



Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>AN/A-22:181</b>	<b>SUBJECT PROPERTY:</b>	162 FALLING BROOK DRIVE, ANCASTER
<b>ZONE:</b>	“ER” (Existing Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law 87-57, as Amended

**APPLICANTS:** Agent J. Veloce  
**Owners J. Reis & C. Cardadeiro**

The following variances are requested:

1. A maximum height of 10.5m shall be permitted for a two storey dwelling instead of the maximum 9.5m height permitted.

**PURPOSE & EFFECT:** To permit the construction of a new single detached dwelling

**Notes:**

This variance is required in order to facilitate Site Plan application DAER-22-088.

The applicant shall ensure that the required rear yard setback has been calculated based on the lot depth measurement interpretation provided by this Division and is complied with; otherwise, further variances may be required.

The applicant shall ensure that the required 1.0m unobstructed area which shall not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod, shall be provided and maintained in the rear yard; otherwise, further variances shall be required.

Insufficient details were provided regarding parking located within the private garage from which to determine compliance. The applicant shall ensure that parking is in compliance with the minimum required sizes as well as provides adequate accessibility; otherwise, further variances shall be required. Please note that tandem parking is only permitted to one parking space under the Ancaster Zoning By-law 87-57.

**AN/A-22:181**

**This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.**

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

<b>DATE:</b>	<b>Thursday, July 14, 2022</b>
<b>TIME:</b>	<b>1:25 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

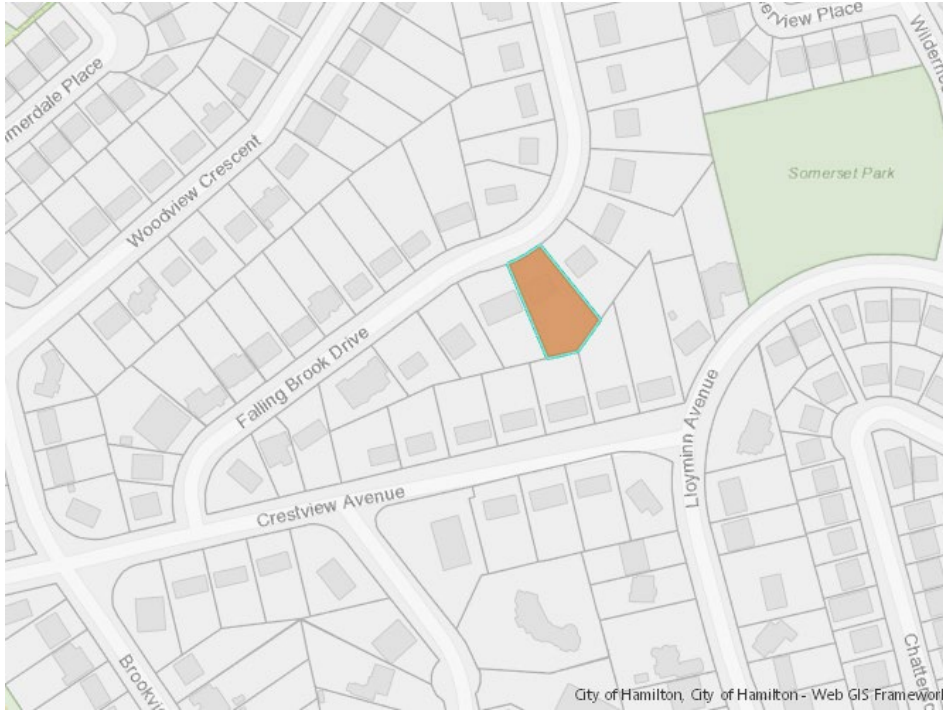
For more information on this matter, including access to drawings illustrating this request and other information submitted:

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

## **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, calling in or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually.



 **Subject Lands**

DATED: June 28, 2022

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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, and may include posting electronic versions.



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## PARTICIPATION PROCEDURES

### Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comment packages are available two days prior to the Hearing and are available on our website: [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)

### Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

#### 1. Virtual Oral Submissions

**Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.**

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email [cofa@hamilton.ca](mailto:cofa@hamilton.ca). The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

#### 2. In person Oral Submissions

**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.**

We hope this is of assistance and if you need clarification or have any questions, please email [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

Undertaking  
I, (We) \_\_\_\_\_ the owner(s) of the land, hereby undertake and agree without any reservation:  
(a) to comply with all the contents of this plan and drawing and not to vary therefrom;  
(b) to maintain and repair all storm water management features on the site, including LID (Low Impact Development) features in accordance with the approved grading plan and property standard by-law 10-221. A copy of By-law 10-221 can be reviewed at <https://www.hamilton.ca/government-information/laws-and-ordinances/10-221-lid-property-standard>.  
(c) in the event that the Owner does not maintain the features as detailed on the approved plan and storm water management report, the Owner understands that the City has the authority under the property By-Law 10-221 to take action against the owner to comply with the approved grading plan.  
(d) the owner agrees to pay for any damage to the neighbouring properties due to the breach of the stormwater management system approved by the City of Hamilton.

Dated this \_\_\_\_\_ day of \_\_\_\_\_

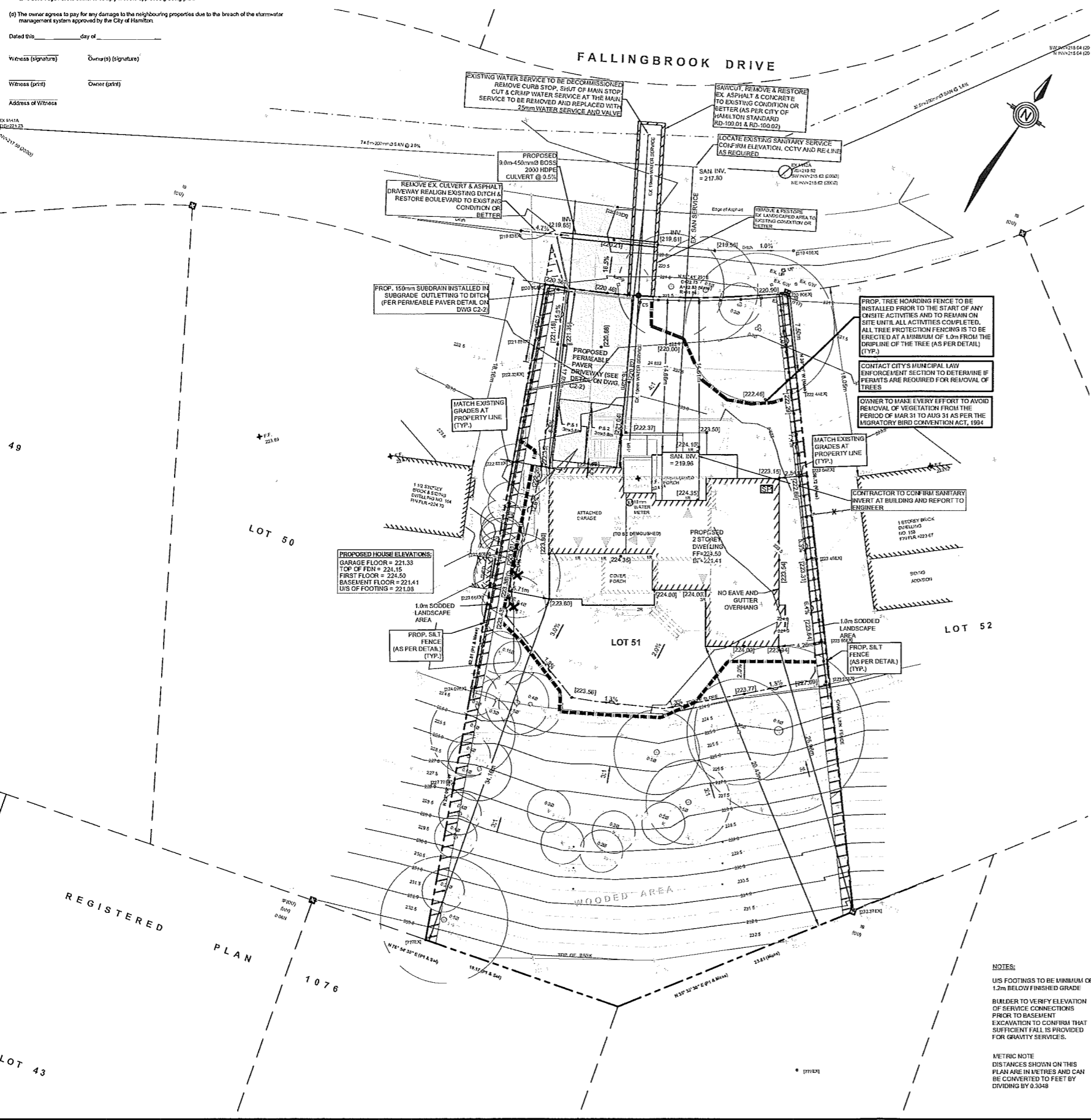
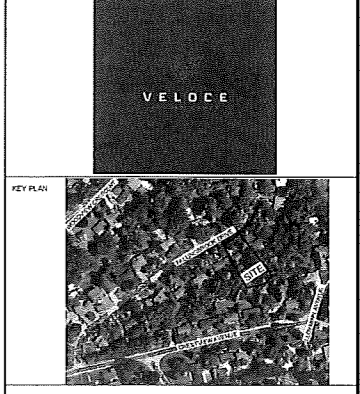
Witness (signature) \_\_\_\_\_ Owner (signature) \_\_\_\_\_  
Witness (print) \_\_\_\_\_ Owner (print) \_\_\_\_\_  
Address of Witness \_\_\_\_\_

**NOTES TO CONTRACTOR:**  
1. CONTRACTORS AND SUBCONTRACTORS SHALL NOT SCALE FROM THIS DRAWING.  
2. ANY DISCREPANCIES AND OMISSIONS FOUND ON THE DRAWINGS MUST BE REPORTED TO THE ENGINEER FOR CLARIFICATION BEFORE COMMENCING WORK.  
3. PRIOR TO THE START OF CONSTRUCTION, THE CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND ELEVATIONS AND REPORT ALL FINDINGS TO THE ENGINEER. ONCE CONSTRUCTION HAS COMMENCED, THE CONTRACTOR ACCEPTS RESPONSIBILITY FOR ALL DIMENSIONS, ELEVATIONS, AND SITE CONDITIONS.  
4. THE PORTIONS OF POLES, LINES, CONDUITS, WATERMANS, SERVICES AND OTHER UNDERGROUND AND OVER-GROUND UTILITIES AND STRUCTURES ARE NOT NECESSARILY SHOWN ON THE DRAWINGS. WHERE KNOWN ON THE DRAWINGS, THE ACCURACY OF THE POSITION OF SUCH UTILITIES AND STRUCTURES IS NOT GUARANTEED. BEFORE STARTING WORK, THE CONTRACTOR SHALL VERIFY THE EXACT LOCATION OF ALL SUCH UTILITIES AND STRUCTURES AND ASSUME ALL LIABILITY FOR DAMAGE TO THEM.  
5. ALL DRAWINGS REMAIN THE PROPERTY OF THE ENGINEER AND SHALL NOT BE REPRODUCED, REUSED, OR REVISED WITHOUT THE WRITTEN CONSENT OF WALTERFEDY.

**BUILDING HEIGHT CALCULATION:**  
AVERAGE GRADE CALCULATION  
ELEVATIONS AT BUILDING CORNERS AND MIDPOINTS ON WALLS LONGER THAN 3m:  
223.94 + 223.87 223.84 223.73 223.75 223.43 223.15 223.55 223.95 223.95 224.03 224.10 224.10 224.10 223.90  
223.30 223.30 223.10 224.10 224.20 224.20 224.15 221.18 222.35 223.08 223.80 223.82 223.85 223.83  
223.90 223.97 224.00 224.00 224.00 224.00 224.00 224.00 224.00 224.00 224.00 224.00 224.00  
8953.4238 = 223.71

**BUILDING HEIGHT CALCULATION:**  
FIRST FLOOR SUBTRACT AVERAGE GRADE ELEVATION 224.50 - 223.71 = 0.79m  
DISTANCE FROM FIRST FLOOR TO ROOF PEAK = 0.71m  
BUILDING HEIGHT (0.71) + DISTANCE DOWN TO AVERAGE GRADE (0.79) = 1.50m

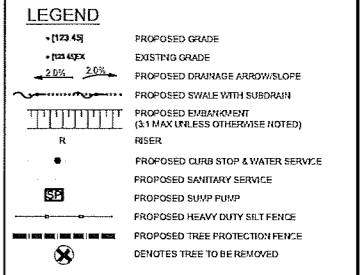
SITE INFORMATION (ZONING REQUIREMENTS & SITE ANALYSIS)		
EXISTING ZONING:	ER - EXISTING RESIDENTIAL	
LOT USE:	RESIDENTIAL	
	REQUIRED	PROVIDED
LOT AREA: (MINIMUM)	695m <sup>2</sup>	2026.3m <sup>2</sup>
LOT FRONTAGE: (MINIMUM)	18m	24.832m
LOT COVERAGE		
	MAXIMUM	PROVIDED
LOT COVERAGE	35%	14.8%
MIN FRONT YARD:	14.484m	16.32m
MIN SIDE YARD:	2.488m	EAST: 2.54m WEST: 3.48m
MIN REAR YARD:	40% OF LOT DEPTH (23.4)	25.96m
MAX BUILDING HEIGHT:	9.5m	10.5m (MINOR VARIANCE REQUIRED)
REQUIRED NUMBER OF PARKING SPACES	2	2



**NOTE:**  
1. WHENEVER POSSIBLE, THE CUTTING OF SURFACE ROOTS OF EXISTING TREES IS TO BE AVOIDED. HOWEVER, IF THESE CUTS ARE REQUIRED, THE CUTS SHOULD BE COMPLETED UNDER THE SUPERVISION OF A TREE MANAGEMENT PROFESSIONAL (i.e. CERTIFIED ARBORIST) SO THAT THE CUTS ARE MADE APPROPRIATELY.  
2. TREES ON THE PROPERTY MAY BE REGULATED UNDER THE TOWN OF ANCASTER BY-LAW (BY-LAW 2000-118). IF TREES ARE TO BE REMOVED, IT IS ADVISED THAT THE CITY'S MUNICIPAL LAW ENFORCEMENT SECTION BE CONTACTED TO DETERMINE IF PERMITS ARE REQUIRED.  
3. THE OWNER IS TO BE AWARE OF THE MIGRATORY BIRDS CONVENTION ACT, 1994 THAT PROTECTS BIRDS AND THEIR NESTS. THE MIGRATORY BIRDS CONVENTION ACT IS IMPLEMENTED BY ENVIRONMENT CANADA. IT IS ADVISED THAT EVERY EFFORT BE MADE TO AVOID REMOVAL OF VEGETATION FROM MARCH 31 TO AUGUST 31.

**SITATION AND EROSION CONTROL:**  
1. ALL EROSION AND SITATION CONTROL DEVICES MUST BE INSTALLED PRIOR TO THE BEGINNING OF EARTH REMOVAL ACTIVITIES AND LEFT IN PLACE UNTIL FINAL COVER IS ESTABLISHED.  
2. ALL EROSION AND SITATION CONTROL DEVICES SHOULD BE AS PER THE "GREATER GOLDEN HORSESHOE AREA CONSERVATION AUTHORITIES", "EROSION AND SEDIMENT CONTROL GUIDELINE FOR URBAN CONSTRUCTION".  
3. THE OWNER IS RESPONSIBLE FOR THE REMOVAL OF ALL MUD AND DEBRIS THAT ARE TRACKED ONTO THE ROADWAYS FROM VEHICLES ENTERING OR LEAVING THE CONSTRUCTION SITE. THE OWNER SHALL, UPON VERBAL AND/OR WRITTEN REQUEST BY THE CITY, IMMEDIATELY PROCEED WITH CLEANUP OPERATIONS AT THEIR EXPENSE. SHOULD THE OWNER FAIL TO MAINTAIN THE ROAD AS DIRECTED, THE CITY WILL HAVE THE CLEANING CARRIED OUT, AND DRAW ON THE OWNER'S SECURITY FOR COSTS AND/OR LAY CHARGES.

DATE	ISSUANCE	NO
2022.03.29	ISSUED FOR FIRST SUBMISSION	1



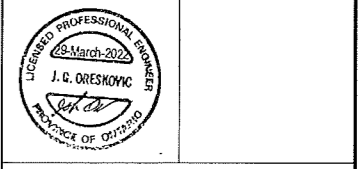
**ELEVATION NOTE:**  
ELEVATIONS SHOWN ON THIS PLAN ARE REFERRED TO CITY OF HAMILTON VERTICAL CONTROL MONUMENT No. 077202075. LOCATION: RB WITH BRASS CAP, 10 cm BELOW GROUND, AT NORTHEAST CORNER OF FALLINGBROOK DR. AND CRESTVIEW AVE., 9 m WEST OF CENTRELINE OF FALLINGBROOK DR., 9 m NORTH OF CENTRELINE OF CRESTVIEW AVE., AND 4 m NORTHEAST OF CATCH BASIN. ELEVATION = 230.021 m.

CLIENT  
**VELOCE LUXURY HOMES HAMILTON**

PROJECT  
**162 FALLINGBROOK DRIVE HAMILTON**

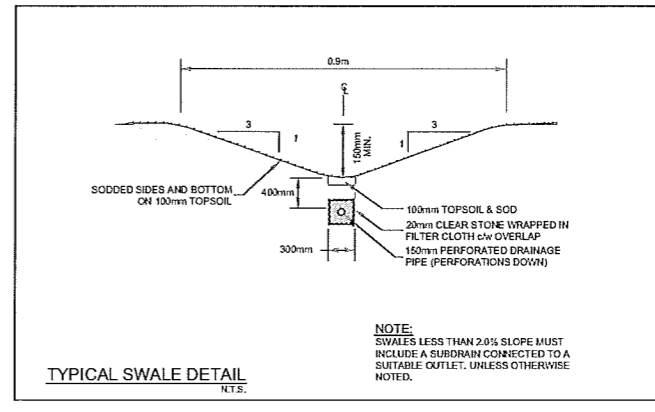
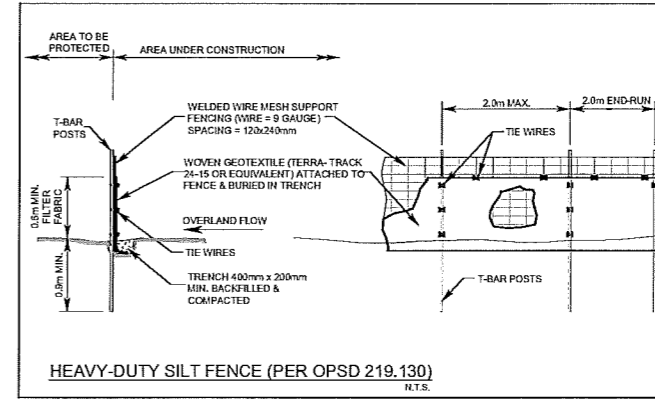
TITLE  
**SITE GRADING AND SERVICING PLAN**

**WALTERFEDY**  
KITCHENER HAMILTON 600.655.1378 walterfeddy.com

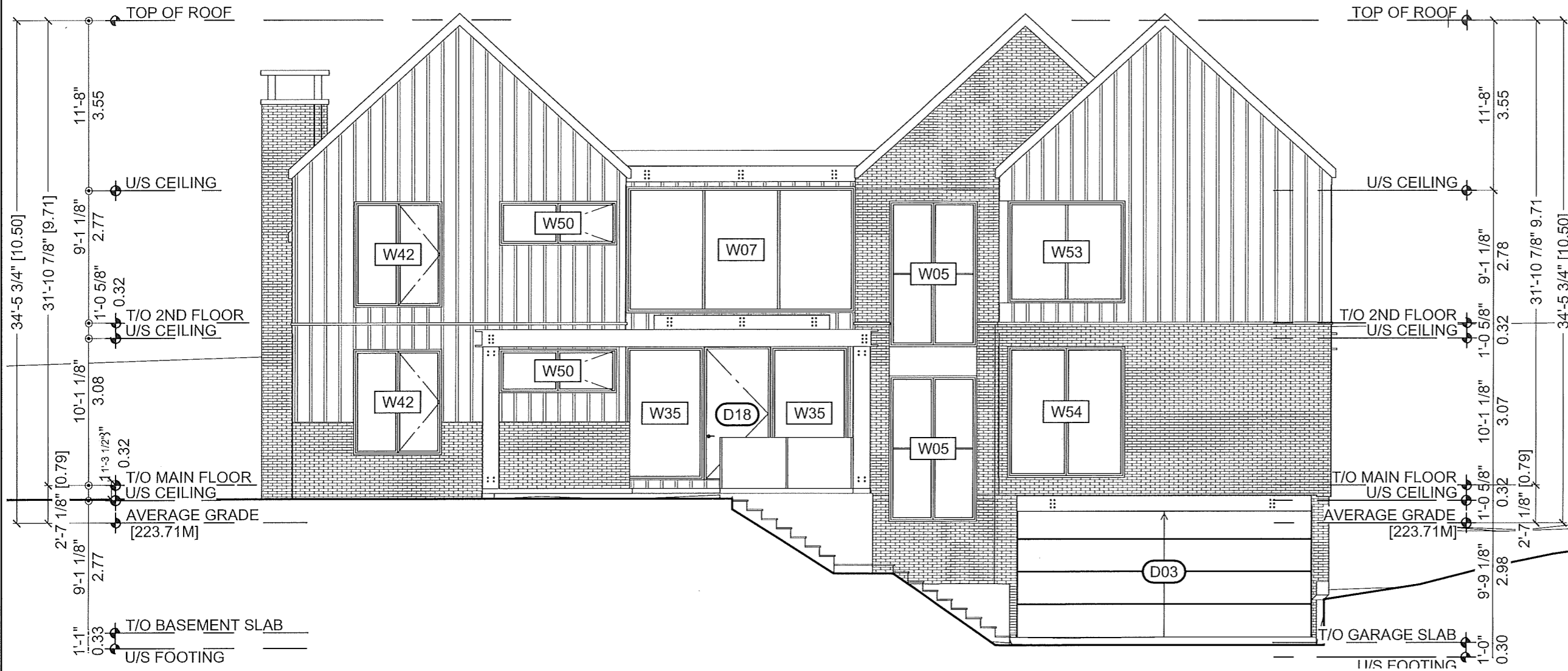


REPRODUCTION OR DISTRIBUTION FOR PURPOSES OTHER THAN AUTHORIZED BY WALTERFEDY IS PROHIBITED. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND REPORT ANY VARIATIONS FROM THE DIMENSIONS AND CONDITIONS SHOWN ON DRAWINGS TO WALTERFEDY. DO NOT SCALE THIS DRAWING.

SCALE: 1:200	SHEET NO:
DATE: 2022-03-29	<b>C2-1</b>
PROJECT NO: 2021-0813-10	
CAD FILE: _GRD_PLT	
DESIGN BY: ES	
CHECKED BY: JD	



**NOTES:**  
US FOOTINGS TO BE MINIMUM OF 1.2m BELOW FINISHED GRADE.  
BUILDER TO VERIFY ELEVATION OF SERVICE CONNECTIONS PRIOR TO BASEMENT EXCAVATION TO CONFIRM THAT SUFFICIENT FALL IS PROVIDED FOR GRAVITY SERVICES.  
METRIC NOTE  
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048



WINDOW SCHEDULE					
NUMBER	QTY	R/O	WIDTH	HEIGHT	DESCRIPTION
W01	1	131 13/16" X 109"	130 13/16"	108"	FIXED GLASS
W02	1	127" X 61"	126"	60"	DOUBLE CASEMENT
W03	1	127" X 109"	126"	108"	DOUBLE CASEMENT
W04	1	165" X 49"	164"	48"	TRIPLE CASEMENT-CHL
W05	2	73" X 121"	72"	120"	DOUBLE CASEMENT
W07	1	189" X 105"	188"	104"	FIXED GLASS
W09	1	25" X 37"	24"	36"	SINGLE CASEMENT-HR
W21	1	37" X 85"	36"	84"	SINGLE CASEMENT-HL
W24	2	37" X 88"	36"	87"	FIXED GLASS
W27	1	49" X 49"	48"	48"	SINGLE CASEMENT-HL
W29	2	49" X 61"	48"	60"	FIXED GLASS
W30	1	49" X 61"	48"	60"	SINGLE CASEMENT-HL
W32	1	49" X 85"	48"	84"	SINGLE CASEMENT-HL
W33	3	49" X 109"	48"	108"	SINGLE CASEMENT-HL
W35	2	65" X 111"	64"	110"	FIXED GLASS
W38	1	73" X 37"	72"	36"	TRIPLE CASEMENT-LHL
W39	1	73" X 61"	72"	60"	SINGLE CASEMENT-HL
W42	2	73" X 88"	72"	87"	DOUBLE CASEMENT-RHR
W43	1	73" X 85"	72"	84"	DOUBLE CASEMENT
W45	1	73" X 109"	72"	108"	DOUBLE CASEMENT-LHL/RHL
W46	1	75 5/16" X 37"	74 5/16"	36"	SINGLE CASEMENT-HL
W47	1	88" X 61"	87"	60"	FIXED GLASS
W48	1	88" X 109"	87"	108"	FIXED GLASS
W50	2	97" X 37"	96"	36"	DOUBLE CASEMENT-RHL
W51	1	97" X 85"	96"	84"	DOUBLE CASEMENT
W52	1	97" X 85"	96"	84"	DOUBLE CASEMENT-LHL
W53	1	97" X 85"	96"	84"	FIXED GLASS
W54	1	97" X 109"	96"	108"	DOUBLE CASEMENT

DOOR SCHEDULE					
NUMBER	QTY	WIDTH	HEIGHT	R/O	DESCRIPTION
D01	1	164"	108"	166 1/2" X 111"	EXT. 3+0-PANEL SLIDER-GLASS PANEL
D02	1	166"	108"	170 1/2" X 111"	EXT. QUAD SLIDER-GLASS PANEL
D03	1	240"	108"	242 1/2" X 111"	GARAGE-1P - CLOSED
D04	1	28"	80"	28" X 80"	SHOWER-GLASS SLAB
D05	1	30"	80"	32 1/2" X 82 1/2"	HINGED-SC03 GLASS DOOR
D06	1	72"	96"	74 1/2" X 98 1/2"	SLIDER-SLAB
D07	1	30"	108"	32 1/2" X 110 1/2"	HINGED-DOOR P04
D08	3	30"	80"	30" X 80"	SHOWER-GLASS SLAB
D09	11	30"	96"	32 1/2" X 98 1/2"	HINGED-DOOR P04
D10	1	30"	80"	32 1/2" X 82 1/2"	HINGED-DOOR P04
D13	1	32"	96"	34 1/2" X 98 1/2"	HINGED-DOOR P04
D14	1	36"	96"	38 1/2" X 98 1/2"	POCKET-DOOR P04
D15	2	36"	96"	38 1/2" X 98 1/2"	HINGED-DOOR P04
D16	1	36"	96"	38 1/2" X 99"	EXT. HINGED-SLAB
D17	1	48"	96"	50 1/2" X 98 1/2"	DOUBLE HINGED-DOOR P04
D18	1	50 5/8"	108"	54 5/8" X 112"	EXT. HINGED-SLAB
D20	1	72"	96"	74 1/2" X 98 1/2"	DOUBLE HINGED-DOOR P04



WINDOW SCHEDULE					
NUMBER	QTY	R/O	WIDTH	HEIGHT	DESCRIPTION
W01	1	131 13/16" X 109"	130 13/16"	108"	FIXED GLASS
W02	1	127" X 61"	126"	60"	DOUBLE CASEMENT
W03	1	127" X 109"	126"	108"	DOUBLE CASEMENT
W04	1	165" X 49"	164"	48"	TRIPLE CASEMENT-CHL
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W09	1	25" X 37"	24"	36"	SINGLE CASEMENT-HR
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W24	2	37" X 88"	36"	87"	FIXED GLASS
W27	1	49" X 49"	48"	48"	SINGLE CASEMENT-HL
W29	2	49" X 61"	48"	60"	FIXED GLASS
W30	1	49" X 61"	48"	60"	SINGLE CASEMENT-HL
W32	1	49" X 85"	48"	84"	SINGLE CASEMENT-HL
W33	3	49" X 109"	48"	108"	SINGLE CASEMENT-HL
W35	2	65" X 111"	64"	110"	FIXED GLASS
W38	1	73" X 37"	72"	36"	TRIPLE CASEMENT-LHL
W39	1	73" X 61"	72"	60"	SINGLE CASEMENT-RHL
W42	2	73" X 88"	72"	87"	DOUBLE CASEMENT-RHR
W43	1	73" X 85"	72"	84"	DOUBLE CASEMENT
W45	1	73" X 109"	72"	108"	DOUBLE CASEMENT-LHU/RHL
W46	1	75 5/16" X 37"	74 5/16"	36"	SINGLE CASEMENT-HL
W47	1	88" X 61"	87"	60"	FIXED GLASS
W48	1	88" X 109"	87"	108"	FIXED GLASS
W50	2	97" X 37"	96"	36"	DOUBLE CASEMENT-RHL
W51	1	97" X 85"	96"	84"	DOUBLE CASEMENT
W52	1	97" X 85"	96"	84"	DOUBLE CASEMENT-LHL
W53	1	97" X 85"	96"	84"	FIXED GLASS
W54	1	97" X 109"	96"	108"	DOUBLE CASEMENT

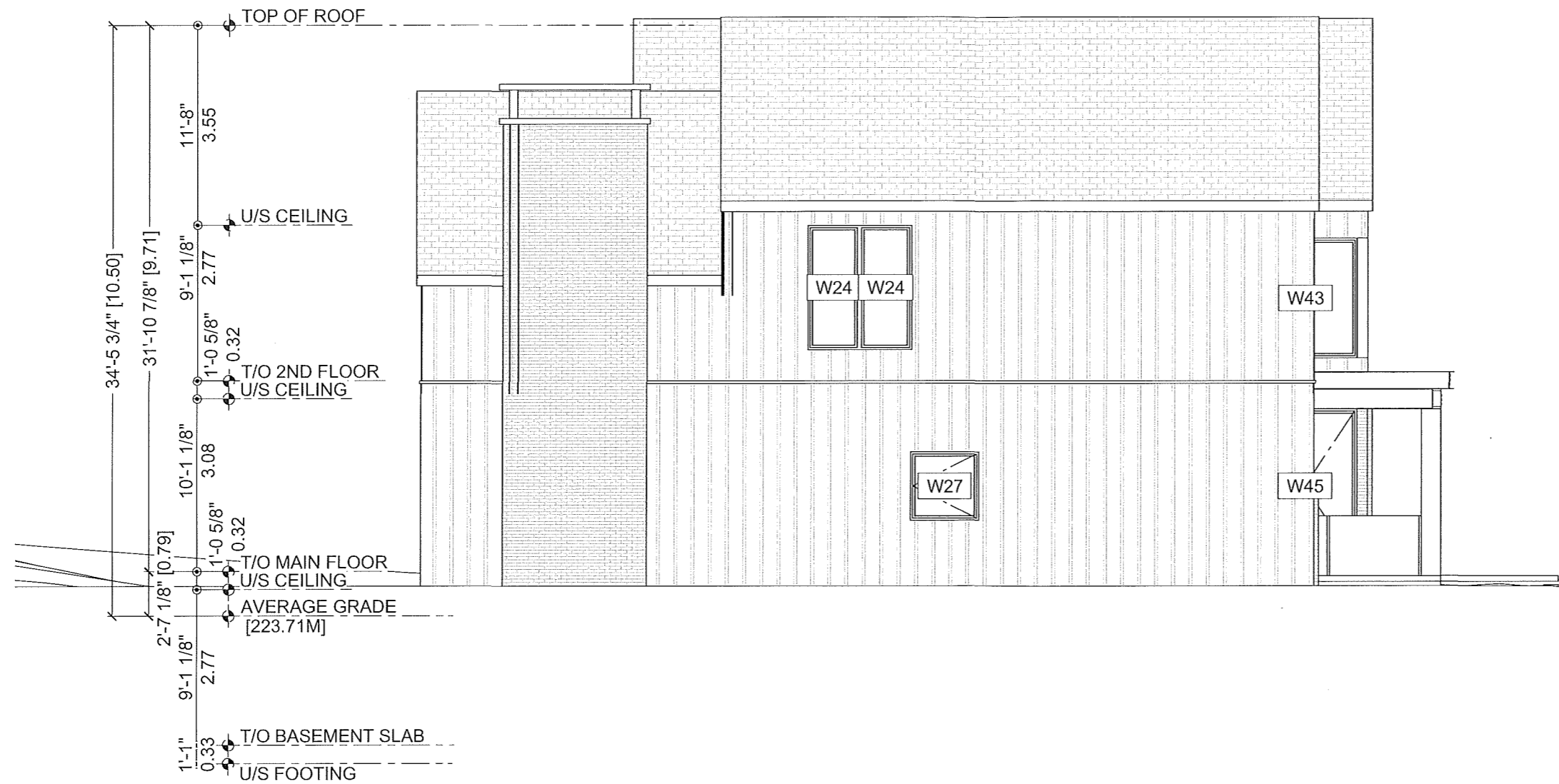
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D07	1	30"	108"	32 1/2" X 110 1/2"	HINGED-DOOR P04
D08	3	30"	80"	30" X 80"	SHOWER-GLASS SLAB
D09	11	30"	96"	32 1/2" X 98 1/2"	HINGED-DOOR P04
D10	1	30"	80"	32 1/2" X 82 1/2"	HINGED-DOOR P04
D13	1	32"	96"	34 1/2" X 98 1/2"	HINGED-DOOR P04
D14	1	36"	96"	38 1/2" X 98 1/2"	POCKET-DOOR P04
D15	2	36"	96"	38 1/2" X 98 1/2"	HINGED-DOOR P04
D16	1	36"	96"	38 1/2" X 99"	EXT. HINGED-SLAB
D17	1	48"	96"	50 1/2" X 98 1/2"	DOUBLE HINGED-DOOR P04
D18	1	50 5/8"	108"	54 5/8" X 112"	EXT. HINGED-SLAB
D20	1	72"	96"	74 1/2" X 98 1/2"	DOUBLE HINGED-DOOR P04



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W03	1	127" X 109"	126"	108"	DOUBLE CASEMENT
W04	1	165" X 49"	164"	48"	TRIPLE CASEMENT-CHL
W05	2	73" X 121"	72"	120"	DOUBLE CASEMENT
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W24	2	37" X 88"	36"	87"	FIXED GLASS
W27	1	49" X 49"	48"	48"	SINGLE CASEMENT-HL
W29	2	49" X 61"	48"	60"	FIXED GLASS
W30	1	49" X 61"	48"	60"	SINGLE CASEMENT-HL
W32	1	49" X 85"	48"	84"	SINGLE CASEMENT-HL
W33	3	49" X 109"	48"	108"	SINGLE CASEMENT-HL
W35	2	65" X 111"	64"	110"	FIXED GLASS
W38	1	73" X 37"	72"	36"	TRIPLE CASEMENT-LHL
W39	1	73" X 61"	72"	60"	SINGLE CASEMENT-HL
W42	2	73" X 88"	72"	87"	DOUBLE CASEMENT-RHR
W43	1	73" X 85"	72"	84"	DOUBLE CASEMENT
W45	1	73" X 109"	72"	108"	DOUBLE CASEMENT-LH/RHL
W46	1	75 5/16" X 37"	74 5/16"	36"	SINGLE CASEMENT-HL
W47	1	88" X 61"	87"	60"	FIXED GLASS
W48	1	88" X 109"	87"	108"	FIXED GLASS
W50	2	97" X 37"	96"	36"	DOUBLE CASEMENT-RHL
W51	1	97" X 85"	96"	84"	DOUBLE CASEMENT
W52	1	97" X 85"	96"	84"	DOUBLE CASEMENT-LHL
W53	1	97" X 85"	96"	84"	FIXED GLASS
W54	1	97" X 109"	96"	108"	DOUBLE CASEMENT

DOOR SCHEDULE					
NUMBER	QTY	WIDTH	HEIGHT	R/O	DESCRIPTION
D01	1	164"	108"	166 1/2" X 111"	EXT. 3+0-PANEL SLIDER-GLASS PANEL
D02	1	166"	108"	170 1/2" X 111"	EXT. QUAD SLIDER-GLASS PANEL
D03	1	240"	108"	242 1/2" X 111"	GARAGE-LP - CLOSED
D04	1	28"	80"	28" X 80"	SHOWER-GLASS SLAB
D05	1	30"	80"	32 1/2" X 82 1/2"	HINGED-303 GLASS DOOR
D06	1	72"	96"	74 1/2" X 98 1/2"	SLIDER-SLAB
D07	1	30"	108"	32 1/2" X 110 1/2"	HINGED-DOOR P04
D08	3	30"	80"	30" X 80"	SHOWER-GLASS SLAB
D09	11	30"	96"	32 1/2" X 98 1/2"	HINGED-DOOR P04
D10	1	30"	80"	32 1/2" X 82 1/2"	HINGED-DOOR P04
D13	1	32"	96"	34 1/2" X 98 1/2"	HINGED-DOOR P04
D14	1	36"	96"	74 1/2" X 98 1/2"	POCKET-DOOR P04
D15	2	36"	96"	38 1/2" X 98 1/2"	HINGED-DOOR P04
D16	1	36"	96"	38 1/2" X 99"	EXT. HINGED-SLAB
D17	1	48"	96"	50 1/2" X 98 1/2"	DOUBLE HINGED-DOOR P04
D18	1	50 5/8"	108"	54 5/8" X 112"	EXT. HINGED-SLAB
D20	1	72"	96"	74 1/2" X 98 1/2"	DOUBLE HINGED-DOOR P04





WINDOW SCHEDULE							
NUMBER	QTY	R/O	WIDTH	HEIGHT	DESCRIPTION		
W01	1	131	13/16" X 109"	130	13/16"	108"	FIXED GLASS
W02	1	127	X 86"	125"	80"	80"	DOUBLE CASEMENT
W03	1	127	X 109"	125"	108"	108"	DOUBLE CASEMENT
W04	1	165	X 49"	164"	48"	48"	TRIPLE CASEMENT-CHL
W05	2	73	X 121"	72"	120"	120"	DOUBLE CASEMENT
W07	1	189	X 105"	188"	104"	104"	FIXED GLASS
W09	1	25	X 37"	24"	35"	35"	SINGLE CASEMENT-HR
W21	1	37	X 85"	35"	84"	84"	SINGLE CASEMENT-HL
W24	2	37	X 88"	35"	87"	87"	FIXED GLASS
W27	1	49	X 49"	48"	48"	48"	SINGLE CASEMENT-HL
W29	2	49	X 61"	48"	60"	60"	FIXED GLASS
W30	1	49	X 61"	48"	60"	60"	SINGLE CASEMENT-HL
W32	1	49	X 85"	48"	84"	84"	SINGLE CASEMENT-HL
W33	3	49	X 109"	48"	109"	109"	SINGLE CASEMENT-HL
W35	2	65	X 111"	64"	110"	110"	FIXED GLASS
W38	1	73	X 37"	72"	35"	35"	TRIPLE CASEMENT-LHL
W39	1	73	X 61"	72"	60"	60"	SINGLE CASEMENT-HL
W42	2	73	X 88"	72"	87"	87"	DOUBLE CASEMENT-RHR
W43	1	73	X 85"	72"	84"	84"	DOUBLE CASEMENT
W45	1	73	X 109"	72"	109"	109"	DOUBLE CASEMENT-LHURHL
W46	1	75	5/16" X 37"	74	5/16"	35"	SINGLE CASEMENT-HL
W47	1	88	X 61"	87"	60"	60"	FIXED GLASS
W48	1	88	X 109"	87"	108"	108"	FIXED GLASS
W50	2	97	X 37"	96"	35"	35"	DOUBLE CASEMENT-RHL
W51	1	97	X 85"	96"	84"	84"	DOUBLE CASEMENT
W52	1	97	X 85"	96"	84"	84"	DOUBLE CASEMENT-LHL
W53	1	97	X 85"	96"	84"	84"	FIXED GLASS
W54	1	97	X 109"	96"	108"	108"	DOUBLE CASEMENT

DOOR SCHEDULE							
NUMBER	QTY	WIDTH	HEIGHT	R/O	DESCRIPTION		
D01	1	164"	108"	166	1/2" X 111"	EXT. 3+0-PANEL SLIDER-GLASS PANEL	
D02	1	168"	108"	170	1/2" X 111"	EXT. QUAD SLIDER-GLASS PANEL	
D03	1	240"	108"	242	1/2" X 111"	GARAGE-LP - CLOSED	
D04	1	28"	80"	28	X 80"	SHOWER-GLASS SLAB	
D05	1	30"	80"	32	1/2" X 82	1/2"	HINGED-3003 GLASS DOOR
D06	1	72"	96"	74	1/2" X 98	1/2"	SLIDER-SLAB
D07	1	30"	108"	32	1/2" X 110	1/2"	HINGED-DOOR P04
D08	3	30"	80"	30	X 80"	SHOWER-GLASS SLAB	
D09	11	30"	96"	32	1/2" X 98	1/2"	HINGED-DOOR P04
D10	1	30"	80"	32	1/2" X 82	1/2"	HINGED-DOOR P04
D13	1	32"	96"	34	1/2" X 98	1/2"	HINGED-DOOR P04
D14	1	36"	96"	38	1/2" X 98	1/2"	POCKET-DOOR P04
D15	2	36"	96"	38	1/2" X 98	1/2"	HINGED-DOOR P04
D16	1	36"	96"	38	1/2" X 99"	EXT. HINGED-SLAB	
D17	1	48"	96"	50	1/2" X 98	1/2"	DOUBLE HINGED-DOOR P04
D18	1	50	5/8"	108"	54	5/8" X 112"	EXT. HINGED-SLAB
D20	1	72"	96"	74	1/2" X 98	1/2"	DOUBLE HINGED-DOOR P04



Hamilton

**Committee of Adjustment**

City Hall, 5<sup>th</sup> Floor,  
71 Main St. W.,  
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221  
Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**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>	Jason Reis Christina Cardadeiro	
<b>Applicant(s)*</b>	Jason Reis Christina Cardadeiro	
<b>Agent or Solicitor</b>	Joseph Veloce	

**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:

Proposed Height 10.5m

Second Dwelling Unit       Reconstruction of Existing Dwelling

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

Due to the existing slope, the garage is located at the basement level. The calculation of avg grade is skewed based on the lower of the garage, resulting in a higher overall "Total Height". The driveway cannot be raised due to eng. guidelines for the driveway slope.

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):

162 Fallingbrook Drive, Ancaster  
L1 51, Pl 1076; Ancaster (Amended 08/04/00 by LR2) City of Hamilton

7. PREVIOUS USE OF PROPERTY

Residential       Industrial       Commercial

Agricultural       Vacant

Other \_\_\_\_\_

- 8.1 If Industrial or Commercial, specify use \_\_\_\_\_

- 8.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes       No       Unknown

- 8.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes       No       Unknown

- 8.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes       No       Unknown

- 8.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes       No       Unknown

- 8.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?

Yes       No       Unknown

- 8.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes       No       Unknown

- 8.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?

Yes       No       Unknown

- 8.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?

Yes       No       Unknown

8.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?  
Yes  No  Unknown

8.11 What information did you use to determine the answers to 8.1 to 8.10 above?

Owner Information

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.

May 16, 2022  
Date

*Christina Cardadeiro*  
Signature Property Owner(s)

Jason Reis and Christina Cardadeiro  
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>75.25'</u>
Depth	<u>206.08'</u>
Area	<u>.5ac</u>
Width of street	<u>~25'</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:

Approximately 1500sqft one storey dwelling with attached single car garage

Proposed

Approximately 4478sqft two storey dwelling with attached two car garage

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

Existing:

Front: 16.89m  
Side: 3.52/8.93m

Proposed:

Front: 16.32m  
Rear: 25.96  
Side: 2.54/3.48m

13. Date of acquisition of subject lands:  
June 15, 2021
- 
14. Date of construction of all buildings and structures on subject lands:  
1980s
- 
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          | <u>Yes</u> | Connected | <u>Yes</u> |
| Sanitary Sewer | <u>Yes</u> | Connected | <u>Yes</u> |
| Storm Sewers   | <u>No</u>  |           |            |
19. Present Official Plan/Secondary Plan provisions applying to the land:  
Neighbourhoods
- 
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
B7-57 ER Zone
- 
21. Has the owner previously applied for relief in respect of the subject property? (Zoning By-law Amendment or Minor Variance)
- Yes     No
- If yes, please provide the file number:  
\_\_\_\_\_
- 21.1 If a site-specific zoning by-law amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?
- Yes     No
- 21.2 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.
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 (please include separate sheet if needed)
- 
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.