

## **NOTICE OF PUBLIC HEARING** **Minor Variance**

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**You are receiving this notice because you are either:**

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

**APPLICATION NO.:** FL/A-21:297

**APPLICANTS:** Agent Lucid Homes - Pamir Rafiq  
Owner Samantha Melao

**SUBJECT PROPERTY:** Municipal address **51 Mountsberg Rd., Flamborough**

**ZONING BY-LAW:** Zoning By-law 05-200, as Amended

**ZONING:** "P7 and A2" (Conservation/Hazard Land - Rural (P7) Zone  
and Rural (A2) Zone

**PROPOSAL:** To permit the construction of a 7.09m (23'3") x 7.35m (24'1½") southerly two (2) storey addition; a southerly 1.83m (6'0") x 3.66m (12'0") roofed-over porch at the side of the addition; a westerly 3.96m (13'0") x 5.18m (17'0") roofed-over porch at the rear of the addition and a westerly 5.26m (17'3¼") x 5.92m (19'5") rear deck onto an existing Single Family Dwelling notwithstanding that:

1. The maximum gross floor area for the southerly addition shall be permitted to be 52% of the gross floor area of the existing building instead of the requirement that the maximum gross floor area for an expansion to an existing building or structure shall not exceed 10% of the gross floor area of the existing building or structure.

2. A minimum aisle width of 4.8m shall be permitted instead of the minimum required aisle width of 6.0m.

3. One parking space shall be permitted within the required front yard instead of the requirement that no parking spaces shall be permitted in a required front yard (being 10.0m) except as otherwise permitted for a single detached dwelling.

4. A maximum driveway width of 11.0m shall be permitted instead of the requirement that in the case of a dwelling unit without an attached garage, the driveway width shall not exceed 8.0 metres.

**NOTE:**

i) Pursuant to Variance # 3, the easterly parking space is located within the required front yard; however, the westerly parking space (closest to the dwelling) is not located within the required front yard.

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

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**DATE:** Thursday, December 9th, 2021  
**TIME:** 1:20 p.m.  
**PLACE:** Via video link or call in (see attached sheet for details)  
To be streamed at  
[www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

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## **PUBLIC INPUT**

**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

## **MORE INFORMATION**

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

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

DATED: November 23rd, 2021.

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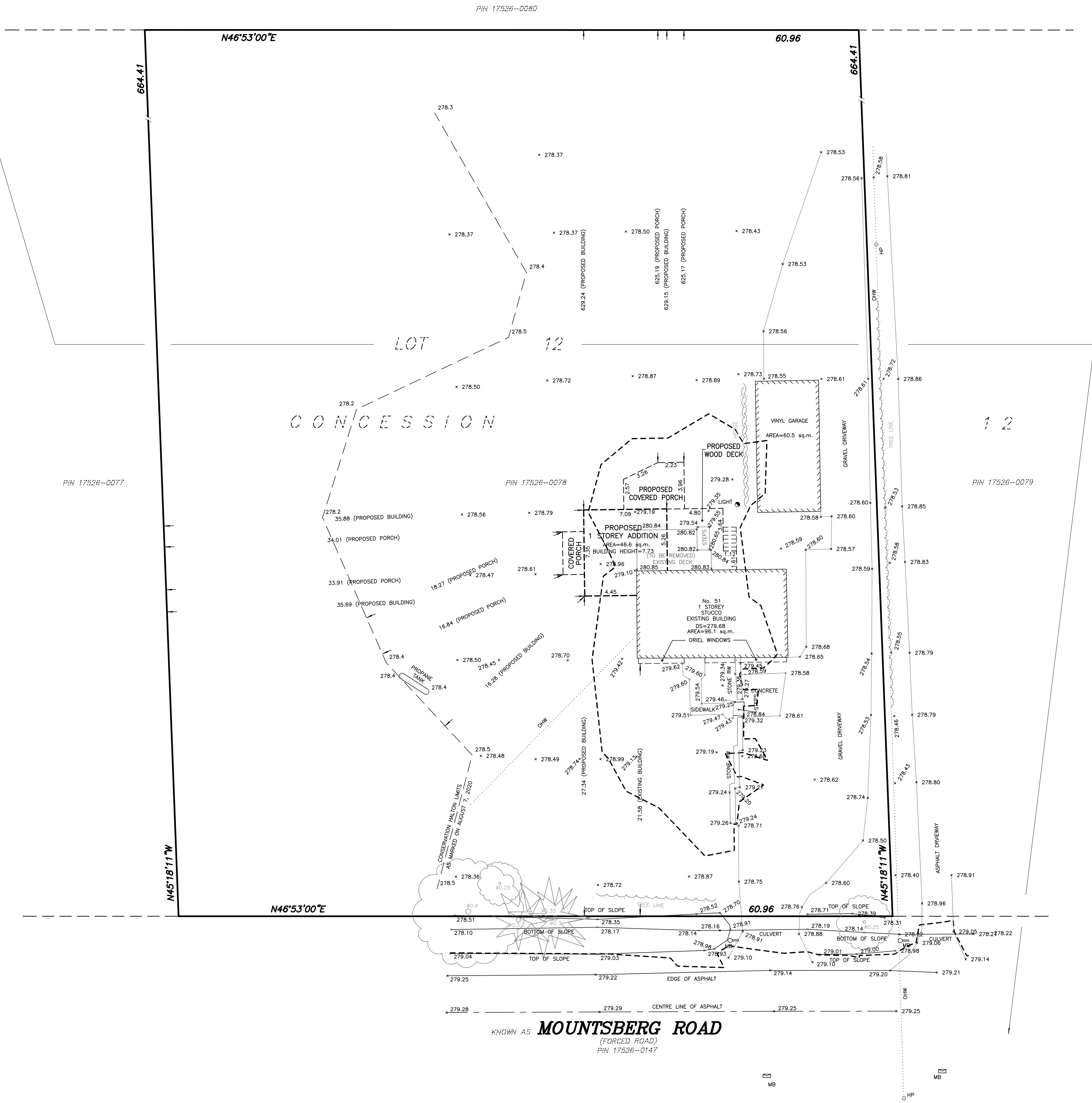
Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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

CITY OF HAMILTON ZONING BY-LAW 05-200		
ZONING REGULATION – P7		
ZONE	REQUIRED	PROVIDED
LOT AREA	N/A	40472.3 sq m
LOT FRONTAGE	N/A	60.96 m
LOT COVERAGE	N/A	0.4%
FRONT YARD	10.0 m (min)	21.58 m
SIDE YARD	3.0 m (min)	35.69 m
REAR YARD	10.0 m (min)	629.15 m
BUILDING HEIGHT	10.5 m (max)	7.73 m
TOTAL AREA=46.6+96.1=142.7 sq.m.		
AVERAGE GRADE = (279.42+278.61+278.79+279.28+278.59+278.58/6 = 278.88 m		
PEAK=DS (279.68 + 6.93) = 286.61 m		
HEIGHT OF BUILDING = 286.61 – 278.88 = 7.73 m		

NOTES

- PROPOSED TIES SHOWN HEREON ARE TO FOUNDATION ONLY
- BUILDING DIMENSIONS WERE TAKEN FROM PLANS SUPPLIED BY THE CLIENT
- EXISTING ELEVATIONS ARE GEODETIC AND ARE REFERRED TO THE PLAN OF SURVEY
- ISSUED BY MMP LIMITED (20-075-PS DATED JULY 6, 2020)
- LOT GRADING SHALL MATCH WITH THE EXISTING DRAINAGE PATTERNS
- SANITARY SEWER SERVICE CONNECTION MUST BE INSTALLED BEFORE BASEMENT EXCAVATION TO ENSURE SERVICING AT BASEMENT LEVEL
- BUILDER TO VERIFY ALL EXISTING GRADES PRIOR TO CONSTRUCTION INCLUDING ROAD AND LOT LINE GRADES
- SUMP PUMP AND DOWNSPOUTS TO DRAIN TO PERMEABLE SURFACE VIA SPLASH PADS
- ALL TIES ARE TO FOUNDATION UNLESS OTHERWISE NOTED
- ALL UNDERGROUND SERVICES MUST BE LOCATED BY CONTRACTOR PRIOR TO ANY CONSTRUCTION
- CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND JOB CONDITIONS BEFORE PROCEEDING WITH WORK
- LOT DIMENSIONS ARE AS SHOWN ON PLAN OF SURVEY ISSUED BY MMP LIMITED (20-075-PS) AND HAVE NOT BEEN VERIFIED BY SURVEY
- PROPOSED BUILDING IS POSITIONED BY CALCULATION, NOT BY AN ACTUAL SURVEY
- THIS PROPOSED PLAN IS PRELIMINARY UNTIL THE APPROPRIATE BUILDING DEPARTMENT'S SIGNED APPROVAL HAS BEEN OBTAINED
- ANY AMENDMENT OR ALTERATION OF THIS PLAN MUST BE REPORTED TO MMP LIMITED PRIOR TO LAYOUT OF BUILDING IN THE FIELD
- UTILITIES AND SERVICES SHOWN ON THIS SKETCH ARE APPROXIMATE AND MUST BE VERIFIED BEFORE CONSTRUCTION



51 MOUNTSBERG ROAD

SITE PLAN FOR BUILDING PERMIT

GEOGRAPHIC LOCATION NOTE

**PART OF LOT 12**

**CONCESSION 12**

(GEOGRAPHIC TOWNSHIP OF EAST FLAMBOROUGH)

BEING IN THE

**CITY OF HAMILTON**

SCALE 1 : 200

0 10 20 metres

**MacKAY, MacKAY & PETERS LIMITED – ONTARIO LAND SURVEYORS**

© 2021

**"METRIC"** DISTANCES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

**BENCHMARK NOTE**

BENCHMARK No. 00819748217 ELEVATION = 287.667 METRES (CGVD 1928:1978 ADJUSTMENT)

TWO STOREY CONCRETE BLOCK HOUSE ON EAST SIDE OF HIGHWAY No. 6, DIRECTLY OPPOSITE BENSON CHEMICALS LIMITED, 3.9 KILOMETRES NORTH OF JUNCTION OF HIGHWAY No. 6 AND HIGHWAY No. 97 AT FREELTON, 93.6 METRES NORTH OF WENTWORTH CITY ROAD 18 AND 49.2 METRES EAST OF CENTRELINE OF HIGHWAY No. 6. TABLET IS SET HORIZONTALLY IN SOUTH FACE OF STONE FOUNDATION, 0.49 METRES EAST OF SOUTHWEST CORNER AND 0.42 METRES BELOW BRICKWORK

**LEGEND**

HP DENOTES HYDRO POLE  
OHW DENOTES OVERHEAD WIRES  
MB DENOTES MAIL BOX  
RW DENOTES RETAINING WALL  
DS DENOTES DOORSILL  
PIN DENOTES PROPERTY IDENTIFICATION NUMBER  
----- DENOTES FLOOD PLAIN ELEVATION 279.04 (CGVD28) PER CONSERVATION HALTON

**CAUTION**

THIS IS NOT AN ORIGINAL COPY UNLESS EMBOSSED  
THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES

**CERTIFICATION NOTE**

BOUNDARY DIMENSIONS SHOWN HEREON ARE DERIVED FROM LAND REGISTRY OFFICE RECORDS AND SURVEY RECORDS OF MMP LIMITED

WE HAVE REVIEWED THE PLANS FOR CONSTRUCTION OF A 2 STOREY ADDITION LOCATED AT 51 MOUNTSBERG ROAD AND CERTIFY THAT THE GRADING SHOWN HEREON IS COMPATIBLE WITH THE ADJACENT PROPERTIES AND EXISTING MUNICIPAL SERVICES

PROPOSED BUILDING SETBACKS AS SHOWN  
PROPOSED BUILDING HEIGHT AS SHOWN  
PROPOSED LOT COVERAGE AS SHOWN  
PROPOSED BUILDING SITE STATISTICS AS SHOWN

JUNE 7, 2021  
DATE

ROY C. MACKAY  
ON TARIAN LAND SURVEYOR  
FOR MACKAY, MACKAY & PETERS LIMITED

5	JUNE 7, 2021	REVISED LAYOUT AS PER CITY COMMENTS
4	JANUARY 12, 2021	REVISED FOOTPRINT AS PER ARCHITECT
3	OCTOBER 14, 2020	REVISED FOOTPRINT AS PER ARCHITECT
2	AUGUST 25, 2020	ADD FLOOD PLAN AS PER CONSERVATION HALTON
1	AUGUST 14, 2020	SITE PLAN COMPLETED
No.	DATE	REVISIONS

**MMP**

Mackay, MacKay & Peters Limited  
LAND SURVEYORS & MAPPERS  
SINCE 1906

3380 South Service Road  
Unit 101  
Burlington, ON  
L7N 3J5  
(905) 639-1375  
halton@mmplimited.com  
mmplimited.com

CAD FILE: E:\(62) Hamilton-Wentworth\TWP\ FLAMBOROUGH EAST\CON 12\LOT 12\20-075\20-075-SP-20-075-SP.dwg

DRAWN BY: K.J.D./M.S. CHECKED BY: D.R. PROJECT No. 20-075-SP DWG. No. 1

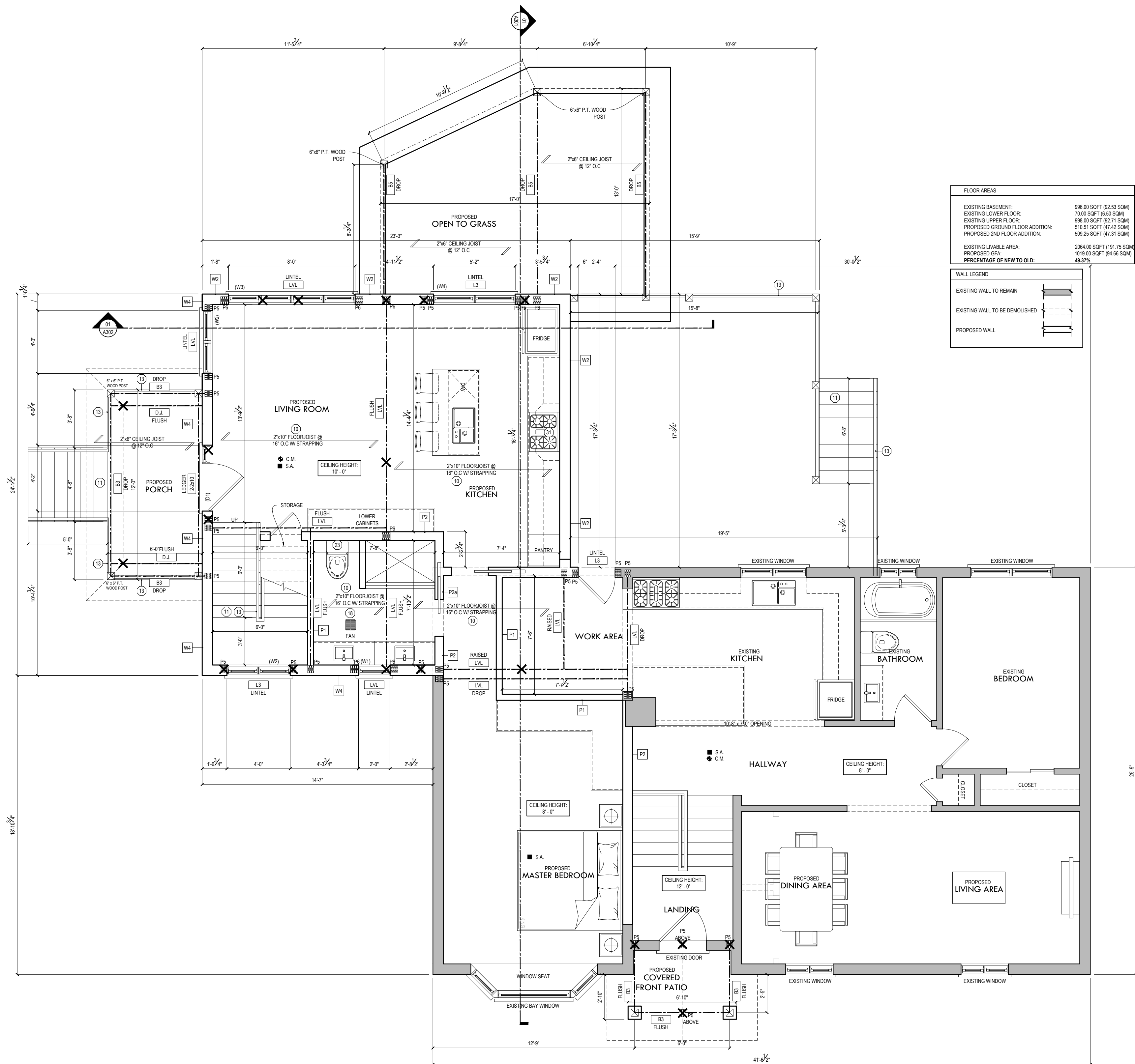




DRAWING TITLE: BASEMENT FLOOR PLAN  
DRAWN BY: PR CHECKED BY: -  
ADDRESS: 51 MOUNTSBERG RD. HAMILTON  
PROJECT NO: 2020-011 SCALE: 1/4" = 1'-0"  
SHEET NO. A101

1/4"=1'-0"

GROUND FLOOR PLAN



FLOOR AREAS	
EXISTING BASEMENT:	996.00 SQFT (92.53 SQM)
EXISTING LOWER FLOOR:	70.00 SQFT (6.50 SQM)
EXISTING UPPER FLOOR:	998.00 SQFT (92.71 SQM)
PROPOSED GROUND FLOOR ADDITION:	510.51 SQFT (47.42 SQM)
PROPOSED 2ND FLOOR ADDITION:	509.25 SQFT (47.31 SQM)
EXISTING LIVABLE AREA:	2064.00 SQFT (191.75 SQM)
PROPOSED GFA:	1019.00 SQFT (94.66 SQM)
PERCENTAGE OF NEW TO OLD:	49.37%

WALL LEGEND	
EXISTING WALL TO REMAIN	
EXISTING WALL TO BE DEMOLISHED	
PROPOSED WALL	

QUALIFICATION	
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	B.C.I.N.
LUCID HOMES INC.	114457
FIRM NAME	B.C.I.N.


GENERAL NOTES	
DRAWINGS ARE TO BE READ NOT SCALED. DESIGN AND CONSTRUCTION OF THIS BUILDING SHALL COMPLY WITH ONTARIO BUILDING CODE, AS AMENDED. DRAWINGS NOT INTENDED FOR PERMIT OR CONSTRUCTION UNLESS SIGNED BY DESIGNER OR ENGINEER. DO NOT BEGIN CONSTRUCTION UNTIL DESIGNER OR PROJECT MANAGER HAS BEEN NOTIFIED. ANY DISCREPANCIES DISCOVERED IN DRAWINGS OR ON SITE SHALL BE REPORTED TO THE DESIGNER. THE DRAWINGS AND DOCUMENTS ARE THE EXCLUSIVE PROPERTY OF LUCID HOMES INC. REPRODUCTION OF THE DOCUMENTS PROVIDED IS PROHIBITED WITHOUT CONSENT OF THE DESIGNER.	

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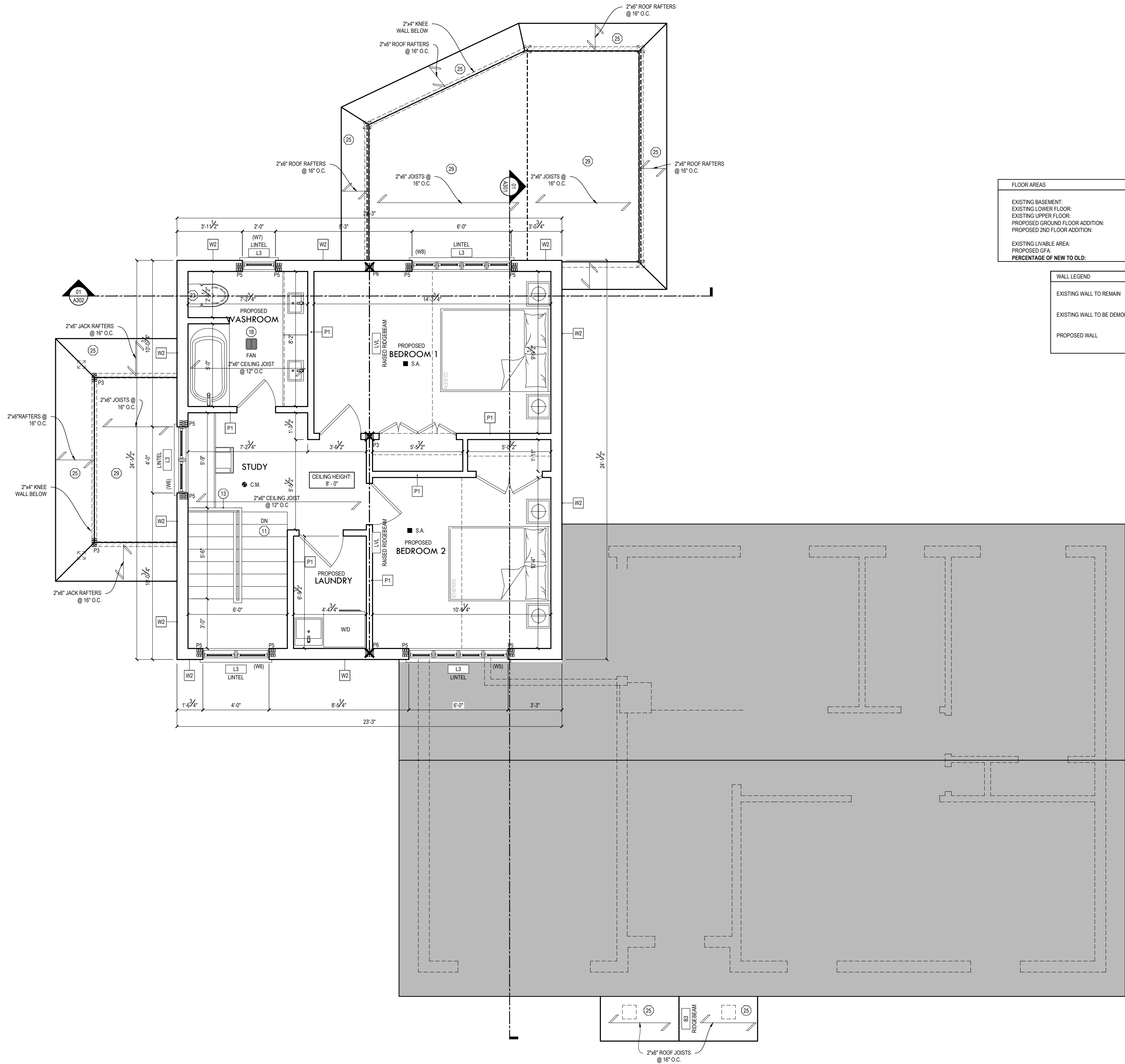
ISSUE LIST	
1 - CONSERVATION HALTON	03.11.2021
2 -	MM.DD.YYYY
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5 -	MM.DD.YYYY

  
**LUCID HOMES**

LUCID HOMES INC.  
CUSTOM HOME AND RENOVATION DESIGN  
1166 SOUTH SERVICE ROAD WEST - UNIT 105  
OAKVILLE ON - L6L 5T7  
T: 416.566.6588 E: INFO@LUCIDHOMES.CA  
WWW.LUCIDHOMES.CA



DRAWING TITLE: GROUND FLOOR PLAN  
DRAWN BY: PR CHECKED BY: -  
ADDRESS: 51 MOUNTSBERG RD. HAMILTON  
PROJECT NO: 2020-011 SCALE: 1/4" = 1'-0"  
SHEET NO: **A1.02**



FLOOR AREAS	
EXISTING BASEMENT:	996.00 SQFT (92.53 SQM)
EXISTING LOWER FLOOR:	70.00 SQFT (6.50 SQM)
EXISTING UPPER FLOOR:	598.00 SQFT (55.21 SQM)
PROPOSED GROUND FLOOR ADDITION:	510.51 SQFT (47.42 SQM)
PROPOSED 2ND FLOOR ADDITION:	509.25 SQFT (47.31 SQM)
EXISTING LIVABLE AREA:	2064.00 SQFT (191.75 SQM)
PROPOSED GFA:	1019.00 SQFT (94.66 SQM)
PERCENTAGE OF NEW TO OLD:	49.37%

WALL LEGEND	
EXISTING WALL TO REMAIN	
EXISTING WALL TO BE DEMOLISHED	
PROPOSED WALL	

QUALIFICATION	
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QUALIFICATION INFORMATION	
AAMOU RAFIQ	113576
NAME	B.C.I.N.
LUCID HOMES INC.	114457
FIRM NAME	B.C.I.N.

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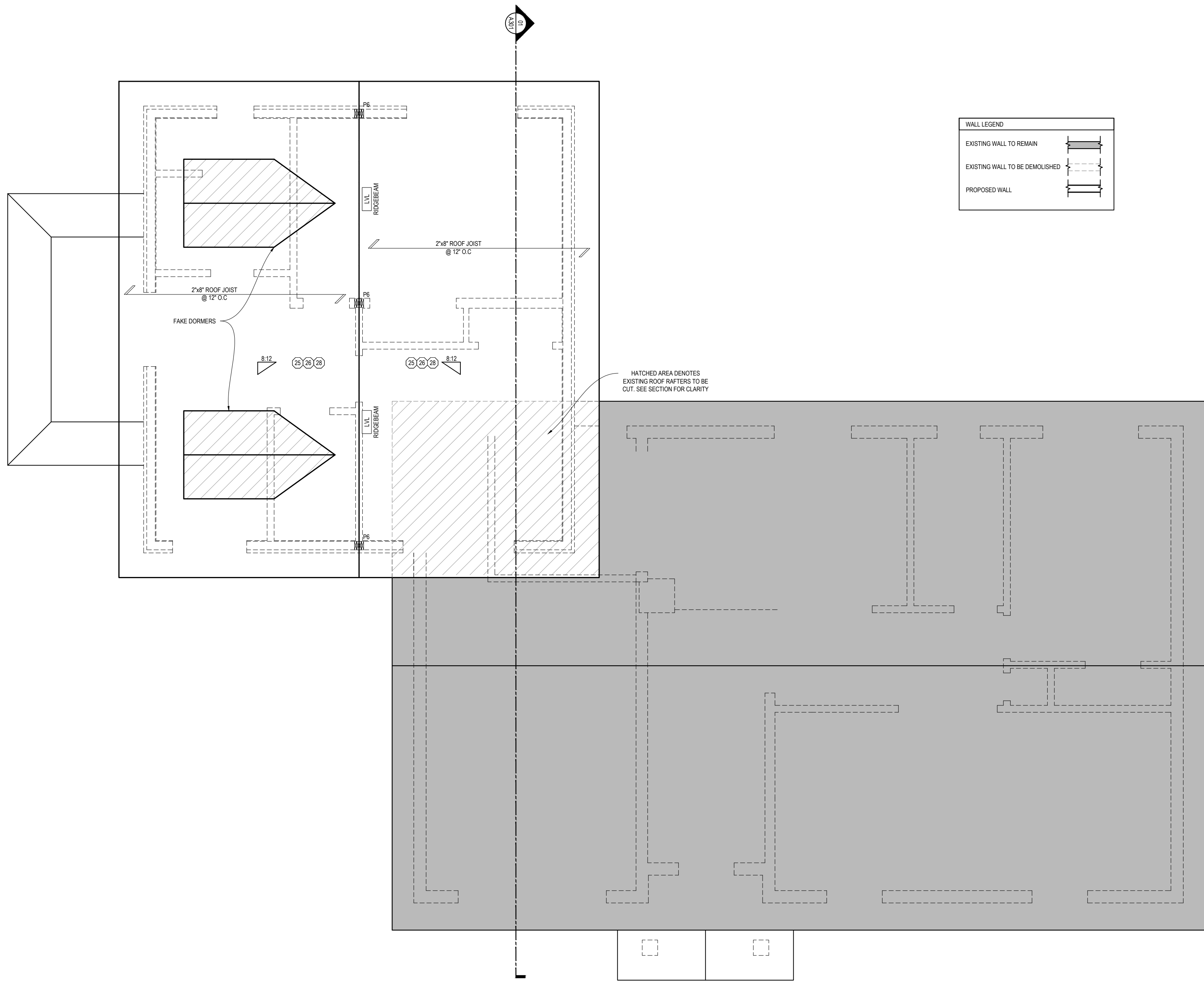
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OAKVILLE ON - L6L 5T7  
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WWW.LUCIDHOMES.CA

DRAWING TITLE: SECOND FLOOR PLAN  
DRAWN BY: PR CHECKED BY:  
ADDRESS: 51 MOUNTSBERG RD. HAMILTON  
PROJECT NO: 2020-011 SCALE: 1/4" = 1'-0"  
SHEET NO. **A1.03**

1/4" = 1'-0"  
**SECOND FLOOR PLAN**



1/8" = 1'-0"

SECOND FLOOR PLAN

QUALIFICATION

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 B.C.I.N.

LUCID HOMES INC. 114457  
FIRM NAME B.C.I.N.

GENERAL NOTES

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ADDRESS: 51 MOUNTSBERG RD. HAMILTON  
PROJECT NO: 2020-011 SCALE: 1/4" = 1'-0"  
SHEET NO.

A1.03



1/4"=1'-0"  
FRONT ELEVATION

**QUALIFICATION**

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QUALIFICATION INFORMATION

**AAMOU RAFIQ** 113376  
NAME B.C.I.N.

**LUCID HOMES INC.** 114457  
FIRM NAME B.C.I.N.

  
**LUCID HOMES**

**LUCID HOMES INC.**  
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5 -	MM.DD.YYYY



**DRAWING TITLE:** ARCHITECTURAL ELEVATIONS  
**DRAWN BY:** PR **CHECKED BY:**  
**ADDRESS:** 51 MOUNTSBERG RD. HAMILTON  
**PROJECT NO:** 2020-011 **SCALE:** 1/4" = 1'-0"  
**SHEET NO.** **A2.01**



1/4\"/>

QUALIFICATION

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** 113578  
NAME B.C.I.N.  
**LUCID HOMES INC.** 114457  
FIRM NAME B.C.I.N.



**LUCID HOMES**

**LUCID HOMES INC.**  
CUSTOM HOME AND RENOVATION DESIGN  
1166 SOUTH SERVICE ROAD WEST - UNIT 105  
OAKVILLE ON - L6L 5T7  
T: 416.566.6588 E: INFO@LUCIDHOMES.CA  
WWW.LUCIDHOMES.CA

GENERAL NOTES

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5 -	MM.DD.YYYY



**DRAWING TITLE:** ARCHITECTURAL ELEVATIONS  
**DRAWN BY:** PR **CHECKED BY:** -  
**ADDRESS:** 51 MOUNTSBERG RD. HAMILTON  
**PROJECT NO:** 2020-011 **SCALE:** 1/4\"/>

**A2.02**



1/4"=1'-0"  
REAR ELEVATION

**QUALIFICATION**

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**

<b>AAMOU RAFIQ</b>	<b>113578</b>
NAME	B.C.I.N.
<b>LUCID HOMES INC.</b>	<b>114457</b>
FIRM NAME	B.C.I.N.

**LUCID HOMES**

**LUCID HOMES INC.**  
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**GENERAL NOTES**

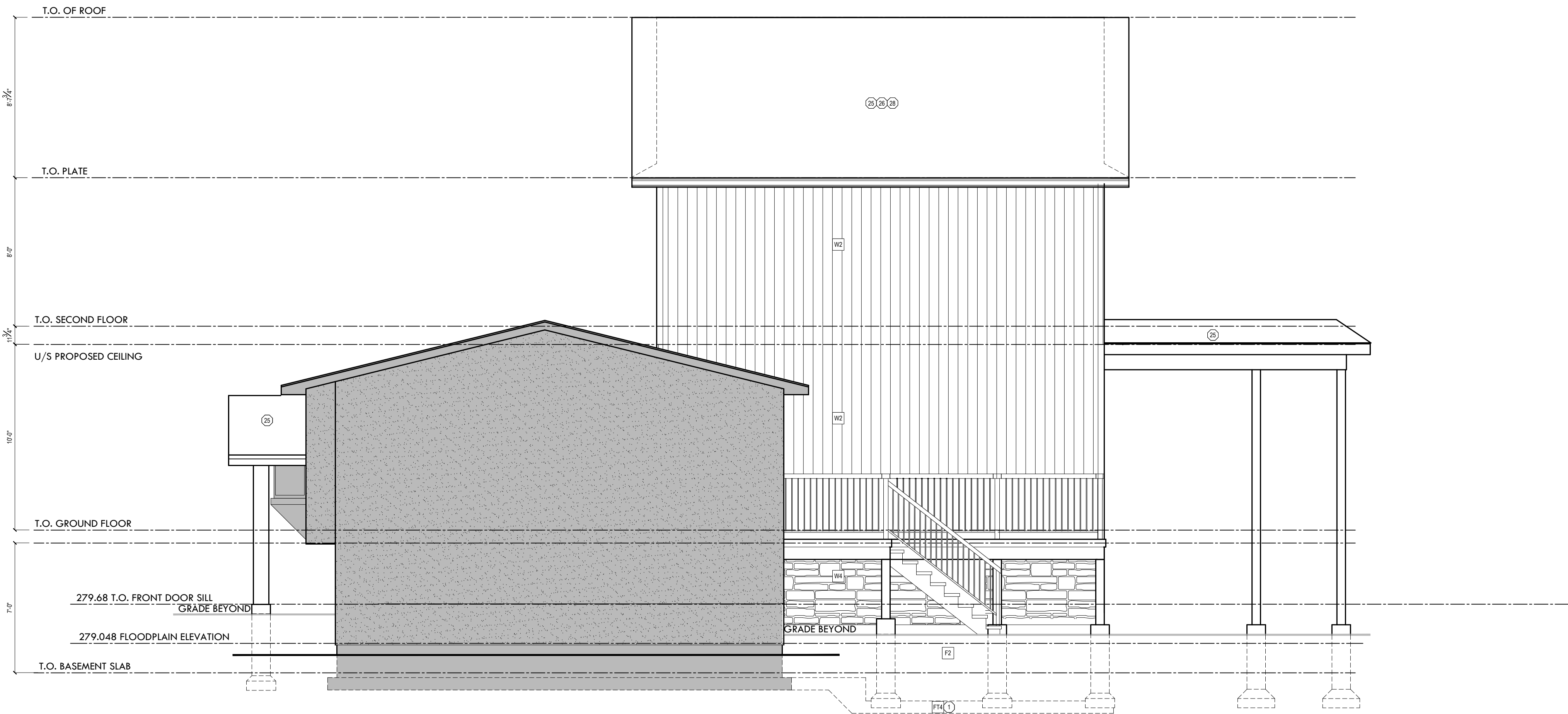
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**DRAWING TITLE:** ARCHITECTURAL ELEVATIONS  
**DRAWN BY:** PR  
**ADDRESS:** 51 MOUNTSBERG RD. HAMILTON  
**PROJECT NO:** 2020-011  
**SHEET NO.** **A2.03**

**CHECKED BY:**  
**SCALE:** 1/4" = 1'-0"



1/4"=1'-0"  
RIGHT ELEVATION

**QUALIFICATION**

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 B.C.I.N.

LUCID HOMES INC. 114457  
FIRM NAME B.C.I.N.

**LUCID HOMES**

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**GENERAL NOTES**

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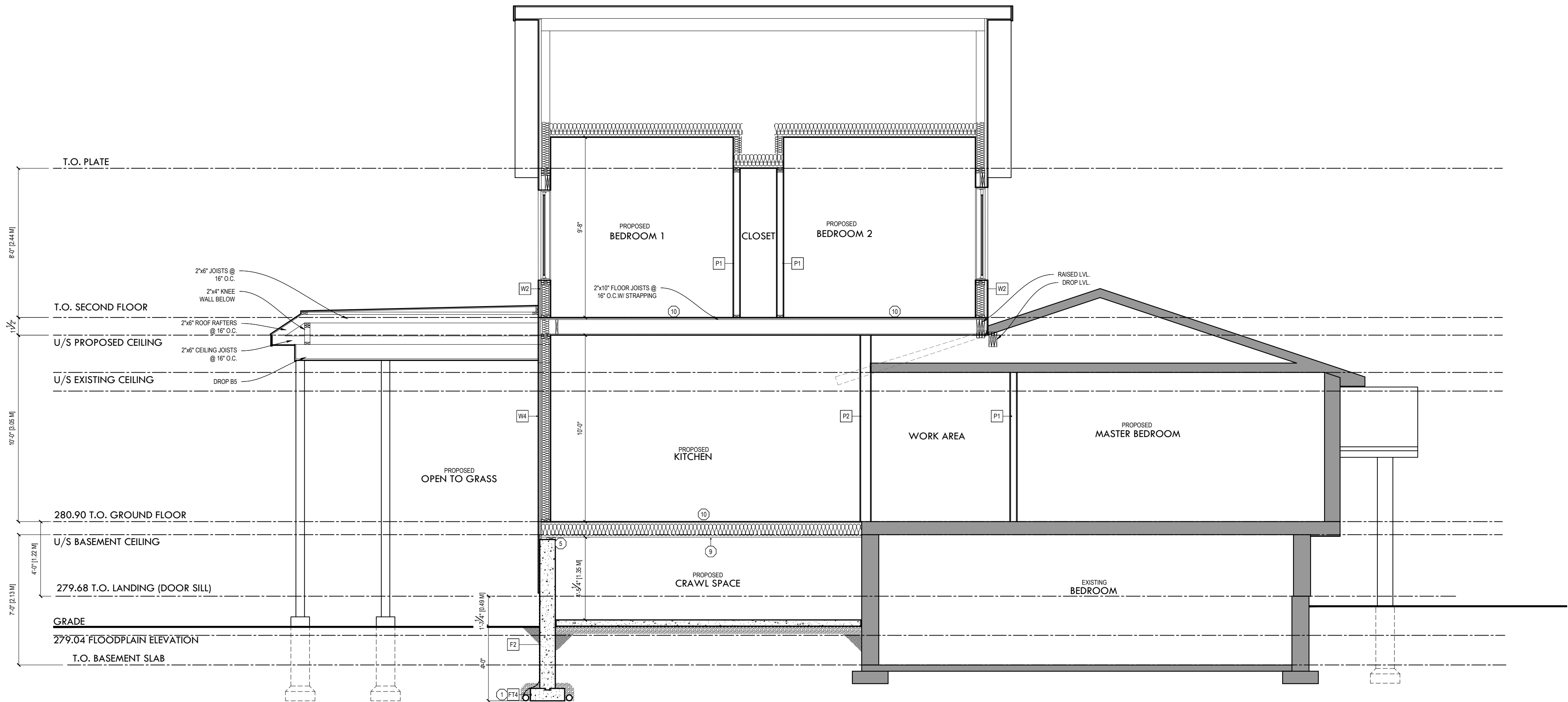
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**ISSUE LIST**

1 - CONSERVATION HALTON	03.11.2021
2 -	MM.DD.YYYY
3 -	MM.DD.YYYY
4 -	MM.DD.YYYY
5 -	MM.DD.YYYY

**DRAWING TITLE:** ARCHITECTURAL ELEVATIONS  
**DRAWN BY:** PR **CHECKED BY:**  
**ADDRESS:** 51 MOUNTSBERG RD. HAMILTON  
**PROJECT NO:** 2020-011 **SCALE:** 1/4" = 1'-0"  
**SHEET NO.** **A2.04**



1/4"=1'-0"  
SECTION A-A

**QUALIFICATION**

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 B.C.I.N.

**LUCID HOMES INC.** 114457  
FIRM NAME B.C.I.N.

**LUCID HOMES**

**LUCID HOMES INC.**  
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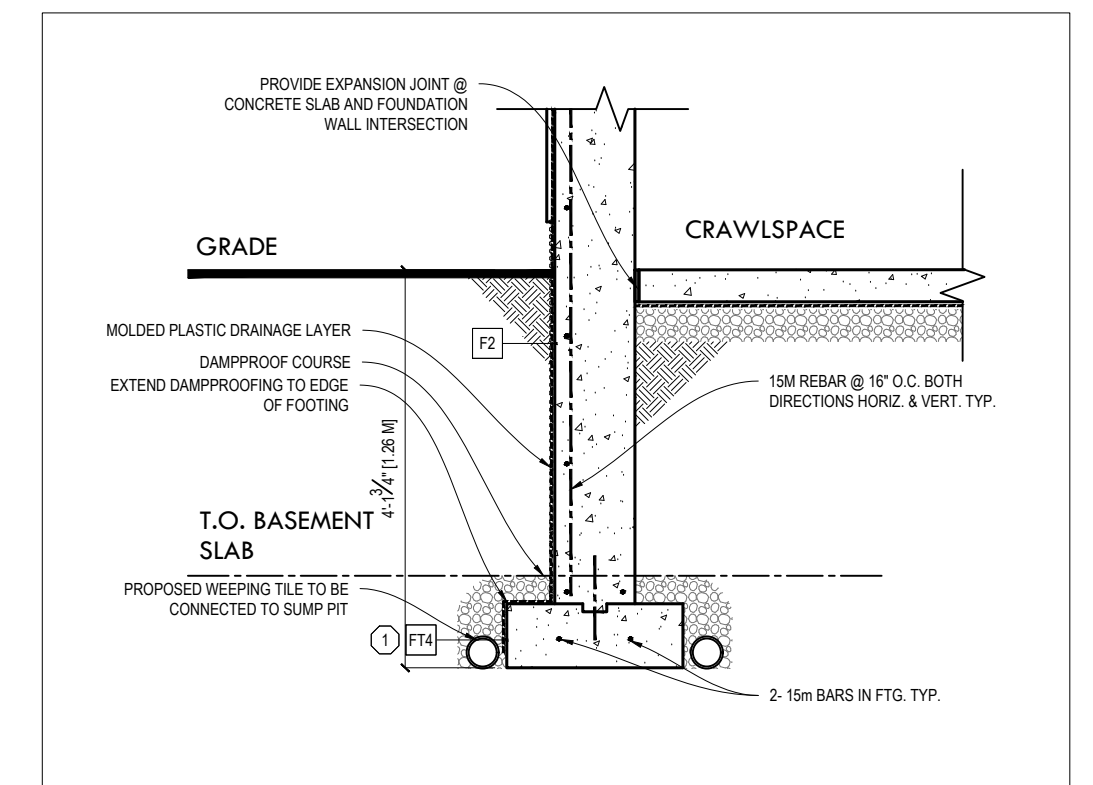
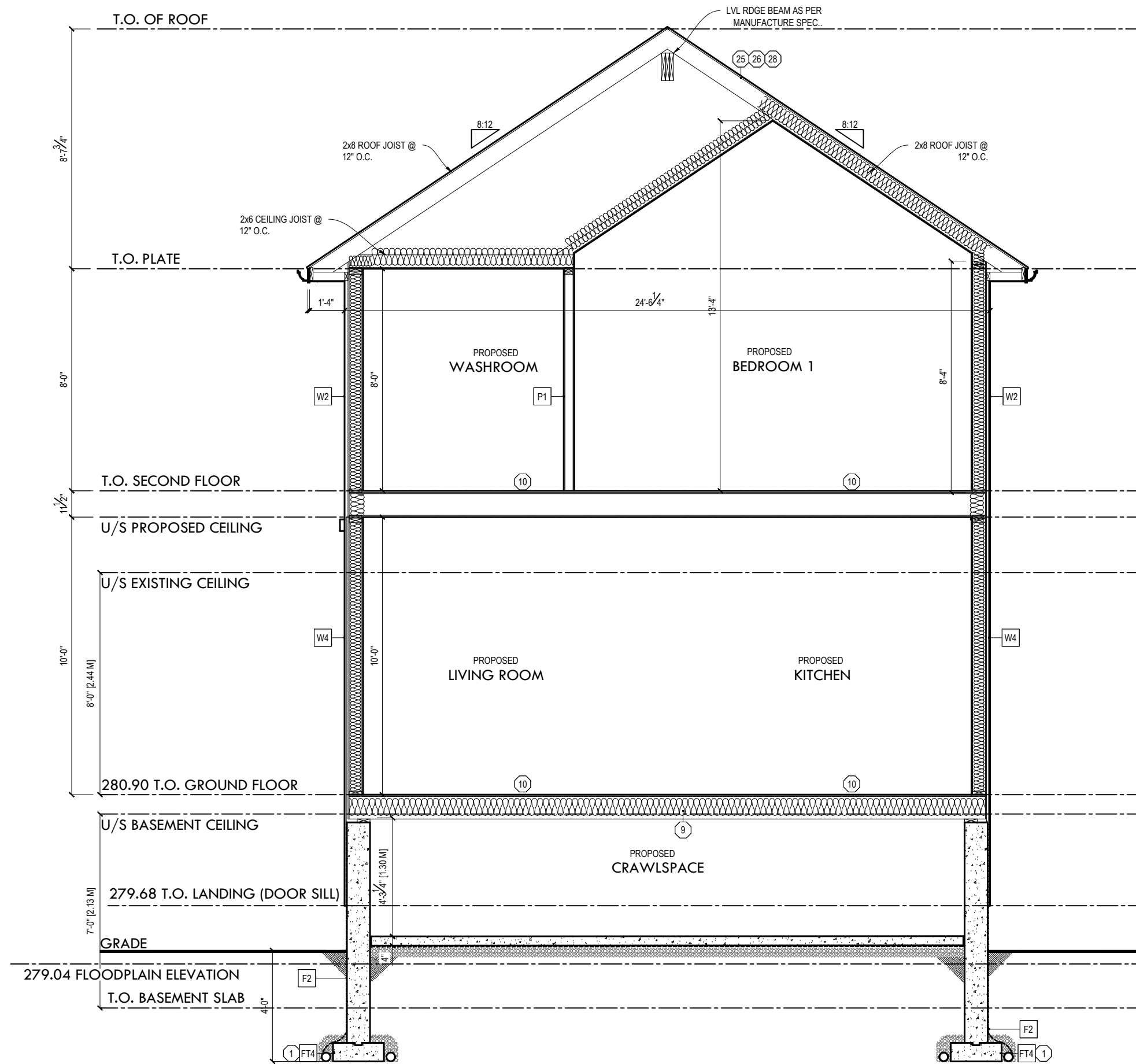
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5 -	MM.DD.YYYY

**DRAWING TITLE:** SECTION VIEW & DETAILS  
**DRAWN BY:** PR **CHECKED BY:**  
**ADDRESS:** 51 MOUNTSBERG RD. HAMILTON  
**PROJECT NO:** 2020-011 **SCALE:** AS NOTED  
**SHEET NO.** **A4.01**



1/2"=1'-0"  
**FOUNDATION WALL DETAIL**

1/4"=1'-0"  
**SECTION B-B**

**QUALIFICATION**

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LUCID HOMES INC. 114457  
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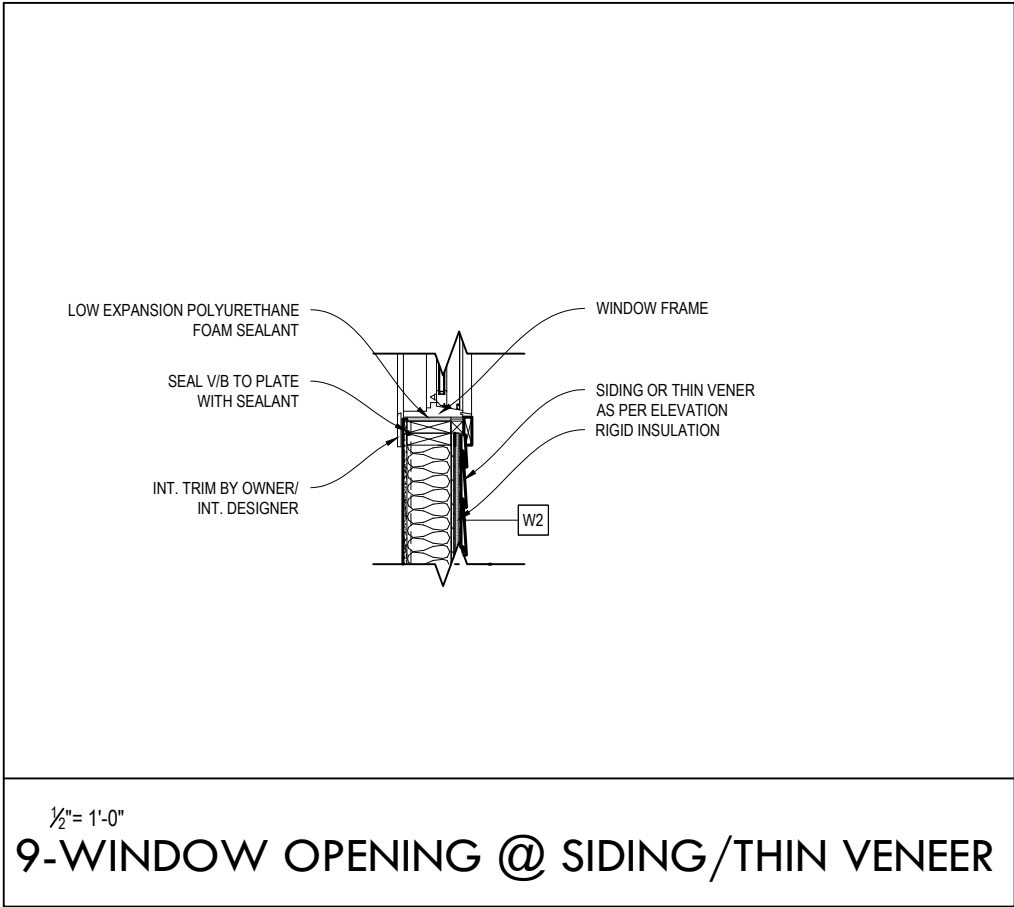
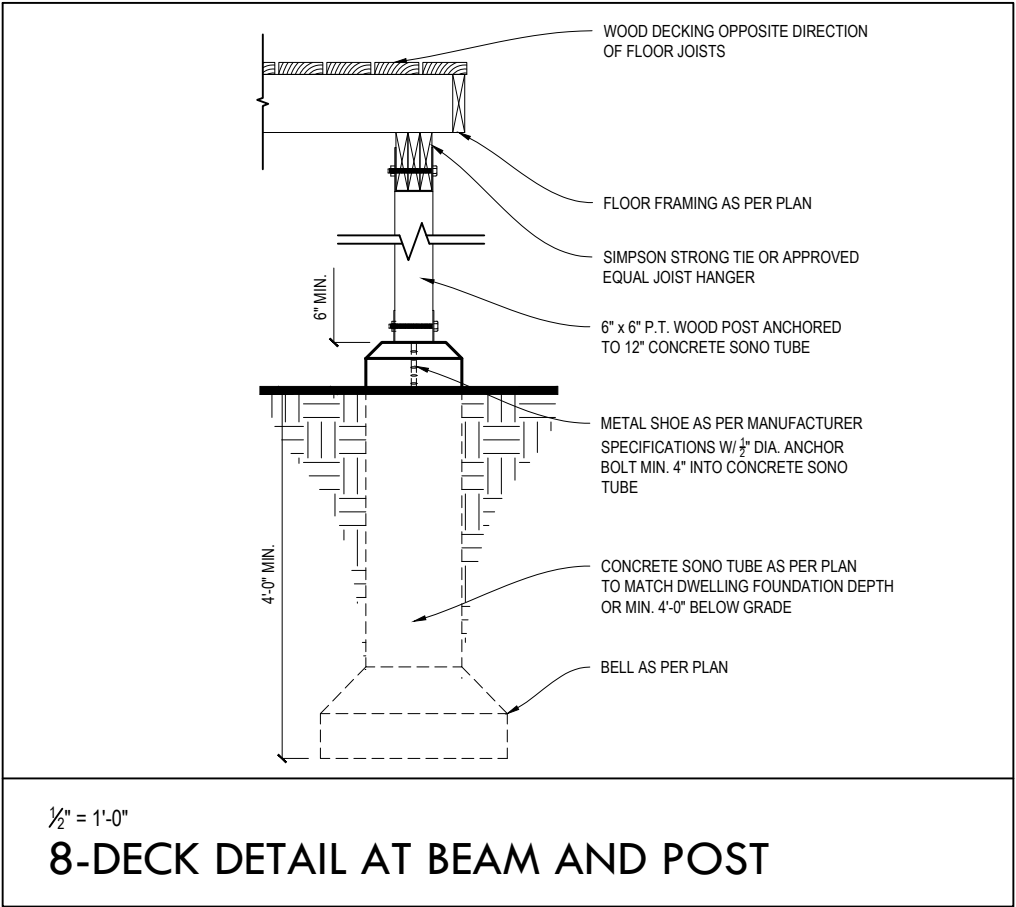
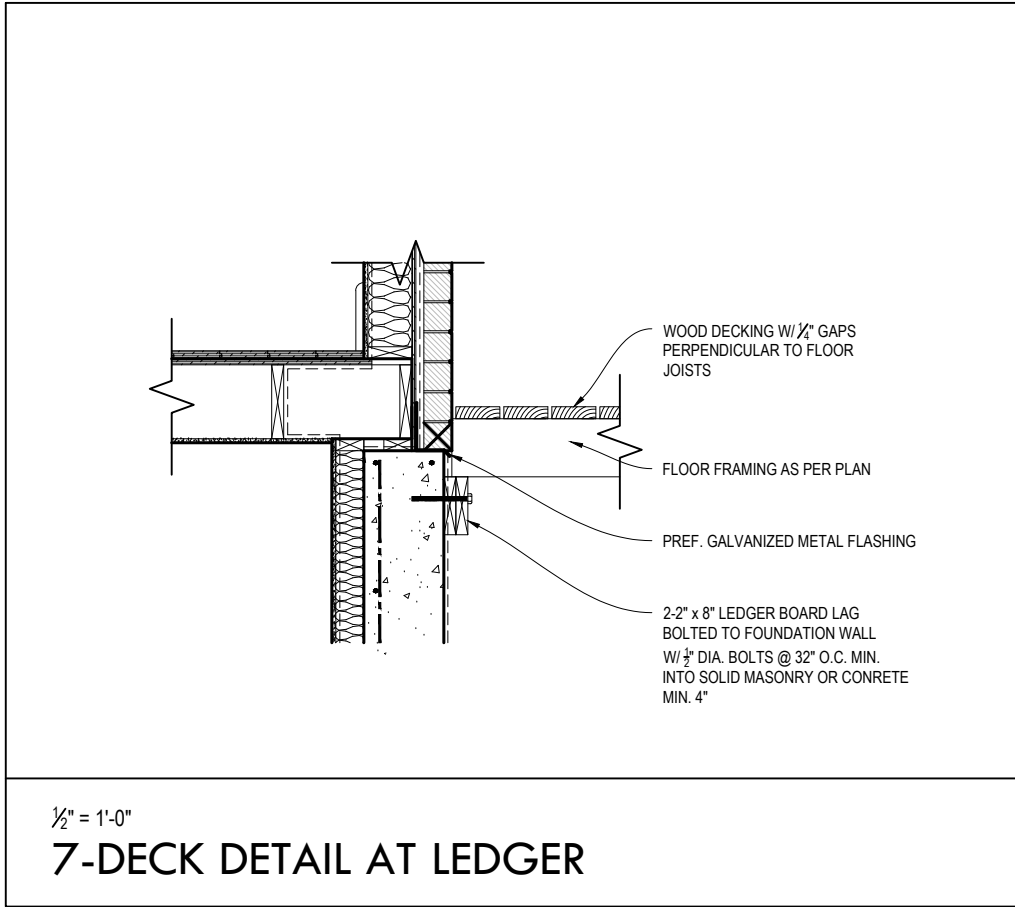
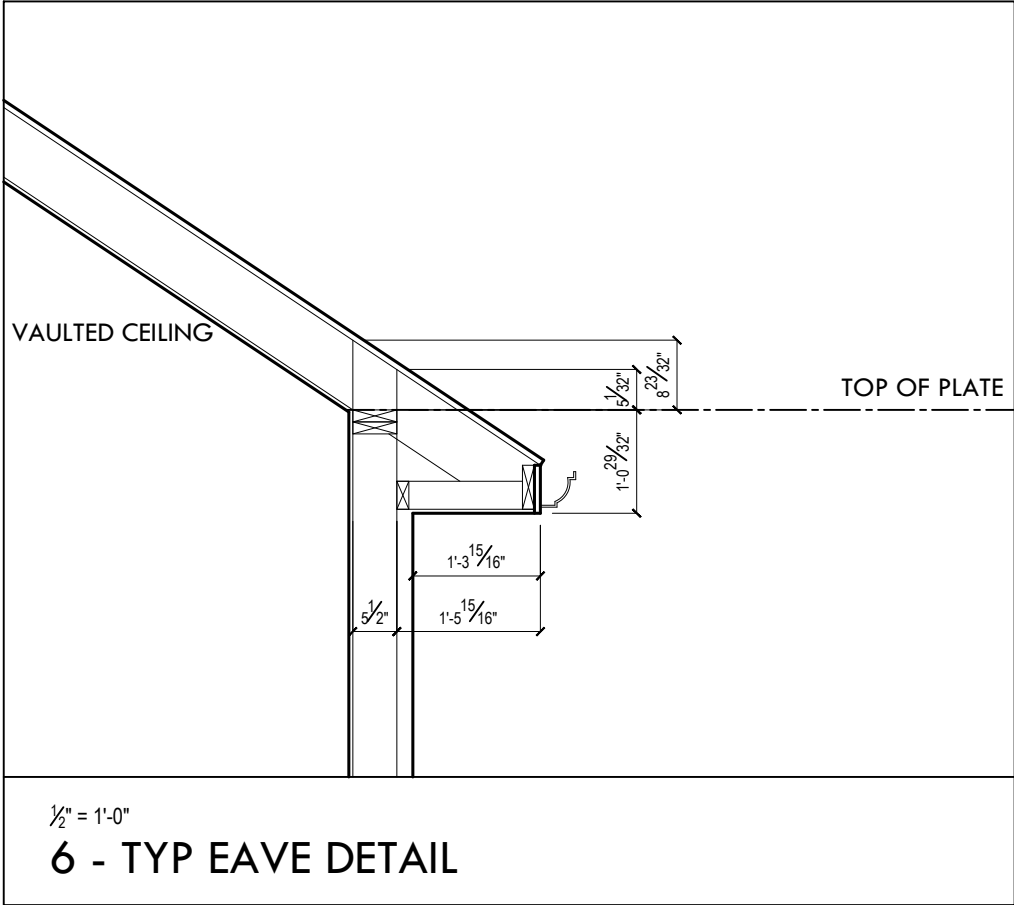
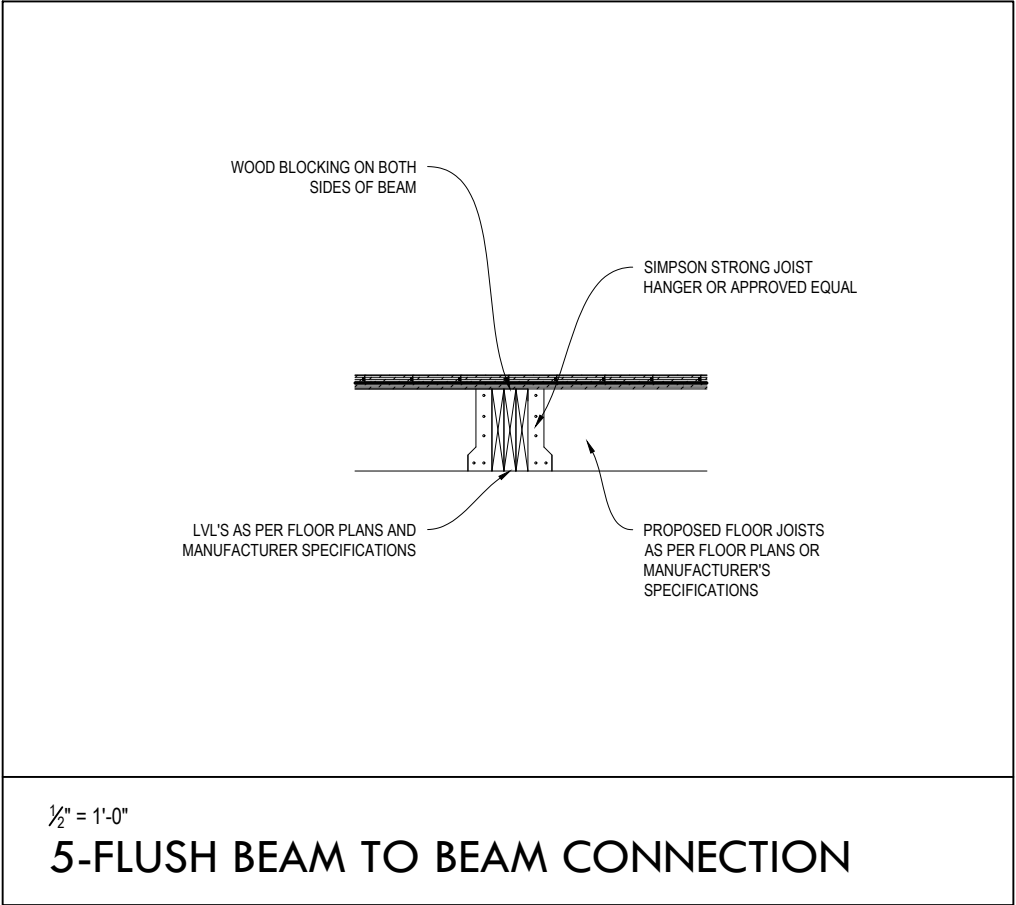
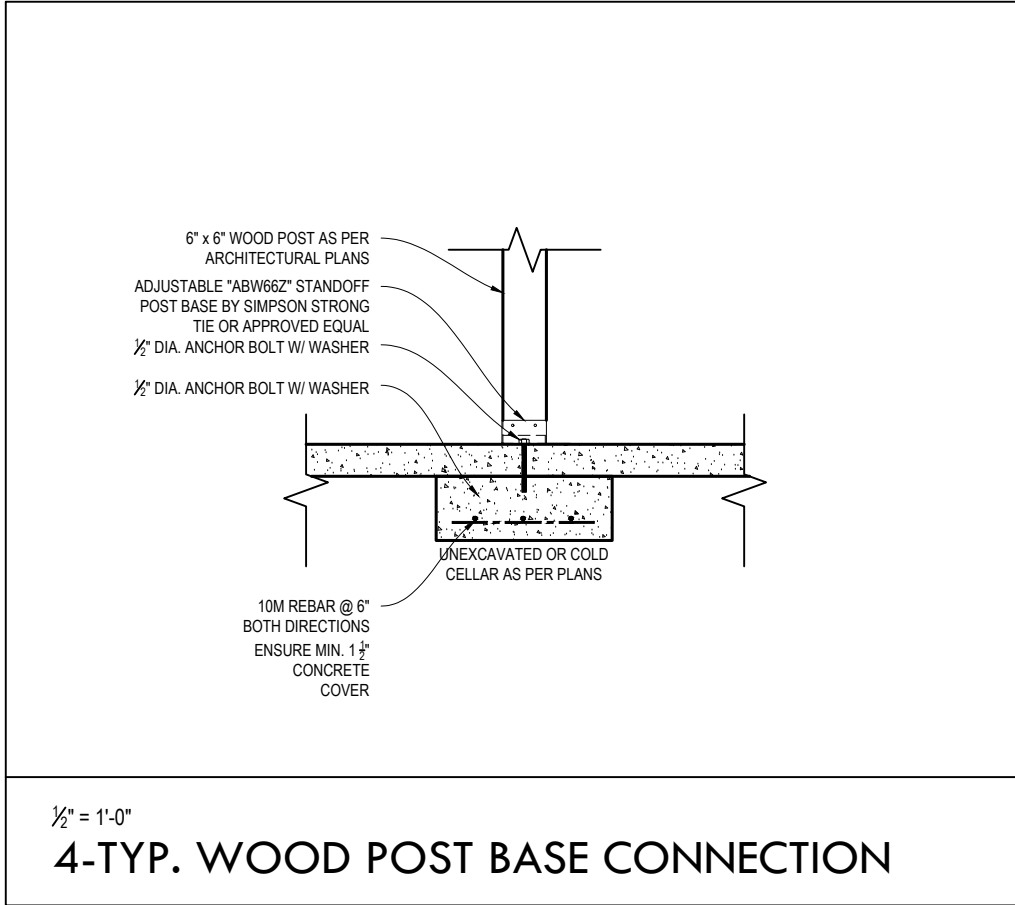
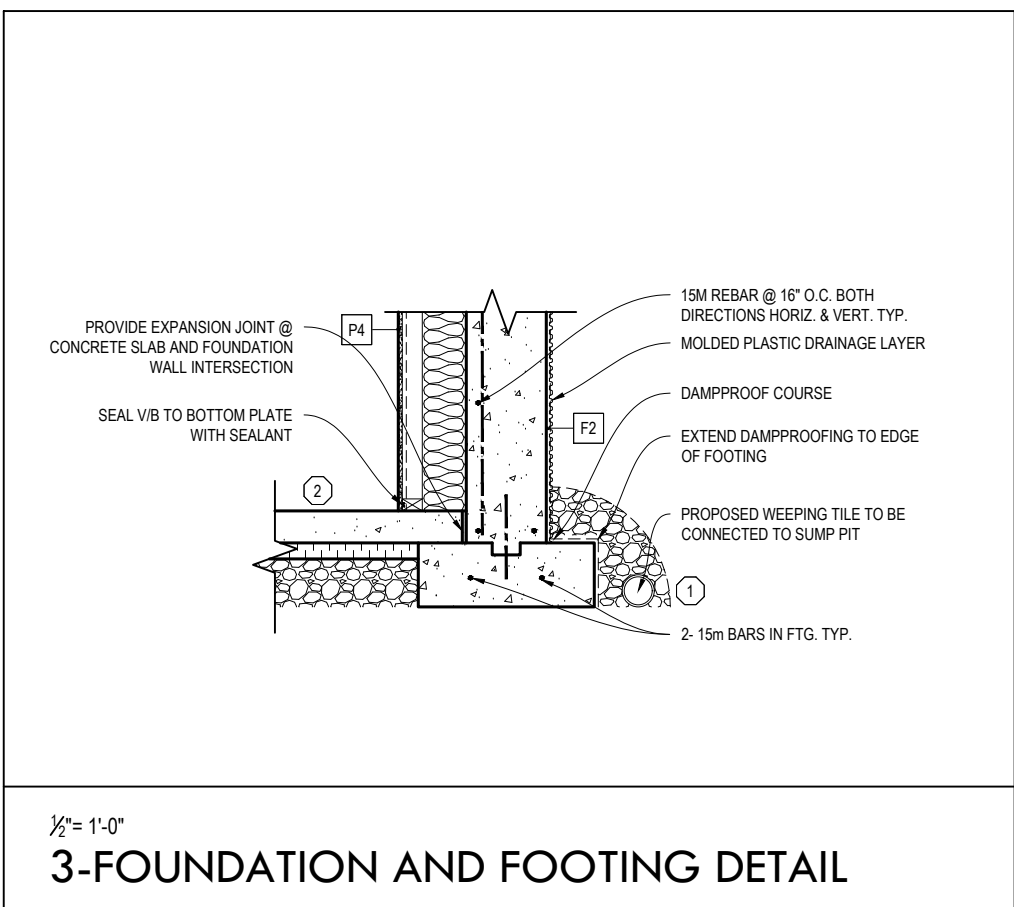
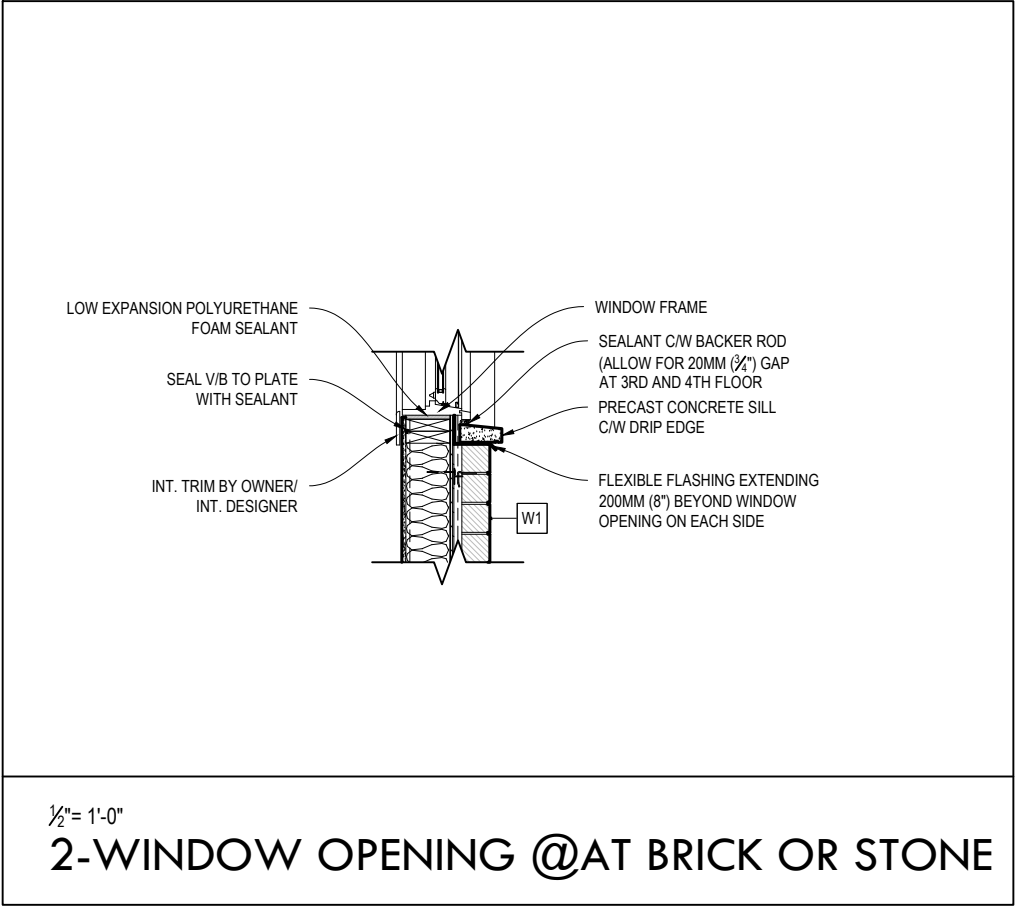
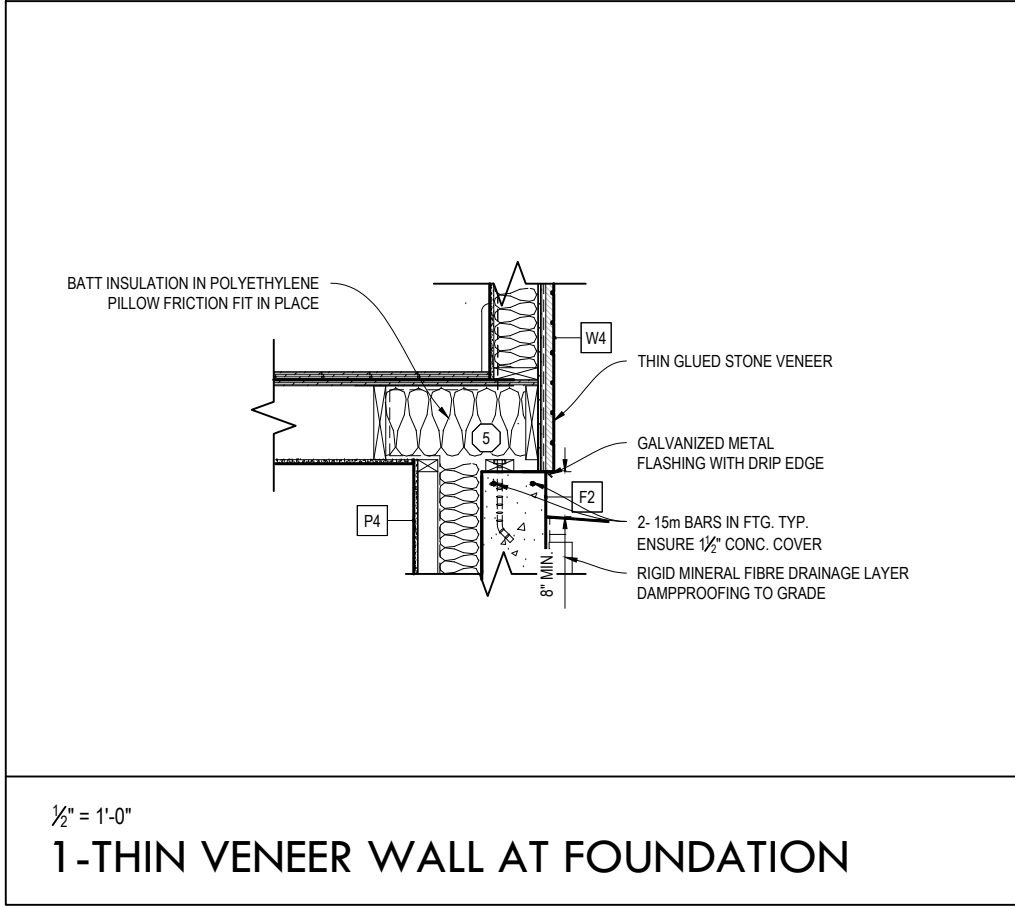
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DRAWING TITLE: SECTION VIEW & DETAILS  
DRAWN BY: PR CHECKED BY:  
ADDRESS: 51 MOUNTSBERG RD. HAMILTON  
PROJECT NO: 2020-011 SCALE: AS NOTED  
SHEET NO. **A4.02**



1/2"=1'-0"

DETAILS

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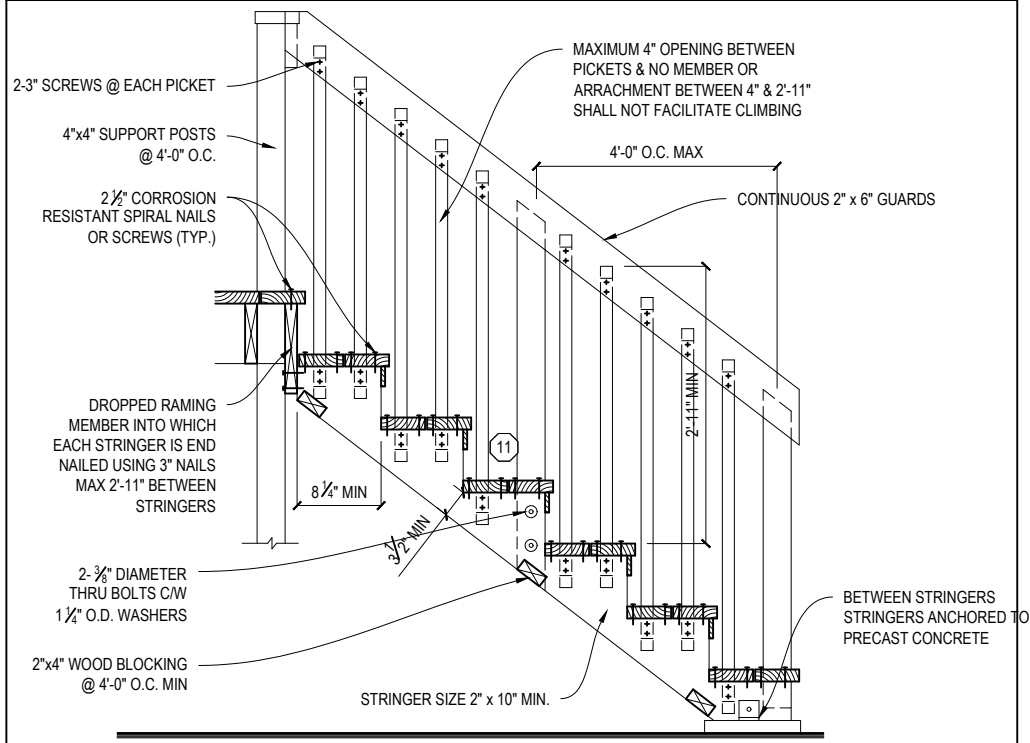
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**DRAWN BY:** PR **CHECKED BY:**

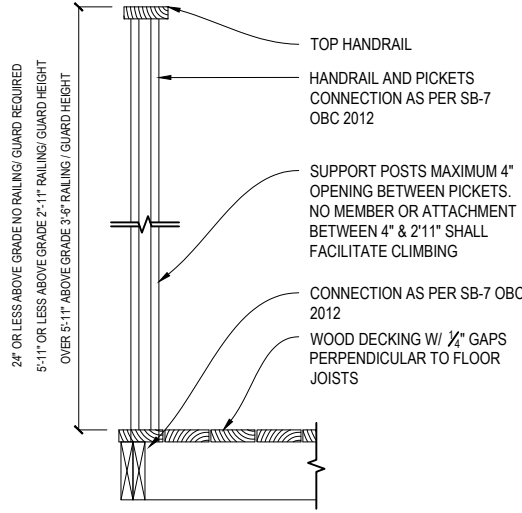
**ADDRESS:** 51 MOUNTSBERG RD. HAMILTON

**PROJECT NO:** 2020-011 **SCALE:** AS NOTED

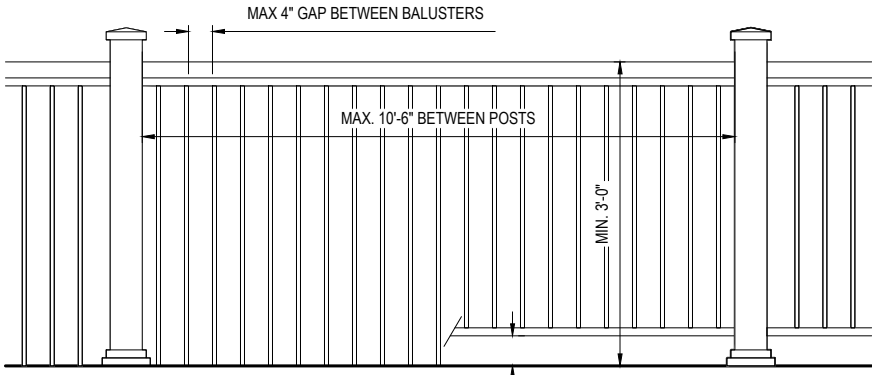
**SHEET NO.** **A3.01**



1/2" = 1'-0"  
1-EXTERIOR WOOD STAIR DETAIL



1/2" = 1'-0"  
2-DECK GUARD CONNECTION DETAIL



1/2" = 1'-0"  
3-TYP. INTERIOR GUARD RAIL DETAIL

1/2" = 1'-0"  
DETAILS

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FIRM NAME	B.C.I.N.

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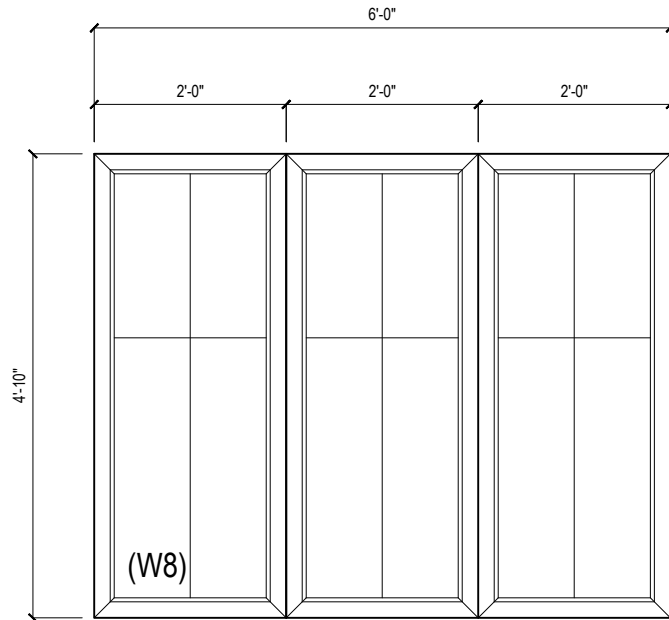
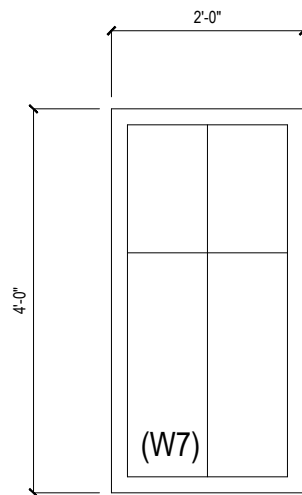
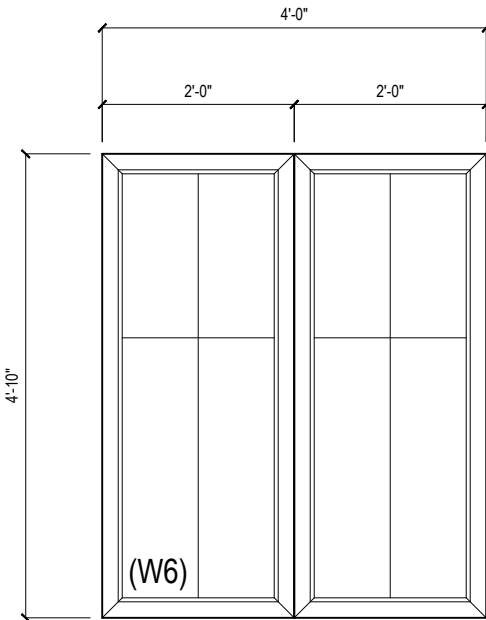
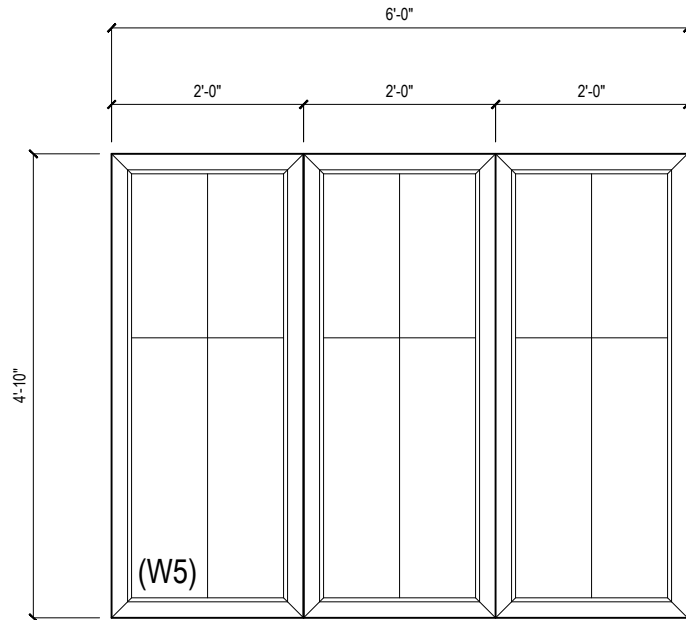
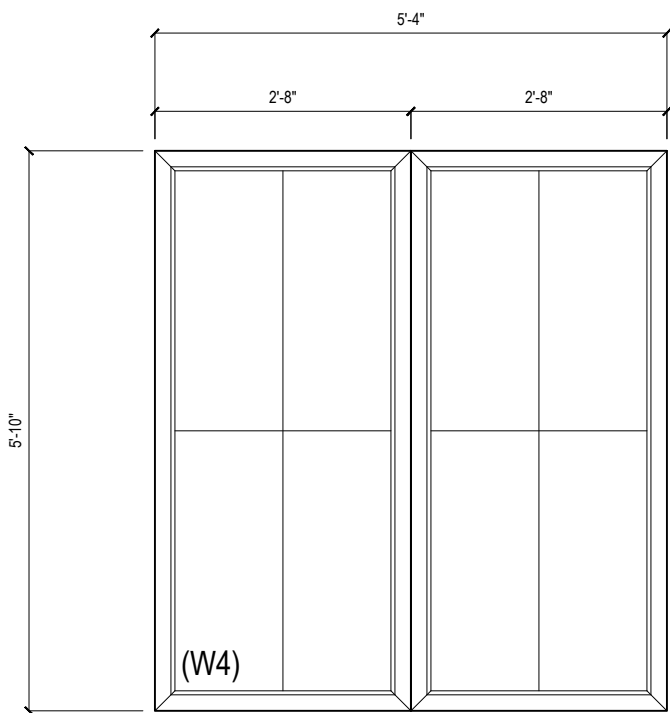
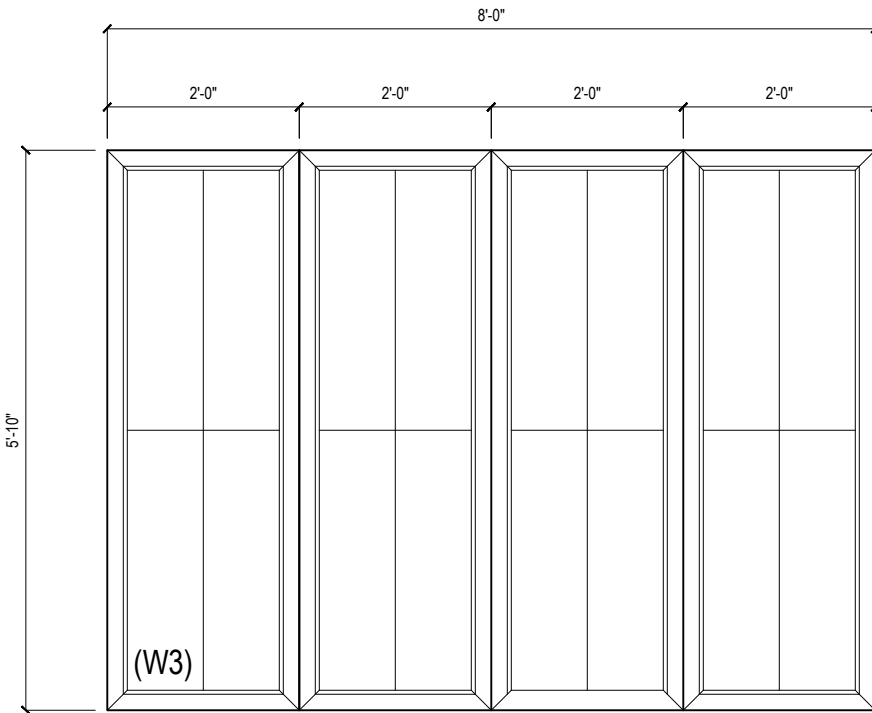
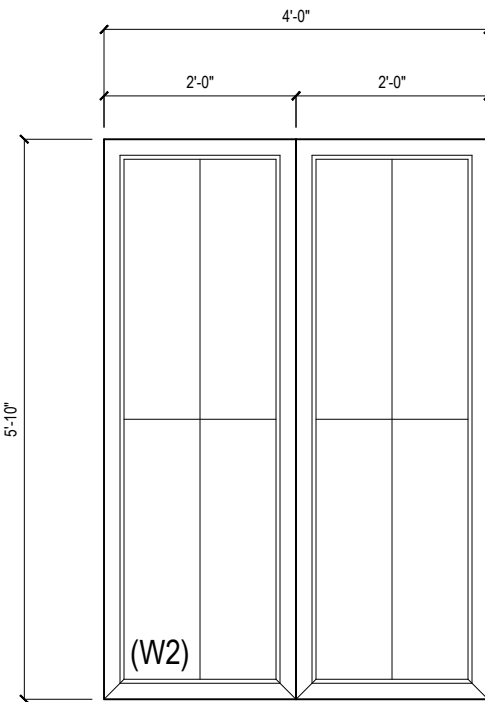
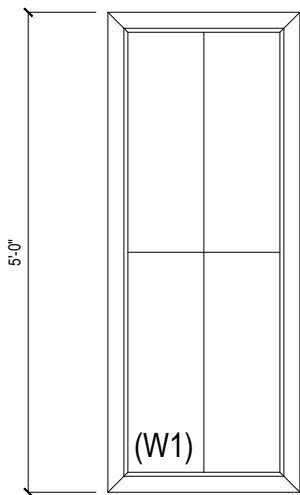
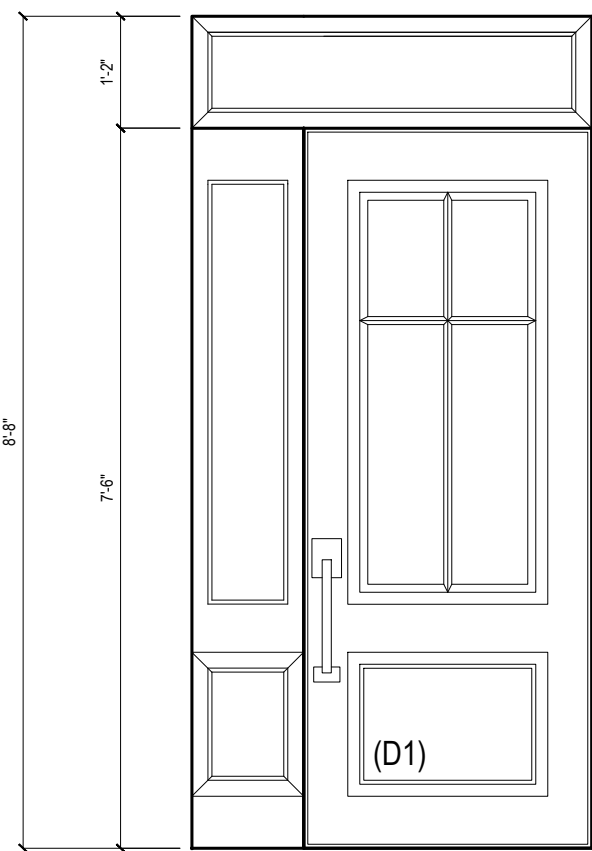
**DRAWING TITLE:** DETAILS

**DRAWN BY:** PR **CHECKED BY:**

**ADDRESS:** 51 MOUNTSBERG RD. HAMILTON

**PROJECT NO:** 2020-011 **SCALE:** AS NOTED

**SHEET NO.** A3.02



1/2"=1'-0"

# DOOR & WINDOW SCHEDULE

**QUALIFICATION**

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DRAWING TITLE: DOOR & WINDOW SCHEDULE  
DRAWN BY: PR CHECKED BY: -  
ADDRESS: 51 MOUNTSBERG RD. HAMILTON  
PROJECT NO: 2020-011 SCALE: AS NOTED  
SHEET NO. **A5.01**

## APPLICATION FOR A MINOR VARIANCE

<b>FOR OFFICE USE ONLY.</b>	
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
<b>Registered Owners(s)</b>		
<b>Applicant(s)*</b>		
<b>Agent or Solicitor</b>		

**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:

Increase the permitted GFA for expansion for a proposed 2 storey addition at the rear of the existing dwelling.

☐ Secondary Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

Finding a bigger dwelling for the client to move is not an option. The property has been with the family for 20+ years and the proposed addition exceeded 10% of the gross floor area of the existing building as per Section 7.7.2.2 b).

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**):

Part of Lot 12 Concession 12, 51 Mountsberg Rd Hamilton, ON.

7. PREVIOUS USE OF PROPERTY

Residential ☒ Industrial ☐ Commercial ☐  
Agricultural ☐ Vacant ☐ Other ☐

Other \_\_\_\_\_

- 8.1 If Industrial or Commercial, specify use N/A
- 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?

Property owner and city record.

- 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.

07-13-2021

Date



Signature Property Owner(s)

Samantha Melao

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	60.96 m
Depth	664.41 m
Area	40,472.3 sqm
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: \_

Single Storey Residential Single Family

Proposed

Ground Floor Addition and proposed 2nd floor addition and front patio (94.73 sq.m)

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

Existing:

Northside of Mountsberg Rd. 21.58m from the front property,

Proposed:

27.34 ft from Front of Property, 33.91ft from West side property, 629.15ft from North of property.

13. Date of acquisition of subject lands:  
1970's
- 
14. Date of construction of all buildings and structures on subject lands:  
Early 70's
- 
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
Single Family Residential Dwelling
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
Single Family Residential Dwelling
17. Length of time the existing uses of the subject property have continued:
18. Municipal services available: (check the appropriate space or spaces)
- |                |                                     |           |                          |
|----------------|-------------------------------------|-----------|--------------------------|
| Water          | <input checked="" type="checkbox"/> | Connected | <input type="checkbox"/> |
| Sanitary Sewer | <input type="checkbox"/>            | Connected | <input type="checkbox"/> |
| Storm Sewers   | <input type="checkbox"/>            |           |                          |
19. Present Official Plan/Secondary Plan provisions applying to the land:  
N.A.
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
N.A.
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  
N.A.
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.