

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-21:372

APPLICANTS: Owners J. Smith & M. Li

SUBJECT PROPERTY: Municipal address **9 Chatham St., Hamilton**

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

ZONING: "D" (Urban Protected Residential) district

PROPOSAL: To permit the construction of a new two storey addition in the rear yard of the existing single family dwelling, along with a new 33.0m² accessory building in the rear yard and a new roofed-over unenclosed front porch notwithstanding that:

1. An easterly side yard width of 0.5m shall be provided instead of the minimum required 1.0m side yard width.
2. A westerly side yard width of 0.8m shall be provided instead of the minimum required 1.0m side yard width.
3. Eaves and gutters shall be permitted to project a maximum of 0.45m into a required side yard and instead of the maximum permitted projection being one-half the required side yard width.
4. An accessory building shall be 0.0m from the Easterly side lot line whereas the By-law requires an accessory building to be at least 0.45m from any lot line.
5. The roofed-over unenclosed porch shall be permitted to project a maximum of 6.0m into the required front yard and provide a minimum setback of 0.0m from the front lot line instead of the maximum 3.0m projection permitted and minimum 1.5m setback required from the front lot line.

NOTES:

- i. Please be advised that Committee of Adjustment Decision No. HM/A-20:149 previously approved a reduced required side yard width (on both sides) from 1.2m to 1.0m.

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

DATE: Thursday, November 25th, 2021
TIME: 3:10 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: November 9th, 2021.

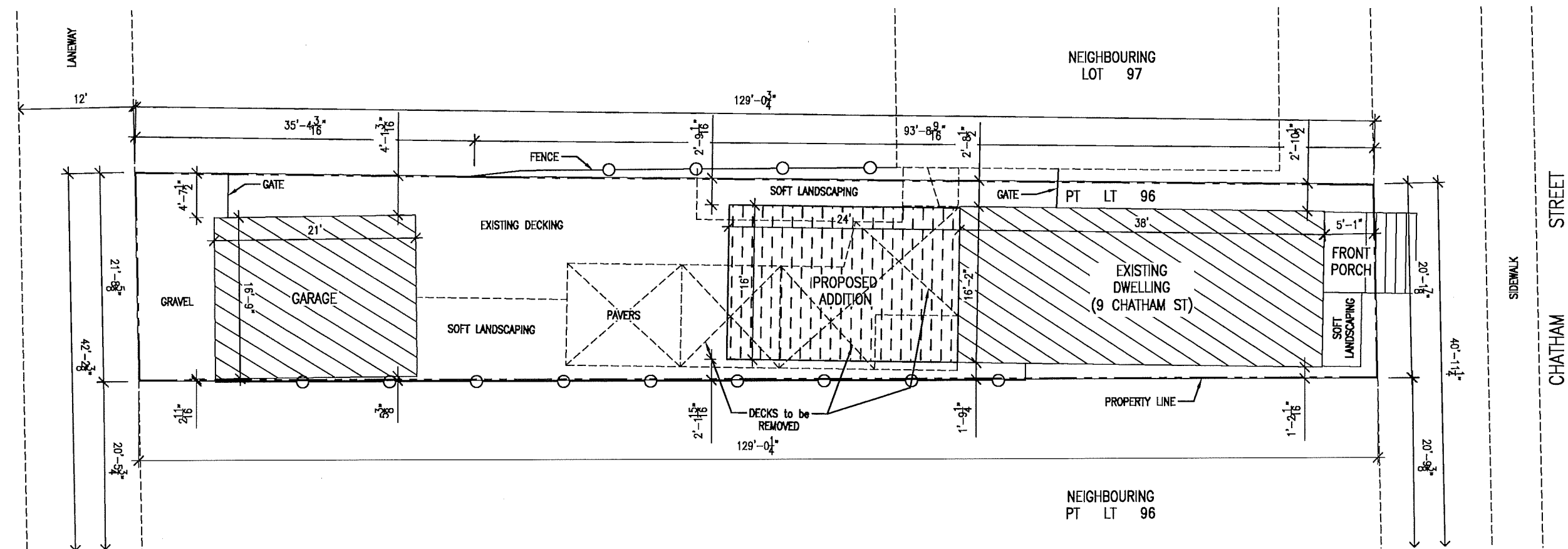
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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 NOTE

THIS IS NOT A LEGAL SURVEY AND SHALL NOT BE USED FOR MORTGAGE OR TRANSACTION PURPOSES. PROPERTY LIMITS HAVE BEEN COMPILED FROM LAND REGISTRY OFFICE RECORDS.

SITE PLAN HAS BEEN REVISED AS PER A.T. McLAREN LIMITED, SURVEY SIGNED AND DATED FOR JUNE 29, 2021.



1 SITE PLAN SP

SCALE: 1:150

ADDRESS: 9 CHATHAM ST, HAMILTON, ON, L8P 2B3
PIN: 17138-0145
DESCRIPTION: PART LOT 96, BLK E, PL 253, AS IN VM230241; HAMILTON *DESC. AMENDED 00/03/17 D.SARKANY

NOTE: ALL IS EXISTING, UNLESS NOTED OTHERWISE.

BUILDING AREAS

2696.16 SQF	TOTAL PROPERTY SIZE
614.33 SQF	EXISTING DWELLING
351.75 SQF	EXISTING GARAGE
44.47 SQF	EXISTING FRONT PORCH
37.48%	EXISTING LOT COVERAGE
384.00 SQF	PROPOSED ADDITION
51.72%	PROPOSED LOT COVERAGE

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS AS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER/REGISTERED DESIGN FIRM.

DESIGNER:

NAME: Julia Cangemi
BCIN: 104087

23 Aug 2021

DATE SIGNATURE
NOT VALID UNLESS DATED and SIGNED

DESIGN FIRM:

NAME:

Jac'design Inc.

BCIN: 110671

692 Centre Road
Flamborough, Ontario
Canada, L8N 2Z7
(416) 993-1509
jacdesigninc@gmail.com

REV	DATE	REVISION DETAILS

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PROJECT	JEREMY SMITH
PROJECT	REAR TWO STOREY ADDITION
	SITE PLAN

DRAWN BY:	CH
APPROVED BY:	JC
DATE:	01 June 2020
SCALE:	as shown
CAD FILE:	J201401
SHEET	SP of 4.0

JEREMY SMITH
9 CHATHAM STREET,
HAMILTON, ONTARIO
CANADA, L8P 2B3

GENERAL DESIGN NOTES

1. ALL CONSTRUCTION SHALL CONFORM to THE CURRENT ADDITION of THE ONTARIO BUILDING CODE 2012.
2. ALL DIMENSIONS to be VERIFIED BY CONTRACTOR PRIOR to CONSTRUCTION.
3. ANY ERRORS or OMISSIONS ARE to be REPORTED to DESIGNER/DESIGN FIRM PRIOR to CONSTRUCTION.
4. ANY DEVIATION to THE DESIGN to be REPORTED to THE DESIGNER/DESIGN FIRM and MUST BE NOT APPLIED WITHOUT FORMAL WRITTEN APPROVAL.
5. THESE DOCUMENTS ARE THE PROPERTY of THE DESIGNER/DESIGN FIRM and to be USED FOR THE PROJECT NOTED in TITLEBLOCKS ONLY.
6. REMOVE ALL TOP SOIL and ORGANIC MATERIAL.
7. ANY BACKFILL to BE COMPACTED in 6" LAYERS.
8. ALL FOOTINGS/PILES to BE a MINIMUM of 4'-0" BELOW FINISH GRADE (BELOW LOCAL FROST LEVEL).
9. NO BUILDING SHALL BE BUILT ADJACENT or in PROXIMITY to THE STRUCTURE SO AS to ADVERSELY ALTER WIND OR SNOW LOADING CONDITIONS.
10. STRUCTURAL COMPONENTS THAT ARE DAMAGED EITHER DURING THE STRUCTURE ERECTION or THE LIFE of THE STRUCTURE MUST BE REPORTED IMMEDIATELY to THE DESIGNER/DESIGN FIRM.
11. CONTRACTOR to PROPERLY SLOPE SURFACES AWAY FROM STRUCTURE FOR PROPER DRAINAGE.
12. PROVIDE FLASHING WHERE NECESSARY FOR WATERPROOFING.

CODE NOTES – DIVISION B

1. OBC 9.10.19. – PROVIDE SMOKE ALARMS IN ACCORDANCE.
2. OBC 9.19.1.2. – ATTIC VENT AREA IS 1/300 OF INSULATED AREA AND 1/150 FOR CATHEDRAL CEILINGS AND ROOF SLOPES LESS THEN 2 IN 12.
3. OBC 9.23.8.1. – ANY/ALL BEAMS TO HAVE AT LEASE 3 1/2" END BEARING.
4. OBC 9.23.9.4.(2) – 2 x 2 CROSS BRIDGING LOCATED NOT MORE THEN 6'-10" FROM EACH SUPPORT OR OTHER ROWS OF BRIDGING IS REQUIRED.
5. OBC 9.23.9.8. – PROVIDE DOUBLE FLOOR JOISTS OR SOLID BLOCKING AT 3'-11" O.C. UNDER WALLS RUNNING PARALLEL TO FLOOR JOISTS.
6. OBC 9.25.3. – PROVIDE AIR BARRIER IN ACCORDANCE.

GENERAL CONSTRUCTION NOTES





LUMBER/FRAMING

1. ALL LUMBER TO BE GRADE 2 OR BETTER.
2. ALL LUMBER EXPOSED TO MOISTURE TO BE PRESSURE TREATED.
3. FRAMED OPENINGS FOR ALL WINDOWS AND DOORS TO BE VERIFIED WITH MANUFACTURER'S ROUGH SIZE OPENING.
4. ANY/ALL LVL HEADERS TO FOLLOW SEPARATE ENGINEERED DESIGN DOCUMENTS.
5. ANY/ALL TRUSSES TO FOLLOW SEPARATE ENGINEERED DESIGN DOCUMENTS.
6. TRUSS BRACING and STRAPPING AS SPECIFIED BY ENGINEERED TRUSS DOCUMENT.
7. TRUSS TIE DOWN TO SUSTAIN UPLIFT SHOWN ON TRUSS DOCUMENT, TO BE CONTINUOUS ON EXTERIOR WALL.

FASTENERS/STEEL/PILES

1. DEFORMED CONCRETE REINFORCING BAR TO COMPLY WITH CSA STANDARDS.
2. REINFORCING BAR TO BE GRADE 400R OR BETTER.
3. BOLTS SHALL BE GRADE #5 OR EQUIVALENT.
4. STRUCTURAL STEEL SHALL BE GRADE 50.
5. ANY/ALL HELICAL PILES TO FOLLOW SEPARATE ENGINEERED DESIGN DOCUMENTS. BASED ON SITE CONDITIONS and LOADING.

LEGEND

-  – SMOKE ALARM
-  – EXHAUST FAN
-  – DETAIL/SECTION CALL OUT
-  – DETAIL/SECTION CALL OUT

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS AS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER/REGISTERED DESIGN FIRM.

DESIGNER:

NAME: Julia Cangemi
BCIN: 104087

14 May 2020

DATE SIGNATURE
NOT VALID UNLESS DATED and SIGNED

DESIGN FIRM:

NAME:

Jac'design Inc.

BCIN: 1106/1

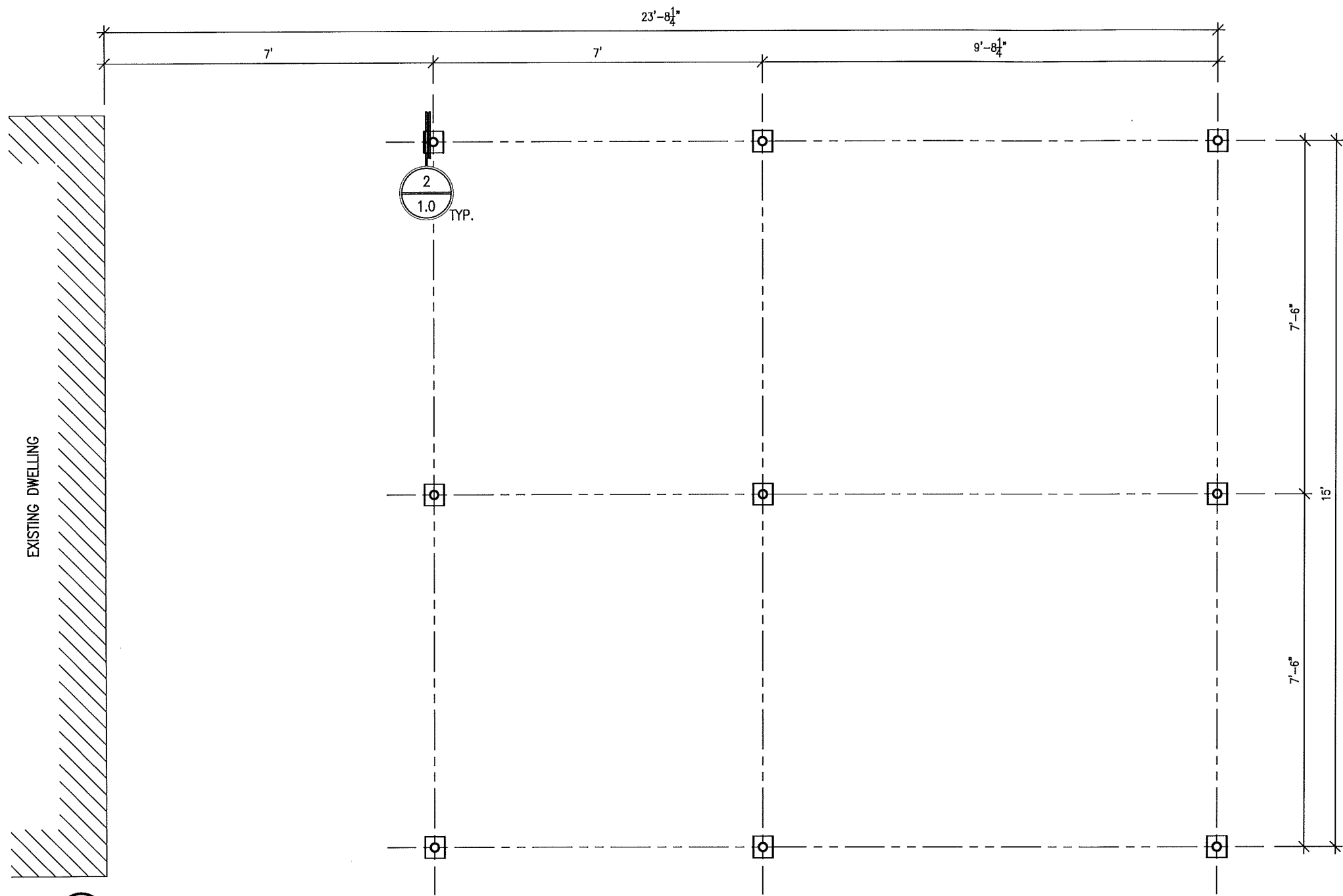
692 Centre Road
Flamborough, Ontario
Canada, L9N 2Z7
(416) 993-1509
jacdesigninc@gmail.com

REV	DATE	REVISION DETAILS
1.	20 Oct 2020	AS PER BUILDING PERMIT APPLICATION REVIEW LETTER, DATED October 2nd 2020.
2.	20 Sep 2021	AS PER CITY VARIANCE REQUIREMENTS.

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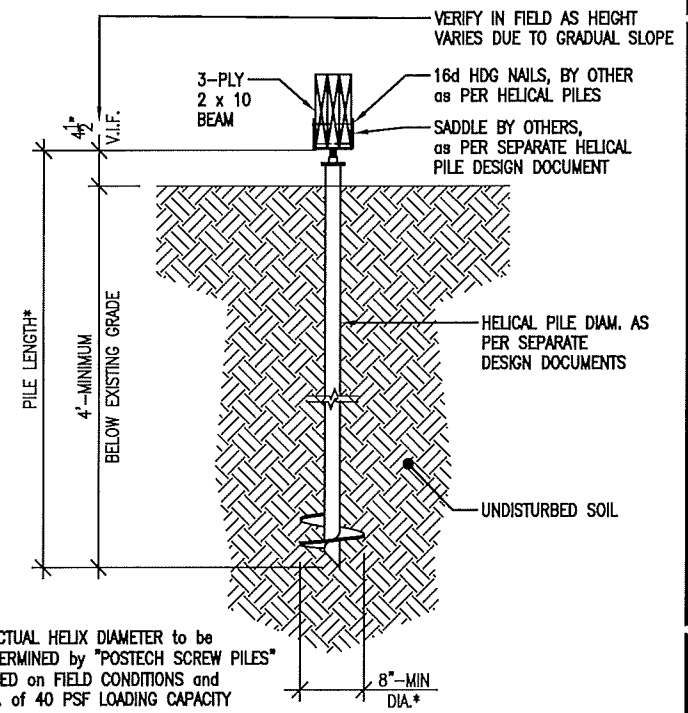
JEREMY SMITH	16' X 24' ADDITION
PROJECT	TITLE PAGE

DRAWN BY:	JC
APPROVED BY:	
DATE:	09 Apr 2020
SCALE:	as shown
CAD FILE:	J201401
SHEET	T of 4.0



1
1.0
HELICAL PILE LAYOUT
SCALE: 3/16"=1'

*ACTUAL LENGTH to be
DETERMINED by "POSTECH SCREW PILES"
BASED on FIELD CONDITIONS and
MIN. of 40 PSF LOADING CAPACITY



**ACTUAL HELIX DIAMETER to be
DETERMINED by "POSTECH SCREW PILES"
BASED on FIELD CONDITIONS and
MIN. of 40 PSF LOADING CAPACITY

2
1.0
TYP. HELICAL PILE
SCALE: 3/16"=1'

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14 May 2020
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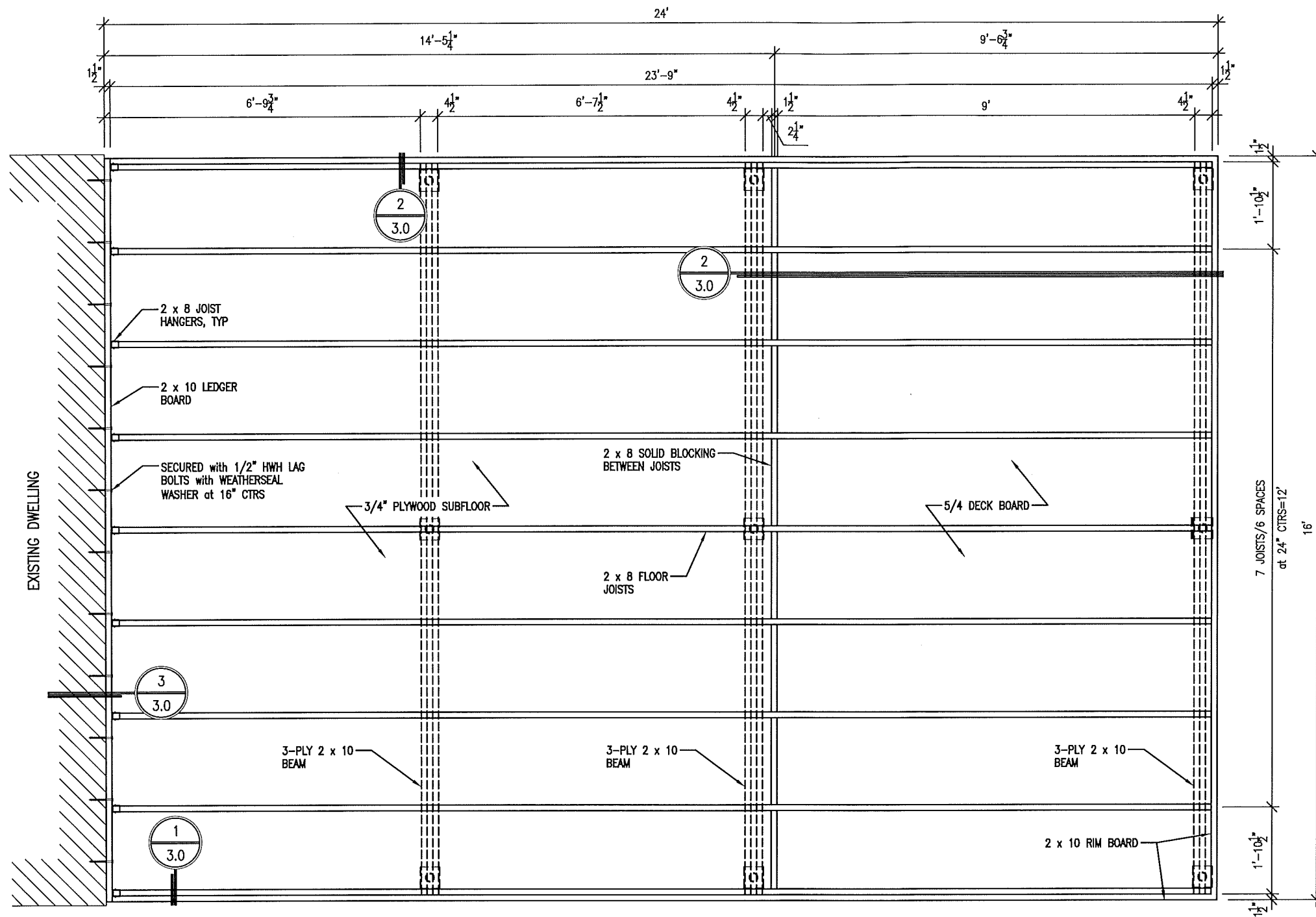
DESIGN FIRM:
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BCIN: 1106/1
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(416) 993-1509
jacdesigninc@gmail.com

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PROJECT	JEREMY SMITH
PROJECT	16' X 24' ADDITION HELICAL PILE LAYOUT and DETAILS

DRAWN BY:	JC
APPROVED BY:	
DATE:	09 Apr 2020
SCALE:	as shown
CAD FILE:	J201401
SHEET	1.0 of 4.0



1
2.0 MAIN FLOOR FRAMING
SCALE: 3/8"=1'

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14 May 2020

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BCIN: 110671

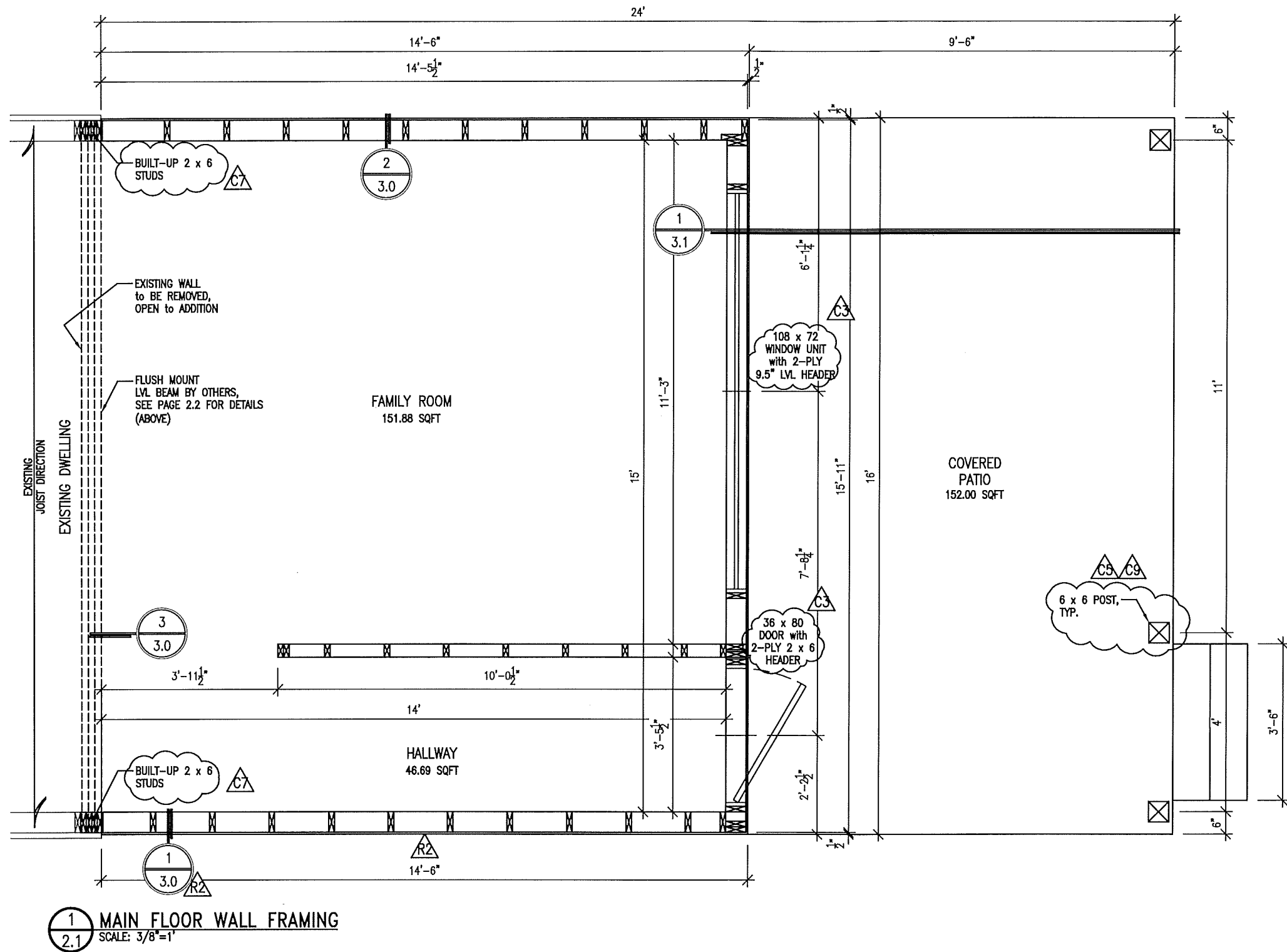
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PROJECT	JEREMY SMITH
PROJECT	16' X 24' ADDITION FRAMING MAIN FLOOR

DRAWN BY:	JC
APPROVED BY:	
DATE:	09 Apr 2020
SCALE:	as shown
CAD FILE:	J201401
SHEET	2.0 of 4.0



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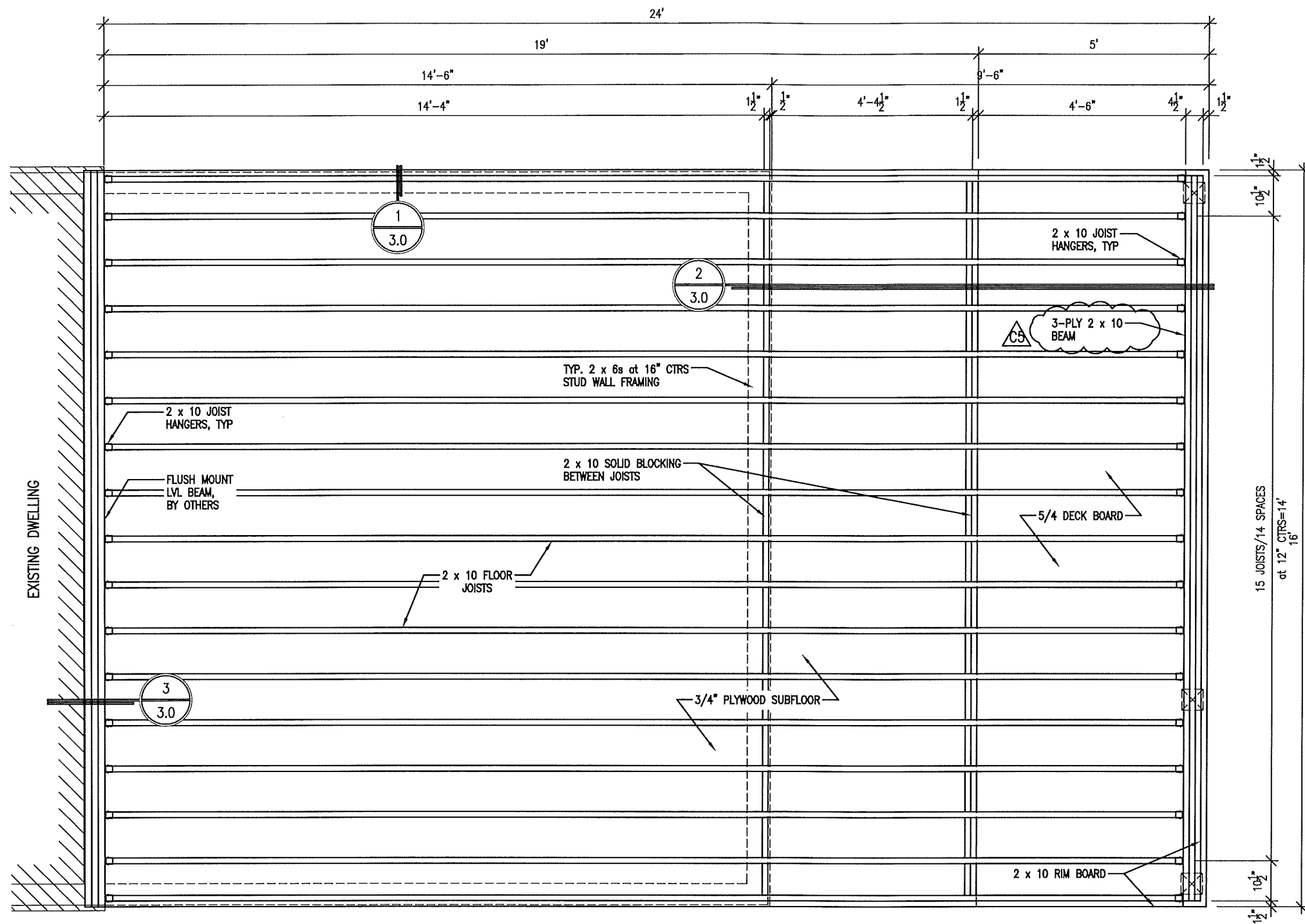
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REV	DATE	REVISION DETAILS
1.	20 Oct 2020	AS PER BUILDING PERMIT APPLICATION REVIEW LETTER, DATED October 2nd 2020.
2.	22 Sep 2021	WINDOW REMOVED ON WEST WALL, AS PER CITY VARIANCE REQUIREMENTS.

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PROJECT	JEREMY SMITH
PROJECT	16' X 24' ADDITION FRAMING MAIN FLOOR WALL

DRAWN BY:	JC
APPROVED BY:	
DATE:	09 Apr 2020
SCALE:	as shown
CAD FILE:	J201401
SHEET	2.1 of 4.0



1
2.2 SECOND FLOOR FRAMING
SCALE: 3/8"=1'

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DESIGNER:

NAME: Julia Cangemi
BCIN: 104087

14 May 2020

DATE SIGNATURE
NOT VALID UNLESS DATED and SIGNED

DESIGN FIRM:

NAME:

Jac'design Inc.

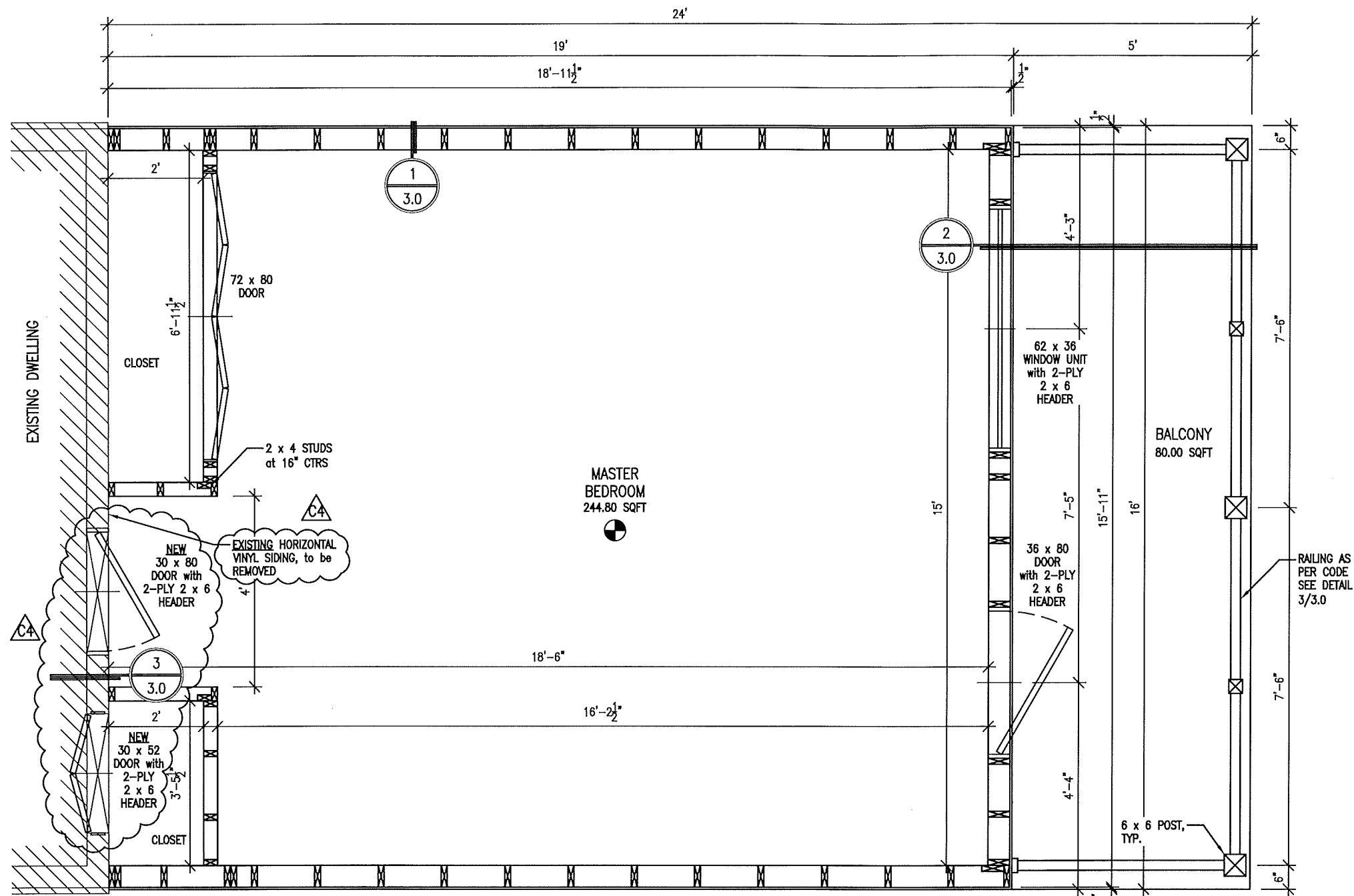
BCIN: 1106/1
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PROJECT	JEREMY SMITH
PROJECT	16' X 24' ADDITION FRAMING SECOND FLOOR

DRAWN BY:	JC
APPROVED BY:	
DATE:	09 Apr 2020
SCALE:	as shown
CAD FILE:	J201401
SHEET	2.2 of 4.0



1 SECOND FLOOR WALL FRAMING
2.3 SCALE: 3/8"=1'

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14 May 2020

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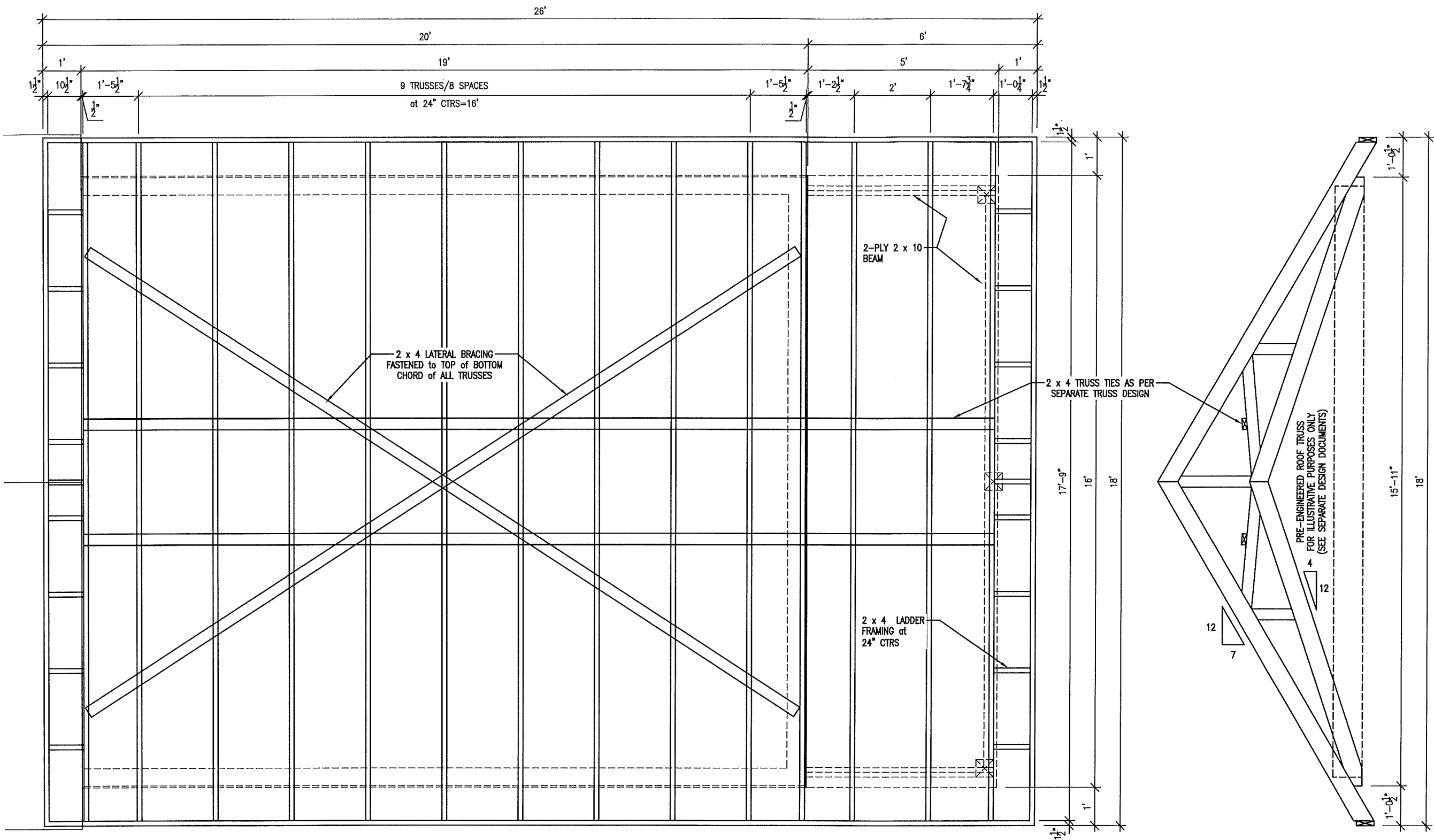
BCIN: 1106/1
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(416) 993-1509
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1.	020 Oct 20 2020	AS PER BUILDING PERMIT APPLICATION REVIEW LETTER, DATED October 2nd 2020.

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PROJECT	JEREMY SMITH
PROJECT	16' X 24' ADDITION FRAMING SECOND FLOOR WALL

DRAWN BY:	JC
APPROVED BY:	
DATE:	09 Apr 2020
SCALE:	as shown
CAD FILE:	J201401
SHEET	2.3 of 4.0



1 TRUSS FRAMING PLAN
2.4 SCALE: 3/8"=1'

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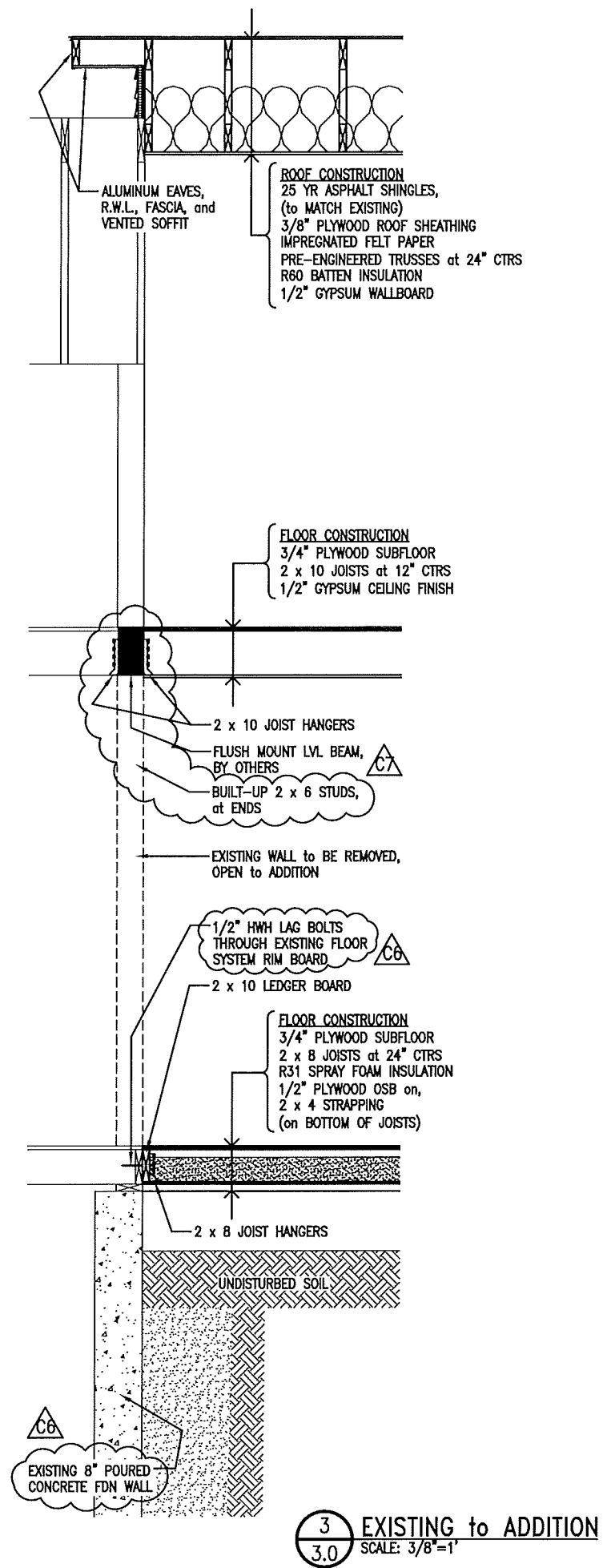
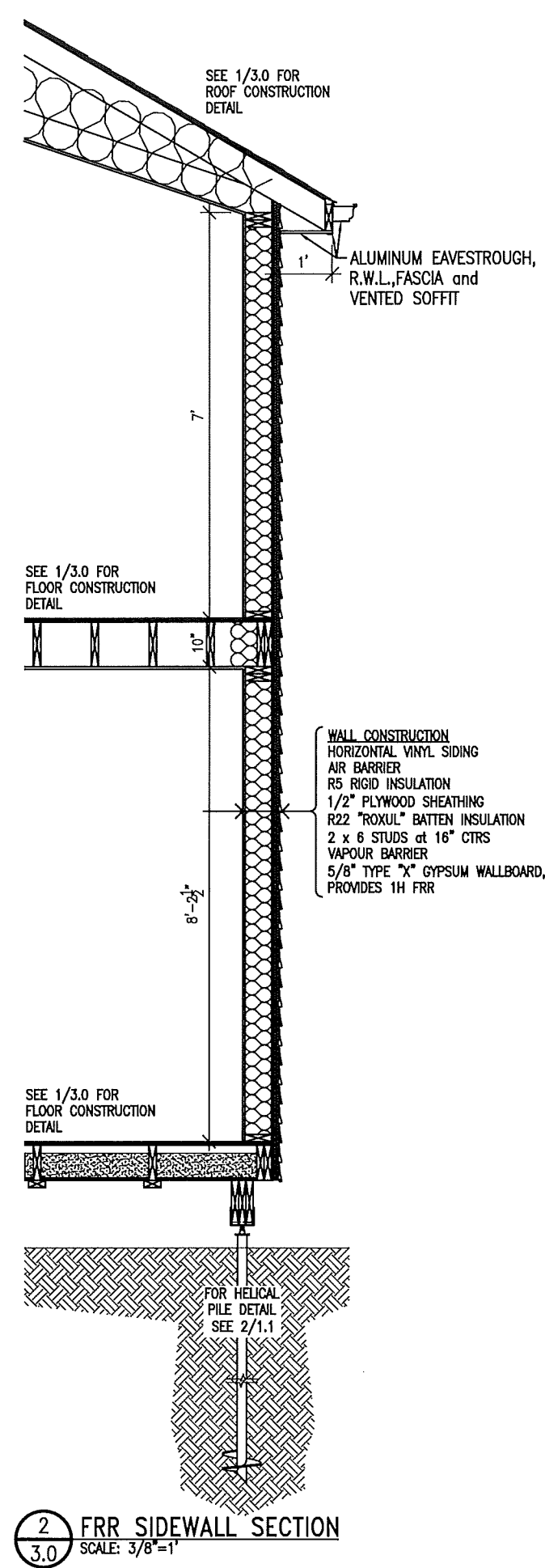
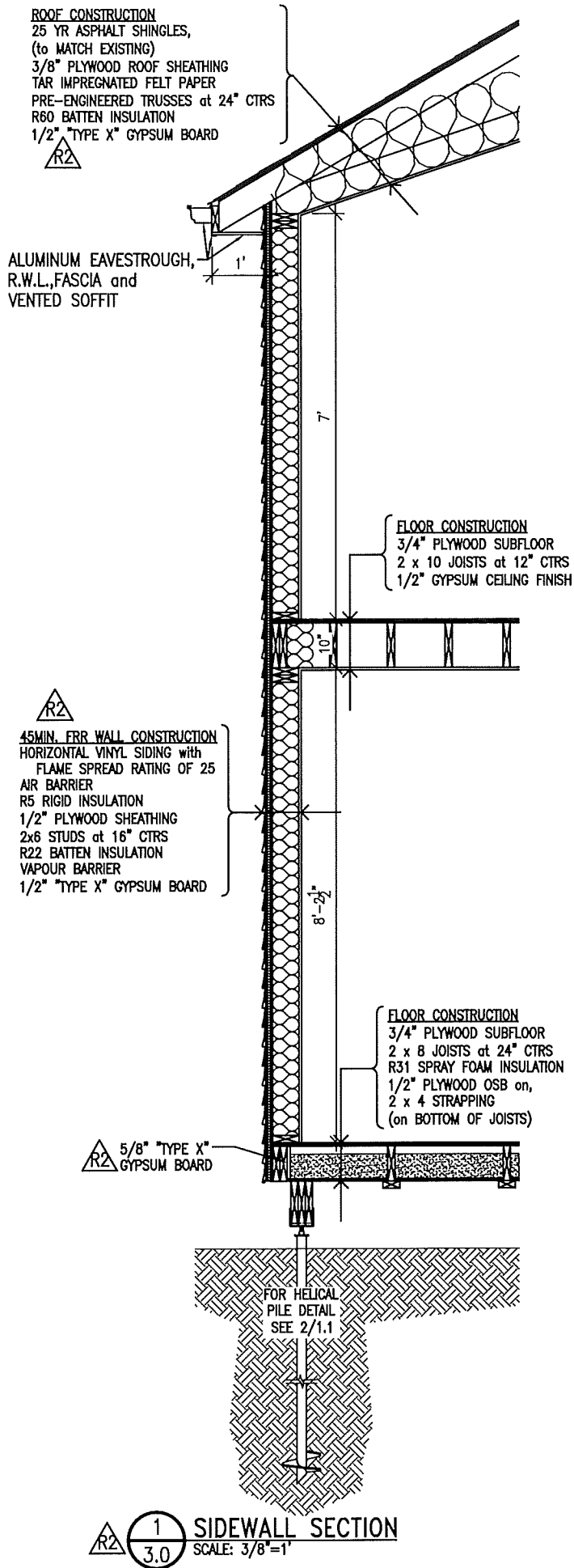
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JEREMY SMITH

PROJECT

16' X 24' ADDITION
FRAMING
ROOF TRUSS PLAN

DRAWN BY: JC
APPROVED BY:
DATE: 09 Apr 2020
SCALE: as shown
CAD FILE: J201401
SHEET 2.4 of 4.0



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REVISION DETAILS
AS PER BUILDING PERMIT APPLICATION REVIEW
LETTER, DATED October 2nd 2020.
ADDING WEST SIDE FIRE RATED, AS PER CITY
VARIANCE REQUIREMENTS.

REV	DATE
1.	20 Oct 2020
2.	22 Sep 2021

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JEREMY SMITH

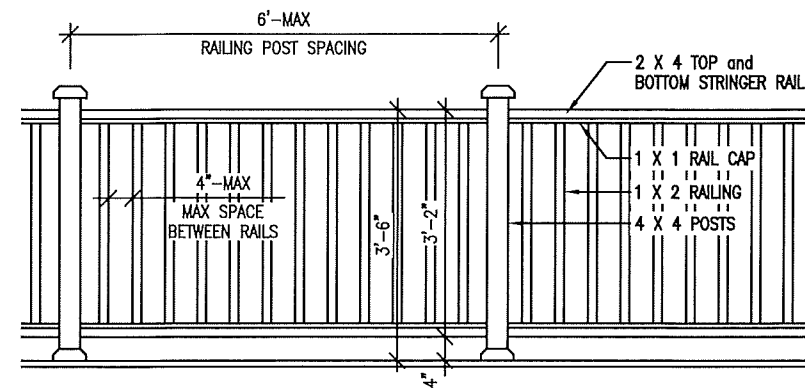
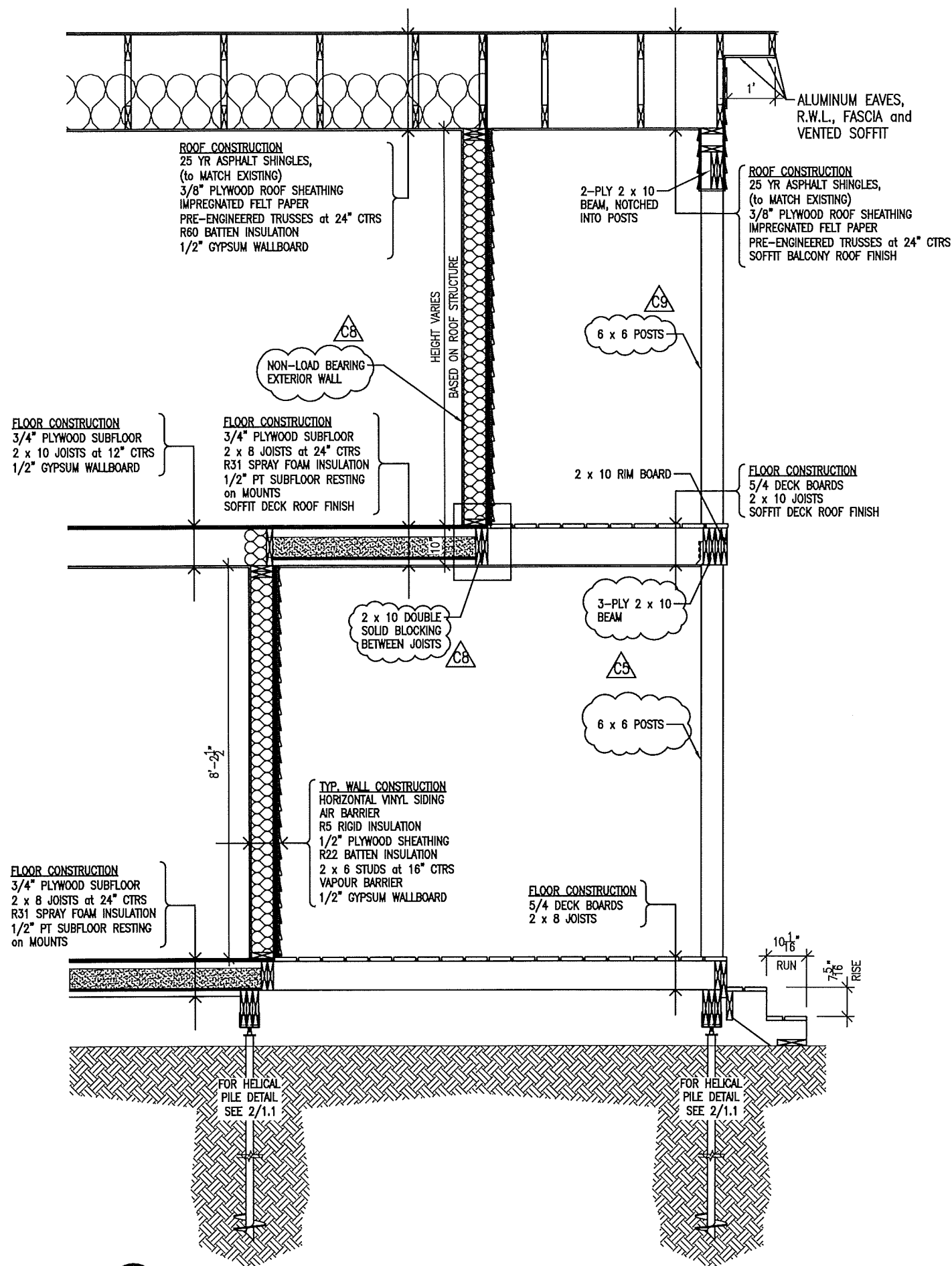
16' X 24' ADDITION

SECTIONS

PROJECT

PROJECT

DRAWN BY:	CH
APPROVED BY:	JC
DATE:	09 Apr 2020
SCALE:	as shown
CAD FILE:	J201401
SHEET	3.0 of 4.0



2
3.1 TYPICAL RAILING DETAIL
SCALE: 3/8"=1'

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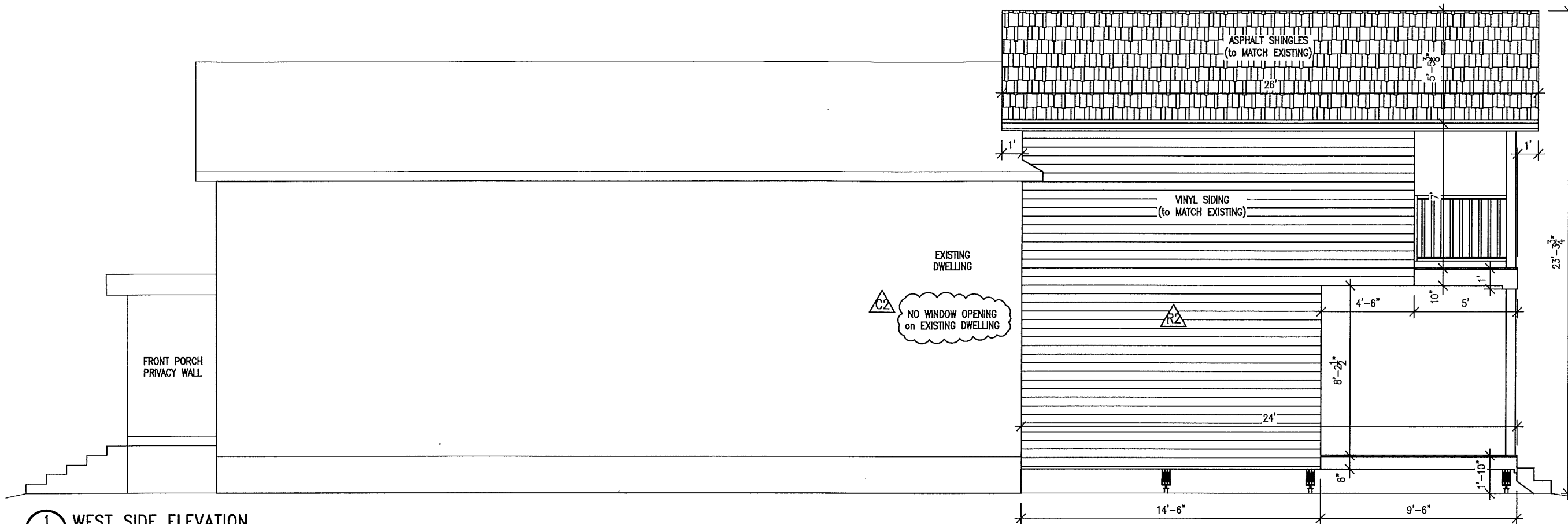
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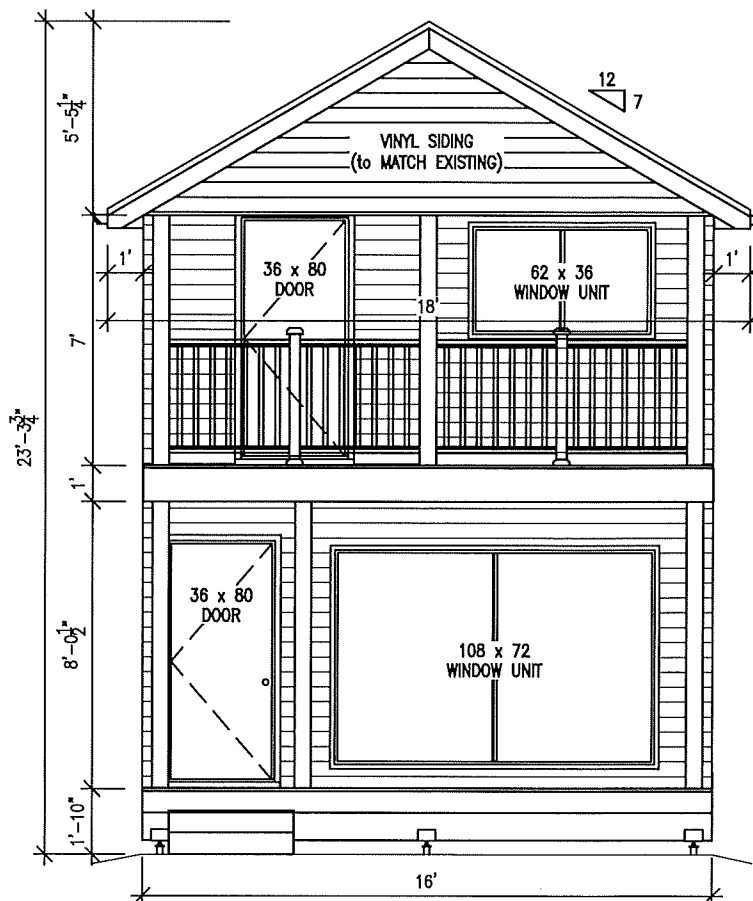
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PROJECT	JEREMY SMITH
PROJECT	16' X 24' ADDITION DECK and PATIO SECTIONS

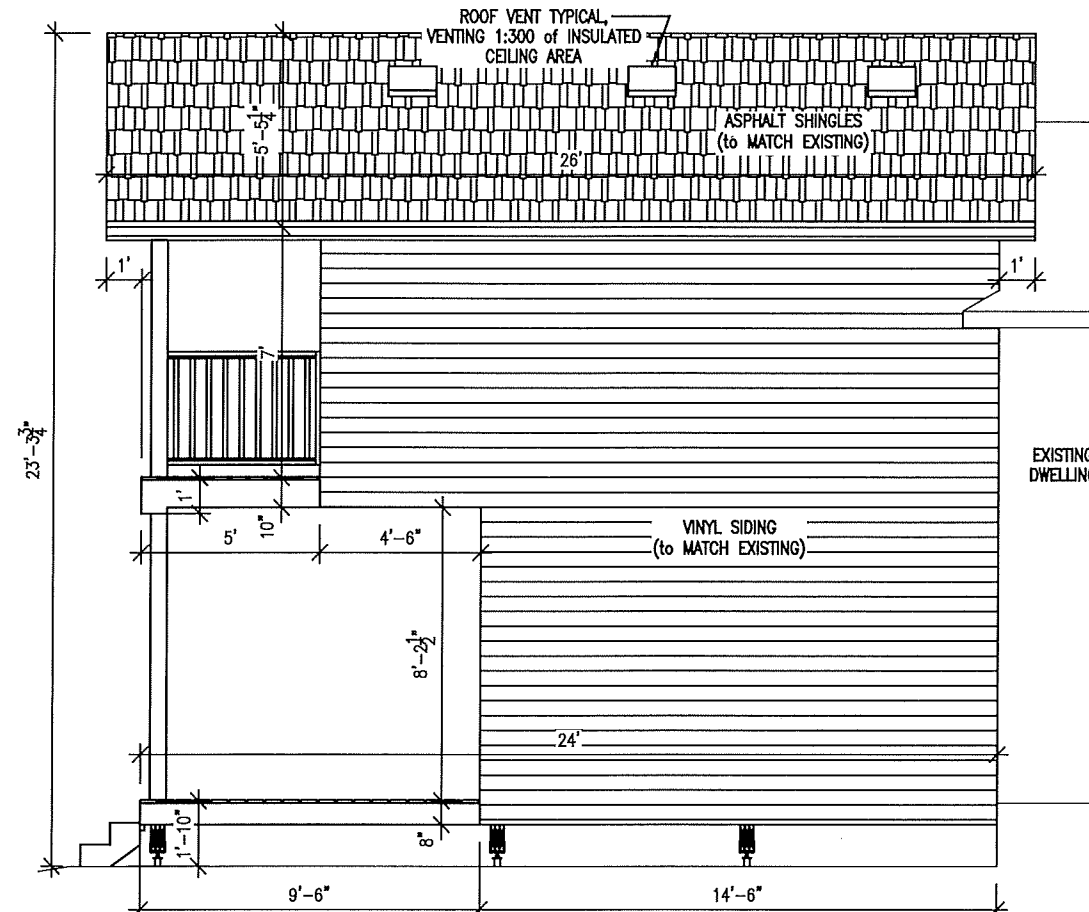
DRAWN BY:	CH
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SHEET	3.1 of 4.0



1 WEST SIDE ELEVATION
SCALE: 3/16"=1'



2 SOUTH (REAR) ELEVATION
SCALE: 3/16"=1'



3 EAST SIDE ELEVATION
SCALE: 3/16"=1'

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REVISION DETAILS		
AS PER BUILDING PERMIT APPLICATION REVIEW LETTER, DATED October 2nd 2020.	DATE	20 Oct 2020
WINDOW REMOVED ON WEST WALL, AS PER CITY VARIANCE REQUIREMENTS.	DATE	22 Sep 2021
1.	DATE	20 Oct 2020
2.	DATE	22 Sep 2021

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PROJECT		PROJECT	
JEREMY SMITH		16' X 24' ADDITION	
ELEVATIONS			

DRAWN BY:	CH
APPROVED BY:	JC
DATE:	09 Apr 2020
SCALE:	as shown
CAD FILE:	J201401
SHEET	4.0 of 4.0



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

Registered
Owners(s)

Applicant(s)*

Agent or
Solicitor

NAME

MAILING ADDRESS

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:

TD Toronto Dominion Bank
700-100 University
Toronto, ON.
MSJ 1v6

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:

- Addition to primary dwelling BP 20-184700-00
- Garage under BP 18-12825-00 R9 construction

☐ Secondary Dwelling Unit ☒ Reconstruction of Existing Dwelling

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

* Please see attached on next page

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**):

Residential, single dwelling home
9 Chatham St., Hamilton, ON., L8P 2B3

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 ☐

5.

According to a recent survey, our lot line is different and we now require another variance to continue our addition on the west side.

- The new addition to the house (under BP 20-184700-00) is constructed with approximately 0.8 meters to the side yard lot boundary (on each side). MV 20:149 required 1 meter side yard setbacks.
- The garage being built under BP 18-12825-00 R9 appears to encroach toward the South East side yard lot boundary leaving a couple of inches of side yard setback. It is constructed with approximately 0.3556 meters to the side yard lot boundary on the South East side and it was indicated we require 1 meter.

* It should be noted that this garage was a rebuilt as it was a hazard and was falling down. The new garage was constructed on the pre-existing foundation

- The recently altered (without building permit) front porch appears to;
 - Have been altered to have a new wider (not deeper) stair tread width

The below were recommended to be added even though the porch was just refaced and all the footings and structural beams including the roof were not altered.

- Encroaches into the front yard set back, and;
- Encroaches into the municipal road allowance.

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?

It has always been residential.
We live in a downtown residential neighbourhood.


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 ☐ N/A

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.

Sept. 8, 2021
Date


Signature Property Owner(s)
Michelle Li / Jeremy Smith
Print Name of Owner(s)

10. Dimensions of lands affected: \oplus see attached drawings

Frontage _____
Depth _____
Area _____
Width of street _____

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

Existing: _

approx. 1150 sqft 2 storey single dwelling home
20'h x 16'w x 36'd

Proposed

add: 768 sqft over 2 storeys, same width of
existing to include one upper bedroom,
one lower living room & covered patio.
add: 23'-3 3/4" h x 16'w x 24'd

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

Existing:

\oplus see site plan

Proposed:

13. Date of acquisition of subject lands:
2013
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
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:
Unknown
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 checked="" type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
UPRN PROTECTED RESIDENTIAL
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Zoning By-law 65-93 CD-5-1787
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.