COMMITTEE OF ADJUSTMENT



City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5 Telephone (905) 546-2424, ext. 4221, 3935 E-mail: <u>cofa@hamilton.ca</u>

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-23:193 | SUBJECT PROPERTY: | 939 - 943 CONCESSION 6 W, FLAMBOROUGH |
|------------------|------------------|----------------------|---|
| ZONE: | A1 (Agriculture) | ZONING BY- LAW: | Zoning By-law City of Hamilton 05- 200, as Amended by By-law No. 15-173 |

APPLICANTS: Owner: PETER & JACOB KRALT Agent: KEVIN WESBTER DESIGNS INC. C/O KEVIN WEBSTER

The following variances are requested:

1. The existing Single Detached Dwellings, including the proposed addition/ alteration, shall be permitted instead of the requirement that in any zone where a single detached dwelling is permitted, no more than one such dwelling shall be erected on a lot.

PURPOSE & EFFECT: So as to permit an addition to the existing Single Detached Dwelling on a lot containing two Single Detached Dwellings.

Notes:

- i) Be advised, there is insufficient information within Building Records to determine if the Single Detached Dwelling(s) have existed prior to the passing of Flamborough Zoning By-Law 90-145-Z on November 5, 1990 or any such applicable Zoning By-Law prior to this date. As such, an Applicable Law Review to determine the establishment of a Legal Non-Conforming Use may be required to determine if the dwellings have been legally established and existed continuously prior to the By-Law.
- ii) In addition to the above, insufficient information has been provided to determine Building Height of the proposed Second Storey Addition. Elevation drawings indicate height from finished grade to below the roof line but does not include the height of the building to its highest point; as such, height cannot be determined. Should the height of the proposed addition exceed the 10.5 metres permitted under Section 12.1.3.3 c), additional variances may be required.

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, August 24, 2023 |
|--------|---|
| TIME: | 10:20 a.m. |
| PLACE: | Via video link or call in (see attached sheet for details) |
| | 2 nd 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 <u>www.hamilton.ca/committeeofadjustment</u>
- 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, <u>including deadlines</u> 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.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding FL/A-23:193, you must submit a written request to <u>cofa@hamilton.ca</u> or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing <u>cofa@hamilton.ca</u> or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



DATED: August 8, 2023

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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EXISTING GROUND FLOOR PLAN

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CONSTRUCTION NOTES (UNLESS OTHERWISE NOTED) ALL CONSTRUCTION TO CONFORM TO THE ONTARIO BUILDING CODES AND ALL OTHER CODES AND LOCAL AUTHORITIES HAVING JURISDICTION. ALL DIMENSIONS GIVEN FIRST IN METRIC 1/2" PLYWOOD, 2"X6" STUDS (MM) FOLLOWED BY IMPERIAL.

- (1.) <u>ROOF CONSTRUCTION</u> NO.210(30.5KG/M2)ASPHALT SHINGLES, 1/2" SPRUCE PLYWOOD SHEATHING WITH "H" CLIPS, APPROVED WOOD TRUSSES @ 24" O.C. APPROVED EAVES PROTECTION TO EXTEND 750MM BEYOND INNER FACE OF EXTERIOR WALL 2"X4" TRUSS BRACING 7'-0" O.C. AT BOTTOM CHORD, METAL EAVESTROUGH ON ALUM. $\langle 4 \rangle$ <u>INTERIOR STUD PARTITIONS</u> FASCIA & VENTED SOFFIT, ATTIC VENTILATION 1:300 OF INSULATED
- {2 } FRAME WALL CONSTRUCTION SIDING AS PER ELEVATION TYVEK AIR BARRIER, 2 X 6 STUDS @ 16"O.C., 1/2"PLYWOOD SHEATING R19+R5 CI INSUL. AND VAPOUR BARRIER, 1/2" INT. DRYWALL FINISH.

CEILING AREA WITH 50% AT EAVES.

(3.) BRICK VENEER CONSTRUCTION 4" FACE BRICK, 1" AIR SPACE, 1"X7"X22GA. METAL TIES @ 16" O.C. HORIZONTAL, 24" O.C. VERTICAL NO.15(0.7KG/M2)BLDG.PAPER, 24" O.C., R19+R5 CI AND 6MIL VAPOUR BARRIER, 1/2" INT. DRYWALL FINISH. PROVIDE WEEP HOLES @ 30" O.C. BOTTOM COURSE ONLY AND OVER OPENINGS. PROVIDE BASE FLASHING UP MIN. 6" BEHIND SHEATHING PAPER.

- 2"X4" @ 16" O.C. BEARING, 1/2" INT. DRYWALL BOTH SIDES, 2"X4" BOTTOM PLATE 2/2"X4" TOP PLATE.
- $\langle 5 \rangle$ foundation Wall/footings 8" POURED CONC. FDTN. WALL BITUMINOUS DAMPPROOFING AND DRAINAGE LAYER ON 20" X 6" CONTINUOUS KEYED CONC.FTG. OR AS PER SOIL REPORT. BACKFILL WITH NON-FROST SUSCEPTIBLE SOIL. C/W DRAINAGE LAYER

ALL FOOTINGS SHALL REST ON MIN.HE NATURAL UNDISTURBED SOIL OR RAIL COMPACTED GRANULAR FILL, WITH MIN.BEARING COMPACITY OF 1500PSF MIN.WI FOR CU OR GREATER. MIN RU $\langle 6 \rangle$ 4" DIA.WEEPING TILE, MIN AV 6" CRUSHED STONE OVER AND AROUND ALL FOOTINGS. (11) FIN. RAILING ON WOOD PICKET MAX. 4" BETWEEN. (7), 4" 25MPA.CONC. SLAB ON 5" CRUSHED STONE (12).2"X4" SILL PLATE WITH

- (8) FIN. FLOOR ON 5/8" SPRUCE PLYWOOD SUBFLOOR ON WD FLOOR JOISTS PROVIDE ADDITIONAL 5/8" PANEL TYPE UNDERLAY BENEATH UNDER CERAMIC TILES.
- $\langle 9 \rangle$ R60 ROOF INSULATION 5/8" DRYWALL FINISH.
- (10). <u>ALL STAIRS/EXTERIOR STAIRS</u> MAX.RISE = 200(7 7/8")MIN.RUN = 255(10") Min.tread = 235(9-1/4") MIN NOSING = 25 (1")

PAPER



| iead room | = | 1950(6'-5") |
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| @ LAND | = | 915(3'-0") |
| @ STAIR | = | 810(2'-8") |
| WIDTH | = | 860(2'-10") |
| CURVED STAIF | RS | |
| RUN | = | 150(6") |
| AVG RUN | = | 200(8") |
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1/2" DIA. ANCHOR BOLTS 12" LONG,MIN. 4" IN CONCRETE @ 7'-10" O.C. CAULKING OR GASKET BETWEEN PLATE AND CONCRETE WALL.

- (13). FULL HEIGHT R 20 CI INSULATION 2" X 4" WOOD STUDS @ 16" O.C. 6MIL VAPOUR BARRIER FULL HEIGHT, DAMPPROOF BETWEEN FOUNDATION WALL AND INSULATION WITH BUILDING
- (14) BEARING STUD PARTITION 2"X4" STUDS @ 16" O.C. 2"X4" SILL PLATES ON DAMPPROOFING MATERIAL, 1/2" DIA. ANCHOR BOLTS 7'-10" O.C. ON 4" HIGH CONC. CURB ON 16"X6" CONC. FOOTING.

- (15), 3-1/2" X 0.188" PIPE COLUMN, 38"X38"X16" CONC. FTG. 9" X 5" X 1/4" TOP PLATE AND 6" X 6" X 1/4" BASE PLATE.
- (16) BEAM POCKET 8"X8") POURED CONC.NIB WALLS.
- $\langle 17 \rangle$ 1"X4" BOTH SIDES OF STEEL BEAM.
- (18): 4" CONC.SLAB, 5" CRUSHED STONE SLOPE TO FRONT, CONC. STRENGTH 25MPA AND WITH 5-8% AIR ENTRAINMENT.
- (19).1/2" GYMPSUM BD. ON WALLS AND CEILING BETWEEN HOUSE AND GARAGE. R24 IN WALLS, R31 IN CEILINGS. ADD VAPOUR BARRIER. TAPE AND SEAL ALL JOINTS GAS TIGHT.
- (20) DOOR GAS PROOFED WITH SELF CLOSER AND WEATHERSTRIPPING. MIN. 6" SILL.
- $\langle 21. \rangle$ PRECAST CONCRETE STEP.
- $\langle 22 \rangle$ CAPPED DRYER VENT.

- (23). ATTIC ACCESS HATCH 20"X28" WITH WEATHERSTRIPPING.
- (24). TOP OF FIREPLACE CHIMNEYS SHALL BE 915(3'-O") ABOVE HIGHEST POINT AT WHICH IT COMES IN CONTACT WITH $\sqrt{31}$. MIN. 75MM(3") CONCRETE SLAB-ON-THE ROOF AND 610(2'-0") ABOVE ROOF SURFACE WITHIN A HORIZONTAL DISTANCE OF 3050(10'-0") FROM THE CHIMNEY.
- (25). LINEN CLOSET 4 SHELVES MIN. 350(1'-2") DEEP.
- $\langle 26 \rangle$. Washrooms to be Mechanically VENTED TO PROVIDE AT LEAST ONE AIR CHANGE PER HOUR.
- $\langle 27 \rangle$. Joists and beams to be staggered MIN. 100MM(4") AT PARTY WALL.
- $\langle 28 \rangle$.U.L.C. RATED CLASS "B" VENT 610 (2'-0")HIGH FROM POINT IN CONTACT WITH ROOF FOR SLOPES UP TO 9/12 THAN 9/12.
- (29.) 140X140(6"X6") WOOD COL. ON METAL BASE SHOE AND 12.7(1/2") DIA. BOLT, 610x610x155(24"x24"x6") CONC. FTG.

- (30). STEP FOOTINGS: HORIZONTAL STEP =610MM (2'-0") MIN.VERTICAL STEP =600MM MAX. FOR FIRM SOILS AMD 400MM FOR SAND AND GRAVEL.
- GRADE ON 125MM CRUSHED STONE. SLAB SHALL BE REINFORCED WITH 6x6-W2.9XW2.9 MESH AND SUCH REINFORCEMENTS SHALL BE LOCATED NEAR MID-DEPTH OF SLAB. CONC.STR. 25MPA AND WITH 5-8% AIR ENTRAINMENT.
- $\langle 32 \rangle$. PROVIDE 200MM(8") DEEP SOLID MASONARY UNDER ALL BEAMS.
- (33). MASONARY PARTY WALLS SHALL EXTEND to underside of roof deck Min. 1 HR. FIRE RATING.
- $\langle 34 \rangle$. All joist to be bridged with a CONTINUOUS 19X89(1"X4") OR 38X38(2"X2") CROSS BRIDGING AND 1220(4'-0") FOR SLOPES GREATER OR SOLID BLOCKING AT 2100(7'-0") 0.C. MAX.OR 1375(4'-6")0.C. WITHIN 460(18") OF MAX. SPAN.
 - $\langle 35 \rangle$ wood framing Members that are not PRESSURE TREATED WITH A WOOD PRESERVATIVE AND WHICH ARE SUPPORTED ON CONCRETE IN CONTACT WITH THE GROUND OR FILL SHALL BE SEPARATED FROM THE CONC.

<u>Section</u>

PROVIDE POLYSTYRENE GASKET DAMPPROOFING BETWEEN WOOD AND CONC.

- (36) PORCH SLABS ABOVE COLD CELLARS: 125(5") POURED CONC. SLAB WITH 10M BARS @ 300 O.C. EACH WAY. 610X610(24"X24") DOWELS @ 600 O.C. ANCHORED IN PERIMETER FDTN. WALLS SLOPES SLAB MIN 1.5%.
- $\langle 37 \rangle$. Where the FDTN, Wall is reduced in THICKNESS TO ALLOW MASONARY FACING THE MIN. REDUCED THICKNESS SHALL NOT BE LESS THAN 90MM THICK, AND TIED TO FACING MATERIAL WITH METAL TIES SPACED 200MM O.C. HORIZONTALLY MAX. FILL SPACE BETWEEN WALL AND FACING SOLID WITH MORTAR.
- (38). ALL CONVENTIONAL ROOF FRAMING TO BE 38x140(2"x6") RAFTERS @ 400(16")0.C., 2" x 4" COLLAR TIES AT MIDSPANS. CEILING JOISTS TO BE 38X140(2"X6") @ 400(16")0.C. UNLESS OTHERWISE NOTED.
- $\langle 39 \rangle$ 3 1/2" SHEETS OF FIRE RESISTANT DRYWALL FIRE BREAK

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| (905 PROJECT BUILDER PROJECT K C H WODEL : DRAWING |)639-2009 TT NO. 202302 T NAME: | DATE: JA NCE DN 6 W | | | | | | | |
| (905 PROJECT BUILDER PROJECT K C H WODEL : DRAWING |)639-2009 ST NO. 202302 ST NO. 2000 ST NO. 2 | DATE: JA NCE DN 6 W | N. 202 | | | | | | |



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

APPLICATION FOR A MINOR VARIANCE/PERMISSION

UNDER SECTION 45 OF THE PLANNING ACT

1. APPLICANT INFORMATION

| NAME | MAILI | NG ADDRES | S |
|--|--------------------|-----------|------------------------------|
| Registered Owners(s) | | | |
| Applicant(s) | | | |
| Agent or Solicitor | | | |
| .2 All correspondence should be sent to | Purcha Applica | | ☐ Owner ☐ Agent/Solicitor |
| .3 Sign should be sent to | Purcha Applica | | ☐ Owner ☐ AgentSolicitor |
| .4 Request for digital copy of sign | □ Yes* | ☑ No | |
| If YES, provide email address where sig | gn is to be s | ent | |
| .5 All correspondence may be sent by ema | ail | ⊡ 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 | 943 6th Concession West, Flamborough, Ont | | | |
|---------------------------|---|------------|--|--|
| Assessment Roll Number | | | | |
| Former Municipality | Flamborough | | | |
| Lot | | Concession | | |
| Registered Plan Number | | Lot(s) | | |
| 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:

To allow an extension to the original dwelling, for a legal non conforming property that contains 2 dwellings

Second Dwelling Unit Reconstruction of Existing Dwelling

Yes

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

Both dwellings exist & require an addition to the original dwelling, where only 1 dwelling is allowed on the property

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

🗆 No

If yes, please provide an explanation:

The property has 2 dwellings existing on the same lot, we require an addition to the original dwelling, the property is considered legal non conforming

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

| Lot Frontage | Lot Depth | Lot Area | Width of Street |
|--------------|-----------|-------------|-----------------|
| 82 m | 1100 m | 90200 sg. m | 20m |

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

| - | 10.0 | | | | | |
|---|------|-----|----|-----|---|---|
| - | VI | C | ۴ı | n | 2 | • |
| E | ~ | 3 | u | 11 | u | |
| _ | | 1.1 | - | 1.1 | 5 | - |

| Type of Structure | Front Yard Setback | Rear Yard Setback | Side Yard Setbacks | Date of Construction |
|-------------------|-----------------------|-------------------|-----------------------|-------------------------|
| Original dwelling | 24.5 m | 885 m | 11/61 m | 01/01/1972 |
| Second dwelling | 21.0 m | 902 m | 59/3 m | 01/01/1985 |
| greenhouses | 48.0 m | 717 m | 5/113 m | 01/01/1975 |
| shed | 47 m | 872 m | 12/65 m | 01/01/1995 |

Proposed:

| Type of Structure | Front Yard Setback | Rear Yard Setback | Side Yard Setbacks | Date of Construction |
|-------------------|-----------------------|-------------------|-----------------------|-------------------------|
| original dwelling | 24.5 m | 883 m | 11/61 m | 11/01/2023 |
| second dwelling | 21.0 m | 902 m | 59/3 m | 01/01/1985 |
| greenhouses | 48.0 m | 717 m | 5/113 m | 01/01/1975 |
| shed | 47 m | 872 m | 12/65 m | 01/01/1995 |

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 |
|-------------------|-------------------|------------------|-------------------|--------|
| Original dwelling | 116 sq m | 171 sq | 1 1/2 | 7.5 m |
| Second dwelling | 160 sq. m | 160 sq. m | 1 | 6.0 m |
| greenhouses | 10800 sq m | 10800 sq. m | 1 | 6.0 m |
| shed | 20 | 20 | 1 | 3.5 m |

Proposed:

| Type of Structure | Ground Floor Area | Gross Floor Area | Number of Storeys | Height |
|-------------------|-------------------|------------------|-------------------|--------|
| Original dwelling | 128 sq m | 224 sq. m | 2 | 7.5 m |
| Second dwelling | 160 sq m | 160 sq m | 1 | 6.0 m |
| greenhouses | 10800 sq m | 10800 sq m | 1 | 6.0 m |
| shed | 20 | 20 | 1 | 3.5 m |

- 4.4 Type of water supply: (check appropriate box)
 ☐ publicly owned and operated piped water system
 ☑ privately owned and operated individual well
- 4.5 Type of storm drainage: (check appropriate boxes)

 D publicly owned and operated storm sewers
 D swales

lake or other water body
 other means (specify)

☑ 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.): Single detached dwelling, agricultural
- 4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.): Agricultural

7 HISTORY OF THE SUBJECT LAND

- 7.1 Date of acquisition of subject lands: 1972
- 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 1972
- 7.5 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): Agricultural

Rural Settlement Area: A1

Urban Hamilton Official Plan designation (if applicable)

Please provide an explanation of how the application conforms with the Official Plan. Both dwellings are existing, require extension for growing family

- 7.6 What is the existing zoning of the subject land? A1
- 7.8 Has the owner previously applied for relief in respect of the subject property? (Zoning By-lawAmendment or Minor Variance)

| 🗌 Yes | |
|-------|--|
|-------|--|

No

| If yes, please | provide t | the file | number: | A1 |
|----------------|-----------|----------|---------|----|
|----------------|-----------|----------|---------|----|

| 7.9 | Is the subject property the subject of a current application for consent under Section 53 of the <i>Planning Act</i> ? |
|-----|--|
| | Planning Act? |

| 🗆 Yes | No No |
|-------|-------|
|-------|-------|

If yes, please provide the file number:

7.10 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 | N N | 0 |
|-------|-----|---|
|-------|-----|---|

7.11 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.

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 2_____

- 8.2 Number of Dwelling Units Proposed: 2
- 8.3 Additional Information (please include separate sheet if needed):

11 COMPLETE APPLICATION REQUIREMENTS

| 11.1 | All Applications |
|------|---|
| | Application Fee |
| | Site Sketch |
| | Complete Application form |
| | Signatures Sheet |
| 11.4 | Other Information Development |
| 11.4 | Other Information Deemed Necessary |
| | Cover Letter/Planning Justification Report |
| | Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance |
| | Minimum Distance Separation Formulae (data sheet available upon request) |
| | Hydrogeological Assessment |
| | Septic Assessment |
| | Archeological Assessment |
| | Noise Study |
| | Parking Study |
| | |