is required to be provided for 90° parking.	No manoeuvring spaces provided on site.	Non-conforming
Parking Section 18A(7)	Every required parking space, other than a parallel parking space, shall have dimensions not less than 2.7 metres wide and 6.0 metres long.	Parking spaces indicated as 2.7 metres wide and 6.0 metres long.	Conforms
Parking Section 18A(7a)	Notwithstanding Subsection (7), for a single family dwelling where more than one (1) parking space is provided in an attached garage, then an open stairway may project into the length of the required parking space not more than 0.75m provided that the height of the stairway does not exceed 0.5m	No attached garage appears to be provided.	Not Applicable
Parking Section 18A(7b)	Where a dwelling is constructed with an attached garage, then the finished level of the garage floor shall be a minimum of 0.3m above grade	No attached garage appears to be provided.	Not Applicable
Parking Section 18A(8)	Every parallel parking space shall have dimensions not less than 2.5 metres wide and 6.7 metres long.	No parallel parking spaces appear to be proposed.	Not Applicable
Parking Section 18A(9)	Required parking space, loading space and manoeuvring space shall be provided and maintained only on the lot on which the principle use, building or structure is located.	Required manoeuvring space(s) not provided on the lot.	Non-conforming
Parking Section 18A(10)	Sufficient space additional to required parking space shall be provided and maintained on the same lot on which the parking space is located, in such a manner as to enable each and every parking space to be unobstructed and freely and readily accessible from within the lot, without moving any vehicle on the lot or encroaching on any designated parking or loading space.	The accessibility to one of the required parking spaces is obstructed by another required parking space	Conforms NOTE: Complies as per Section 18A(14h)
Parking Section 18A(13)	Where illumination is provided for a parking area or loading	Insufficient information provided.	Unable to determine

By-law Section	Required By By-Law	Provided	Conforming/ Non-Conforming compliance
	space the illumination shall be directed towards or on the lot on which the parking area is located and away from, (a) any adjacent use; (b) any highway		
Parking Section 18A(14a) NOTE: Minimum required front yard: 6.0 metres	Except for single family dwellings, two family dwellings and three family dwellings erected prior to the 14th day of December 1971, no part of a required parking space for a single family dwelling, two family dwelling or three family dwelling in a residential district shall be located in a <u>required front yard</u> and not less than 50% of the gross area of the front yard shall be used for a landscaped area excluding concrete, asphalt, gravel, pavers, or other similar materials	No parking spaces are indicated in the required front yard.	Not Applicable
Parking Section 18A(14g)	Except as provided for in clauses (14a), (14b) and (14h), no part of the required parking area in a residential district shall be located in a required front yard.	No parking spaces are indicated in the required front yard.	Not Applicable
Parking Section 18A(14h)	For the purpose of a single family dwelling, the following shall apply (i) only one of the required parking spaces may be located in the front yard, and (ii) notwithstanding Subsection 10, only the accessibility to one of the required parking spaces may be obstructed by any other required parking spaces.	No parking spaces are indicated in the front yard. The accessibility to one of the required parking spaces is obstructed by another required parking space.	Conforms
Parking Section 18A(21)	All required parking spaces and manoeuvring spaces shall have access by means of one or more access driveways, (a) located on the lot; or (b) located partly on the lot in the case of a mutual driveway; or	Parking spaces appear to have access by means of a right of way.	Conforms

By-law Section	Required By By-Law	Provided	Conforming/ Non-Conforming
	(c) by means of a right of way		
Parking Section 18A(22)	All manoeuvring spaces shall be maintained free and clear of all obstructions to permit unobstructed access to and egress from required parking spaces.	No manoeuvring spaces have been indicated.	Not Applicable
Parking Section 18A(23)	Every access driveway shall provide easy access from a highway to the parking area to which the access driveway is accessory.	Easy access to and from the parking area appears to be provided.	Conforms
Parking Section 18A(24)(a)	Every parking area for a use where, (a) there are five or less parking spaces shall have not less than one access driveway or one mutual driveway, having a width of at least 2.8 metres;	Width of parking area is approximately 5.4 metres.	Conforms
Parking Section 18A(30)	Except as provided in subsection 31, a permanent durable and dustless surface that is graded, drained, and paved with concrete or asphalt or a combination of concrete and asphalt shall be provided and maintained for every parking area, manoeuvring space, loading space and access driveway.	Insufficient information provided.	Unable to determine compliance
Parking Section 18A(31)	A gravel or similar surface or other suitable paving shall be provided and maintained for every parking space and access driveway accessory to a single family dwelling, a two family dwelling, and to street townhouse dwellings each having separate access driveways.	Insufficient information provided.	Unable to determine compliance

6. Construction of the proposed building is subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setback and construction types.
7. All proposed fences shall conform to the requirements of the Fence By-law.
8. All proposed signage shall conform to the requirements of the Sign By-law.
9. The designer shall ensure that the fire access route conforms to the Ontario Building Code.

Yours truly

for the Manager of Building Engineering and Zoning

265 PALING AVE. HAMILTON ON, L8H 5J8

SCOPE OF WORK: SECOND FLOOR ADDITION TO EXISTING MAIN BLDG, REPLACEMENT ROOF FOR EXISTING FRONT VESTIBULE AND COVERED PORCH. INTERIOR ALTERATIONS THROUGHOUT EXISTING MAIN BLDG. UNDERPINNING OF EXISTING FOUNDATION. REAR TWO STOREY ADDITION TO REPLACE EXISTING ONE STOREY ADDITION. REAR CELLAR ENTRANCE.

DRAWING PAGE INDEX	
PAGE	DESCRIPTION
SP1.01	PROPOSED SITE PLAN
A1.01	PROPOSED CELLAR FLOOR PLAN
A1.02	PROPOSED FIRST FLOOR PLAN
A1.03	PROPOSED SECOND FLOOR PLAN
A1.04	PROPOSED ROOF PLAN
A1.05	DOOR AND WINDOW SCHEDULES
A2.01	PROPOSED EAST ELEVATION
A2.02	PROPOSED WEST ELEVATION
A2.03	PROPOSED NORTH ELEVATION
A2.04	PROPOSED SOUTH ELEVATION
REF.01	EXISTING BASEMENT PLAN
REF.02	EXISTING FIRST FLOOR PLAN
REF.03	EXISTING ROOF PLAN
REF.04	EXISTING EAST ELEVATION
REF.05	EXISTING WEST ELEVATION
REF.06	EXISTING NORTH ELEVATION
REF.07	EXISTING SOUTH ELEVATION

*REFERENCE TOPOGRAPHICAL SURVEY ATTACHED SEPARATELY

SKETCH OF SURVEY PREPARED BY A.T.
MACLAREN LTD, O.L.S., AUGUST 20, 2020,
LOT 400, REGISTERED PLAN 544,
CITY OF HAMILTON

SITE STATISTICS (*SEE PAGES A1.01-A1.04 FOR ADDITIONAL DIMENSIONS)

ZONING	[[LOT NO:	[[PLAN NO:	[[LOT AREA	[[LOT FRONTAGE	[[LOT DEPTH]
[C	[[LOT 400	[[544	[[271.74sqm	[[7.62m	[[35.662m]

HAMILTON BY-LAW 6593

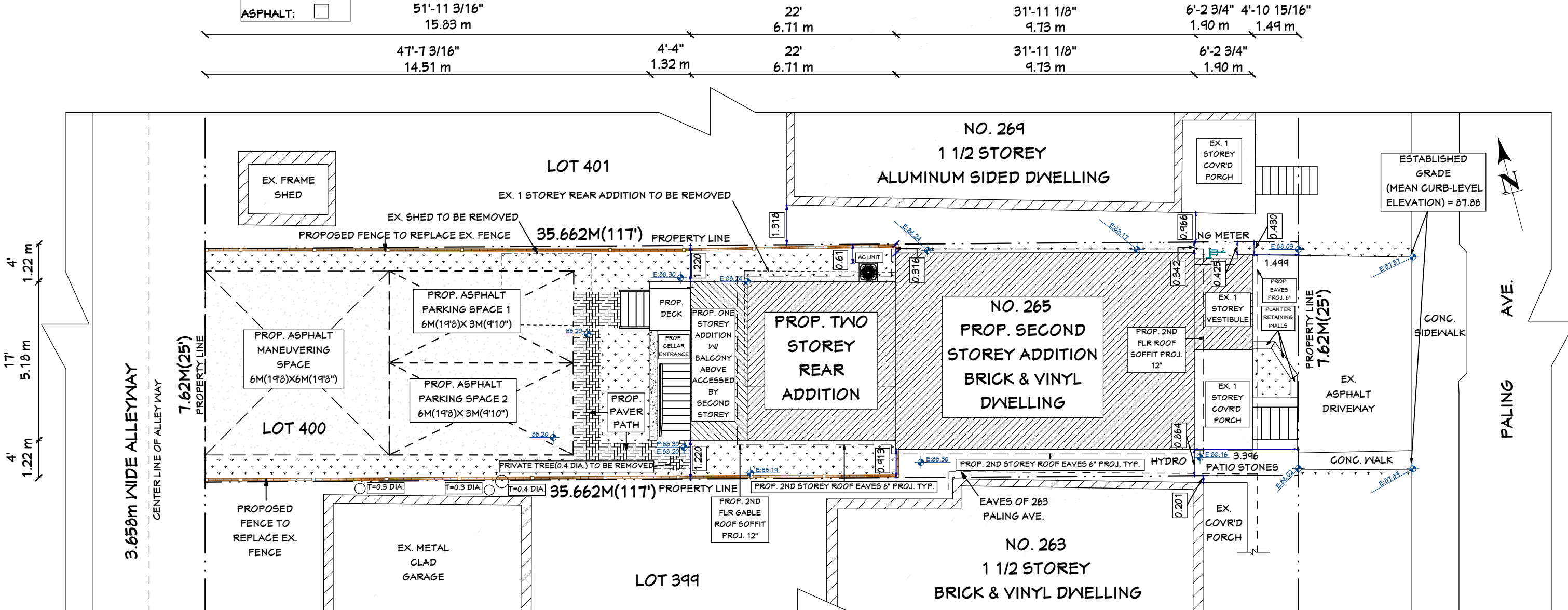
HEIGHT: 2 STOREYS, 8.85M(FROM ESTABLISHED MEAN CURB LEVEL ELEVATION 87.88 (3.69M EAST OF FRONT YARD PROPERTY LINE) TO HIGHEST RIDGE).

SECOND FLOOR ROOF IS AN ATTIC STOREY AS PER BY-LAW DEFINITIONS. LOWER FLOOR AREA DEFINED AS A CELLAR AS PER BY-LAW DEFINITION, CELLAR CLEAR HEIGHT BELOW GRADE= 1.3M, CELLAR CLEAR HEIGHT ABOVE GRADE= 1.15M

[SETBACKS] REAR YARD NORTH SIDE YARD SOUTH SIDE YARD	[GARAGE GATE] 1M 0.685M 0.685M	[MIN. REQ.] 1M	[SETBACKS] FRONT YARD(NORTH EAST) FRONT YARD(SOUTH EAST) REAR YARD (NORTH WEST) REAR YARD (SOUTH WEST) NORTH SIDE YARD SOUTH SIDE YARD	[EXIST. MAIN BLDG.] 3.396M 3.396M 22.54M 22.54M 0.316M(W)0.342M(E) 0.913M(W)0.864M(E)	[EX. VESTIBULE] 1.499M 1.499M -- -- 0.425M 4.15M	[PROP. 2ND FLR.] 3.396M 3.396M 22.54M 22.54M Same as Ex. Same as Ex.	[PROP. REAR ADDT'N] -- -- 15.83M 15.83M 1.22M 1.22M	[MIN. REQ.] 6M 6M 7.5M 7.5M 1.2M 1.2M
--	---	---------------------	---	---	--	--	---	---

**FRONT YARD LANDSCAPING(TO REMAIN
UNCHANGED FROM EXISTING
CONDITION)**

FRONT YARD = $3.376 \times 7.62 = 25.885\text{QM}$
 VESTIBULE = 5.645QM
 FRONT STEPS = 2.485QM
 GROSS AREA OF FRONT YARD =
 FRONT YARD - VESTIBULE - WALKWAY
 = 17.71 , REQUIRED LANDSCAPING %50
 = 8.865QM
 EXISTING LANDSCAPING = 3.375QM



GENERAL NOTES

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PROPOSED SITE PLAN

SCALE: 3/32" = 1'-0"

DATE	ISSUE / REVISION
08.03.21	ISSUED FOR REVIEW
07.04.21	REISSUED FOR REVIEW
21.05.21	REISSUED FOR REVIEW
23.06.21	ISSUED FOR COFA

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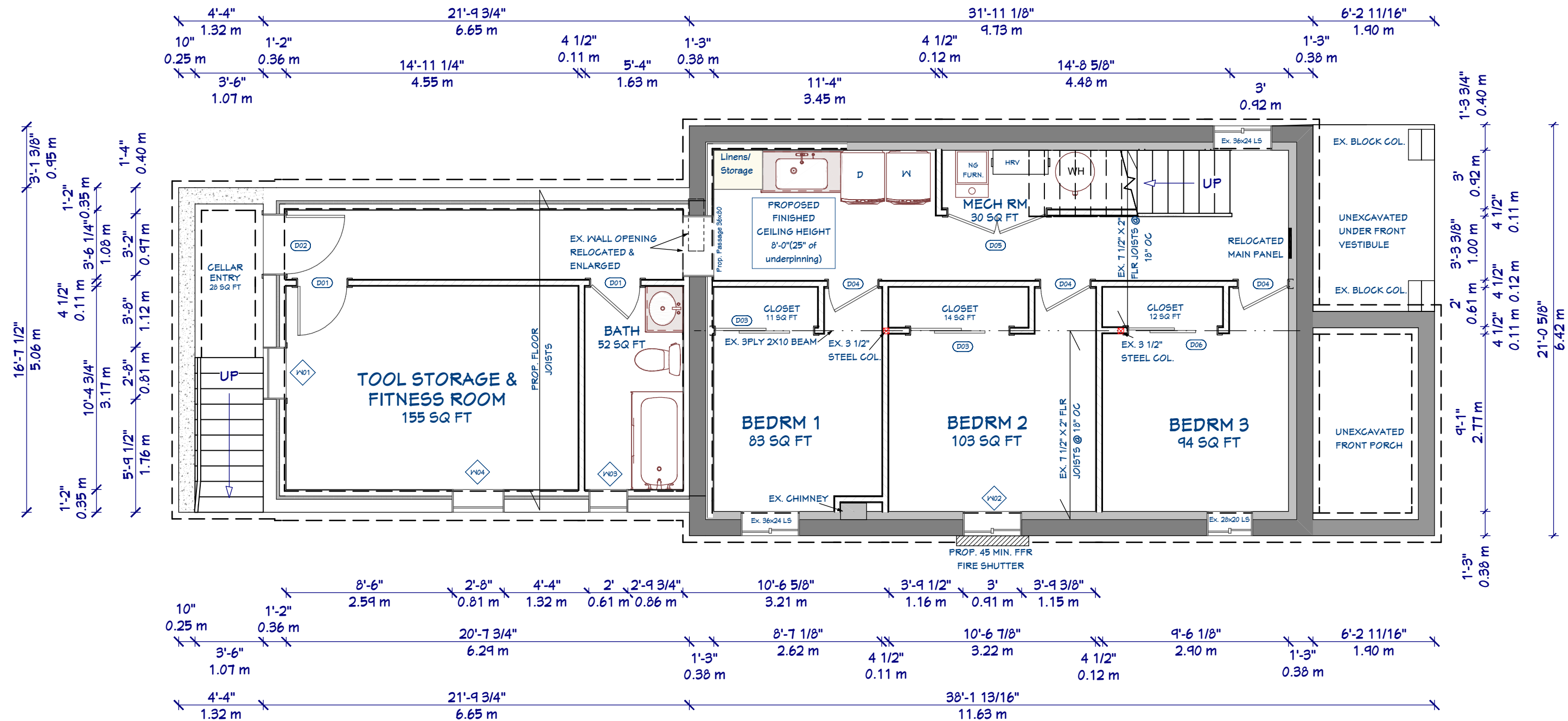
PROJECT: 265 PALING AVE.
PROPOSED SINGLE FAMILY
DOWELLING

DRAWN BY: MARK SMITH

DO NOT SCALE DRAWINGS

PAGE SP1.01

NOTE: ALL DIMENSIONS PROVIDED TO
ROUGH OPENINGS.
1/2" ADDED FOR EACH SIDE OF
WINDOW
1" ADDED FOR EACH SIDE OF DOOR



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PROPOSED CELLAR PLAN

*REFER PAGE A2.01 FOR CELLAR HEIGHTS
RELATIVE TO GRADE

EX. GFA: 62.25SQM
PROP. GFA: 33.69SQM
TOTAL GFA: 95.94SQM
TOTAL ROOMS= 4(3 BEDRMS, 1 STORAGE)
SCALE: 3/16" = 1'-0"

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07.04.21	REISSUED FOR REVIEW
21.05.21	REISSUED FOR REVIEW
23.06.21	ISSUED FOR COFA

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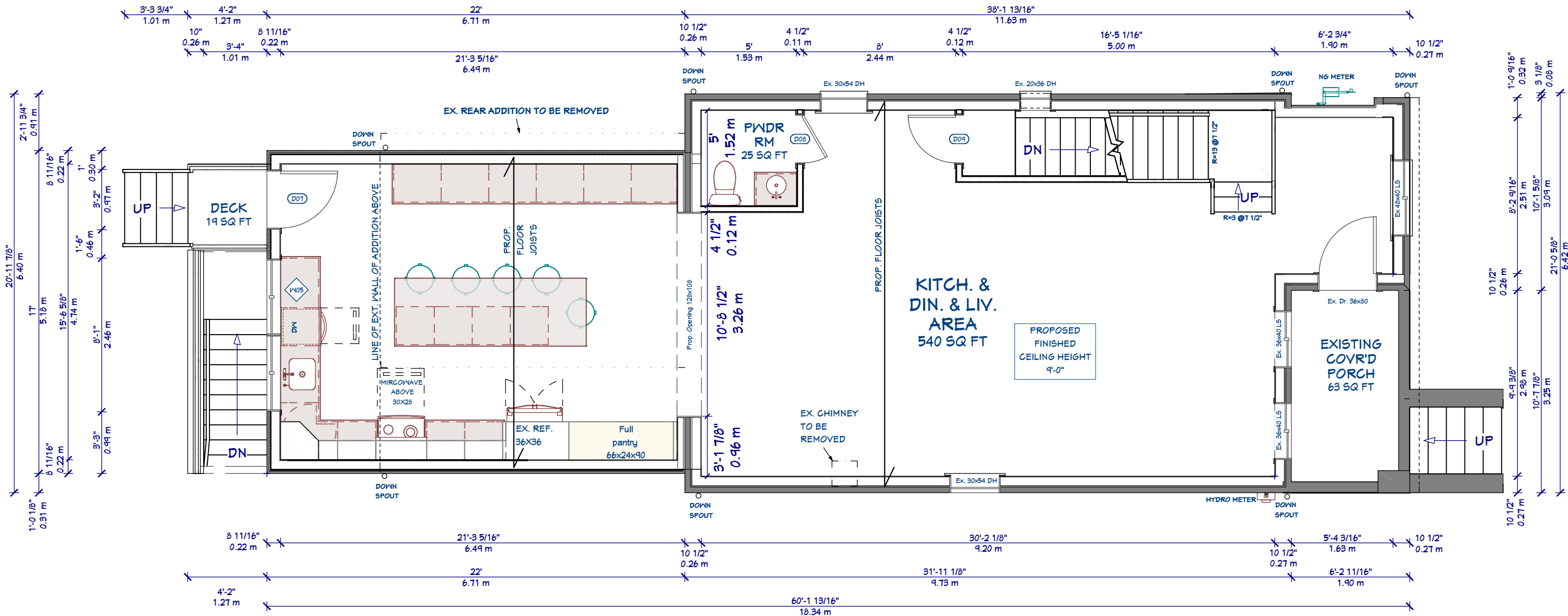
PROJECT: 265 PALING AVE.
PROPOSED SINGLE FAMILY
DWELLING

DRAWN BY: MARK SMITH

DO NOT SCALE DRAWINGS

PAGE A1.01

NOTE: ALL DIMENSIONS PROVIDED TO
ROUGH OPENINGS.
1/2" ADDED FOR EACH SIDE OF
WINDOW
1" ADDED FOR EACH SIDE OF DOOR



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PROPOSED FIRST FLOOR PLAN

EXISTING FIRST FLOOR GFA: 86.41SQM
PROPOSED FIRST FLOOR GFA: 16.25SQM
TOTAL FIRST FLOOR GFA: 102.66SQM
TOTAL ROOMS: 1 KITCH. & DIN. & LIVING AREA

SCALE 3/16" = 1'-0"

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07.04.21	REISSUED FOR REVIEW
21.05.21	REISSUED FOR REVIEW
23.06.21	ISSUED FOR COFA

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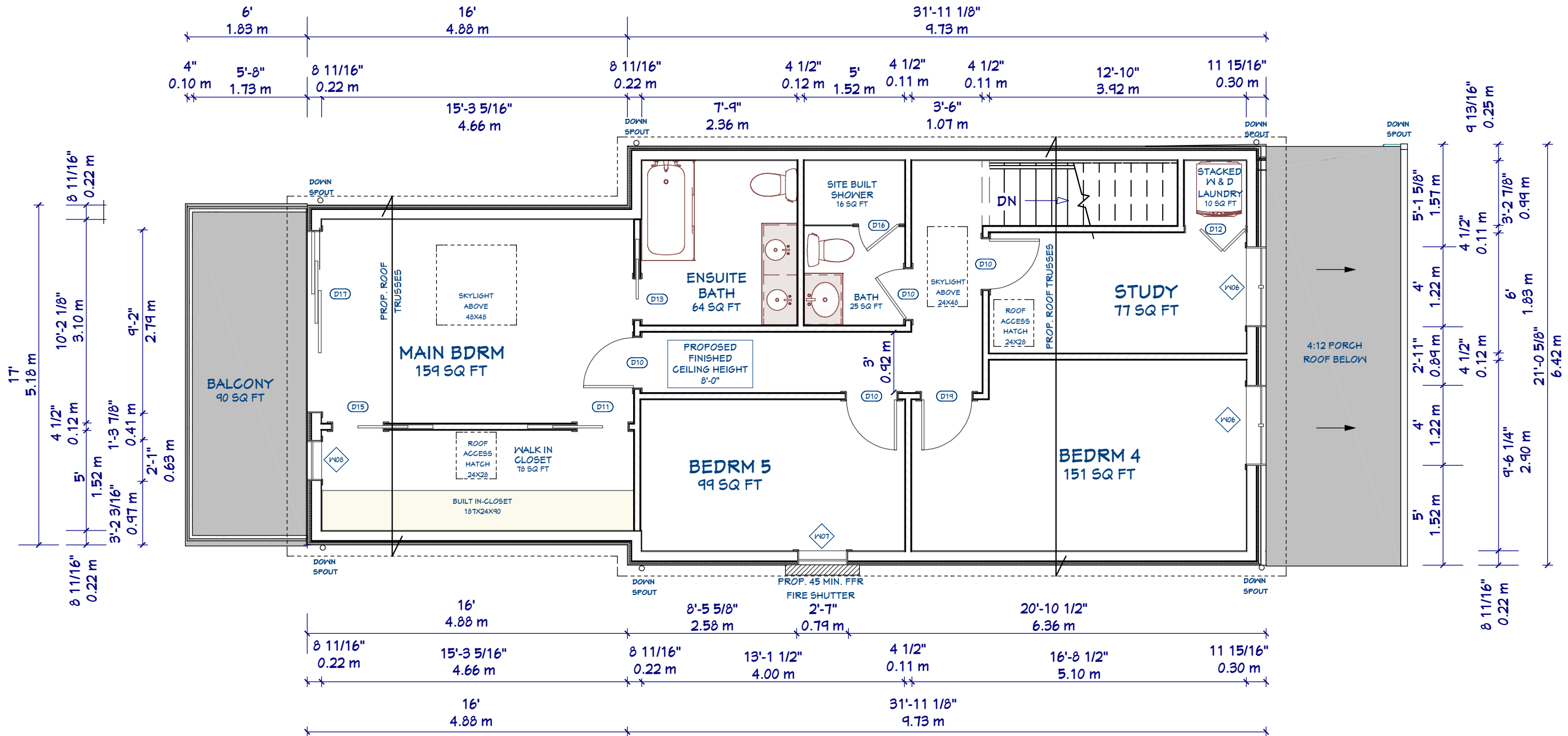
PROJECT: 265 PALING AVE.
PROPOSED SINGLE FAMILY
DWELLING

DRAWN BY: MARK SMITH

DO NOT SCALE DRAWINGS

PAGE A1.02

NOTE: ALL DIMENSIONS PROVIDED TO
ROUGH OPENINGS.
1/2" ADDED FOR EACH SIDE OF
WINDOW
1" ADDED FOR EACH SIDE OF DOOR



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PROPOSED SECOND FLOOR PLAN

PROPOSED SECOND FLOOR GFA: 87.44SQM
TOTAL BUILDING GFA: 190.15SQM

TOTAL ROOMS: 4 (3 BEDRM, 1 STUDY)
TOTAL ROOMS ALL FLOORS = 9 ROOMS

SCALE 3/16" = 1'-0"

DATE	ISSUE / REVISION
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07.04.21	REISSUED FOR REVIEW
21.05.21	REISSUED FOR REVIEW
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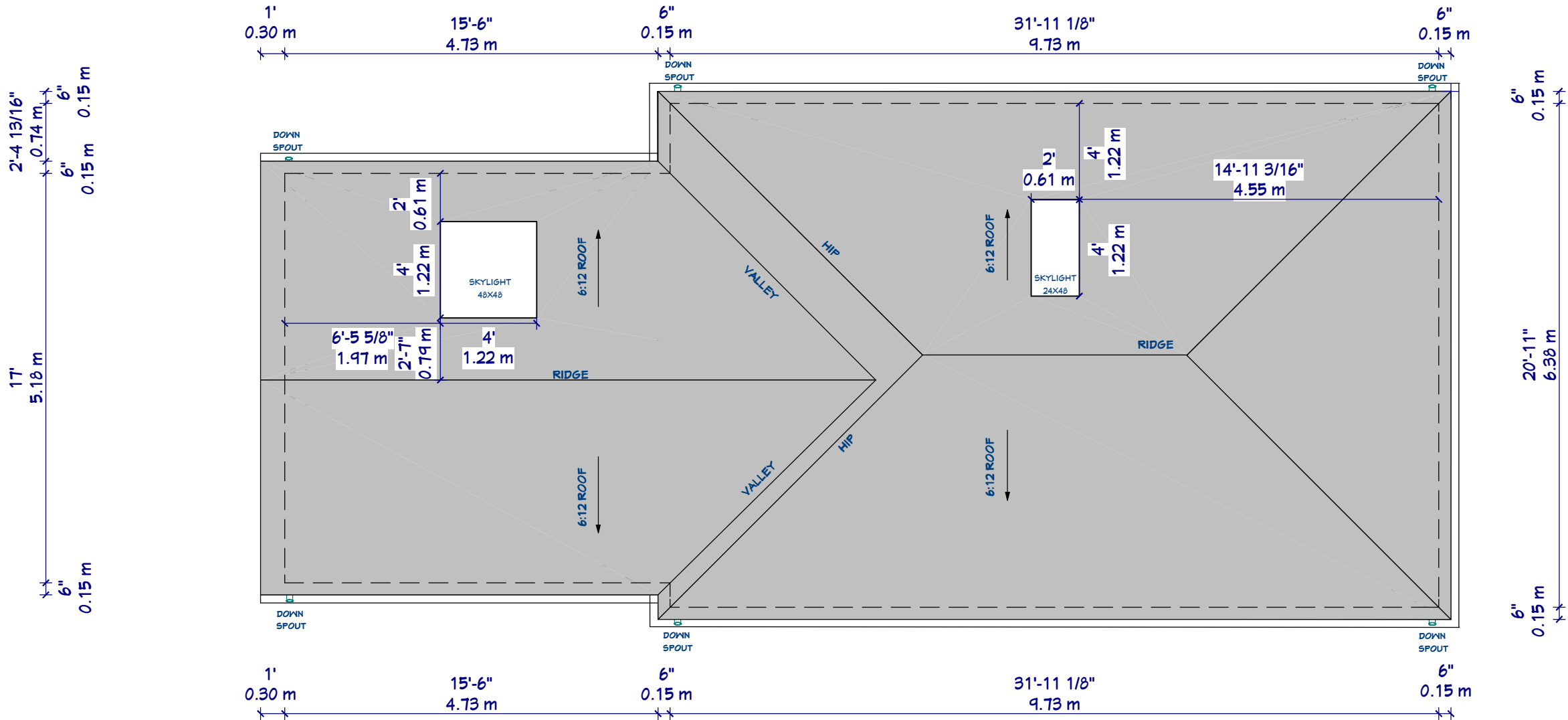
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PROJECT: 265 PALING AVE.
PROPOSED SINGLE FAMILY
DWELLING

DRAWN BY: MARK SMITH

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PAGE A1.03



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PROPOSED ROOF PLAN, ATTIC STOREY

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

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PROPOSED SINGLE FAMILY
DWELLING

DRAWN BY: MARK SMITH

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DOOR SCHEDULE									
NUMBER	QTY	FLOOR	SIZE	WIDTH	HEIGHT	R/O	DESCRIPTION	THICKNESS	COMMENTS
D01	2	0	2668 R IN	30 "	80 "	32"X82 1/2"	HINGED-DOOR P04	1 3/8"	
D02	1	0	3068 L EX	36 "	80 "	38"X83"	EXT. HINGED-GLASS PANEL	1 3/8"	
D03	2	0	5068 R IN	60 "	80 "	62"X82 1/2"	SLIDER-DOOR P04	1 3/8"	
D04	3	0	2668 L IN	30 "	80 "	32"X82 1/2"	HINGED-DOOR P04	1 3/8"	
D05	1	0	5068 L/R IN	60 "	80 "	62"X82 1/2"	DOUBLE HINGED-DOOR P04	1 3/8"	
D06	1	0	4668 R IN	54 "	80 "	56"X82 1/2"	SLIDER-DOOR P04	1 3/8"	
D07	1	1	3068 L EX	36 "	80 "	38"X83"	EXT. HINGED-GLASS PANEL	1 3/4"	
D08	1	1	2668 L IN	30 "	80 "	32"X82 1/2"	HINGED-DOOR P04	1 3/8"	
D09	1	1	2668 R IN	30 "	80 "	32"X82 1/2"	HINGED-DOOR P04	1 3/8"	
D10	4	2	2668 L IN	30 "	80 "	32"X82 1/2"	HINGED-DOOR P04	1 3/8"	
D11	1	2	2668 R	30 "	80 "	62"X82 1/2"	POCKET-DOOR P04	1 3/8"	
D12	1	2	3068 L	36 "	80 "	38"X82 1/2"	2 DR. BIFOLD-PANEL	1 3/8"	
D13	1	2	2068 L	24 "	80 "	50"X82 1/2"	POCKET-DOOR P04	1 3/8"	
D15	1	2	2668 L	30 "	80 "	62"X82 1/2"	POCKET-DOOR P04	1 3/8"	
D16	1	2	2068 L IN	24 "	80 "	26"X82 1/2"	HINGED-DOOR P04	1 3/8"	
D17	1	2	9068 L EX	108 "	80 "	110"X83"	EXT. 3+0-PANEL SLIDER-GLASS PANEL	1 3/4"	
D19	1	2	2668 R IN	30 "	80 "	32"X82 1/2"	HINGED-DOOR P04	1 3/8"	

WINDOW SCHEDULE									
NUMBER	QTY	FLOOR	WIDTH	HEIGHT	BOTTOM	R/O	DESCRIPTION	EGRESS	COMMENTS
W01	1	0	32 "	32 "	48"	33"X33"	SINGLE CASEMENT-HR		
W02	1	0	36 "	24 "	72"	37"X25"	LEFT SLIDING		45 MIN FRR FIRE SHUTTER
W03	1	0	24 "	24 "	72"	25"X25"	SINGLE AWNING		
W04	1	0	32 "	24 "	72"	33"X25"	SINGLE AWNING		
W05	1	1	96 "	38 "	42"	97"X39"	MULLED UNIT-LHL/RHR		
W06	2	2	48 "	50 "	30"	49"X51"	DOUBLE CASEMENT-LHL/RHR		
W07	1	2	30 "	36 "	44"	31"X37"	SINGLE CASEMENT-HR		45 MIN FRR FIRE SHUTTER
W08	1	2	24 "	50 "	30"	25"X51"	SINGLE CASEMENT-HR		

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DOOR AND WINDOW SCHEDULES

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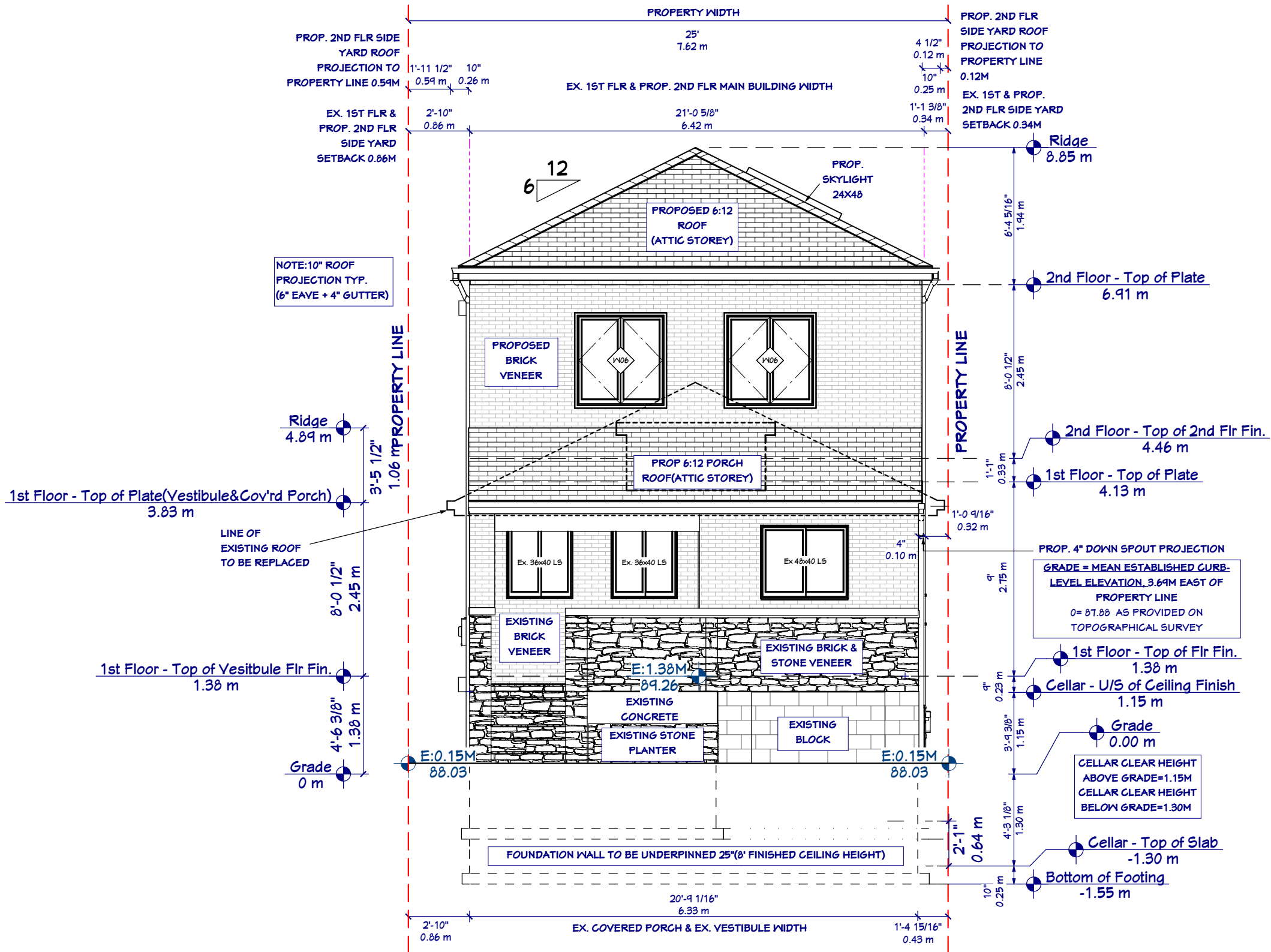
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PROPOSED SINGLE FAMILY
DWELLING

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PAGE A1.05



GENERAL NOTES

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PROPOSED EAST ELEVATION

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

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07.04.21	REISSUED FOR REVIEW
21.05.21	REISSUED FOR REVIEW
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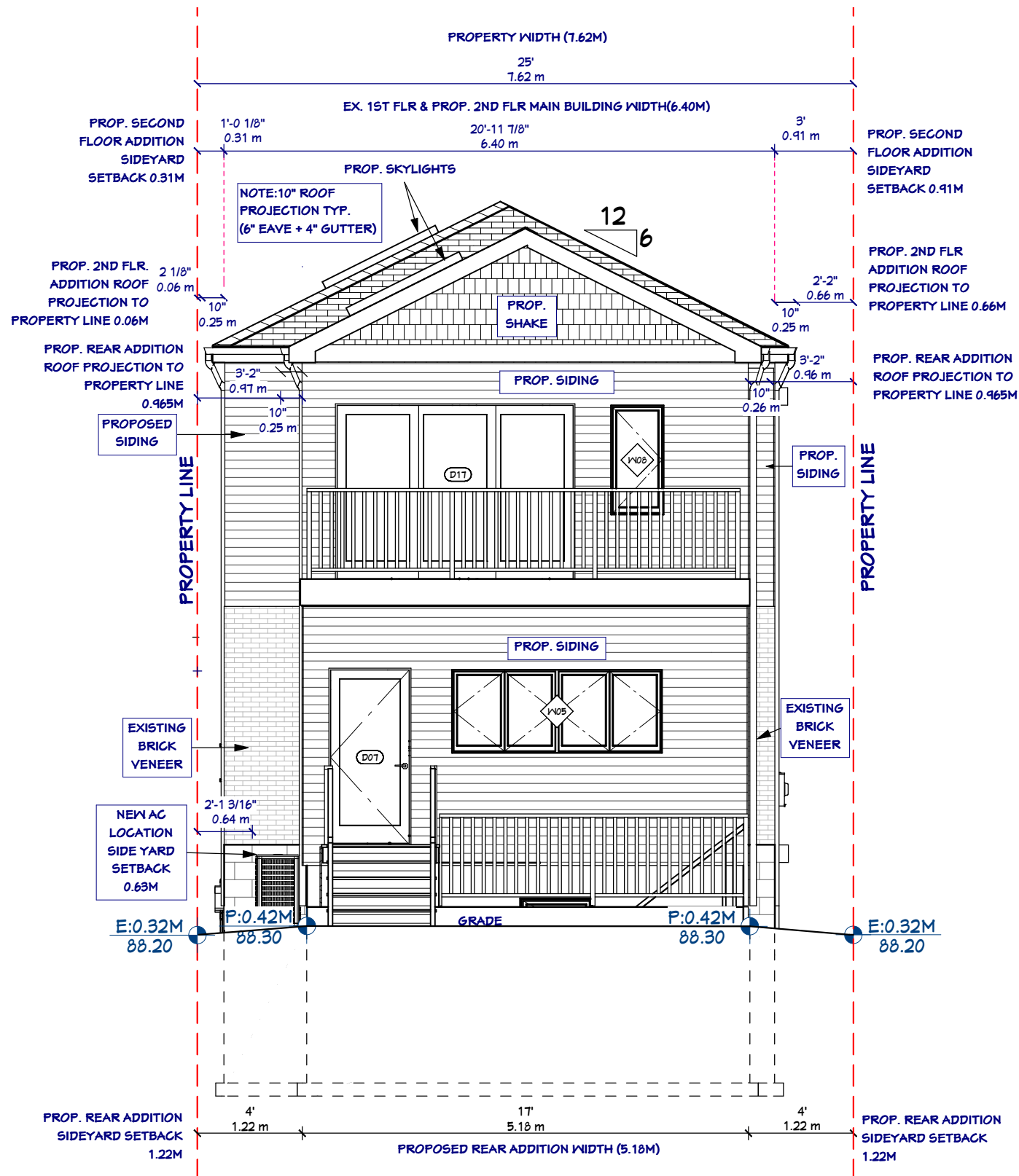
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PROJECT: 265 PALING AVE.
PROPOSED SINGLE FAMILY
DWELLING

DRAWN BY: MARK SMITH

DO NOT SCALE DRAWINGS

PAGE A2.01



GENERAL NOTES

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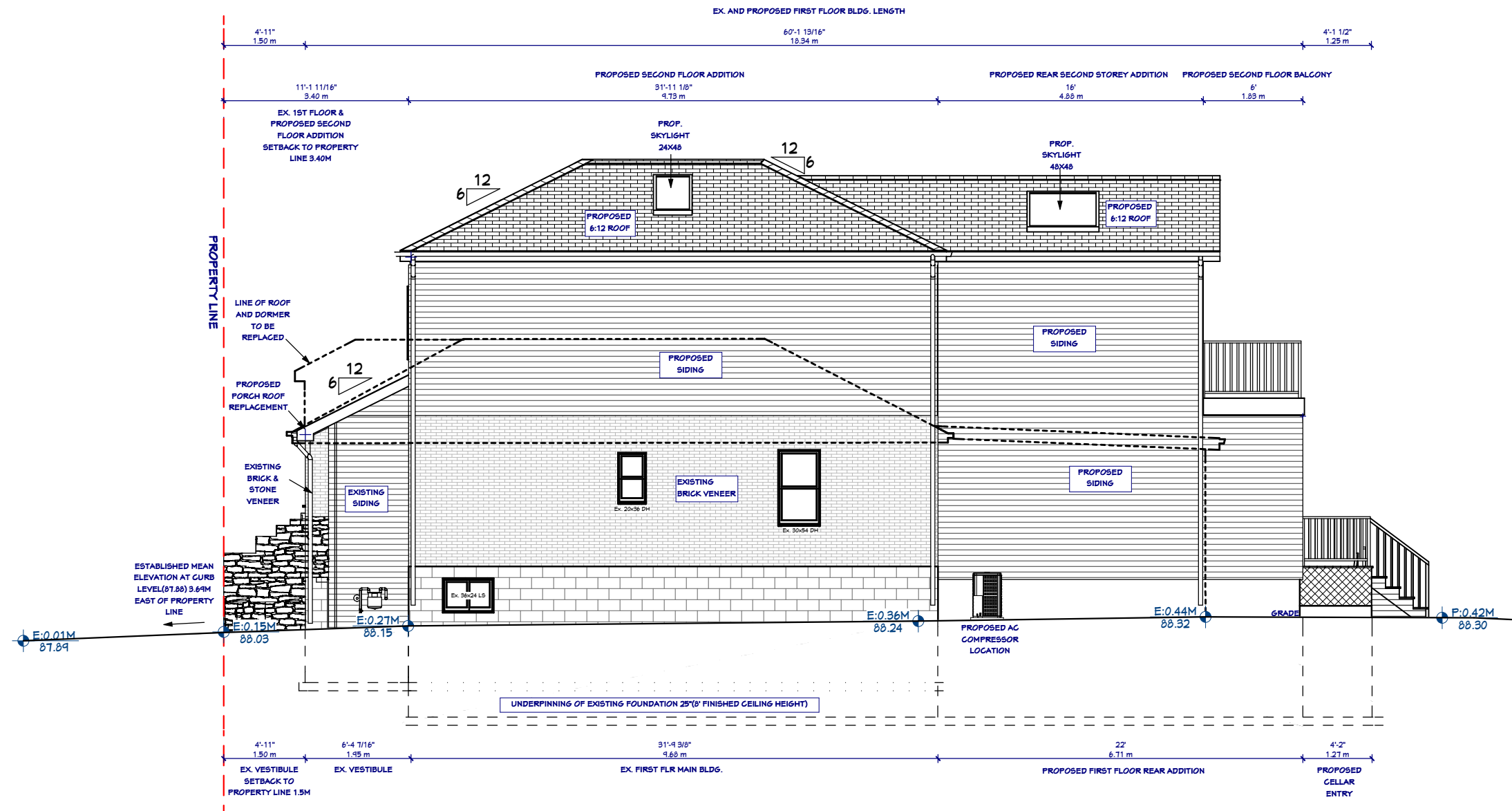
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DWELLING**

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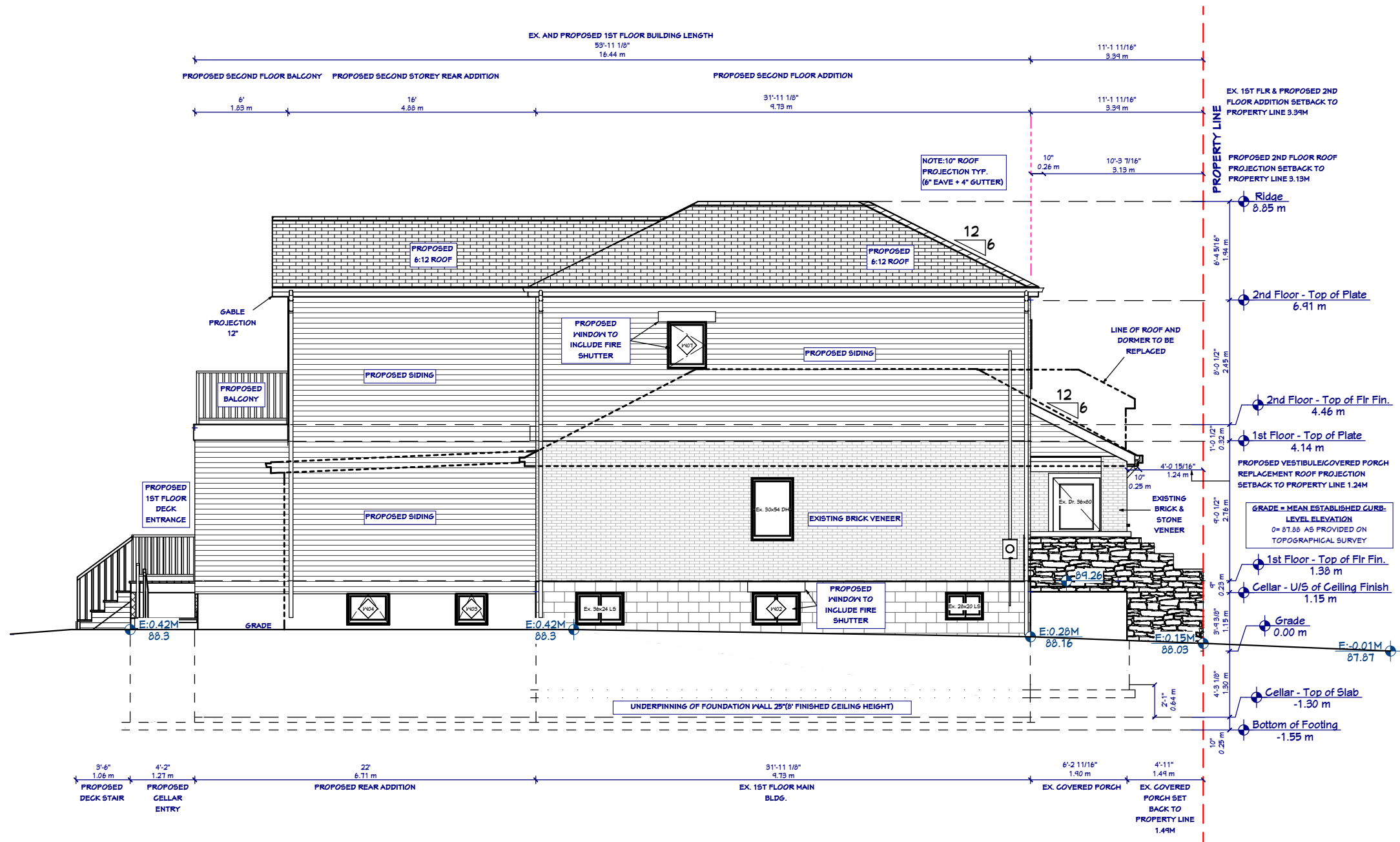
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PROPOSED SOUTH ELEVATION

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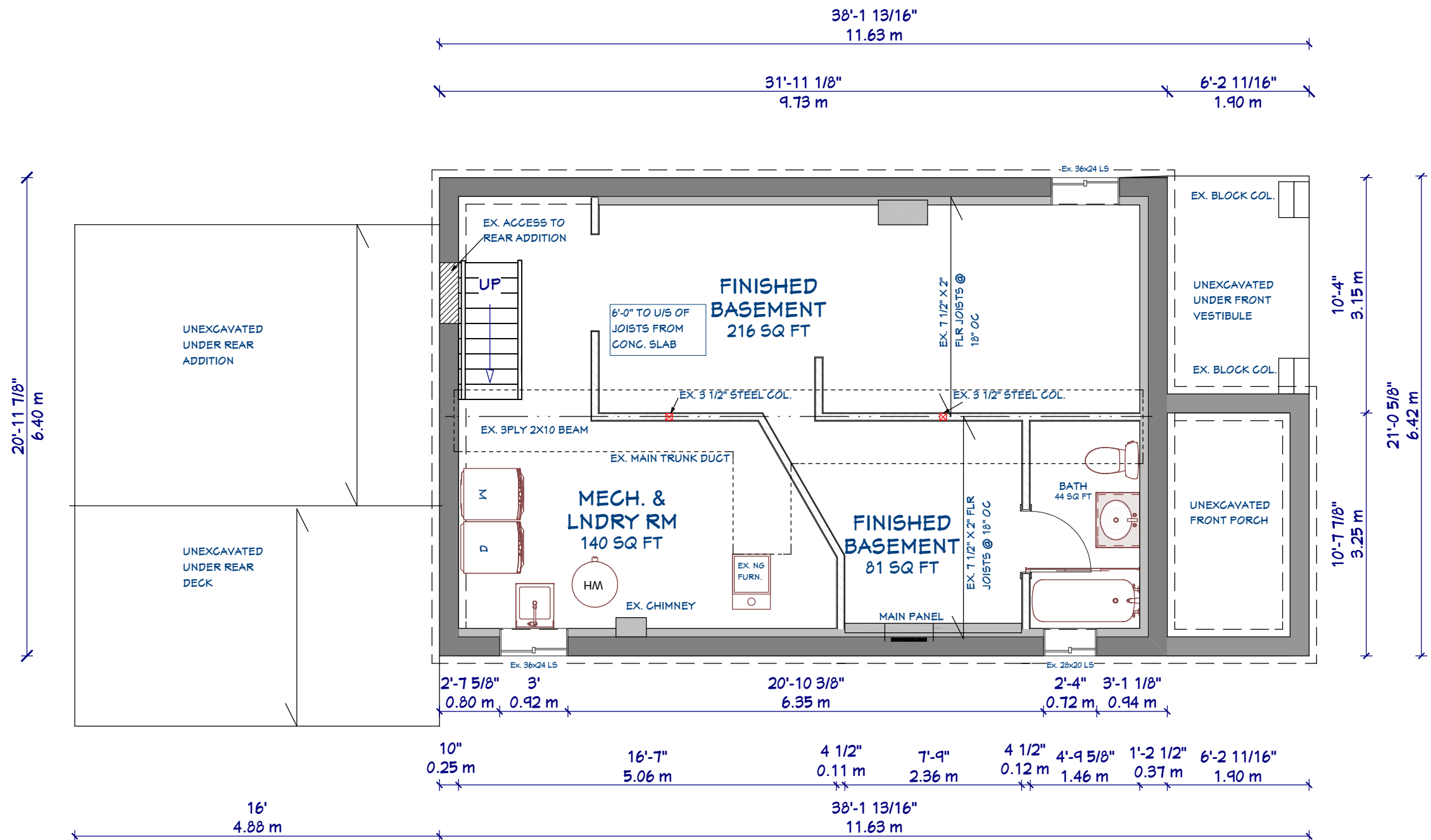
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EXISTING BASEMENT PLAN

EX. GFA= 62.25SQM

TOTAL ROOMS= 2(2 FINISHED ROOMS)

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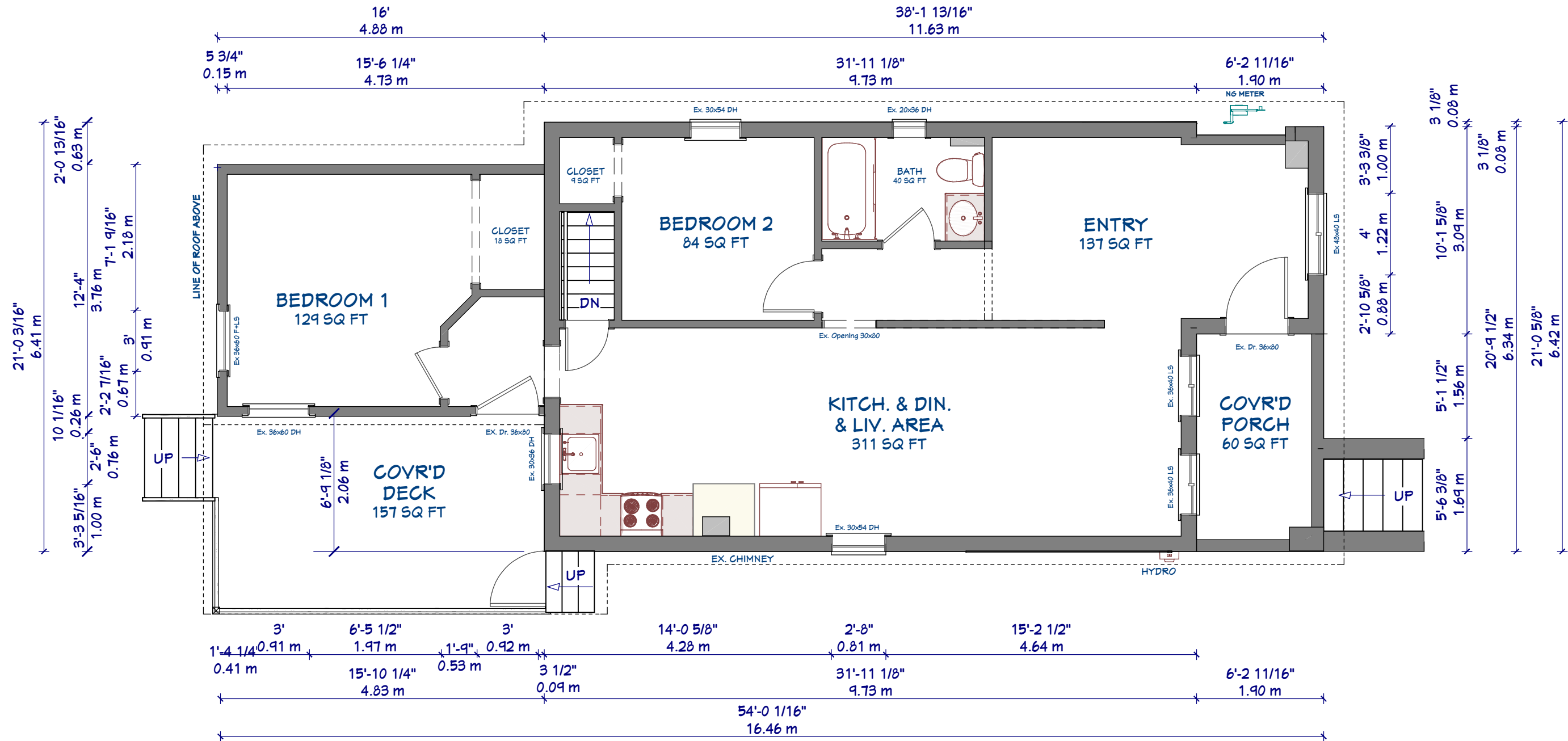
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EXISTING FIRST FLOOR PLAN

EXISTING FIRST FLOOR GFA: 68.08SQM
EXISTING REAR ADDITION GFA: 18.33SQM
TOTAL FIRST FLOOR GFA: 86.41SQM
TOTAL BLDG. GFA: 148.66SQM
TOTAL ROOMS: 4 (DIN., 2 BDRMS, ENTRY)

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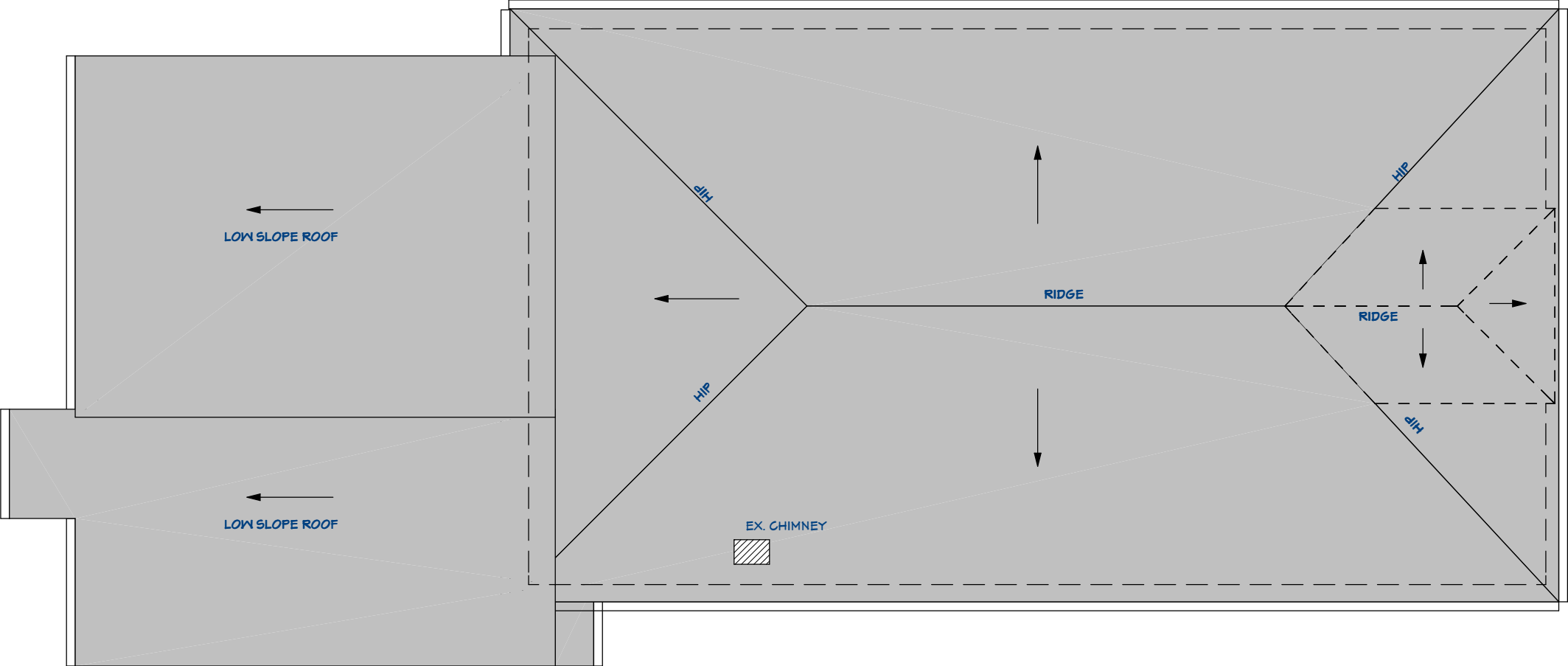
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DWELLING

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PAGE REF.02



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EXISTING ROOF PLAN

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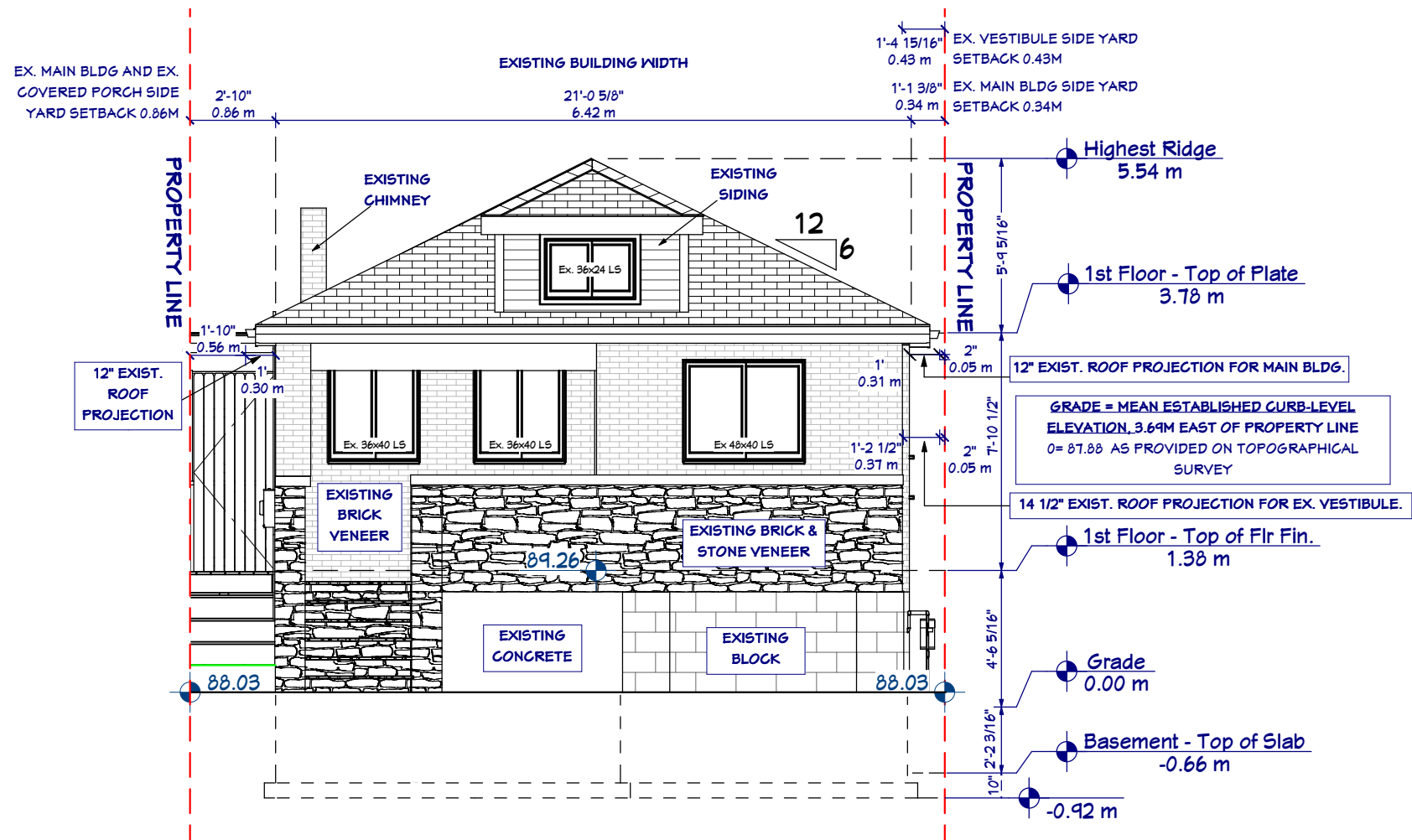
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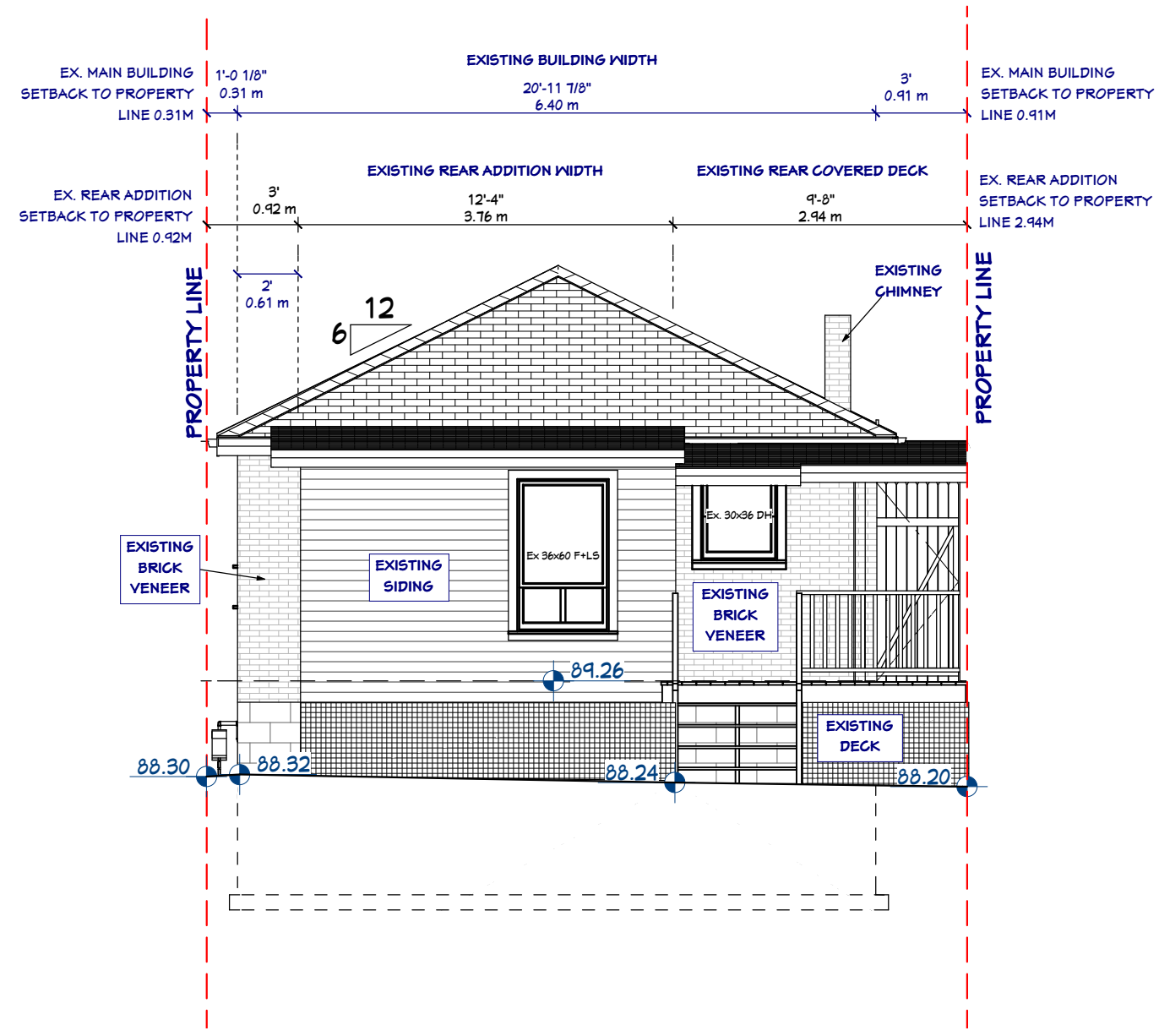
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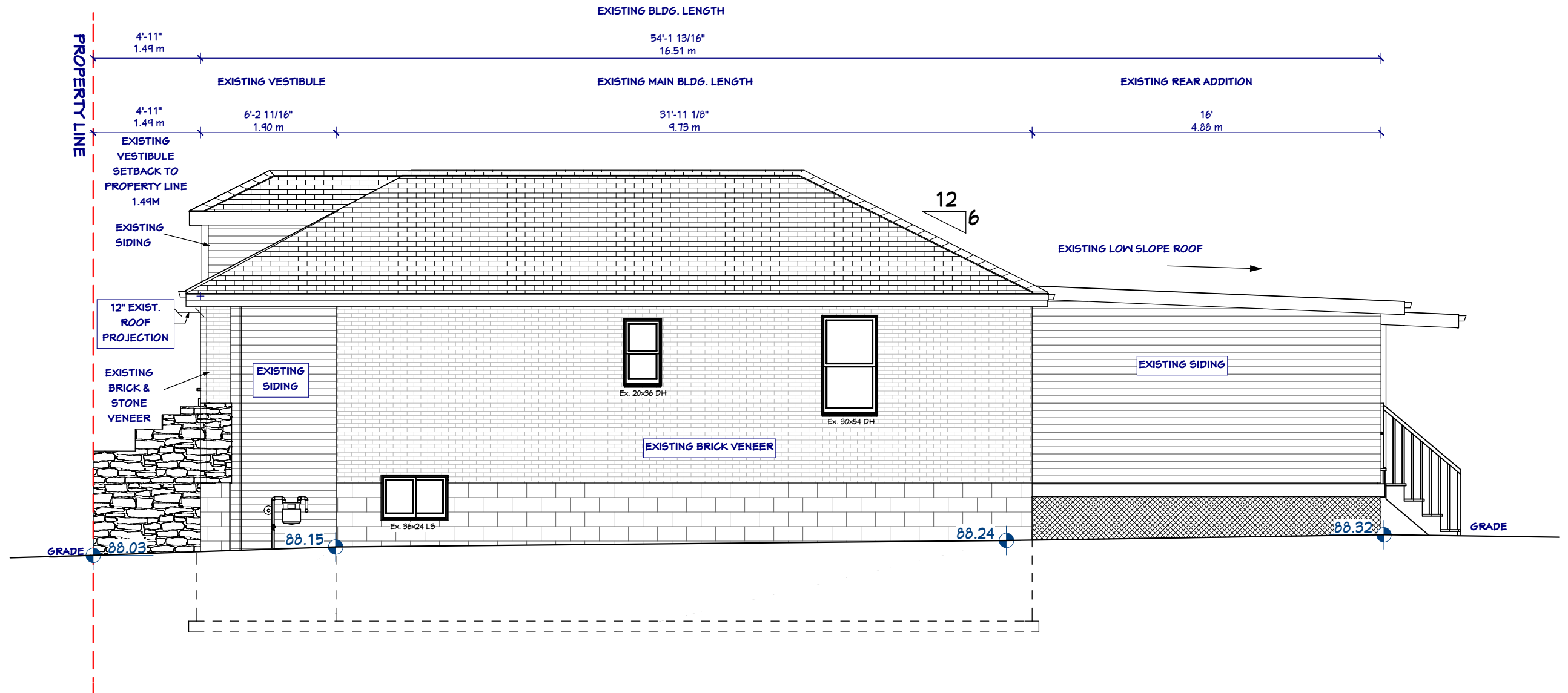
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> NO WORK MAY PROCEED UNTIL STAMPED, APPROVED DRAWINGS FROM THE RELEVANT AUTHORITIES ARE ISSUED AND RECEIVED. THOSE DRAWINGS ARE TO BE AVAILABLE ON SITE UPON REQUEST.

> ALL WORK AND MATERIALS MUST CONFORM TO THE CURRENT ONTARIO BUILDING CODE STANDARDS AND REQUIREMENTS.

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> DRAWINGS ARE NOT TO BE COPIED OR ALTERED WITHOUT THE EXPRESS PERMISSION OF THE DESIGNER.

> THE PREPARATION OF THESE DRAWINGS DOES NOT INFER AN INSPECTION OF, AN ACCEPTANCE OF OR AN ENDORSEMENT OF ANY EXISTING CONDITION INSIDE OR OUTSIDE THE BUILDING BY THE DESIGNER.

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> THE OWNER MUST VERIFY WINDOW, SKYLIGHT AND DOOR APPEARANCES (GRILL, ETC...), GLASS TYPE AND OPERATOR TYPE WITH THE CONTRACTOR AND SUPPLIER BEFORE ORDERING. WINDOWS, SKYLIGHTS AND DOORS SHOWN IN THESE DRAWINGS ARE A GRAPHIC REPRESENTATION ONLY AND MAY NOT REPRESENT THE FINAL PRODUCT. CONSULT CATALOGUES AND BROCHURES FROM THE CHOSEN SUPPLIER TO VERIFY THAT ALL WINDOWS, SKYLIGHTS AND DOORS LISTED IN THE DRAWINGS MEET EXPECTATIONS.

> VERIFY ALL EXTERIOR FINISH MATERIALS PRIOR TO CONSTRUCTION, PRODUCTS USED MAY BE DIFFERENT FROM THOSE NOTED ON THE DRAWINGS.

EXISTING NORTH ELEVATION

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

DATE	ISSUE / REVISION
08.03.21	ISSUED FOR REVIEW
07.04.21	REISSUED FOR REVIEW
21.05.21	REISSUED FOR REVIEW
23.06.21	ISSUED FOR COFA

**ZONING
COMPLIANCE
REVIEW
(NOT FOR
CONSTRUCTION)**

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SERVICES

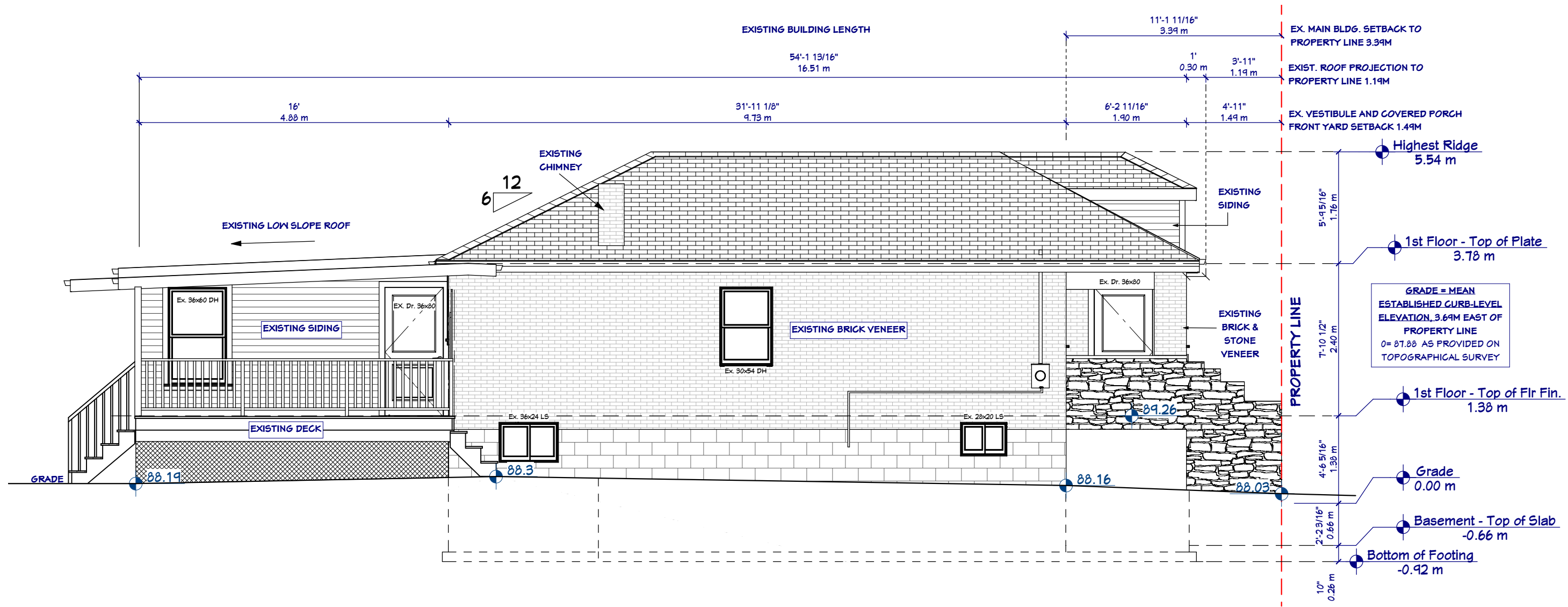
M: 647 604 0393
E: INFO@MARKHSMITH.CA
A: 280 ST. GEORGE ST SUITE 504
TORONTO, ON, M5R 2P1

PROJECT: 265 PALING AVE.
PROPOSED SINGLE FAMILY
DWELLING

DRAWN BY: MARK SMITH

DO NOT SCALE DRAWINGS

PAGE REF.05



GENERAL NOTES

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EXISTING SOUTH ELEVATION

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

DATE	ISSUE / REVISION
08.03.21	ISSUED FOR REVIEW
07.04.21	REISSUED FOR REVIEW
21.05.21	REISSUED FOR REVIEW
23.06.21	ISSUED FOR COFA

**ZONING
COMPLIANCE
REVIEW
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PROJECT: 265 PALING AVE.
PROPOSED SINGLE FAMILY
DWELLING

DRAWN BY: MARK SMITH

DO NOT SCALE DRAWINGS

PAGE REF.07

Project Address: 265 Paling Ave. Hamilton, On

Date: June 23, 2021

Project Description of Work: Second floor addition, rear addition, rear gate and fence, rear cellar entrance and int. alterations. Replacement roof for existing vestibule and covered porch.

Minor variances being requested at the committee of adjustments:

1) Front Yard (min) Section 9(3)(i)

Required: A front yard of a depth of at least 6.0 m(19.69ft)

The proposal seeks relief from this by-law due to the existing front yard of the building having originally been built in non-conformance to the by-law at a 3.4m front yard depth. The proposal also seeks relief from this by-law for the proposed second floor addition in order for it to be constructed overtop the existing main wall and foundation at a front yard setback of 3.4m from the front lot line.

2) Side Yard (min) Section 9(3)(ii)

Required: A side yard along each side lot line, of a width of at least 1.2m(3.94ft),
Section 18(3)(v) Further designates that lots of record side yard setbacks can be reduced to 0.9m.

The proposal seeks relief for the existing building's southerly side yard setback which is non-conforming at 0.86m and the existing northerly side yard which is non-conforming at 0.31m. The proposal also seeks relief for the proposed second floor addition to build directly on top of the existing building's main side walls and foundations below at 0.86m southerly side yard setback and 0.31m northerly side yard setback.

The Proposed rear addition, both storeys are designed in conformance with the minimum side yard setback requirements of the by-law at 1.22m for both the southerly and northerly side yards.

3) Intensity of Use Section 9(4)

Required: Every lot or tract of land in a "C" district shall have a width of at least 12.0m(39.37ft) and an area of at least 360.0sqm(3,875.13sqft) within the district.

The proposal seeks relief for the existing lot width of 7.62m and lot area of 271.72sqm which are in non-conformance with the by-law. *Note* Section 18(3)(v)

4) Abatement of Yards,etc.. for lots of Record Section 18(3)(v)

Required: In the case of a lot of record without sufficient width, depth or area to meet the requirements of this By-Law, a single family dwelling may nevertheless be erected upon it, provided that each side yard has a width of at least ten per cent of the width of the lot, **but in no case less than 0.9 metres** (2.95 feet), and that the rear yard has a depth of at least twenty-five per cent of the depth of the lot, but in no case less than 3.0 metres.

Side Yard Requirement: 10% of 7.62 m (0.76m), **but in no case less than 0.9 m**

Rear Yard Requirement: 25% of 35.66m (8.92m), but in no case less than 3.0 m.

The proposal seeks relief from this by-law section due to the existing building's south side yard of 0.86m and northerly side yard of 0.31m. The Proposed second floor addition requests relief from the by law section in order to build directly over top of existing exterior south and north side yard walls and foundation below. Side yard setbacks proposed being equal to the

existing building. Providing a southerly side yard setback of 0.86m and a northerly side yard setback of 0.31m.

5) Encroachments on Yards Section 18(3)(vi)(b)

Required: A front yard of a depth of at least 6m(19.69ft)

A side yard along each side lot line, of a width of at least 1.2m(3.94ft) *Note* 0.9m as per section 18(3)(v)

A canopy, cornice, eave or gutter may project

(i) Into a required front yard not more than 1.5m provided that no such projection shall be closer to a street line than 1.5m

(iii) into a required side yard not more than one-half of its width, or 1.0m, whichever is lesser. *Note* 0.45m permitted projection of eaves into side yard, as per Section 18(3)(v)

(i)The project's proposal design of the second floor addition soffit seeks relief from this by-law in order to provide the same setback as the current existing non-conforming soffit of the existing building at 3.13m to the front lot line.(See drawing page A2.04) Projecting 2.87m into the 6m required front yard.

(i)The Eaves of the proposed replacement roof for the existing vestibule seeks to provide the same eaves projection as the current, non-conforming, existing roof eaves setback of 1.24m to the front lot line.

(iii)Northerly Side Yard: Eaves & Gutter are proposed as a 0.12m setback to the northerly side lot line(based on 6" eave projection& 4" gutter). Projecting 0.78m into the required 0.9m northerly side yard

Southerly Side Yard: Eaves proposed as 0.59m setback to the southerly side lot line(based on 6" eaves projection). Projecting 0.31m into the required 0.9m side yard.

6) Encroachment on Yards Section 18(3)(vi)(ccc)

Required: A front yard of a depth of at least 6m(19.69ft)

A rear yard of a depth of a depth of at least 7.5m

A side yard along each side lot line, of a width of at least 1.2m. *Note* 0.9m as per section 18(3)(v)

A vestibule may project into a required front yard not more than 1.2 metres (3.94 feet), provided that no such projection shall be closer to a street line than 1.5 metres; or into a required side yard not more than one-third of its width or 1.2 metres (3.94 feet), whichever is the lesser;

NOTE: One-third width of 0.9 m as per Section 18(3)(v) = 0.33 m permitted projection into required side yard. Provided that the sum of the lengths of such projections shall not exceed one-third of the width of the front yard or rear yard nor one-third the length of the side yard into which they project, but no case shall exceed 3.0 metres (9.84 feet).

The project proposal is seeking a minor variance for relief of the existing building's non-conforming vestibule location, which projects 4.5m into the required 6m front yard, and projects 0.47m into the required 0.9m side yard.

7) Encroachment on yards Section 18(3)(vi)(d)

Required: A roofed-over or screened but otherwise unenclosed one-storey porch at the first storey level, including eaves and gutters, may project into a required front yard or rear yard to a distance of not more than 3.0 metres, and every such projecting porch shall be distant at least 1.5 metres from the front lot line.

The proposal is seeking relief from this by-law section due to the existing building's roofed over unenclosed porch location which projects 4.5m into the front yard.

8) Front Yard Landscaping Section 18(14)(i)

Required: (ii) for the purposes of clause 14.(i), the gross area of the front yard shall be calculated as the area between the front lot line and the front of the principle dwelling and the area extending from the side lot line to side lot line but subtracting: (a) unenclosed entrance porches; (b) vestibules; (c) ramps; (d) front steps; (e) chimneys; (f) bay windows; (g) ornamental projections; (h) terraces; (i) platforms; and, (j) a walkway between the front entrance of the principle building and the front lot line or driveway with a maximum width of 0.6m;

Notwithstanding any other provisions of this By-Law, for any single family dwelling, two family dwelling or three family dwelling, not less than 50% of the gross area of the front yard shall be used for a landscaped area excluding concrete, asphalt, gravel, pavers, or other similar materials;

The proposal seeks relief from this by-law due to the existing lot's front yard landscaping provides 3.37sqm (19.03%) of landscaping.

9) Parking – Required Section 18A(1)(a) and Table 1

Required: Single family dwelling: 2 parking spaces for each class A dwelling unit, for the first 8 habitable rooms in the dwelling unit plus 0.5 parking space for each additional habitable room;

Basement: 4 rooms (Tool Storage/Fitness, Bdrm 1, Bdrm 2, Bdrm 3)

First Floor: 1 room (Kitchen & dining & Living area)

Second Floor: 4 rooms (Bdrm 4, Bdrm 5, Main Bdrm, Study)

Total = 9 Habitable rooms

This proposal is seeking a minor relief from this by law section due to the existing small lot frontage and lot area by requesting that 2 parking spaces be provided in the rear yard.

If you have any questions or require further dimensions or information during your review, please contact me at info@markHsmith.ca.