



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5
Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202
E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

- Assessed owner of a property located within 60 metres of the subject property
 - Applicant/agent on file, or
 - Person likely to be interested in this application
-

APPLICATION NO.: HM/A-21:312

APPLICANTS: Owner Sergii Protsenko
Agent Ken Jentas

SUBJECT PROPERTY: Municipal address **288 Acadia Dr., Hamilton**

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

ZONING: R-4 district (Small Lot Single Family Dwelling)

PROPOSAL: To permit the conversion of a single-family dwelling to contain a secondary dwelling unit notwithstanding that;

1. A minimum of 39.1 % front yard landscaped area shall be provided instead of the minimum required 50 % front yard landscaped area.

Notes:

Variations have been written based on the information provided by the applicant.

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

DATE: Thursday, September 23rd, 2021
TIME: 2:55 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

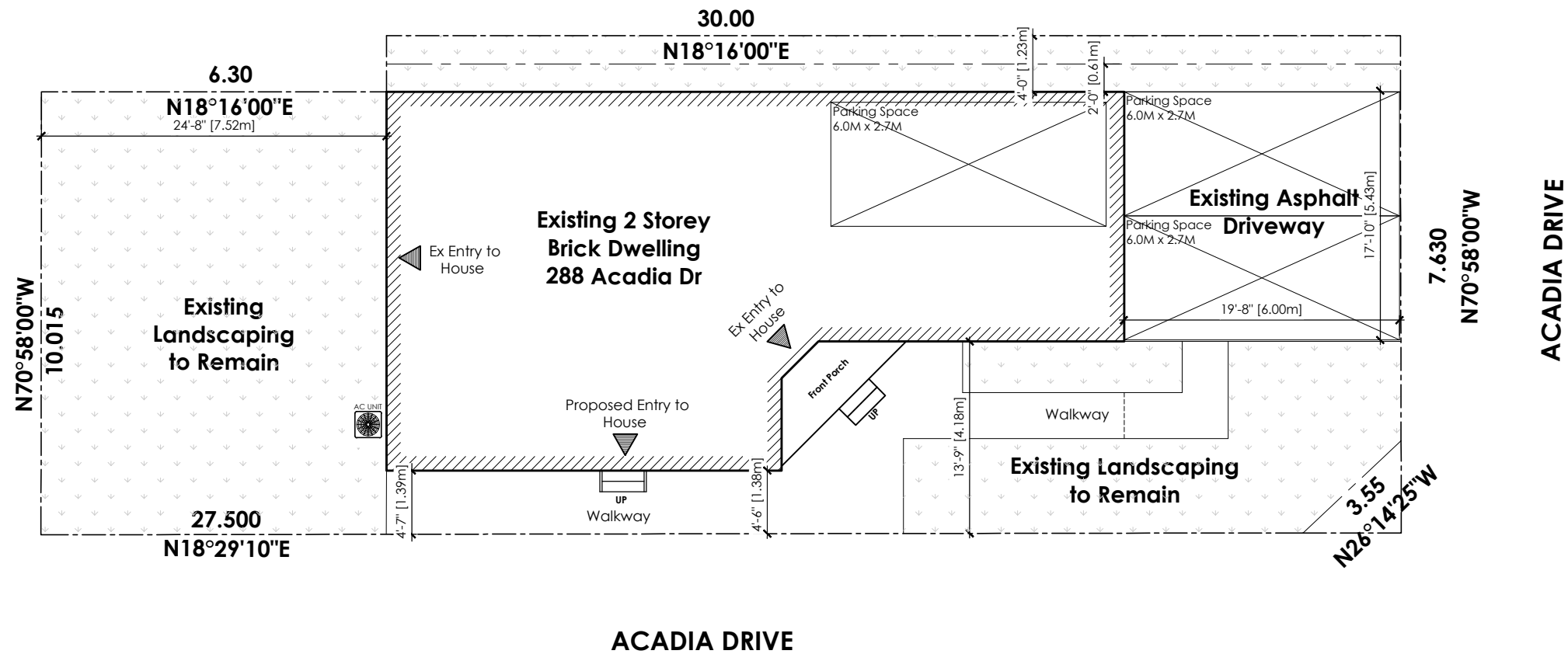
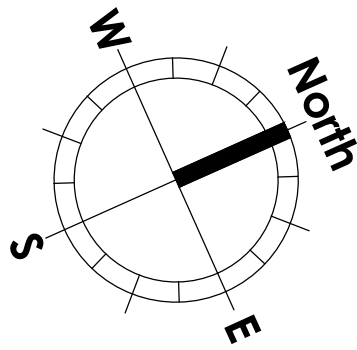
For more information on this matter, including access to drawings illustrating this request:

- 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: September 7th, 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.



Site Plan

Accessory Basement Apartment Permit

General notes

- All dimensions to be checked and verified on site prior to commencement of work. Any discrepancies shall be brought to the attention of permitguys prior to continuation of work.
- The contractor shall take all precautionary measures under the occupational health and safety act as required by the ministry of labour.
- All work shall be done in accordance with the minimum standards and specifications of the municipality's engineering department.
- All work in the municipal road allowance shall meet the minimum standards and specifications of the municipality's engineering department. The contractor is required to obtain & pay for permit to work in municipal r.o.w.
- Prior to the commencing any work on the installation of services & grading, an approved set of plans and specifications must be available on the job site and shall remain there while work is being done.
- The owners of the utilities must be informed at least two weeks prior to construction on any existing municipal road allowance. All existing underground utilities within the limits of construction shall be located and marked. Any utilities, damaged or disturbed during construction, shall be repaired or replaced to the satisfaction of the governing body at the contractors expense.
- Prior to commencing any construction, all sewer outlet information, benchmarks, elevations, dimensions and grades must be checked by the contractor and verified and any discrepancies reported to the engineer.
- The contractor is responsible for ensuring that there is no interruption of any surface or subsurface drainage flow that would adversely affect neighboring properties

Legal Information

PLAN OF SURVEY OF LOTS 2 to 9
REGISTERED PLAN 909
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

Scope of Work

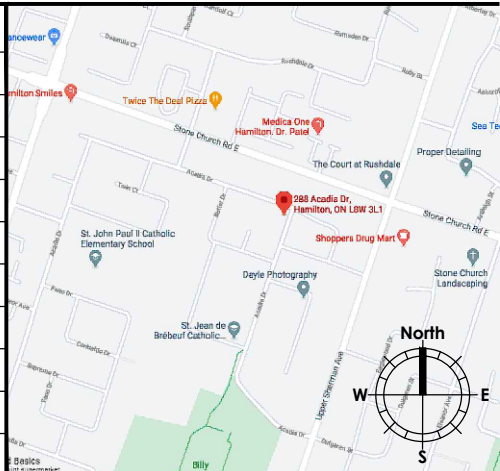
Finished Basement to be
Converted to a Accessory Apartment

Existing Dwelling

- More than 5 year old
- Less than 5 year old

Site Statistics

All Units in Metric - Zone RS			
Lot A		Gross Floor Area Calculation	
Lot Depth	30.00	Ground Floor GFA	80.80
Lot Area	296.83	Second Floor GFA	91.28
Zone	RD	Total GFA	172.12
Lot Coverage		Accessory Apartment	56.46
Dwelling Area	112.04		
Ex. Front Porch & Stairs	3.84	Front Yard Area	59.57
Total	115.88	Front Yard Driveway	32.85
Total Coverage	39.03	Front Yard Walkway	3.38
		Front Yard Landscape	39.18%



permitguys

80 Clementine Dr, Unit 15
Brampton ON L6Y 5R5
Tel: 416 479 9556
Email: info@permitguys.ca

The undersigned has reviewed and takes responsibility for this design, as well as having the qualifications and requirements mandated by the Ontario Building Code (O.B.C.) to be a Designer.

Qualification Information
Aamou Rafiq 113576
Name
Registration Info. Permitguys.ca Inc. 110882

Title
Site Plan

Project Name
288 Acadia Dr

Project No. 21-10 Drawn By HA Checked By MZ Date 2021-03-18 Scale 3/32"=1'0"

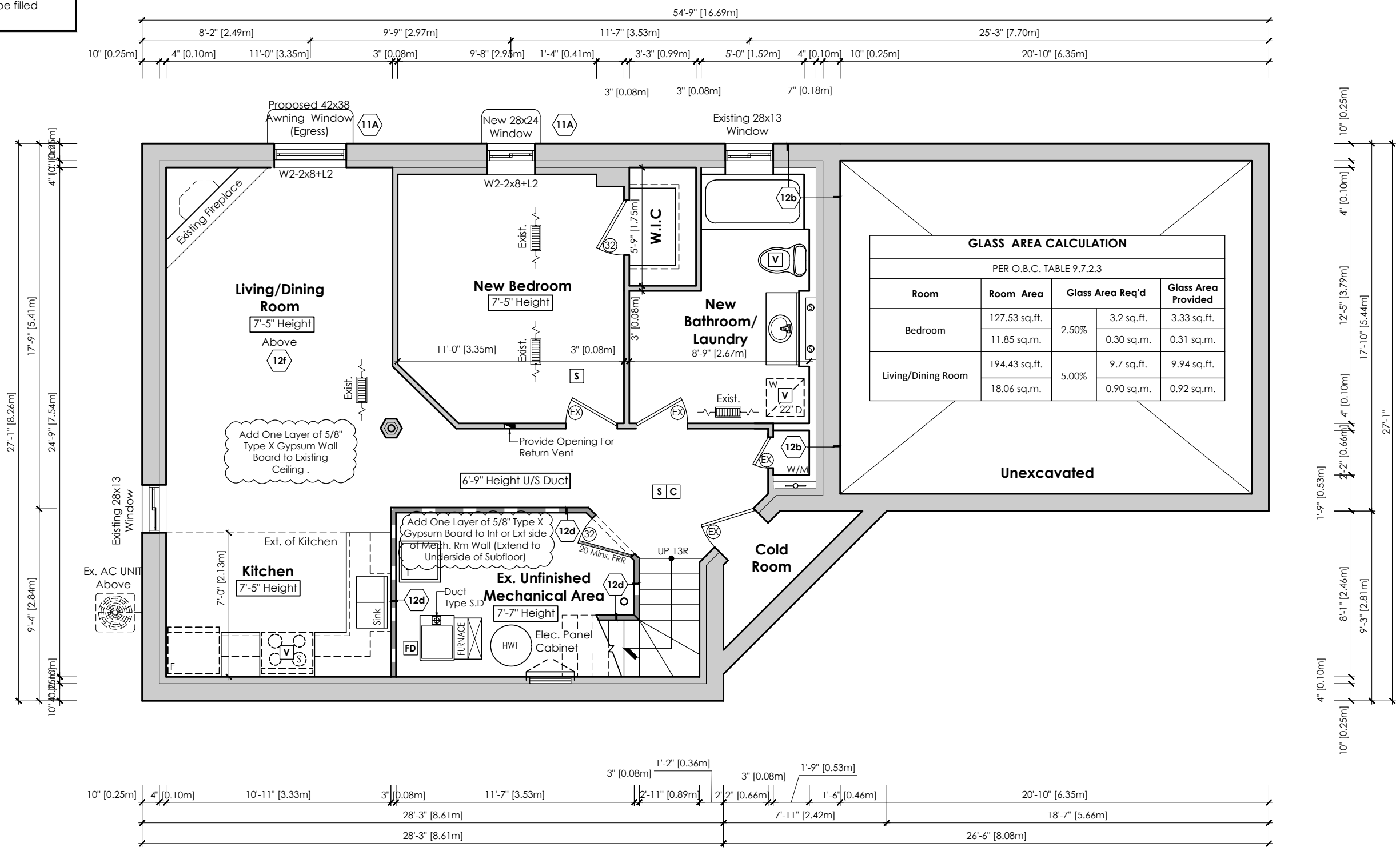
Municipality
Hamilton, ON

Filename
288 ACADIA DR - COA

Sheet No.
SP1

Wall Legend:

- Walls to remain
- Proposed foundation walls
- Proposed walls
- Walls to be removed
- Openings to be filled



Proposed Basement Floor Plan

permitguys
80 Clementine Dr, Unit 15
Brampton ON L6Y 5R5
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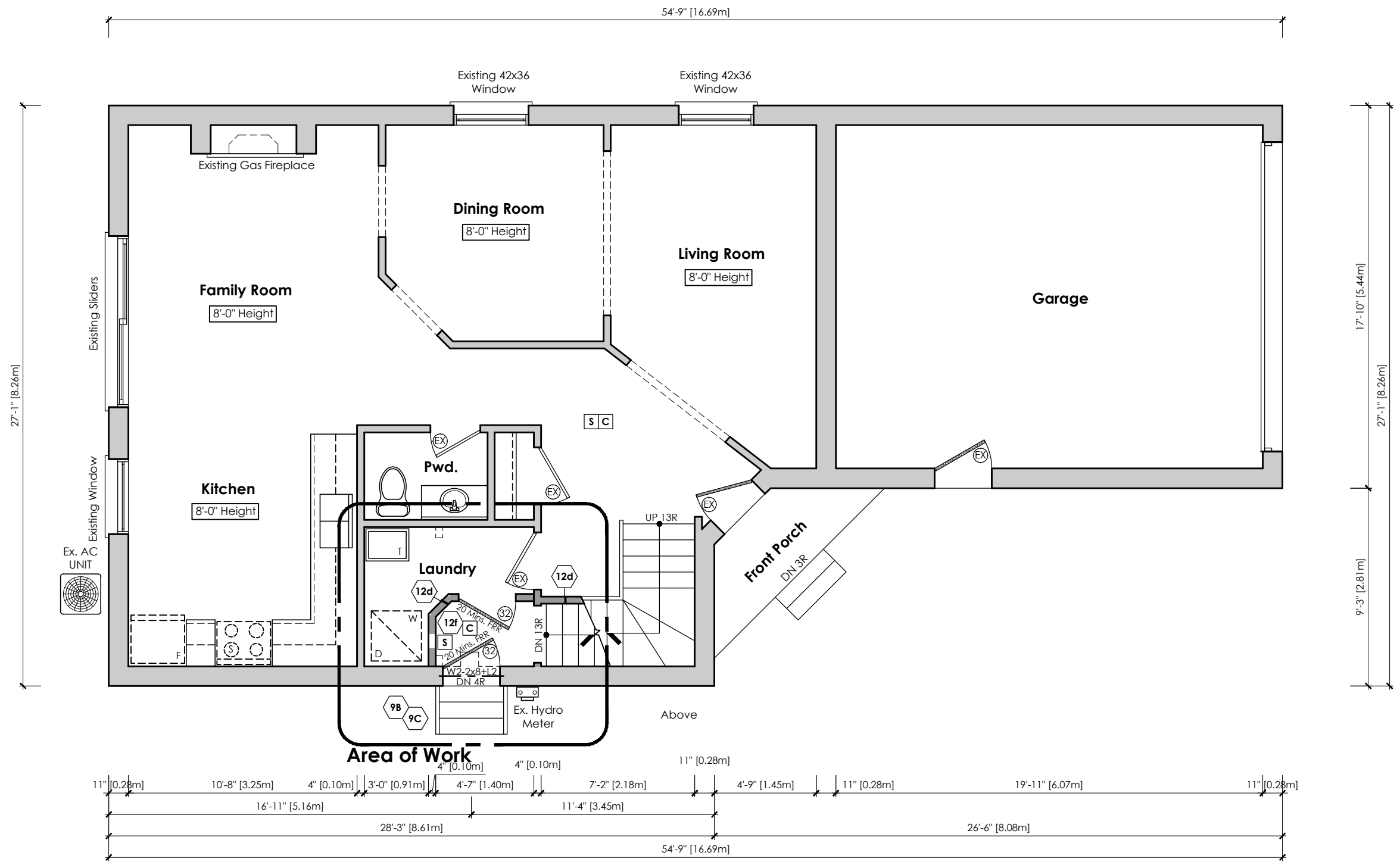
Qualification Information
Aamou Rafiq 113576
Name
Registration Info. **Permitguys.ca Inc.** 110882

Title
Proposed Basement Floor Plan
Project Name
288 Acadia Dr
Project No. 21-10
Drawn By HA
Checked By MZ
Date 2021-03-18
Scale 3/16"=1'0"

Municipality
Hamilton, ON
File Name
288 ACADIA DR - COA
Sheet No.
A1.04

Wall Legend:

- Walls to remain
- Proposed foundation walls
- Proposed walls
- Walls to be removed
- Openings to be filled



Proposed Ground Floor Plan




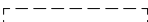

permitguys
 80 Clementine Dr, Unit 15
 Brampton ON L6Y 5R5
 Tel: 416 479 9556
 Email: info@permitguys.ca

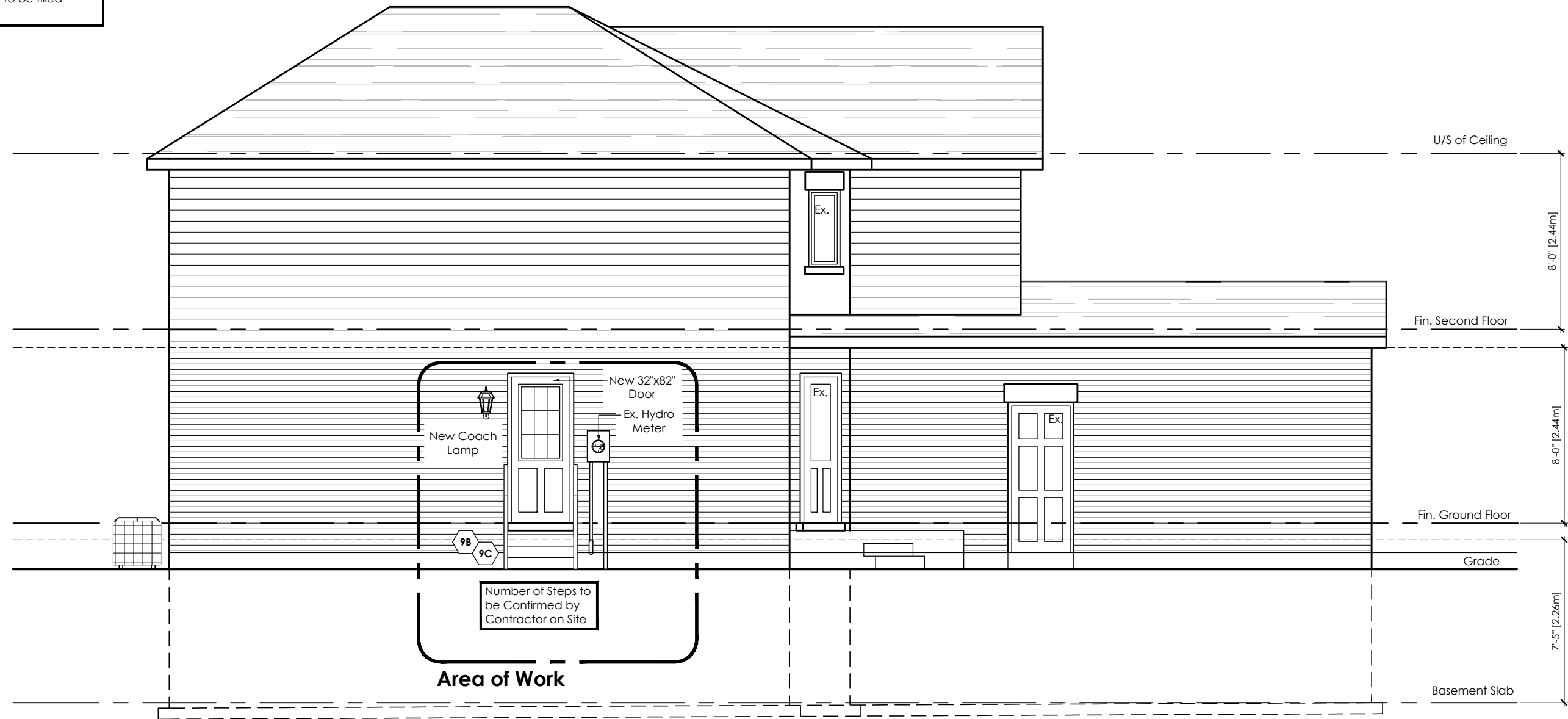
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 Name
 Registration Info. **Permitguys.ca Inc.** 110882

Title
Proposed Ground Floor Plan
 Project Name
288 Acadia dr
 Project No. 21-10 Drawn By HA Checked By MZ Date 2021-03-18 Scale 3/16"=1'0"

Municipality
Hamilton, ON
 File Name
288 ACADIA DR - COA
 Sheet No.
A1.05

	Walls to remain
	Proposed foundation walls
	Proposed walls
	Walls to be removed
	Openings to be filled



Proposed Left Elevation

permitguys

80 Clementine Dr, Unit 15
Brampton ON L6Y 5R5
Tel: 416 479 9556
Email: info@permitguys.ca

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Qualification Information
Aamou Rafiq 113576
 Name Signature
 Registration Info. Permitguys.ca Inc. 110882

Title
Proposed left Elevation

Project Name
288 Acadia Dr




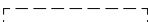

Project No. 21-10 Drawn By HA Checked By MZ Date 2021-03-18 Scale 3/16"=1'0"

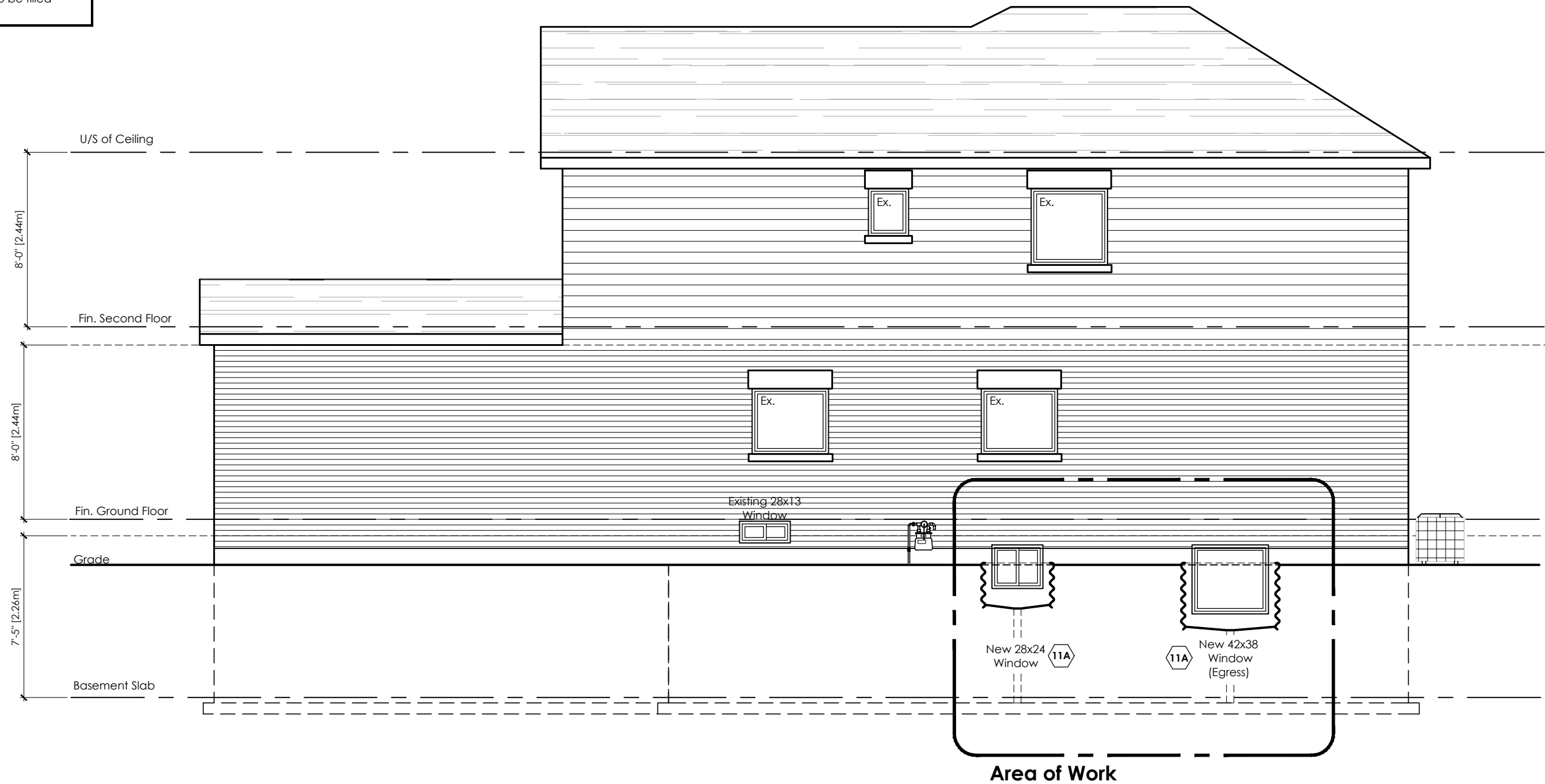
Municipality
Hamilton, ON

File Name
 288 ACADIA DR - COA

Sheet No.

A1.06

	Walls to remain
	Proposed foundation walls
	Proposed walls
	Walls to be removed
	Openings to be filled



GLAZED OPENING CALCULATIONS		
Exposed Building Face	865.50	S.F.
	80.41	S.M.
Limiting Distance	1.23 M	
Max. % Openings	7.00	%
Openings Allowed	60.59	S.F.
Openings Provided	4.38	%
Window Area	37.89	S.F.

Proposed Right Elevation

permitguys

80 Clementine Dr, Unit 15
Brampton ON L6Y 5R5
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Email: info@permitguys.ca

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Aamou Rafiq 113576
 Name
 Registration Info. **Permitguys.ca Inc.** 110882

Title
Proposed Right Elevation

Project Name
288 Acadia Dr

Project No. 21-10 Drawn By HA Checked By MZ Date 2021-03-18 Scale 3/16"=1'0"

Municipality
Hamilton, ON

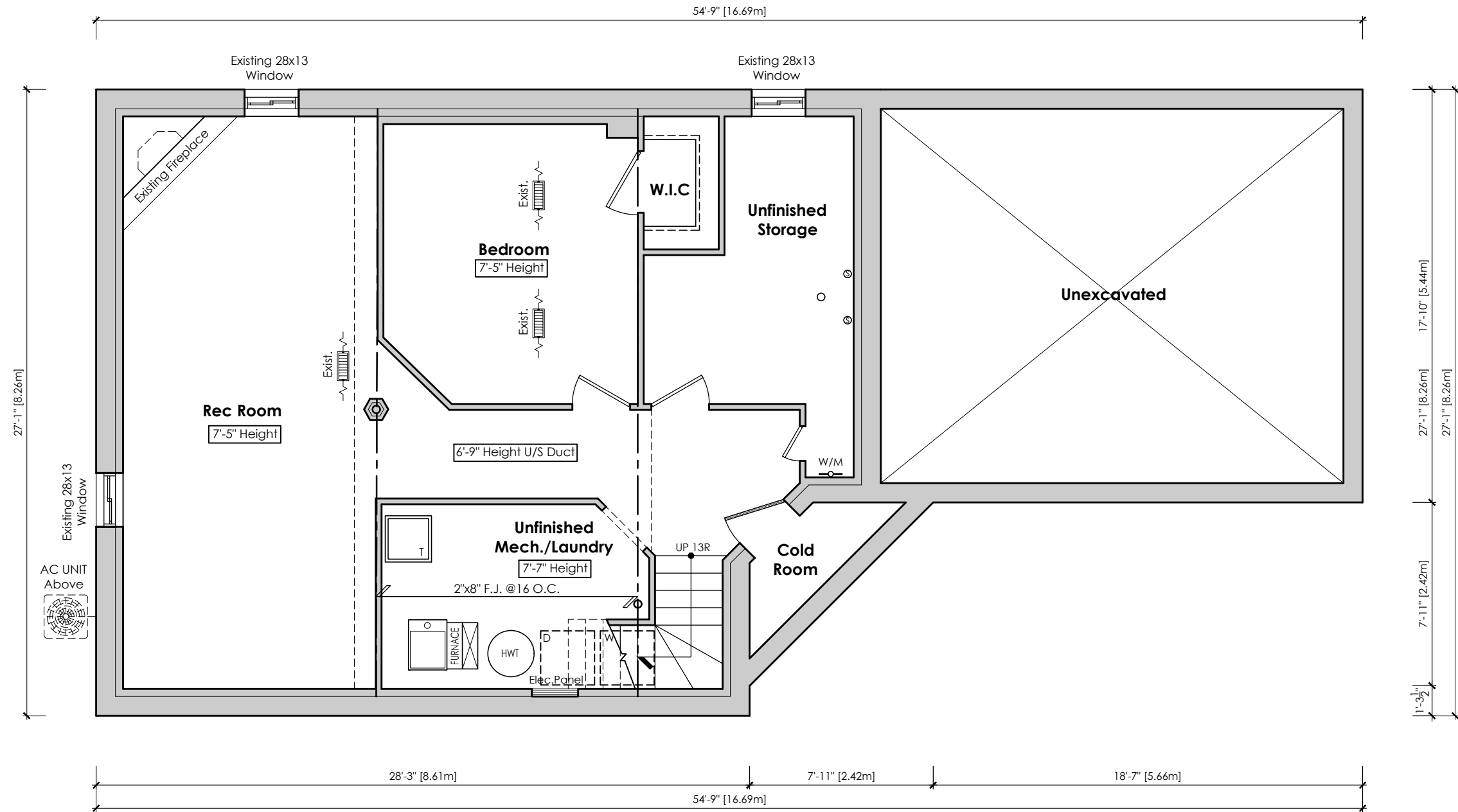
File Name
 288 ACADIA DR - COA

Sheet No.

A1.07

Wall Legend:

- Walls to remain
- Proposed foundation walls
- Proposed walls
- Walls to be removed
- Openings to be filled



Existing Basement Floor Plan

permitguys

80 Clementine Dr, Unit 15
Brampton ON L6Y 5R5
Tel: 416 479 9556
Email: info@permitguys.ca

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Aamou Rafiq 113576
 Name
 Registration Info. **Permitguys.ca Inc. 110882**

Title
Existing Basement Floor Plan

Project Name
288 Acadia Dr

Project No. 21-10 Drawn By HA Checked By MZ Date 2021-03-18 Scale 3/16"=1'0"

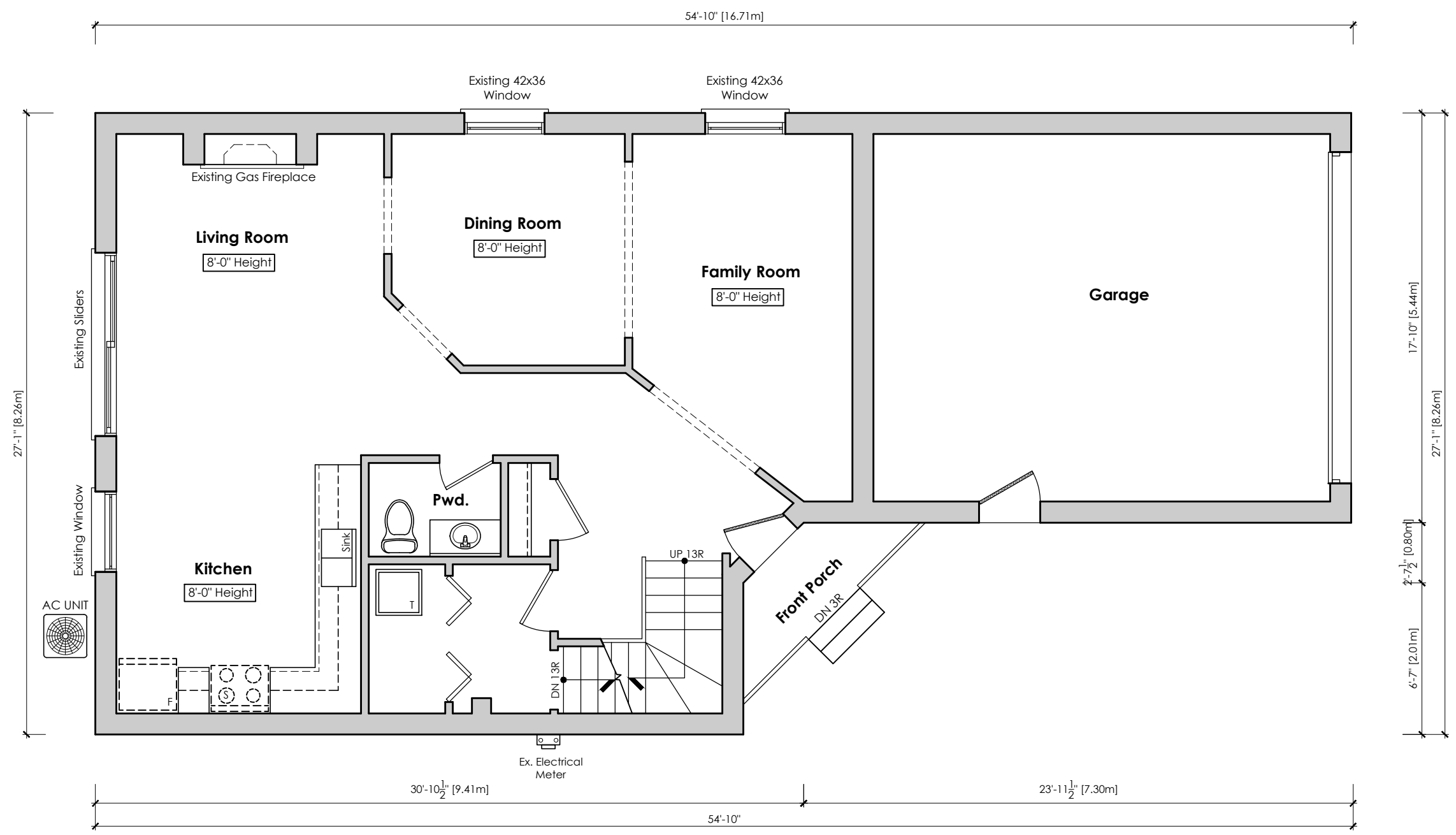
Municipality
Hamilton, ON

File Name
288 ACADIA DR - COA

Sheet No.
A1.01

Wall Legend:

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- Proposed foundation walls
- Proposed walls
- Walls to be removed
- Openings to be filled



Existing Ground Floor Plan

permitguys
 80 Clementine Dr, Unit 15
 Brampton ON L6Y 5R5
 Tel: 416 479 9556
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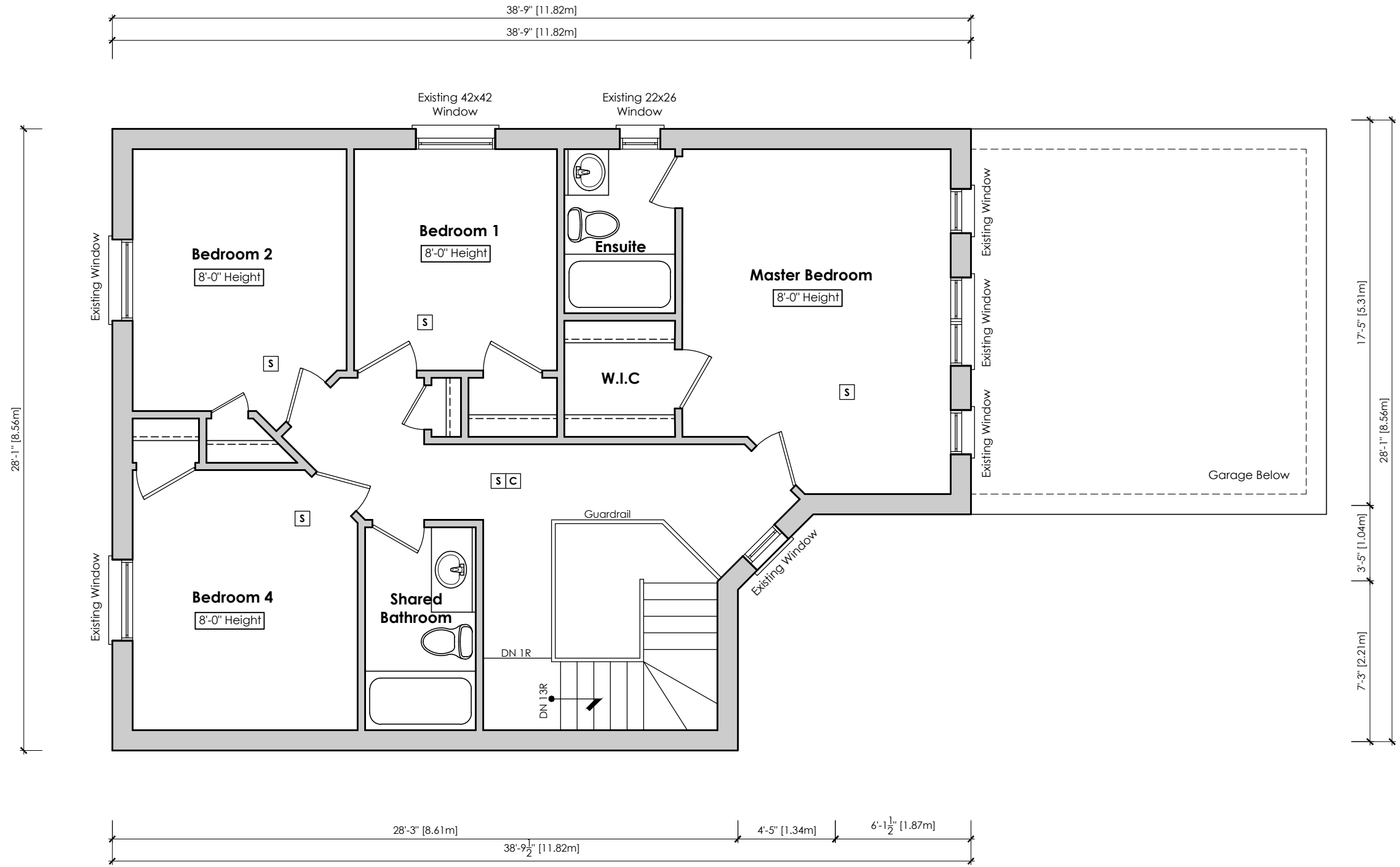
Qualification Information
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 Name
 Registration Info. **Permitguys.ca Inc. 110882**

Title
Existing Ground Floor Plan
 Project Name
288 Acadia dr
 Project No. **21-10** Drawn By **HA** Checked By **MZ** Date **2021-03-18** Scale **3/16"=1'0"**

Municipality
Hamilton, ON
 File Name
288 ACADIA DR - COA
 Sheet No.
A1.02

Wall Legend:

- Walls to remain
- Proposed foundation walls
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- Walls to be removed
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Existing Second Floor Plan

permitguys

80 Clementine Dr, Unit 15
Brampton ON L6Y 5R5
Tel: 416 479 9556
Email: info@permitguys.ca

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Qualification Information
Aamou Rafiq 113576
 Name
 Registration Info. **Permitguys.ca Inc.** 110882

Title
Existing Second Floor Plan

Project Name
288 Acadia Dr

Project No. 21-10 Drawn By HA Checked By MZ Date 2021-03-18 Scale 3/16"=1'0"

Municipality
Hamilton, ON
 File Name
288 ACADIA DR - COA
 Sheet No.
A1.03

PLAN 62R-11922
RECEIVED AND DEPOSITED
Date 1991 09 25
W. Bruce Clark
Land Registrar for the Registry
Ontario Land Titles
Division
W BRUCE CLARK

PART	LOCATION	INSTRUMENT	AREA
1	CONCESSION 6 TOWNSHIP OF BARTON	51582 C.D. (1991)	287.00
2	CONCESSION 6 TOWNSHIP OF BARTON	45974	287.00
3	CONCESSION 6 TOWNSHIP OF BARTON	45974	287.00
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100	CONCESSION 6 TOWNSHIP OF BARTON	45974	287.00

PLAN OF SURVEY
PART OF LOT 9, CONCESSION 6
PART OF LOTS 2, 3, 4, 5, 6 & 7
PART OF HOLLAND AVENUE
REGISTERED PLAN 909
CITY OF HAMILTON
HAMILTON - WENTWORTH
MACKAY, MACKAY & PETERS LIMITED
1991

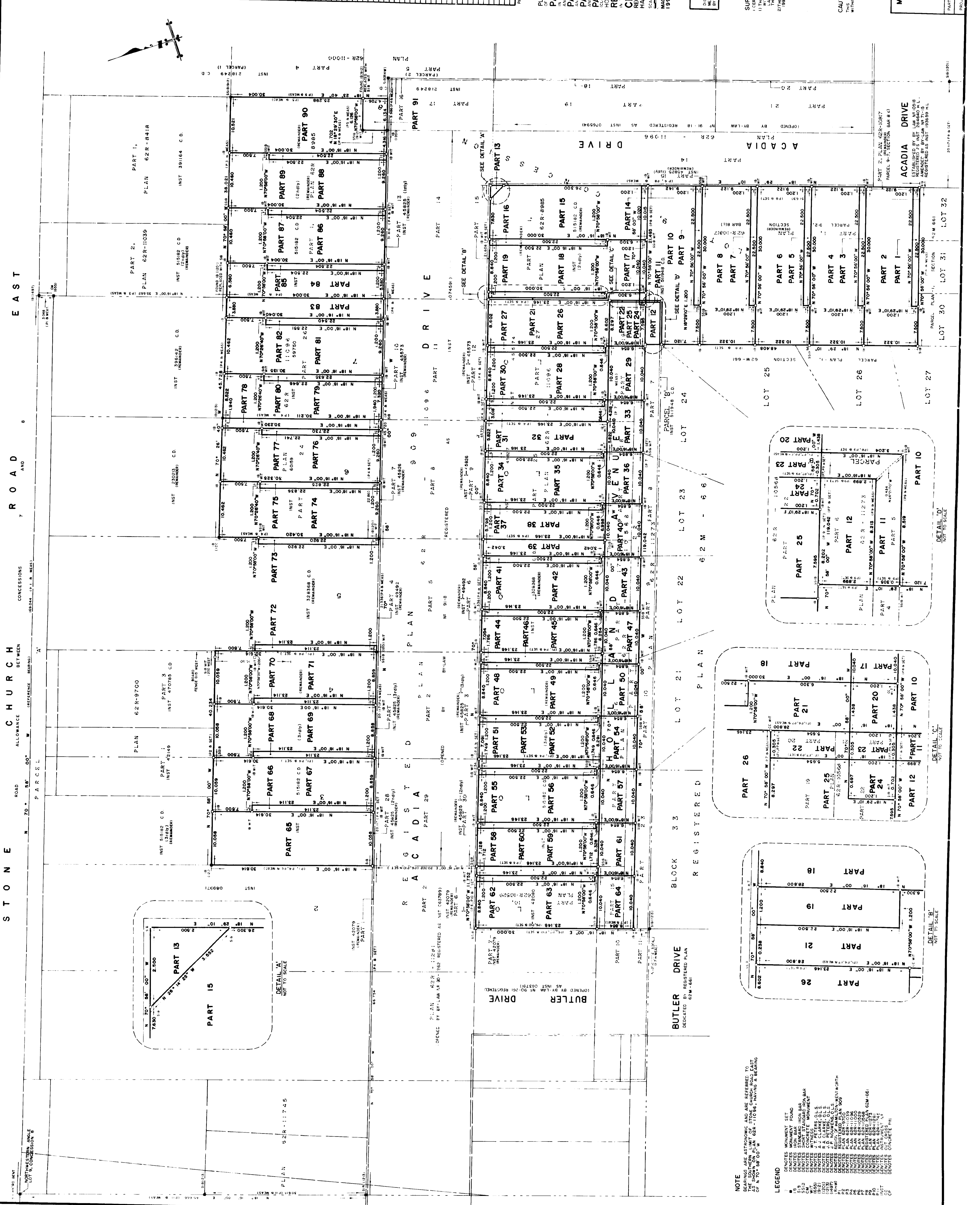
METRIC
DIMENSIONS GIVEN IN METERS AND CENTIMETERS TO FEET
BY DIVISION BY 0.3048

SURVEYOR'S CERTIFICATE
I CERTIFY THAT THE SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEY ACT AND THE REGULATIONS MADE THEREUNDER AND THAT THE SURVEY WAS COMPLETED ON THE 17th DAY OF SEPTEMBER, 1991.

CAUTION:
THIS PLAN IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF THE PLANNING ACT

MACKAY, MACKAY & PETERS LIMITED
ONTARIO LAND SURVEYORS
SUITE 304, 1000 BAYVIEW AVE., UNIT 101
4370 SHEPPARD AVENUE EAST, SUITE 101
SCARBOROUGH, ONTARIO M1S 1W4
PHONE: (416) 291-7777 FAX: (416) 291-7778

PROJECT NO. 90-1094-7 (4)





Hamilton

Committee of Adjustment

City Hall, 5th Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

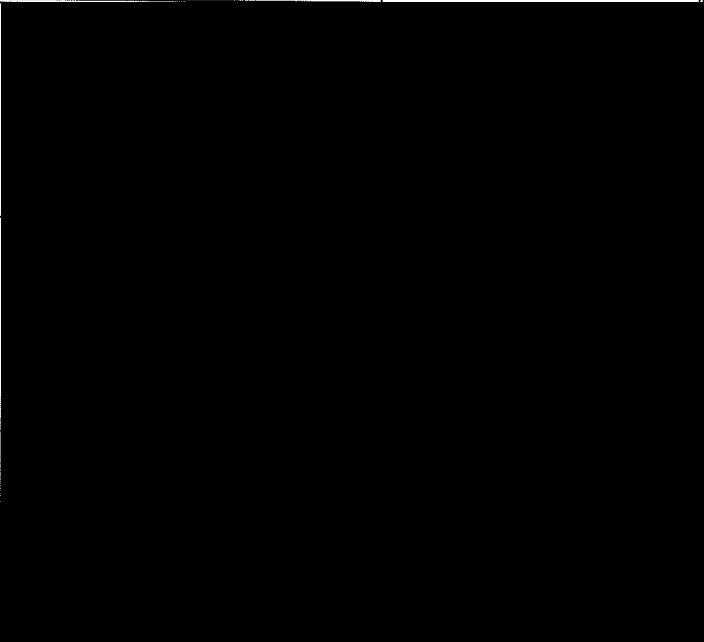
APPLICATION FOR A MINOR VARIANCE

FOR OFFICE USE ONLY.	
APPLICATION NO. _____	DATE APPLICATION RECEIVED _____
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

The Planning Act

Application for Minor Variance or for Permission

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

1, 2	NAME	MAILING ADDRESS
Registered Owners(s)	Sergii Protsenko	
Applicant(s)*	Ken Jentas	
Agent or Solicitor		

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

3. Names and addresses of any mortgagees, holders of charges or other encumbrances:

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

4. Nature and extent of relief applied for:
 Front Yard Soft Landscape - 39.18% whereas 50% is required.

Secondary Dwelling Unit Reconstruction of Existing Dwelling

5. Why it is not possible to comply with the provisions of the By-law?
 The minimum 50% soft yard landscaping is unattainable, as it was originally built with with less than 50% soft landscape.

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**):
 288 ACADIA DR
 PLAN OF SURVEY OF LOTS 2 to 9
 REGISTERED PLAN 909 CITY OF HAMILTON
 REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

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?

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.

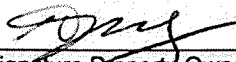
Is the previous use inventory attached? Yes No

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.

2021.08.05

Date



Signature Property Owner(s)

Sergii Protsenko

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>7.630</u>
Depth	<u>27.5</u>
Area	<u>296.83</u>
Width of street	<u>26.5'</u>

11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: _

Ground Floor Area - 80.80 m2
Gross Floor Area - 172.12 m2
Number of Stories - 2
Width - 8.29 m / Length - 16.71 m / Height - 7.8 m

Proposed

All Remains the Same -
Basement to be finished - Area - 56.46 m2

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

Existing:

Dwelling Unit -
Front(North) - 6 m / Rear(South) - 7.52 m /
Left Side(East) - 1.38 m / Right Side (West) - 0.6 m

Proposed:

Remains the same

13. Date of acquisition of subject lands:
19 Feb 2021
14. Date of construction of all buildings and structures on subject lands:
1992
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
 single family
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
 single family
17. Length of time the existing uses of the subject property have continued:
 1992
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers | <input type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
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.