



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-22:329	SUBJECT PROPERTY:	138 Overdale Ave, Waterdown
ZONE:	"R1-6" (Urban Residential (Single Detached))	ZONING BY-LAW:	Zoning By-law former Town of Flamborough 90-145-Z, as Amended

APPLICANTS: Owner: Brock & Ann Dunsby
Agent: A.J. Clarke & Associates Ltd – Ryan Ferrari

The following variances are requested:

LOT TO BE SEVERED:

1. A minimum lot frontage of 17.0 m shall be provided instead of the minimum required 30.0 m lot frontage; and
2. A minimum lot area of 516.3 m² shall be provided instead of the minimum required 1, 390.0 m².

LOT TO BE RETAINED:

3. A minimum lot area of 1, 335.2 m² shall be provided instead of the minimum required lot area of 1, 390.0 m²; and
4. A minimum rear yard setback of 5.8 m shall be provided where the new lot line is to be created instead of the minimum required 10.0 m.
5. A maximum encroachment of 1.13 m shall be permitted to be provided on the westerly side lot line for the existing deck instead of the maximum encroachment permitted of 0.65 m.

PURPOSE & EFFECT: To facilitate the creation of two (2) lots through land severance application HM/B-22: 110 notwithstanding that;

Notes:

- i. These variances are necessary to facilitate land severance application FL/B-22: 110.

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 17, 2022
TIME:	3:00 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

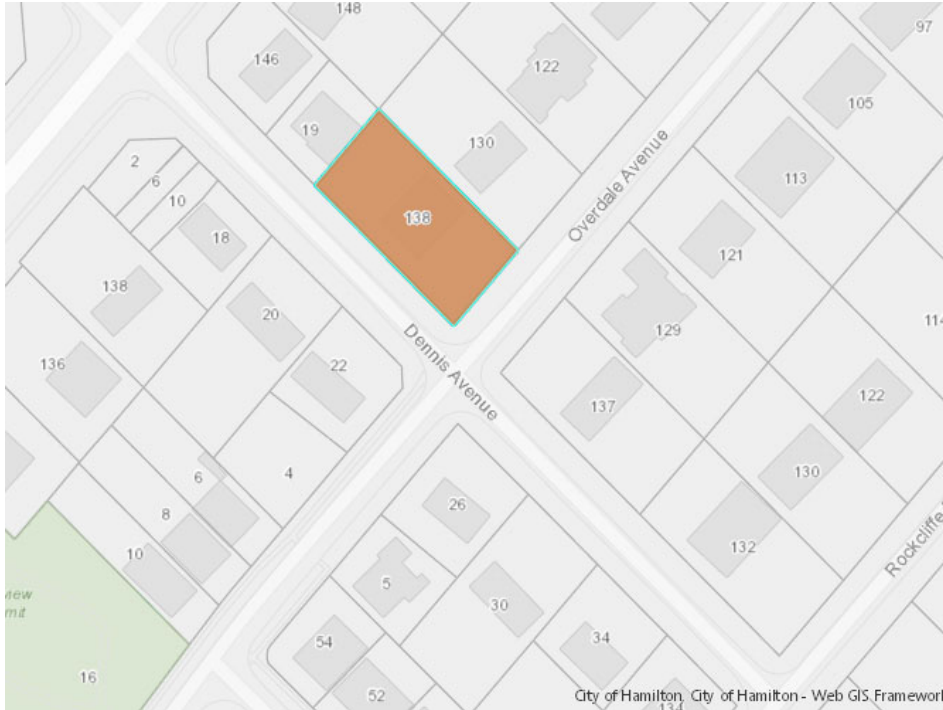
For more information on this matter, including access to drawings illustrating this request and other information submitted:

- 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.



 Subject Lands

DATED: November 1, 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. 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.

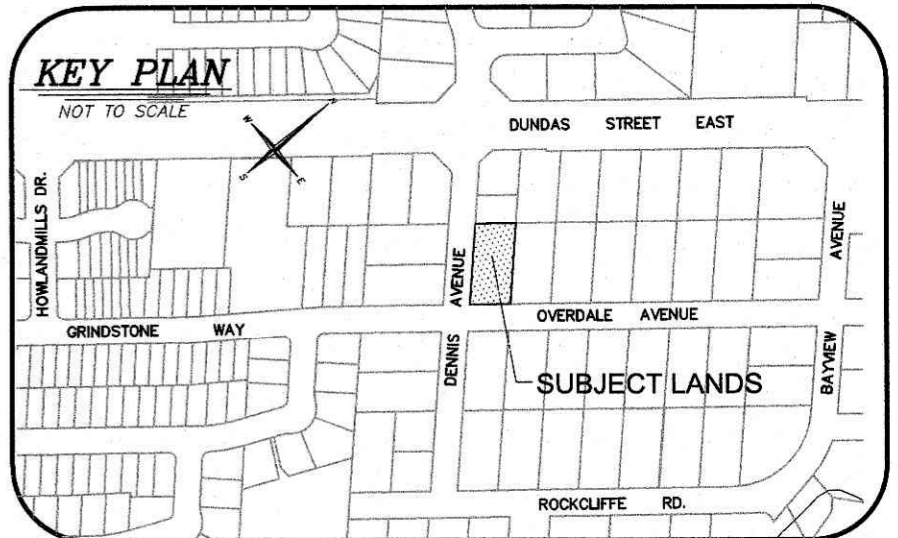
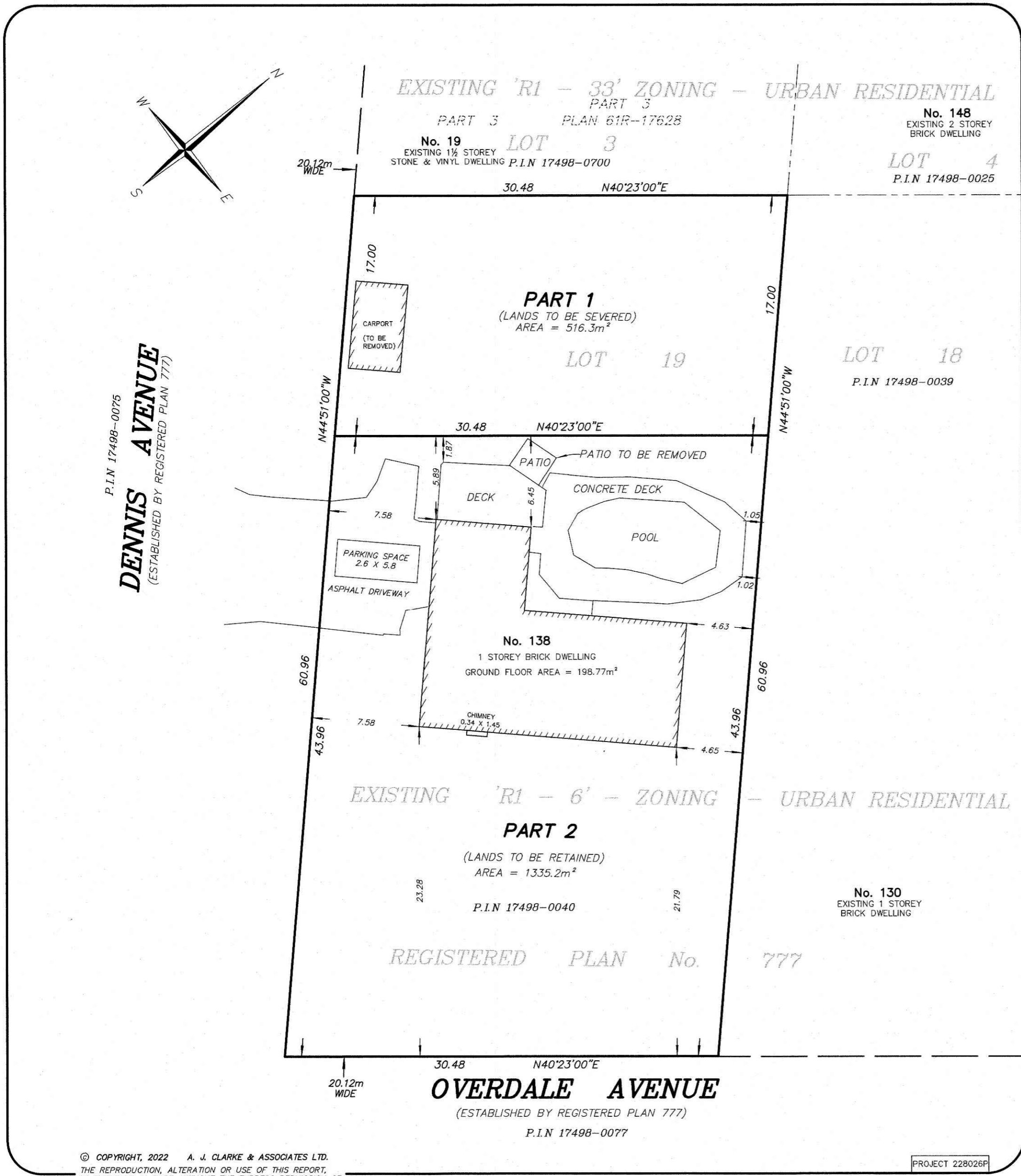
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

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.



SKETCH FOR MINOR VARIANCE
 138 OVERDALE AVE.
CITY OF HAMILTON
 SCALE 1:250

THE ABOVE NOTED LANDS ARE LEGALLY DESCRIBED AS:
 LOT 19
 REGISTERED PLAN No. 777
 CITY OF HAMILTON

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

NOTE:
 THIS SKETCH IS COMPILED FROM PLANS AND RECORDS ON FILE IN THIS OFFICE

THIS SKETCH IS PREPARED TO ACCOMPANY AN APPLICATION TO THE COMMITTEE OF ADJUSTMENT REQUESTING A GRANT OF SEVERANCE AND IS NOT INTENDED FOR REGISTRATION.

THIS SKETCH IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY OR CERTIFIED DIGITAL COPY ISSUED BY THE SURVEYOR

CAUTION:
 THIS IS NOT A PLAN OF SUBDIVISION AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES.

CONSENT SCHEDULE:
 PART 1 (SEVERED LANDS) AREA = 516.3m²
 PART 2 (RETAINED LANDS) AREA = 1335.2m²

OCTOBER 17, 2022
 DATE

A. J. Clarke and Associates Ltd.
 SURVEYORS • PLANNERS • ENGINEERS
 25 MAIN STREET WEST, SUITE 300
 HAMILTON, ONTARIO, L8P 1H1
 TEL. 905-528-8761 FAX 905-528-2289
 email: ajc@ajclarke.com



City of Hamilton
Committee of Adjustment
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

October 18, 2022

Attn: Ms. Jamila Sheffield
Secretary Treasurer, Committee of Adjustment (email: Jamila.Sheffield@hamilton.ca)

**Re: 138 Overdale Avenue, Hamilton
Minor Variance and Severance Application Submission**

Dear Ms. Sheffield:

A.J. Clarke and Associates Ltd. has been retained by Brock and Ann Dunsby for the purposes of submitting the enclosed Minor Variance and Severance (Consent) Applications for the subject lands, municipally known as 138 Overdale Avenue, in the City of Hamilton. Below is a summary of the materials submitted to your attention:

- One (1) electronic copy of the required filled and signed Severance (Consent) Application Form;
- One (1) electronic copy of the required filled and signed Minor Variance Application Form;
- One (1) cheque in the amount of \$6,450 representing the required Severance and Minor Variance Application fees;
- One (1) electronic copy of the Severance Sketch, prepared by A.J Clarke and Associates Ltd., dated October 17, 2022.
- One (1) electronic copy of the Minor Variance Sketch, prepared by A.J Clarke and Associates Ltd., dated October 17, 2022.

The purpose of this analysis is in support the concurrently submitted Minor Variance and Severance (Consent) Applications for the subject lands. The proposed development is to facilitate a severance to create two (2) separate residential lots. Following the proposed severance, one (1) single detached dwelling is proposed to be constructed on the severed lot and the existing dwelling is to remain on the lands being retained.

The subject land is located at the northern corner of the intersection at Overdale Avenue and Dennis Avenue, south of Dundas Street East, in Flamborough (Hamilton). The subject lands are currently occupied by one (1) single detached dwelling, pool and associated deck, hot tub patio and a temporary carport. Both the temporary carport and hot tub patio will be removed to comply with zoning by-law.

The below table details the lot frontages, depth, and areas, following the proposed severance.



	Part 1 (Severed)	Part 2 (Retained)
Lot Frontage	±17m	±30.4m
Lot Depth	±30.4m	±43.9m
Lot Area	±516.37m ²	±1,335.27 m ²

There is primarily single-detached residential development surrounding the subject lands, with Rockview Summit Park located southwest of the site, as well as a Municipal Centre and Public Library located to the North. There is a large commercial plaza located southwest of the subject site which includes the Clappison's Power Centre Shopping Mall, Flamborough South Centre Shopping Mall, as well as a Wal-Mart.

The immediate surrounding land uses include:

North	Single-Detached Dwellings
South	Single-Detached Dwellings
West	Single-Detached Dwellings
East	Single-Detached Dwellings

A review of the applicable planning policies has been included below.

Planning Policy Overview

Provincial Policy Statement

The current Provincial Policy Statement (PPS) came into effect on May 1st, 2020. The principles of the PPS are about managing change and promoting efficient, cost-effective development and land use patterns, which encourage strong, sustainable, and resilient communities for people of all ages, a clean and healthy environment, and a strong and competitive economy.

The proposed severance is a more efficient use of land within a built-up, urban area. The density is appropriate for the location and available infrastructure. This development will provide a greater range of housing and add to the housing stock for the area.

Growth Plan for the Greater Golden Horseshoe

The 2020 consolidation of the Growth Plan builds upon the previous Growth Plan (2019) in its direction to prioritize intensification, support the achievement of complete communities, support a range, and mix of housing options, protect, and enhance natural heritage systems, support, and enhance the long-term viability of agriculture, conserve and promote cultural heritage resources, and integrate climate-change considerations into planning and managing growth.

The proposed severance is within a settlement area (built-up, urban area). It is an efficient use of land and infrastructure that adds to the housing stock of the surrounding area with gentle intensification that will contribute to meeting the housing needs for the projected growth of the area.



Niagara Escarpment Plan

The Niagara Escarpment Plan provides a policy framework and objectives to balance development and protection of the Niagara Escarpment and its resources.

The subject lands are designated “Urban Area” as per Map 2 – City of Hamilton in the Niagara Escarpment Plan. The lands to the south of the subject land are identified as “Escarpment Natural Area”.

Policy 1.7.5.5 states that *new lots within Urban Areas shall not be created if such lots encroach into Escarpment Natural, Escarpment Protection, Escarpment Rural or Mineral Resource Extraction Areas adjacent to the Urban Area*. The proposed new lot created via severance does not encroach outside of the Urban Area boundary.

Urban Hamilton Official Plan

The Urban Hamilton Official Plan is the guiding document for where and how the City of Hamilton will grow until 2031 and beyond.

The subject lands are designated ‘Neighbourhoods’ on Schedule E-1 – Urban Land Use Designations in the Urban Hamilton Official Plan (UHOP). The ‘Neighbourhoods’ designation permits uses such as; residential dwellings, including second dwelling units, and housing with supports, open space and parks, local community facilities/services, and local commercial uses.

Chapter F Section 1.14.3 contains specific policy direction pertaining to Lot Creation within the Urban Area. Specifically, Section 1.14.3.1 indicates various conditions that must be met by a proposed severance for lands designated as “Neighbourhoods”. The conditions are as follows;

- a) *The lots comply with the policies of this Plan, including secondary plans, where one exists;*
- b) *The lots comply with existing Neighbourhood Plans;*
- c) *The lots are in conformity with the Zoning By-law or a minor variance is approved;*
- d) *The lots reflect the general scale and character of the established development pattern in the surrounding area by taking into consideration lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview;*
- e) *The lots are fully serviced by municipal water and wastewater systems; and,*
- f) *The lots have frontage on a public road.*

The proposed severance will create lots that conform to the Official Plan policies. The lots will require a Minor Variance to address minor zone regulation deficiencies, as required. The two (2) lots created via severance will generally reflect the lot pattern and similar frontages as they currently exist within the surrounding neighbourhood. Following the proposed severance, the proposed construction of one (1) single detached dwelling (on the severed lands) is consistent with the surrounding existing uses and character of the neighbourhood. The proposed dwellings will have access to the existing municipal infrastructure as it exists along both Overdale Avenue and Dennis Avenue.

Additionally, the ‘Neighbourhoods’ designation contains specific policies in relation to ‘Low Density Residential’. As such, ‘Low Density Residential’ uses permit single-detached, semi-detached, duplex,



triplex, and street townhouse dwellings. The proposal is to construct one (1) single detached dwelling on the severed land, which is consistent with the permitted uses under the UHOP. The maximum net residential density shall be 60 units per hectare, and the maximum permitted height shall be three (3) storeys. The proposal will see an overall density of 10.8 units per hectare (2 total units, 0.19 hectares), which is consistent with the maximum permitted density.

This particular neighbourhood is in a transition period. Over time, many of the larger lots have been severed to create smaller lots. This proposal is consistent with the prevailing trend found within the neighbourhood, being that larger lots have been split up into smaller lots over time.

Flamborough Zoning By-law No. 90-145-Z

The subject lands are zoned “R1-6 – Urban Residential (Single Detached)”, in Town of Flamborough Zoning By-law. The “R1” zone permits uses such as; a single detached dwelling, an urban farm, and a community garden. The regulations of the “R1-6” Zone are as follows:

Regulation	Requirement
Minimum Lot Area	1390 square metres
Minimum Lot Frontage	30 metres
Minimum Front Yard	7.5 metres
Minimum Interior Side Yard	3 metres
Minimum Exterior Side Yard	7.5 metres
Minimum Rear Yard	10 metres
Maximum Lot Coverage	15%
Maximum Height	8.2 metres
Max Floor Space	1-storey (186 sq m), 1-1/2 storey (186 sq m), 2 storey (372 sq m)

Minor Variance

A number of variances are required to facilitate the proposed development. The variances are as follows:

Part 1 (Severed)

1. To permit a minimum lot area of ±516 square metres, whereas a minimum lot area of 1,390 square metres is required.
2. To permit a minimum lot frontage/width of ±17 metres, whereas a minimum lot frontage of 30 metres is required.

Part 2 (Retained)

1. To permit a minimum lot area of ±1,335 square metres, whereas a minimum lot area of 1,390 square metres is required.
2. To permit a minimum rear yard depth of ±5 metres, whereas a minimum rear yard depth of 10 metres is required.



This minor variance application is made under the authority of Section 45(1) of the Planning Act. Accordingly, a minor variance must meet the requisite four tests as described in Section 45 (1) of the Act. The tests and professional opinion are outlined below:

1. Do the proposed variances maintain the intent and purpose of the Urban Hamilton Official Plan.

The proposed variances maintain the intent and purpose of the Urban Hamilton Official Plan as the subject site is designated “Neighbourhoods”, which permits single-detached dwellings. The proposed dwelling will assist in the diversification of the available housing stock within the neighbourhood, while also maintaining a consistent streetscape and capitalizing on an opportunity for the gentle intensification of the neighbourhood.

The proposed development will feature a use that is permitted under the current Official Plan designation and will adhere to the net residential density provisions as detailed throughout Section E of the Urban Hamilton Official Plan. The proposed lots will reflect the general scale and character of the established development pattern in the surrounding area. The proposed variances maintain the intent and purpose of the Urban Hamilton Official Plan.

2. Do the proposed variances maintain the intent and purpose of the Flamborough Zoning By-law No. 90-145-Z?

The required variances to Flamborough Zoning By-law No. 90-145-Z are intended to facilitate a desirable built form which is compatible with the existing neighbourhood.

Lot Frontage/width

Part 1 is proposed to have a Lot Frontage of approximately 17 metres. A variance is required to the minimum lot frontage requirement for the proposed development (from 30.0 metres to 17.0 metres on Part 1).

The surrounding neighbourhood contains a range of lot areas, as the surrounding neighbourhood is predominantly zoned R1, with many containing Special Exceptions to allow for differing regulations in lot dimensions. These Special Exceptions were mostly developed to allow for the existing built neighbourhood to maintain their lot dimensions and dwelling sizes. The parent R1 – Urban Residential (Single Detached) Zone sets the provision for lot frontage at 18 metres. The adjacent property to the north has a lot frontage of ±21 metres. Across the right-of-way and within 30 metres of the subject lands parcels for 2, 6, and 10 Dennis Avenue, while zoned R6-45, have frontages of ±13, ±8, and ±7, metres. ±80 metres west along Overdale contain lot frontages of ±15 metres.

The accompanying severance sketch illustrates the width of the proposed severed lot. Despite the reduction in frontage from the R1-6 provision, there remains room for appropriate setbacks to accommodate a future residential development as evidenced with the single-detached dwellings within the neighbourhood on smaller frontages than the ±17 metres proposed in this application.



The two (2) lots created via severance will generally reflect the lot pattern and similar frontages as they currently exist within the surrounding neighbourhood. Accordingly, the proposed reduction in the lot frontage/width requirement is appropriate and compatible with the existing streetscape and maintains the intent of the Zoning By-law.

Lot Area

Part 1 is proposed to have a lot area of approximately ± 516.37 square metres. Part 2 is proposed to have a lot area of approximately $\pm 1,335.27$ square metres.

A variance is required to the minimum lot area provision for the proposed development (from 1,390.0 square metres to ± 516.37 square metres on Part 1, and to $\pm 1,335.27$ square metres on Part 2). The lot area reduction is consistent with the surrounding neighbourhood. Over time, lots have been severed and permitted to be much smaller than the parent zone requirement of 1,390m². The root R1 Zone Provisions is sets the lot area minimum at 665 square metres.

The proposed lot area for Part 2, is of minimal difference to the provisions set for R1-6, as it will see a difference of 54 sq metres. Across Dennis Avenue, to the southwest of the subject lands, there are parcels of greatly varying sizes, with numerous Zoning Exceptions to the R1 zoning. The abutting property to the north of the subject lands (19 Dennis Avenue), while zoned with an R1 Exception, has a lot area of 653 sq metres.

The purpose of this reduction is to permit one single-detached dwelling on each lot and the size of the lots proposed still enables adequate amenity space for the residents, as shown with similar development within the neighbourhood. Accordingly, the intent of the Zoning By-law is maintained.

Rear Yard Depth

Part 1 is proposed to have a rear yard depth of approximately ± 5 metres. A variance is required to permit a minimum rear yard depth of ± 5 metres, whereas a minimum rear yard depth of 10 metres is required. The by-law allows for residents to have sufficient, private, outdoor amenity area. As can be seen in the provided drawings and through aerial photography, the existing dwelling has enough space to provide for a deck, hot tub, and large swimming pool with associated concrete pool deck. The proposed rear yard area would be approximately ± 190 square metres. Accordingly, the intent of the zoning by-law is maintained.

Further, the accessory uses, and structures will be compliant with the General Provisions by-laws in Section 5 of Zoning By-law No. 90-145-Z. The extension of the deck structure labelled "patio" will be removed, leaving approximately ± 1.8 metres once the severance is completed.

3. Are the proposed variances appropriate for the development of the subject lands?

As noted above, the variances are intended to facilitate a desirable built form within an urban neighbourhood. The proposed variances are consistent with the established character of the neighbourhood and recognize an existing situation for the lands to be retained. As such, the variances are appropriate for the development of the subject lands.



4. Are the proposed variances minor in nature?

The proposed variances to lot frontage, lot area and rear yard depth reflect the scale and character of this neighbourhood. There are no perceived impacts stemming from the variances, as they are in keeping with the general built form and existing setbacks found within this neighbourhood. Additionally, and as mentioned previously, the existing dwelling is to remain on the retained lands. As such, the variances to area, and rear yard depths on the retained lands do not change the existing relationship between the existing dwelling and existing property lines. Further, while the reduction in lot area for Part 1 (to be severed) appears substantial, there is sufficient room to develop a single-detached dwelling with sufficient amenity space. This has been shown throughout the neighbourhood in already established developments. Therefore, there are no perceived impacts from these variances. While the proposed development does not meet the lot standards prescribed in the Zoning By-law, the proposed minor variances will provide relief from these minor zoning deficiencies. Accordingly, it is my professional planning opinion that the variances are minor in nature.

As such, the proposed lot is appropriate for the development of the subject lands and has sufficient regard for the matters listed under Section 51 (24) of the *Planning Act*.

I trust that you will find the enclosed satisfactory for your purposes. Please confirm receipt of this submission and we look forward to being scheduled for the next available hearing date. If you have any questions or require additional information, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in black ink that reads "Ryan Ferrari".

Ryan Ferrari, MCIP, RPP
Senior Planner

A.J. Clarke and Associates Ltd.

Encl.

Cc via email: Ann Dunsby
anndunsby@gmail.com
Brock Dunsby
bdunsby@live.ca



Hamilton

Committee of Adjustment
City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P4Y5

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

APPLICATION FOR A MINOR VARIANCE/PERMISSION
UNDER SECTION 45 OF THE *PLANNING ACT*

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS
Registered Owners(s)	Brock and Ann Dunsby	
Applicant(s)	same as owner	
Agent or Solicitor	A.J. Clarke & Associates Ltd. c/o Ryan Ferrari	

- 1.2 All correspondence should be sent to Owner Applicant
 Agent/Solicitor
- 1.2 All correspondence should be sent to Purchaser Owner
 Applicant Agent/Solicitor
- 1.3 Sign should be sent to Purchaser Owner
 Applicant Agent/Solicitor
- 1.4 Request for digital copy of sign Yes* No
If YES, provide email address where sign is to be sent ryan.ferrari@ajclarke.com
- 1.5 All correspondence may be sent by email Yes* No
If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	138 Overdale Avenue		
Assessment Roll Number	30333037600		
Former Municipality	Flamborough		
Lot	10	Concession	3
Registered Plan Number	PI 777	Lot(s)	Lt 19
Reference Plan Number (s)		Part(s)	

2.2 Are there any easements or restrictive covenants affecting the subject land?

Yes No

If YES, describe the easement or covenant and its effect:

3. PURPOSE OF THE APPLICATION

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

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

See attached cover letter

Second Dwelling Unit Reconstruction of Existing Dwelling

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

See attached cover letter

3.3 Is this an application 45(2) of the Planning Act.

Yes No

If yes, please provide an explanation:

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
+/- 30.4 m	+/-60.9 m	+/- 1,851.63 sq m	+/- 20.2m

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
single-detached dwelling	+/- 21.79 m	+/-22.85 m	+/-7.58m exterior, +/-4.63m interior	early 1960s
pool	+/-33.38 m	+/-21.36 m	+/-2.94m , +/- 16.7 exterior	unknown
deck	+/-37.36 m	+/-17.17 m	+/- 14.74 m, +/-7.69m exterior	unknown
temporary carport	+/- 49.5 m	+/- 6.0 m	+/- 26 m, +/-0.57m exterior	unknown

Proposed: measurements following proposed severance

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
single-detached dwelling	+/-21.79 m	+/- 5.89 m	+/-7.58 m exterior, +/-4.63 m interior	early 1960s
pool	+/-33.38 m	+/-4.41 m	+/- 2.94m, +/-16.7 m exterior	unknown
deck	+/-37.36 m	±1.87m	+/- 14.74 m, +/-7.69 m exterior	unknown
temporary carport	removed	removed	removed	unknown

4.3. Particulars of all buildings and structures on or proposed for the subject lands (attach additional sheets if necessary):

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
single-detached dwelling	+/-198 sq m	+/-198 sq m	one	+/- 4.5 m
pool	+/- 52.8 sq m	+/- 52.8 sq m	n/a	n/a
deck	+/-97 sq m	+/- 97 sq m	n/a	n.a
temporary carport	+/- 22.5 m	+/- 22.5 m	one	+/-3 m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
single-detached dwelling	no change	no change	no change	no change
pool	no change	no change	no change	no change
deck	no change	no change	no change	no change
temporary carport	removed	removed	removed	removed

4.4 Type of water supply: (check appropriate box)

- publicly owned and operated piped water system
 privately owned and operated individual well

- lake or other water body
 other means (specify)

4.5 Type of storm drainage: (check appropriate boxes)

- publicly owned and operated storm sewers
 swales

- ditches
 other means (specify)

4.6 Type of sewage disposal proposed: (check appropriate box)

- publicly owned and operated sanitary sewage system
 - privately owned and operated individual septic system
 - other means (specify)
-

- 4.7 Type of access: (check appropriate box)
- provincial highway
 - municipal road, seasonally maintained
 - municipal road, maintained all year
- right of way
 - other public road
-

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):
 existing single-detached, one-storey dwelling

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):
 1- and 1.5-storey single-detached dwellings

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:
 unknown

7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
 single-detached dwelling

7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
 single-detached dwelling

7.4 Length of time the existing uses of the subject property have continued:
 since dwelling was constructed

7.5 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods (UHOP)

Please provide an explanation of how the application conforms with the Official Plan.

Please see cover letter.

7.6 What is the existing zoning of the subject land? R1-6: Urban Residential, single-detached

7.8 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: