



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

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.:	FL/A-22:315	SUBJECT PROPERTY:	2 Shire Court, Carlisle
ZONE:	"S1" (Settlement Residential)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended

APPLICANTS: Owner: David Eccles
 Agent: Kristjan Fortune Designs

The following variances are requested:

1. A southerly side yard setback of 1.2m shall be provided instead of the minimum required 3.0m side yard setback.

PURPOSE & EFFECT: To permit the construction of a new side yard addition onto the existing single detached dwelling.

Notes:

Please be advised that eaves and gutters are permitted to project into a required side yard not more than 0.6m, or half the distance of the required yard, whichever is lesser. Insufficient information has been provided in order to confirm zoning compliance. The applicant is advised that further variances may be required if compliance cannot be achieved.

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:

DATE:	Thursday, November 3, 2022
TIME:	1:40 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton

To be streamed (viewing only) at
www.hamilton.ca/committeeofadjustment

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

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton
- 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 and instructions for check in to participate in person.



DATED: October 18, 2022

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. Please include your name and address, hearing date, and file number. Comments can be submitted by emailing 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

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. 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.

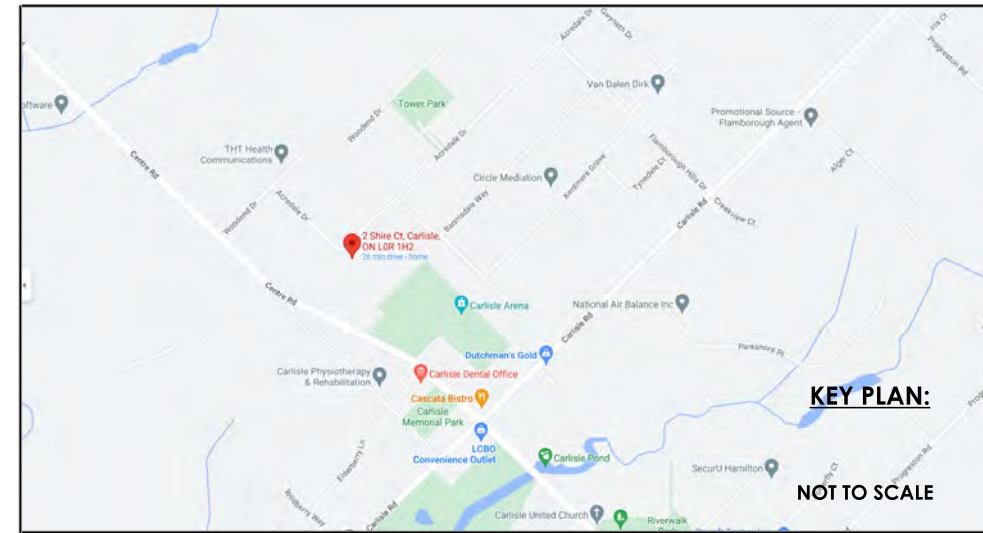
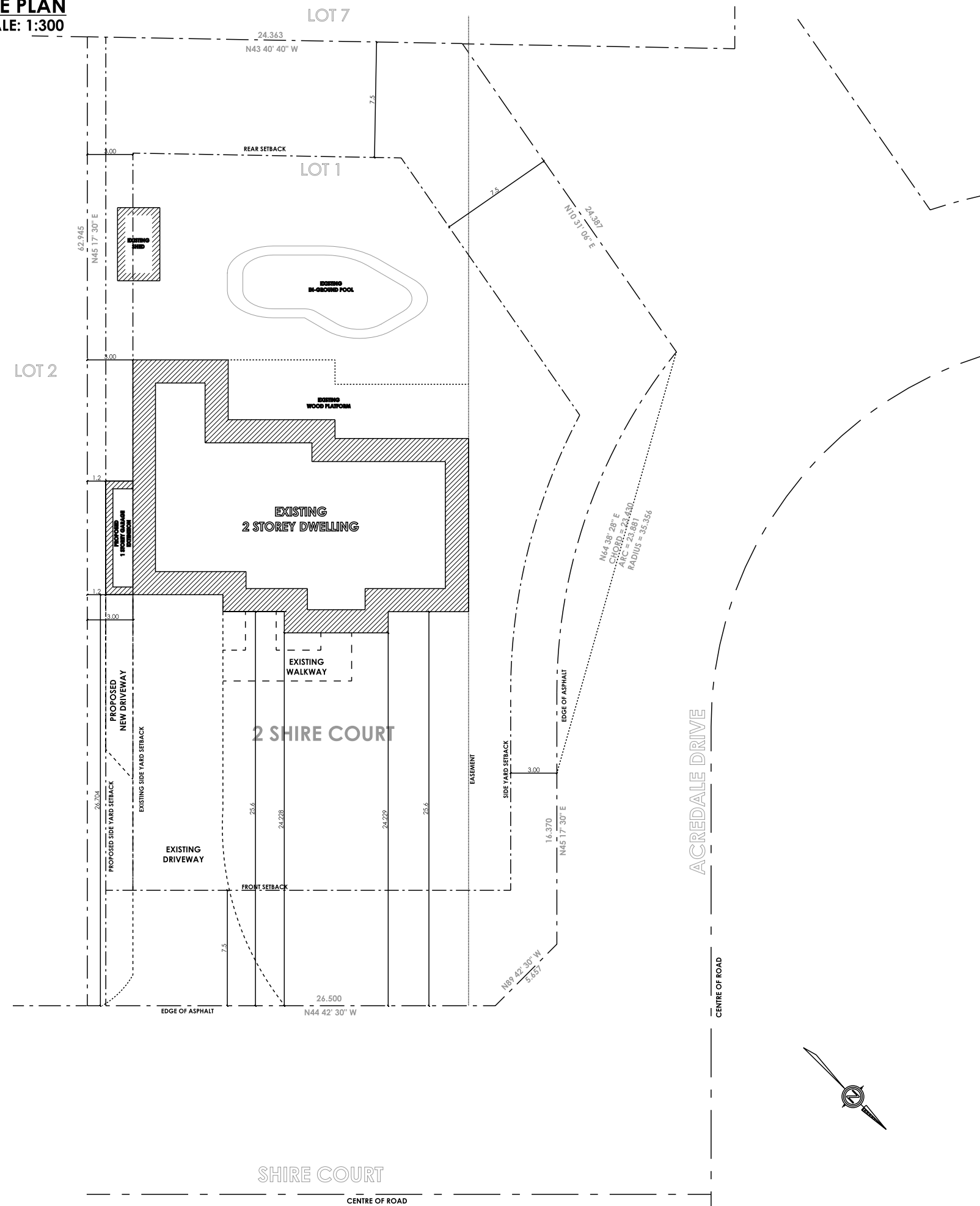
2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd 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 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.

SITE PLAN
SCALE: 1:300



SITE STATISTICS:

ZONE: S1		
LOT AREA	1975 SqM	21,258.72 SqFt
EXISTING HOUSE COVERAGE	288 SqM	3100 SqFt
PROPOSED HOUSE COVERAGE	301 SqM	3239.94 SqFt
EXISTING GARAGE	39.20 SqM	422 SqFt
PROPOSED GARAGE	51.28 SqM	552 SqFt
EXISTING LEFT SETBACK	3.0 M	9.84 Ft
PROPOSED LEFT SETBACK	1.2 M	3.94 Ft

TABLE OF CONTENTS:

- A0.01 SITE PLAN AND SITE STATISTICS
- A0.02 GENERAL NOTES
- A1.01A EXISTING FOUNDATION PLAN
- A1.01B PROPOSED FOUNDATION PLAN
- A1.02A EXISTING MAIN FLOOR
- A1.02B PROPOSED MAIN FLOOR
- A1.03 EXISTING SECOND FLOOR
- A1.04A EXISTING ROOF PLAN
- A1.04B PROPOSED ROOF PLAN
- A2.01A EXISTING FRONT ELEVATION
- A2.01B PROPOSED FRONT ELEVATION
- A2.02A EXISTING BACK ELEVATION
- A2.02B PROPOSED BACK ELEVATION
- A2.03A EXISTING LEFT ELEVATION
- A2.03B PROPOSED LEFT ELEVATION
- A2.04 EXISTING RIGHT ELEVATION
- A4.01 CROSS SECTION A-A
- SP0-01 SURVEY PLAN 1
- SP0-02 SURVEY PLAN 2



DESIGNED BY:
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905-510-5425
info@kristjanfortunedesigns.com



DESIGNER: KRISTJAN FORTUNE
DESIGNER BCIN: 27992
FIRM: KRISTJAN FORTUNE DESIGNS
FIRM BCIN: 121448

DATE SIGNATURE OF DESIGNER

These drawings are the property of KRISTJAN FORTUNE DESIGNS and/or its clients only.

Contractors will check & verify all dimensions & site conditions prior to proceeding with work

DRAWING DATE	NO.
30/08/2022	01

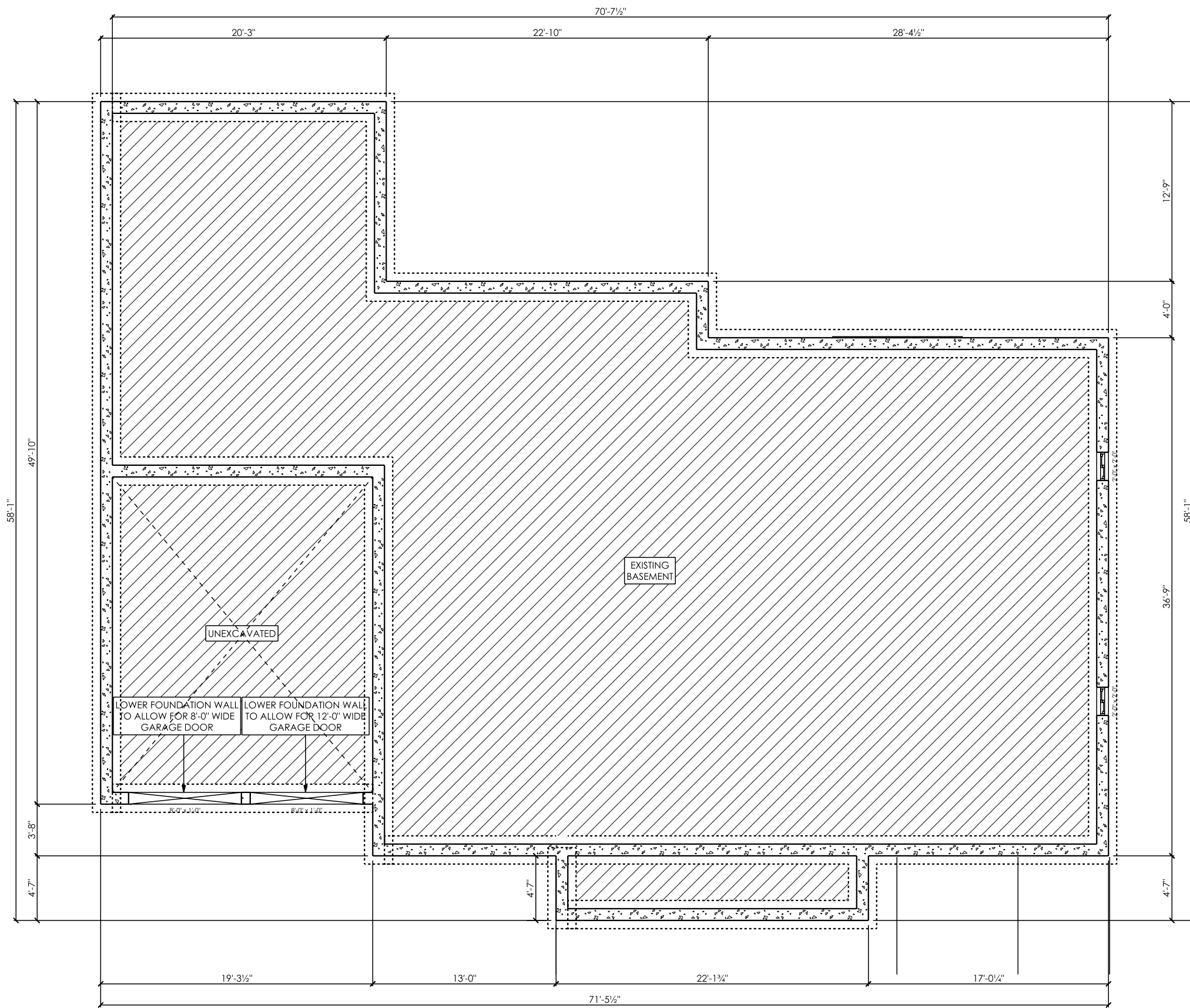
SCALE: AS NOTED

PROJECT #: 22-2-S

PROJECT ADDRESS: 2 SHIRE CRT
CARLISLE, ON
L0R 1H2

DRAWING: SITE PLAN & SITE STATISTICS

DRAWING NO: **A0.01**



DESIGNED BY:
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DESIGNER: KRISTJAN FORTUNE
 DESIGNER BCIN: 27992
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SCALE: 1/8" = 1'

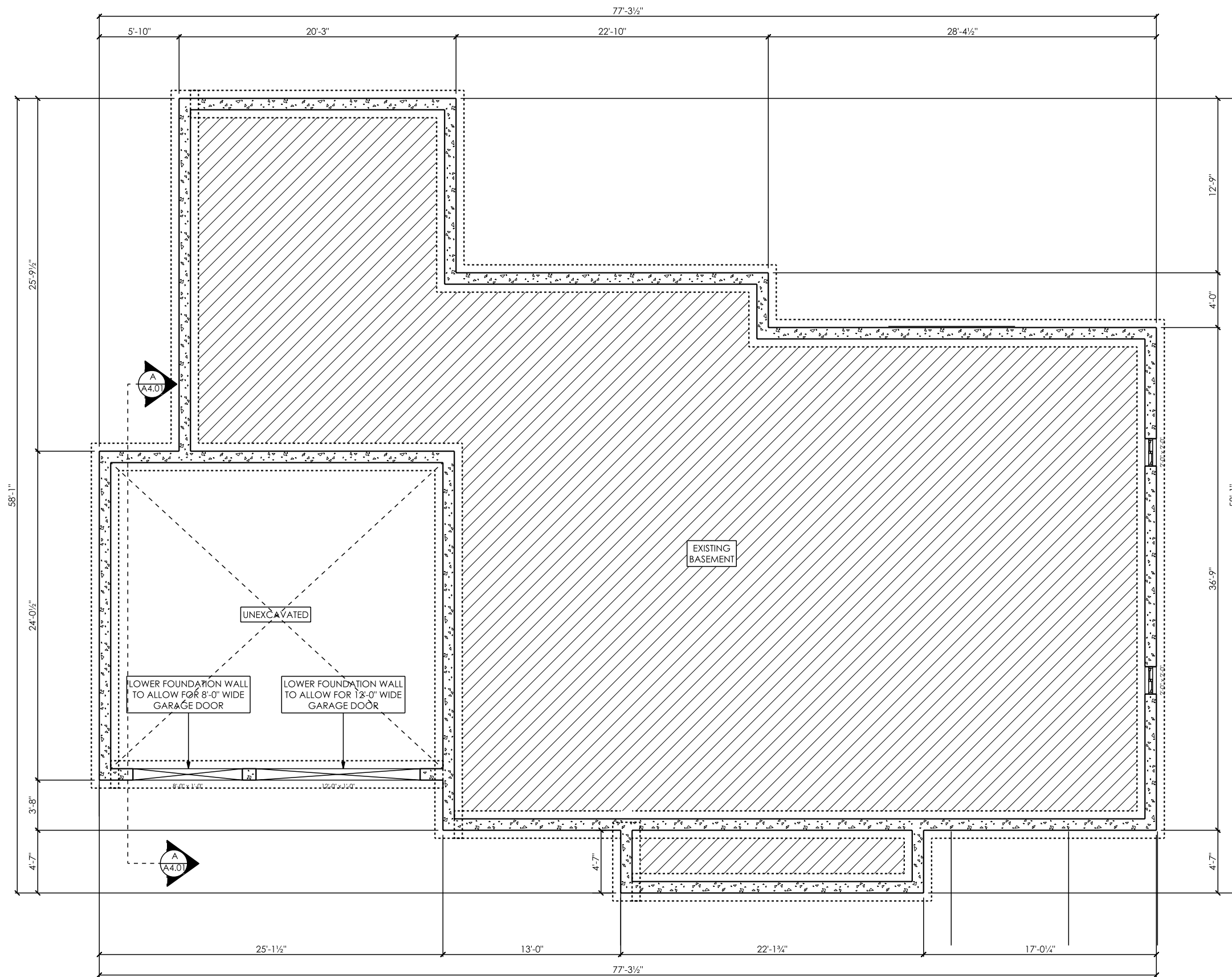
PROJECT #: 22-2-S

PROJECT: 2 SHIRE CRT
 CARLISLE, ON
 LOR 1H2

DRAWING: EXISTING
 FOUNDATION PLAN

DRAWING NO:

A1.01A



DESIGNED BY:
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DESIGNER: KRISTJAN FORTUNE
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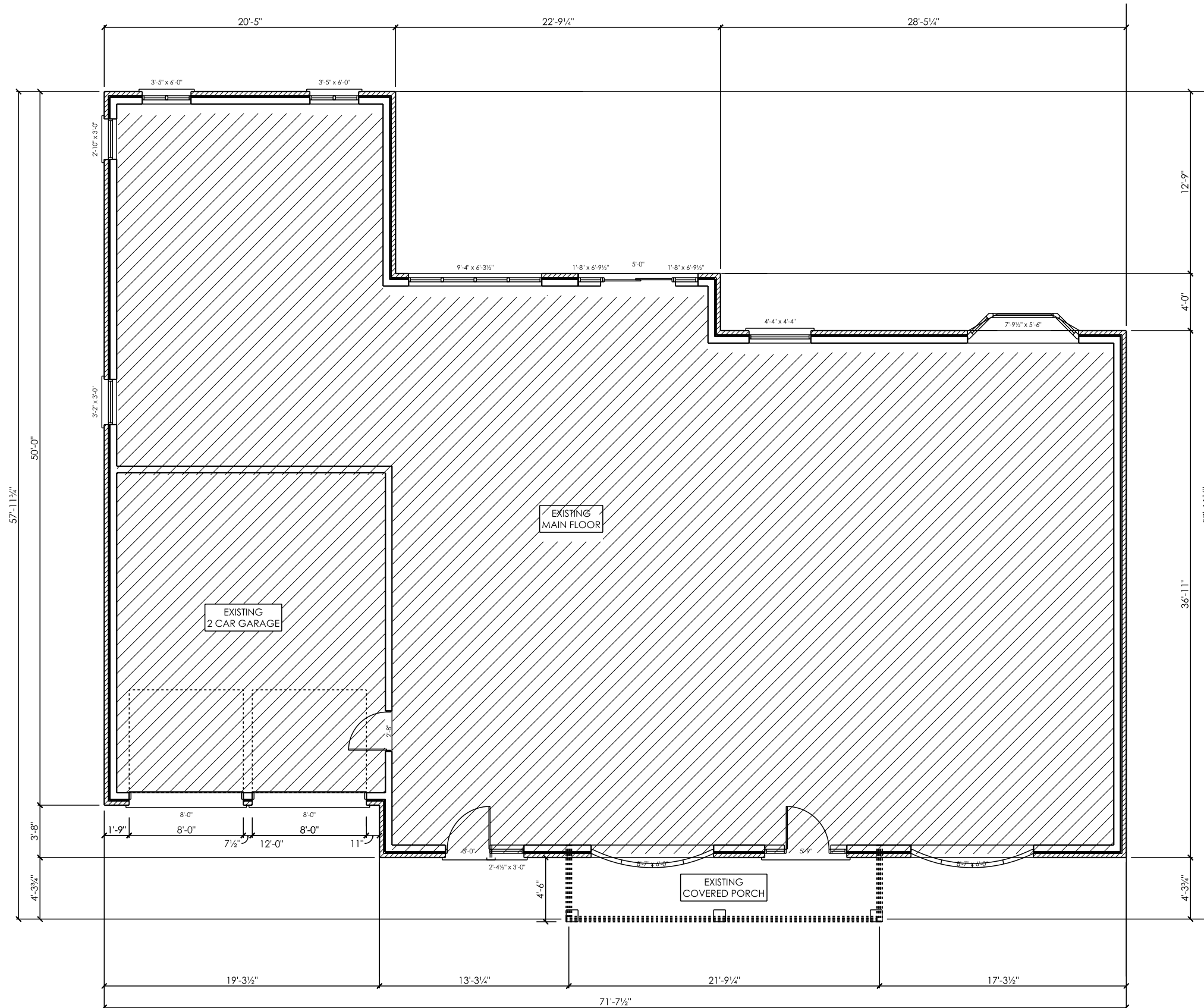
PROJECT #: 22-2-S

PROJECT: 2 SHIRE CRT
 CARLISLE, ON
 LOR 1H2

DRAWING: PROPOSED
 FOUNDATION PLAN

DRAWING NO:

A1.01B



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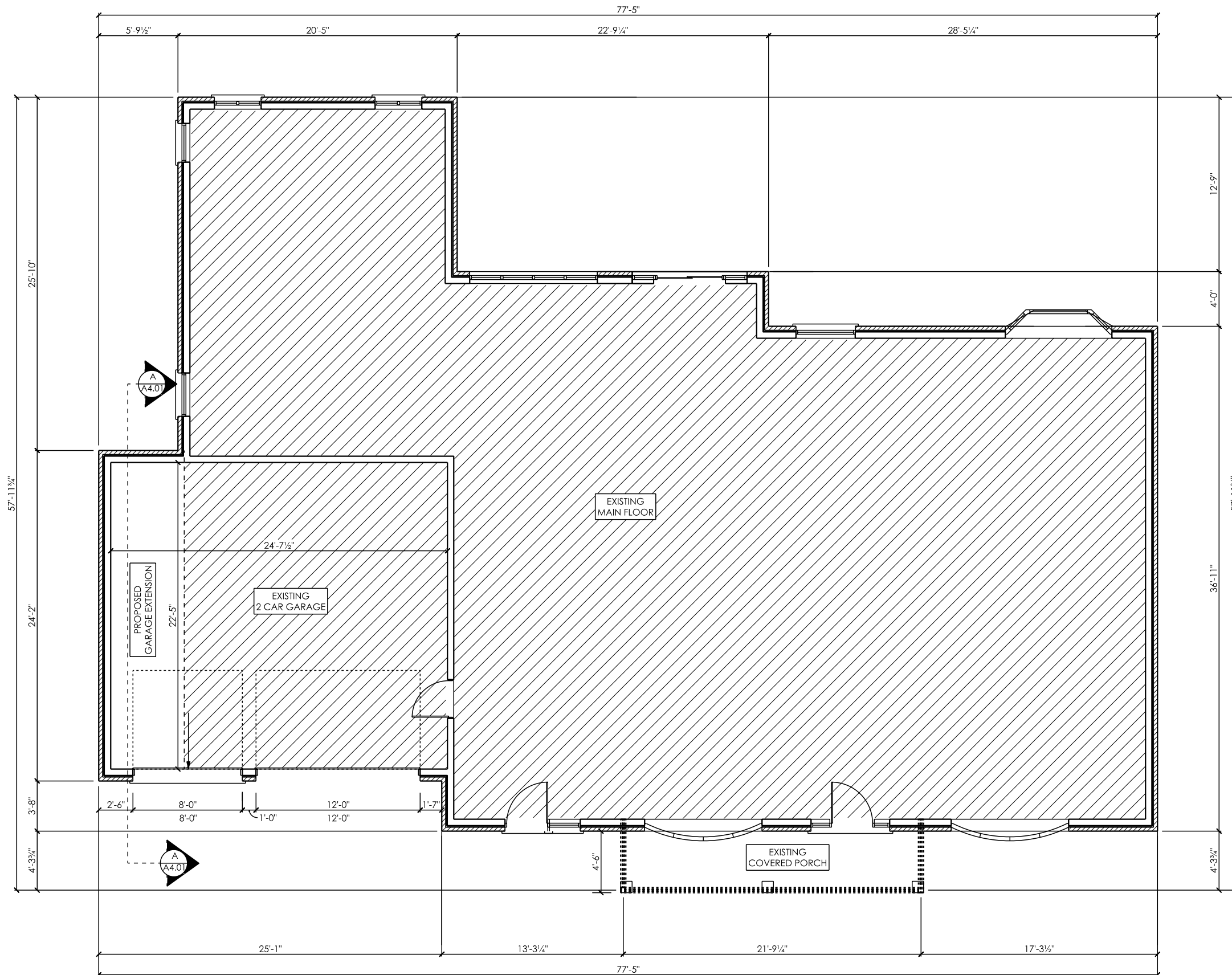
PROJECT #: 22-2-S

PROJECT: 2 SHIRE CRT
 CARLISLE, ON
 LOR 1H2

DRAWING: EXISTING
 MAIN FLOOR

DRAWING NO:

A1.02A



DESIGNED BY:
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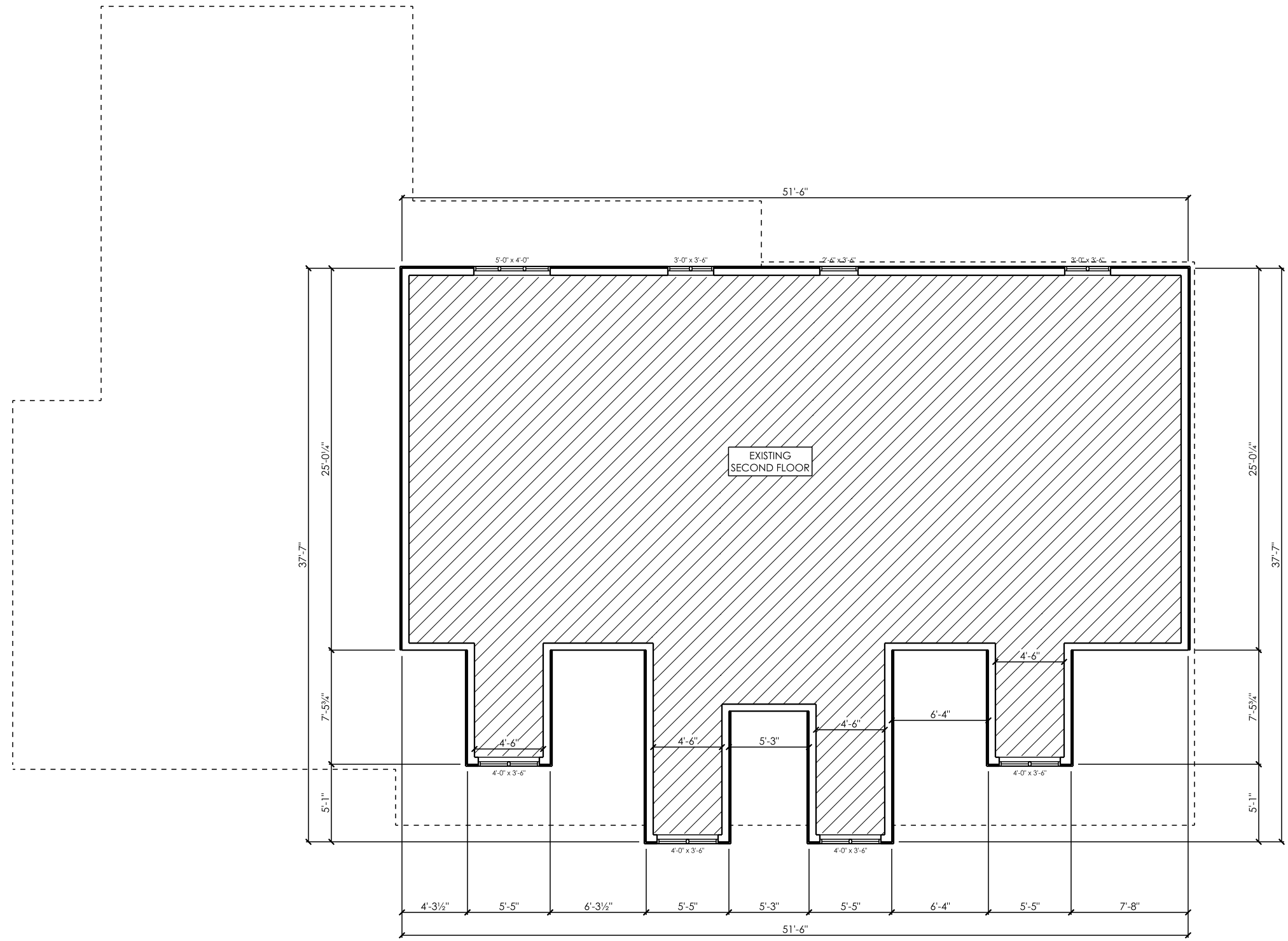
PROJECT #: 22-2-S

PROJECT: 2 SHIRE CRT
 CARLISLE, ON
 LOR 1H2

DRAWING: PROPOSED
 MAIN FLOOR

DRAWING NO:

A1.02B



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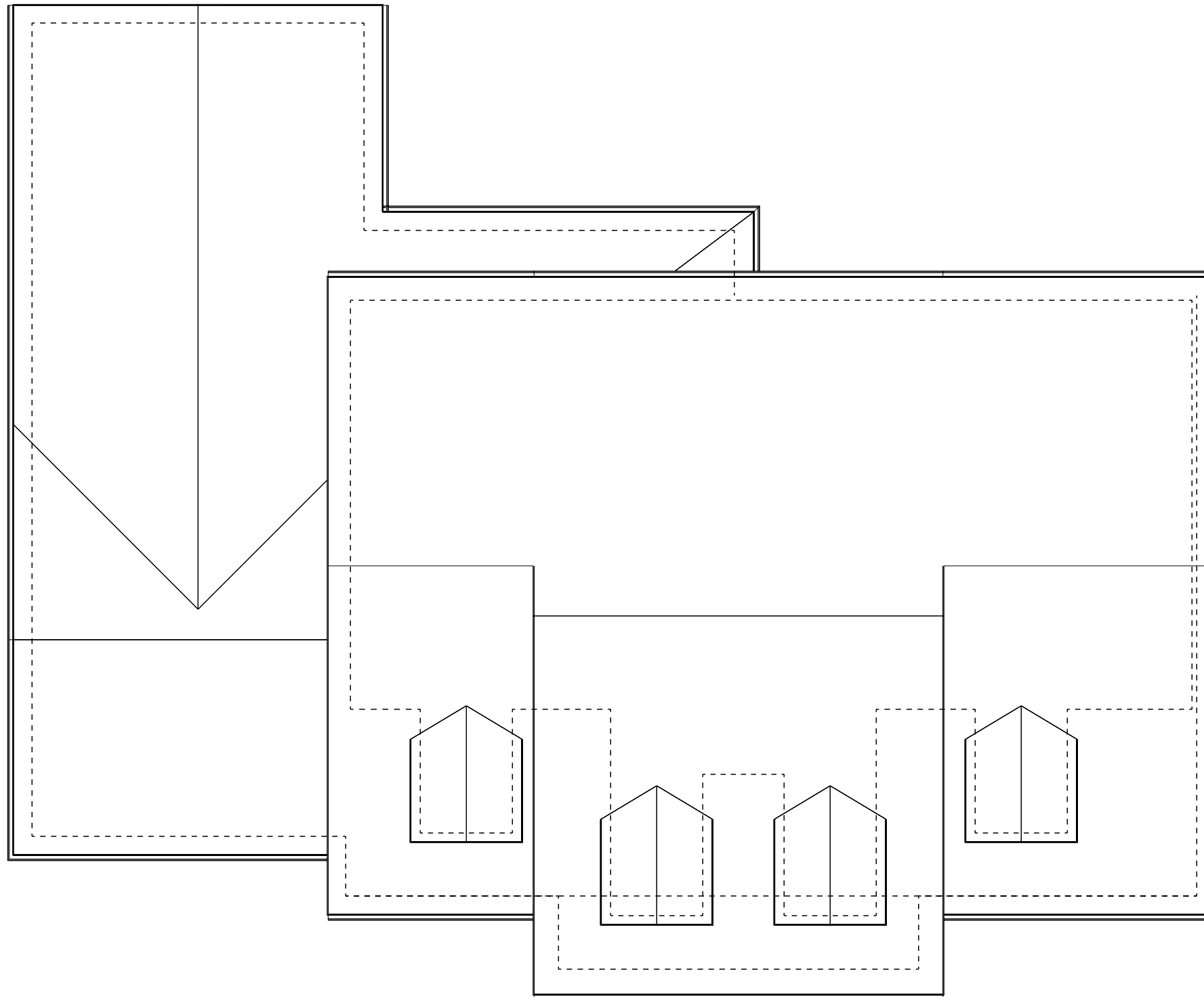
SCALE: 1/8" = 1'

PROJECT #: 22-2-S

PROJECT: 2 SHIRE CRT
 CARLISLE, ON
 LOR 1H2

DRAWING: SECOND FLOOR

DRAWING NO:
A1.03



DESIGNED BY:
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DESIGNER: KRISTJAN FORTUNE
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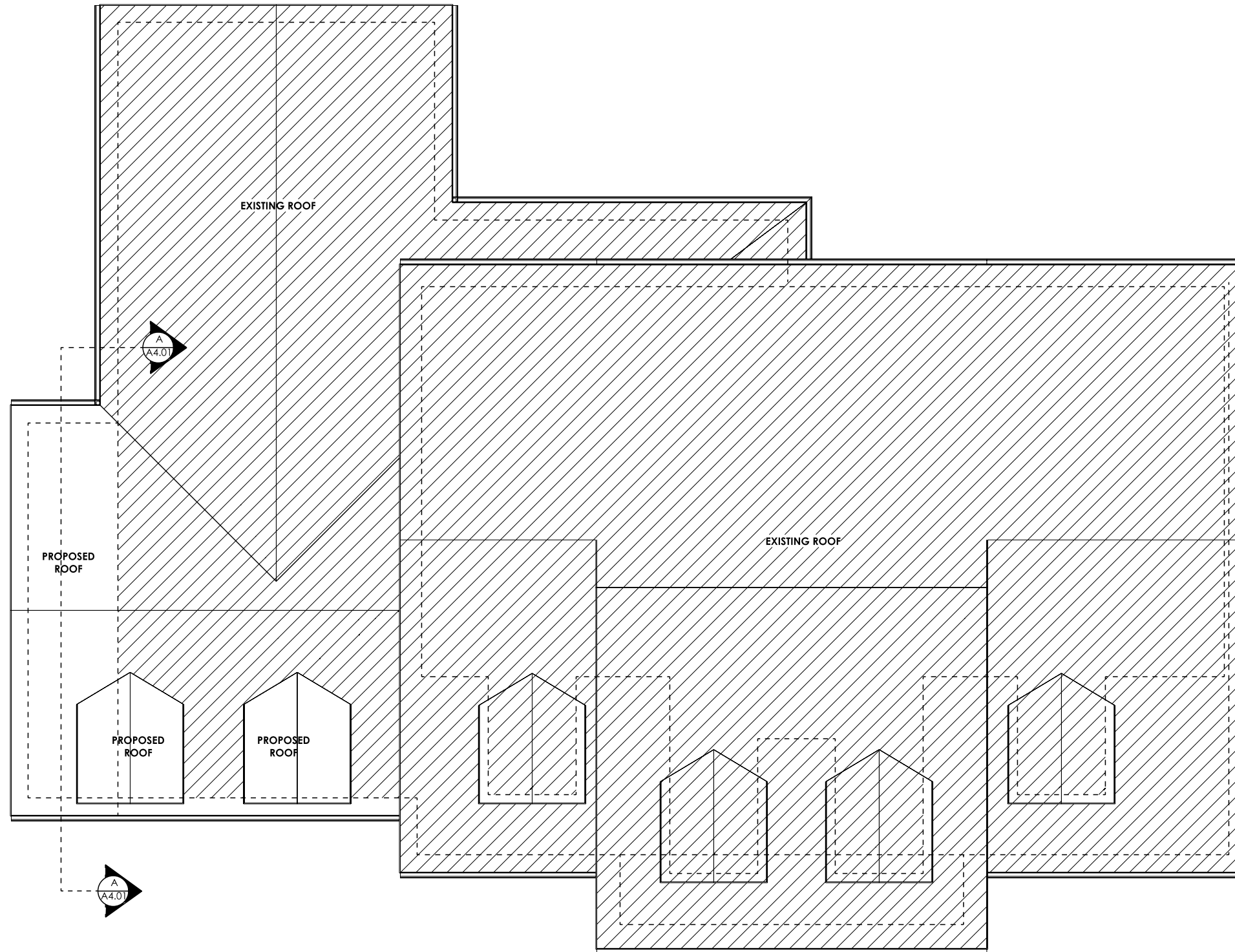
SCALE: 1/8" = 1'

PROJECT #: 22-2-S

PROJECT: 2 SHIRE CRT
 CARLISLE, ON
 LOR 1H2

DRAWING: EXISTING
 ROOF PLAN

DRAWING NO: **A1.04A**



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PROJECT #: 22-2-S

PROJECT: 2 SHIRE CRT
 CARLISLE, ON
 LOR 1H2

DRAWING: PROPOSED
 ROOF PLAN

DRAWING NO: A1.04B



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30/08/2022	01

SCALE: 1/8" = 1'

PROJECT #: 22-2-S

PROJECT: 2 SHIRE CRT
 CARLISLE, ON
 LOR 1H2

DRAWING: EXISTING
 FRONT ELEVATION

DRAWING NO:

A2.01A



DESIGNED BY:
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DESIGNER: KRISTJAN FORTUNE
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 FIRM: KRISTJAN FORTUNE DESIGNS
 FIRM BCIN: 121448

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SCALE: 1/8" = 1'

PROJECT #: 22-2-S

PROJECT: 2 SHIRE CRT
 CARLISLE, ON
 LOR 1H2

DRAWING: PROPOSED
 FRONT ELEVATION

DRAWING NO: A2.01B



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PROJECT: 2 SHIRE CRT
 CARLISLE, ON
 LOR 1H2

DRAWING: EXISTING
 BACK ELEVATION

DRAWING NO:

A2.02A



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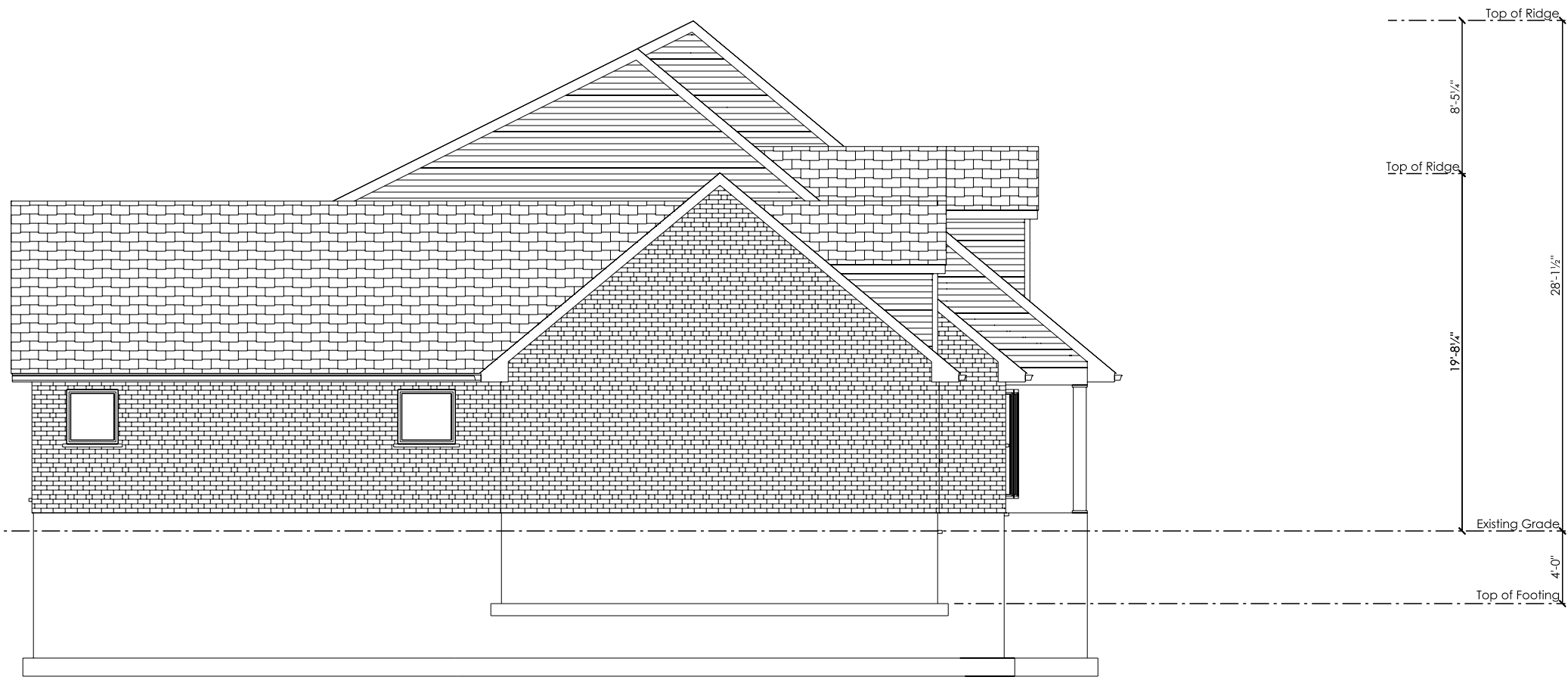
PROJECT: 2 SHIRE CRT
 CARLISLE, ON
 LOR 1H2

DRAWING: PROPOSED
 BACK ELEVATION

DRAWING NO:

A2.02B

Top of Ridge
 10'-1 1/2"
 Top of Plate
 8'-0"
 Top of Plate
 Top of Subfloor
 8'-0"
 Finished First Floor
 Existing Grade
 7'-0"
 Top of Footing



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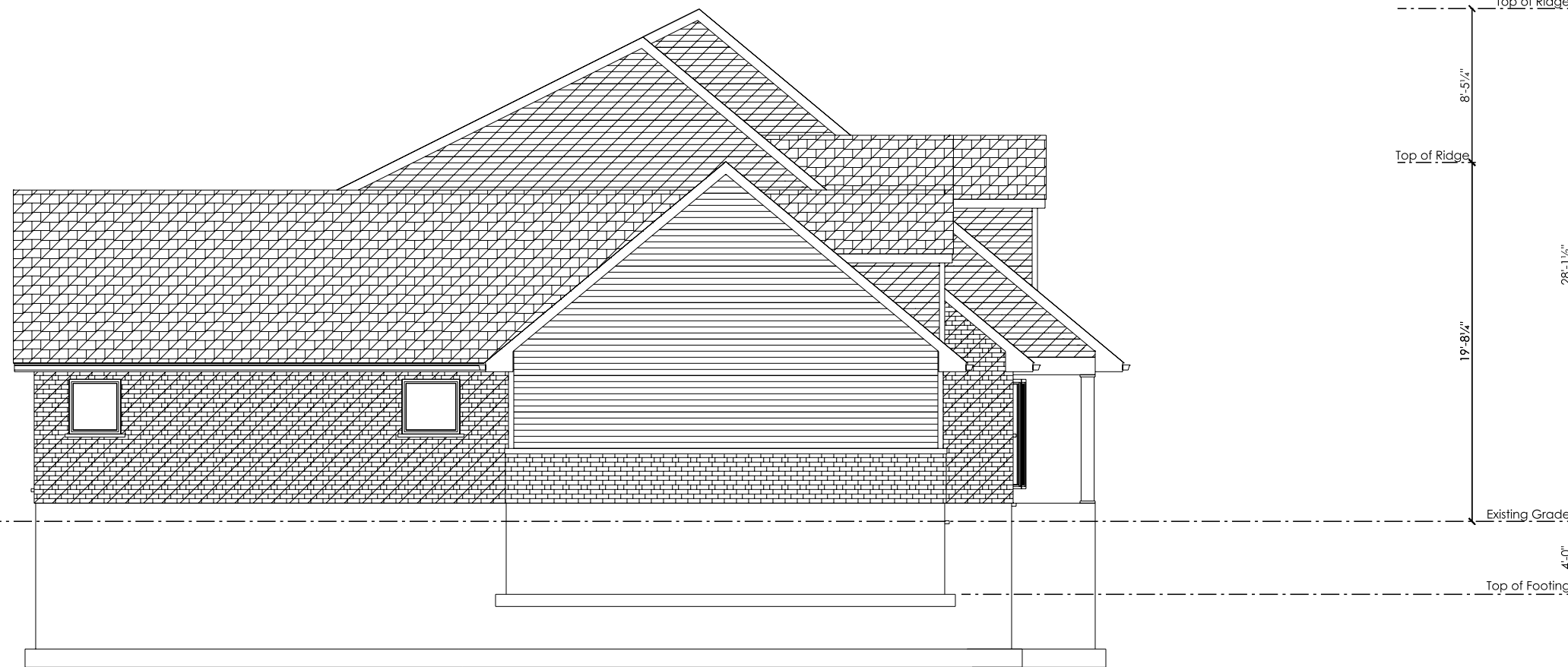
PROJECT #: 22-2-S

PROJECT: 2 SHIRE CRT
 CARLISLE, ON
 LOR 1H2

DRAWING: EXISTING
 LEFT ELEVATION

DRAWING NO: A2.03A

Top of Ridge
 10'-1 1/2"
 Top of Plate
 8'-0"
 Top of Plate
 Top of Subfloor
 8'-0"
 Finished First Floor
 Existing Grade
 7'-0"
 Top of Footing



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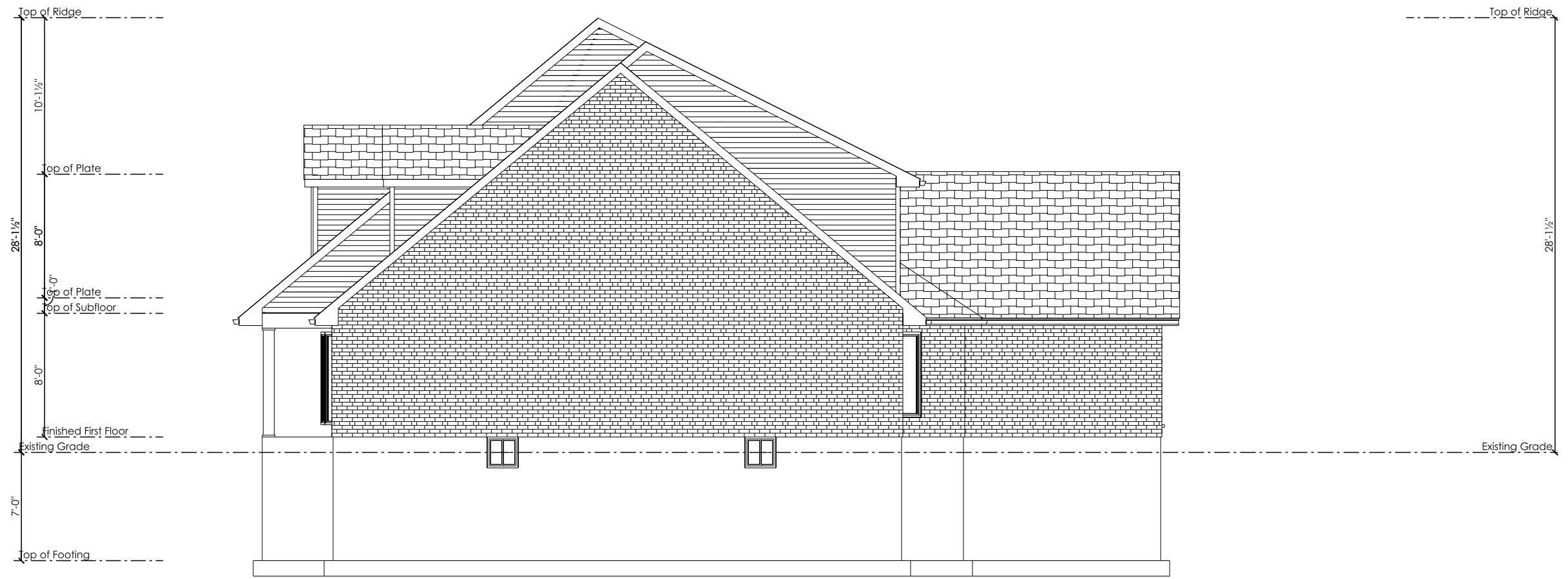
SCALE: 1/8" = 1'

PROJECT #: 22-2-S

PROJECT: 2 SHIRE CRT
 CARLISLE, ON
 LOR 1H2

DRAWING: PROPOSED
 LEFT ELEVATION

DRAWING NO:
A2.03B



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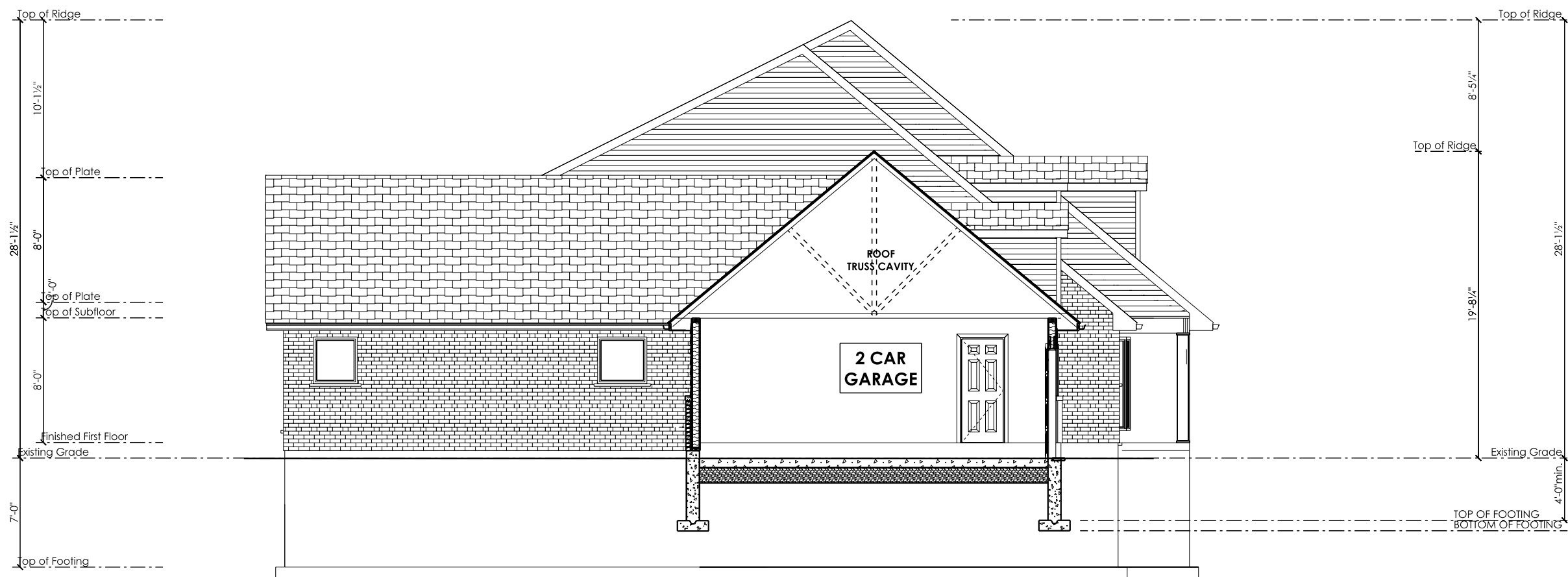
SCALE: 1/8" = 1'

PROJECT #: 22-2-S

PROJECT: 2 SHIRE CRT
 CARLISLE, ON
 LOR 1H2

DRAWING: RIGHT ELEVATION

DRAWING NO:
A2.04



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 FIRM BCIN: 121448

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SCALE: 1/8" = 1'

PROJECT #: 22-2-S

PROJECT: 2 SHIRE CRT
 CARLISLE, ON
 LOR 1H2

DRAWING: CROSS SECTION A-A

DRAWING NO:
A4.01

PLAN 62M-473

I CERTIFY THAT THIS PLAN 62M-473 IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF WENTWORTH, AT 12:10 O'CLOCK ON THE 10 DAY OF JULY 1986, 1986 AND ENTERED IN THE REGISTER FOR PARCEL PLAN 1 SECTION 62M-473 AND REQUIRED CONSENTS AND AFFIDAVITS ARE REGISTERED AS PLAN DOCUMENT NO 184719.5.1

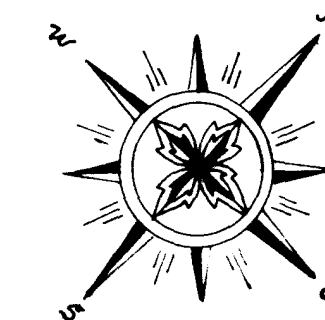
E. Olski
LAND REGISTRAR

THIS PLAN COMPRISES OF PART OF PARCEL S-4 SECTION E-F-9 LOTS 1, 8 AND SHIRE COURT-SUBJECT TO EASEMENT INST. 180356A.B., 21433H.L., 215619A.B.

APPROVED UNDER SECTION 50 OF THE PLANNING ACT BY THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH THE 17 DAY OF August, 1986.

Regional Chairman
AUTHORIZED BY BY-LAW NO 71-75

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



PLAN OF Meadowvale Estates

BEING A SUBDIVISION OF
PART OF LOT 7- CONCESSION 9
FORMERLY IN THE
TOWNSHIP OF EAST FLAMBOROUGH
NOW IN THE
TOWN OF FLAMBOROUGH
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

SCALE 1:750
GLENN E. GIDDY - O.L.S. - 1986

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE THEREUNDER.
2. THE SURVEY WAS COMPLETED ON THE 1ST DAY OF JULY, 1986.

JULY 10, 1986
DATE

G. E. Giddy
GLENN E. GIDDY
ONTARIO LAND SURVEYOR

OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT:
1. LOTS 1 TO 8 (BOTH INCLUSIVE), BLOCK 'A' AND THE STREET NAMED SHIRE COURT HAS BEEN LAID OUT IN ACCORDANCE WITH OUR INSTRUCTIONS.
2. THE STREET NAMED SHIRE COURT HAS BEEN DEDICATED AS A PUBLIC HIGHWAY.

DATED THE 10th DAY OF JULY, 1986.

STEINNAGEL CONSTRUCTION LIMITED

P. Steinnagel
LEO STEINNAGEL - PRESIDENT
Arno Steinnagel
ARNO STEINNAGEL - SECRETARY/TREASURER

AREAS
(SQUARE METRES)

LOT 1	-	1974.724
LOT 2	-	1928.231
LOT 3	-	2311.818
LOT 4	-	4019.207
LOT 5	-	4341.373
LOT 6	-	2241.762
LOT 7	-	1891.000
LOT 8	-	1883.000
BLOCK 'A'	-	34.133

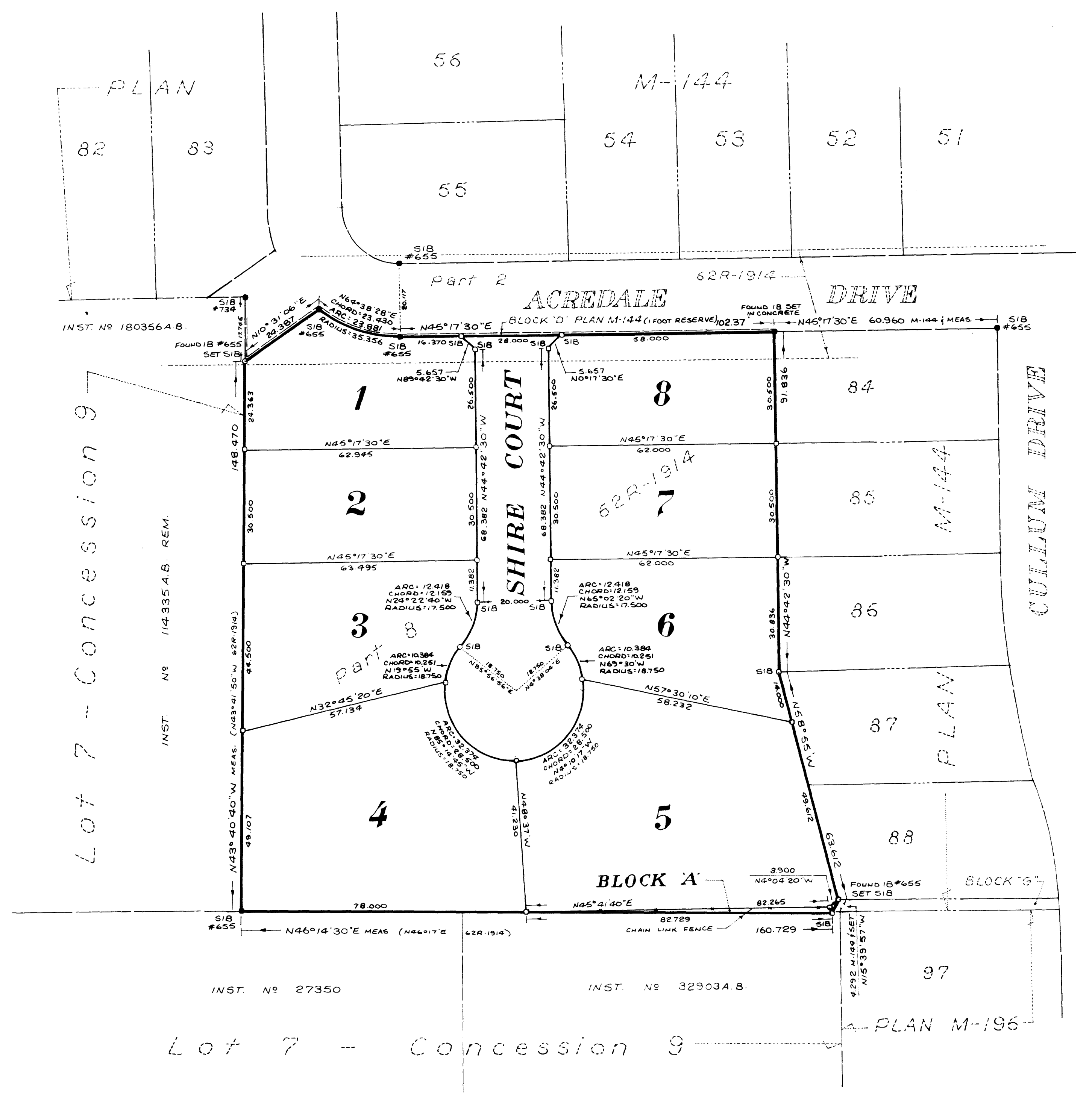
LEGEND

- - DENOTES A SURVEY MONUMENT PLANTED
- - DENOTES A SURVEY MONUMENT FOUND
- SIB OR ●SIB - DENOTES A STANDARD IRON BAR
- OR ● - DENOTES AN IRON BAR

BEARINGS ARE ASTRONOMIC IN NATURE AND ARE REFERRED TO THE SOUTHERLY LIMIT OF ACREDALE DRIVE AS SHOWN ON REGISTERED PLAN N8 M-144, AS BEING N45°17'30"E.

GLENN E. GIDDY

ONTARIO LAND SURVEYOR
237 LOCKE ST. S. SUITE 205
HAMILTON - ONTARIO
528-4676 - LBP-4T4



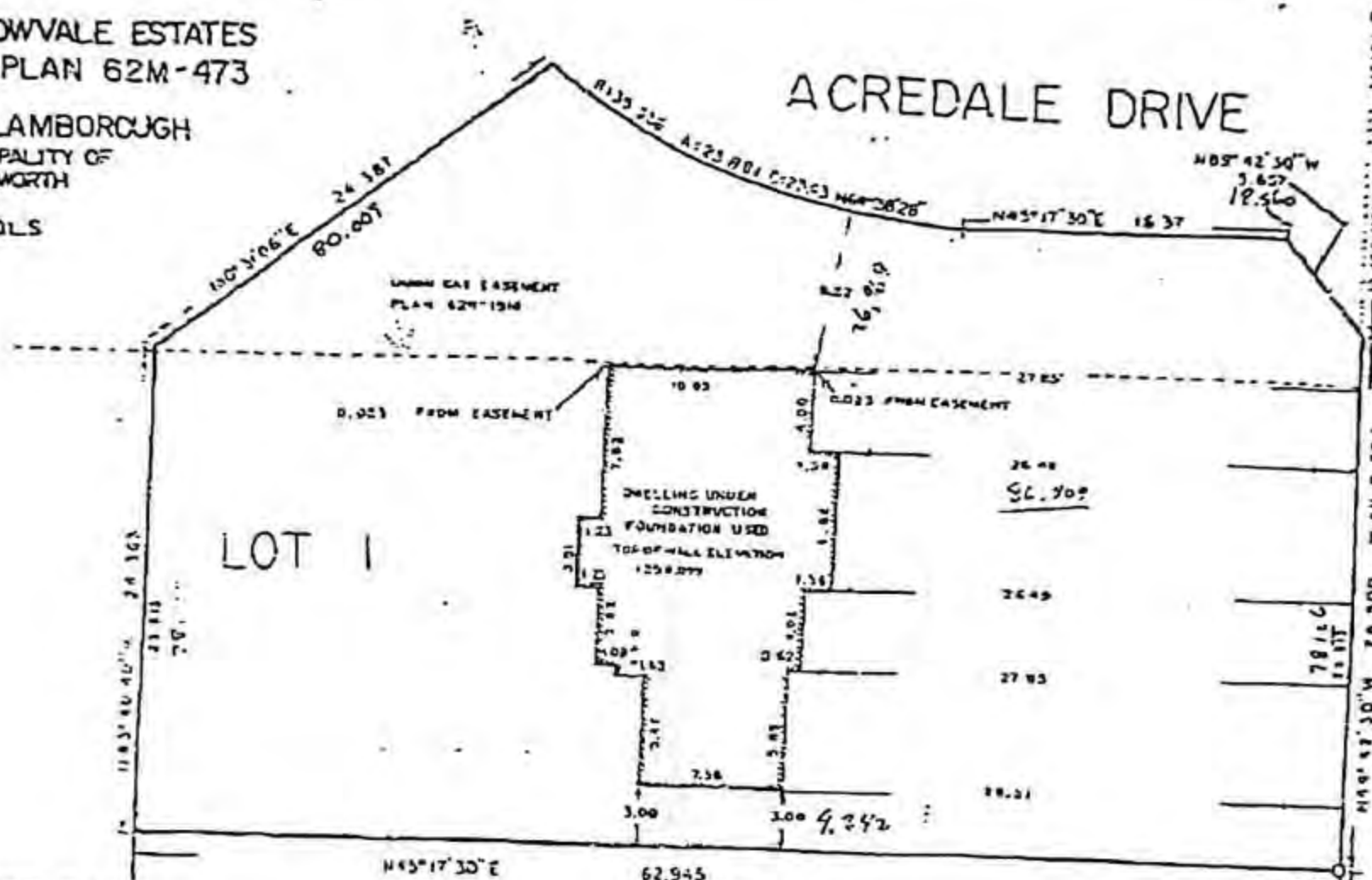
62M 473

BUILDING LOCATION SURVEY
 OF
LOT 1 - MEADOWVALE ESTATES
 REGISTERED PLAN 62M-473
 IN THE
TOWN OF FLAMBOROUGH
 REGIONAL MUNICIPALITY OF
 HAMILTON-WENTWORTH
 SCALE 1:300
 J DAVID PETERS O.L.S.
 1988

CB Attached to P. 1

SURVEY

JUN 22 '98 10:56AM D W MUIR



SURVEYOR'S CERTIFICATE

I CERTIFY THAT THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED ON THE 28TH DAY OF NOVEMBER 1988

J. David Peters
 O.N.T. LAND SURVEYOR

© MACKAY, MACKAY & PETERS LIMITED

NOTE: BEARINGS ARE ASTROGNOMIC AND REFERRED TO THE WEST LIMIT OF SHIRE COURT ON A COURSE OF N44°42'30"W AS SHOWN ON REGISTERED PLAN 62M-473

The CITY OF HAMILTON disclaims any liability as to the current accuracy of the contents of this document and advises that no reliance can be placed upon the current accuracy of the contents herein.

MACKAY, MACKAY & PETERS LIMITED

SUITE 606, UNION GAS BUILDING
 20 HUGHSON STREET SOUTH
 HAMILTON, ONTARIO L8N 2A1

Handwritten notes and signatures on the right side of the plan, including 'SHIRE COURT' and various scribbles.

X-9114



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)	David Eccles		
Applicant(s)*	Kristjan Fortune Designs Kristjan Fortune		
Agent or Solicitor			Phone: E-mail:

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 Bank WATERDOWN SHOPPING CENTRE 255 DUNDAS STREET E WATERDOWN, ON L8B OES (905) 689-8772
--

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:

Side Yard Setback reduced from 3M to 1.2M on Attached Garage Side. More room in the garage is needed to be able to exit the vehicle when 2 vehicles are in the garage at the same time.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

The existing garage is situated right on the current side yard setback. In order to widen the garage the side yard setback will need to be reduced.

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**):

PCL 1-1, SEC 62M473 ; LT 1, PL 62M473 ; S/T
AB180358.AB215619 HL21433 FLAMBOROUGH 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?

Public Records, MPAC propertyline, Geo Warehouse.

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.

September 15 2022

Date



Signature Property Owner(s)

David Eccles

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 86.94
Depth 212.07
Area 0.49
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: _

House Lot Coverage: 288 SqM
Garage Area: 39.20 SqM
Garage Height: 19'-8.25"

Proposed

House Lot Coverage: 301 SqM
Garage Area: 52.28 SqM
Garage Height: 19'-8.25"

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

Existing:

Garage Left(South) Side Yard Setback 3m

Proposed:

Garage Left(South) Side Yard Setback 1.2m

13. Date of acquisition of subject lands:
July 19 2021
14. Date of construction of all buildings and structures on subject lands:
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Single Family Residential
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Single Family Residential
17. Length of time the existing uses of the subject property have continued:
33 years
18. Municipal services available: (check the appropriate space or spaces)
Water Connected
Sanitary Sewer _____ Connected _____
Storm Sewers _____
19. Present Official Plan/Secondary Plan provisions applying to the land:
RURAL SETTLEMENT ARSAS
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
S1
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.