



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.:	HM/A-23:289	SUBJECT PROPERTY:	26 Melbourne St, Hamilton
ZONE:	"R1a" (Low Density Residential – Small Lot)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended

APPLICANTS: Owner: Louis Boiteau
Applicant: Eric Canton, Virtual Creations Inc.

The following variances are requested:

1. To permit the proposed additional dwelling unit-detached ground floor area to be greater than the ground floor area of the existing principal dwelling.

PURPOSE & EFFECT: To facilitate the construction of an additional dwelling unit-detached with parking on the first floor and the additional dwelling unit on the second floor of the building.

Notes:

- i. Records indicate the recognized use for 26 Melbourne Street is a two-family dwelling. In the situation where there is an existing two-family dwelling and an additional dwelling unit- detached is proposed, the two-family dwelling will now be considered a single-family dwelling with an additional dwelling unit.

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, December 7, 2023
TIME:	9:15 a.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.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-23:289, you must submit a written request to cofa@hamilton.ca 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 cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



 Subject Lands

DATED: November 21, 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.



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

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.

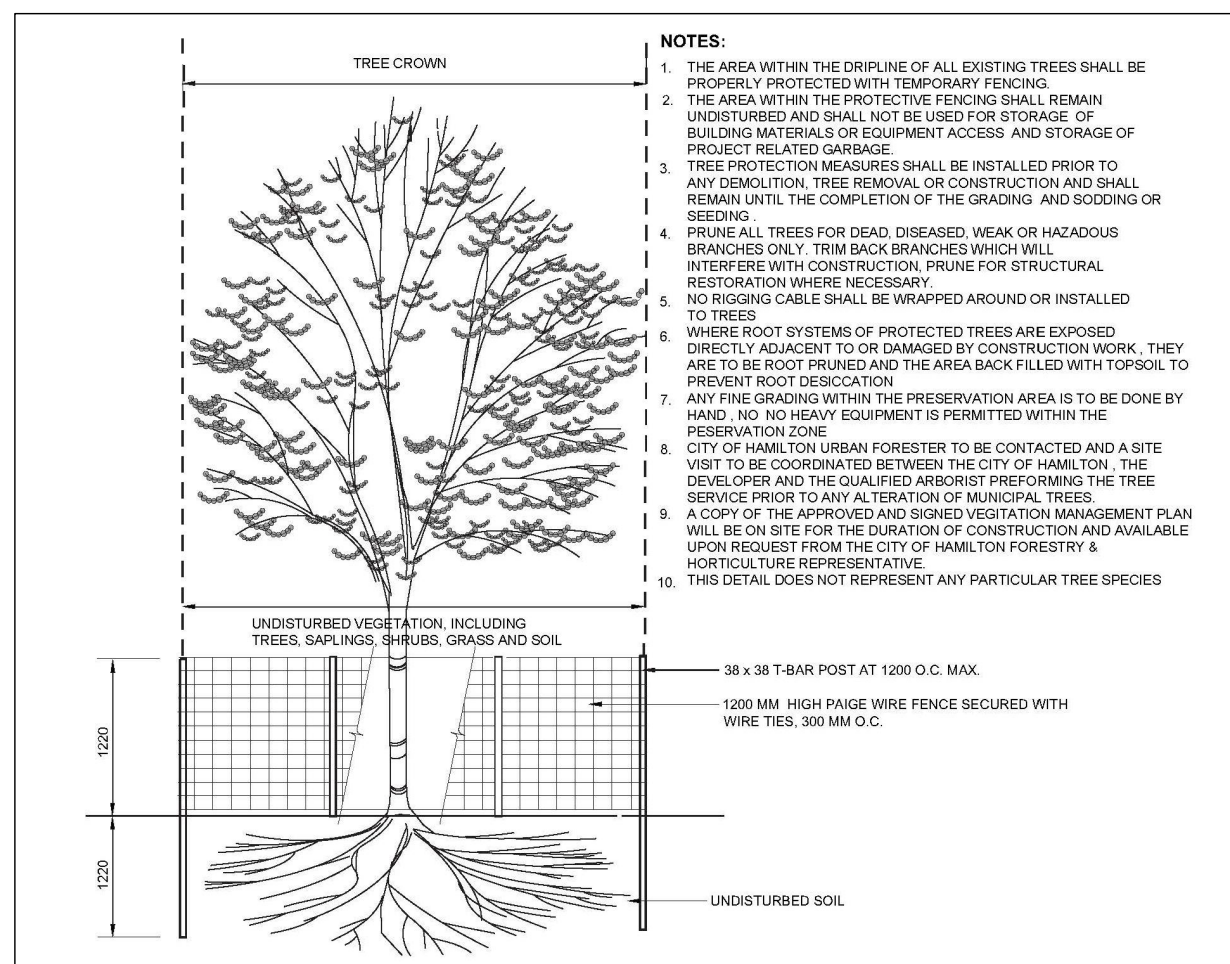
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

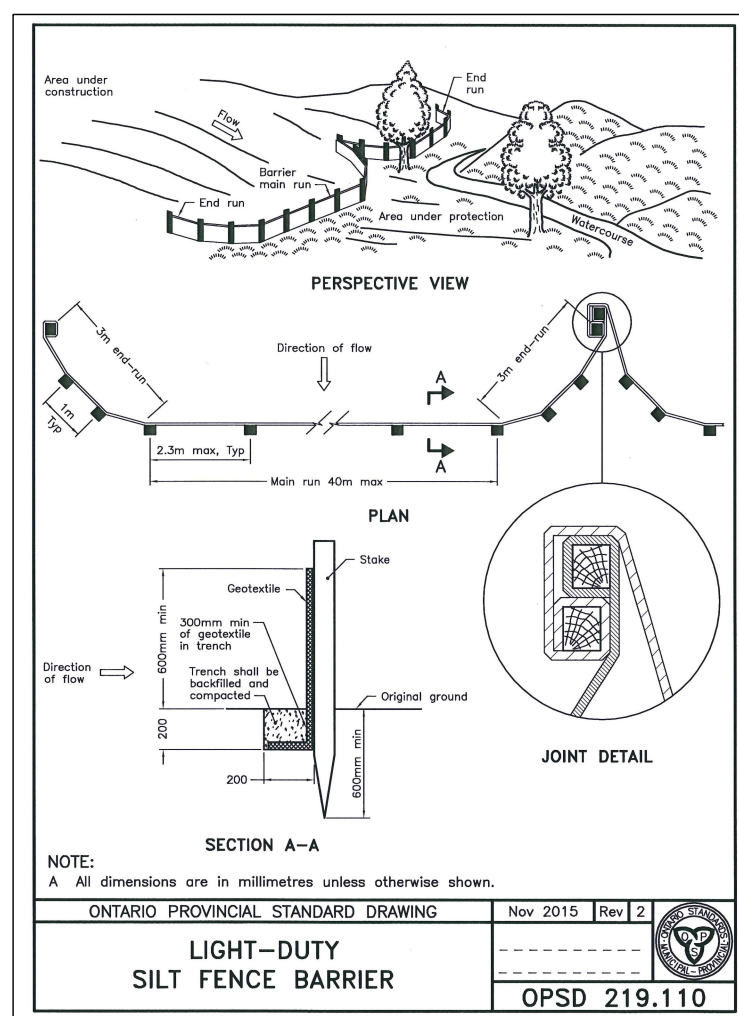
Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

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.



DETAIL "A"
TEMPORARY TREE PROTECTION FENCING

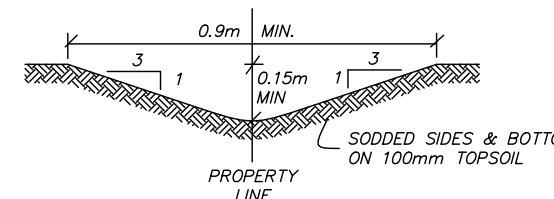


DETAIL "B"
SEDIMENT CONTROL FENCE INSTALLATION

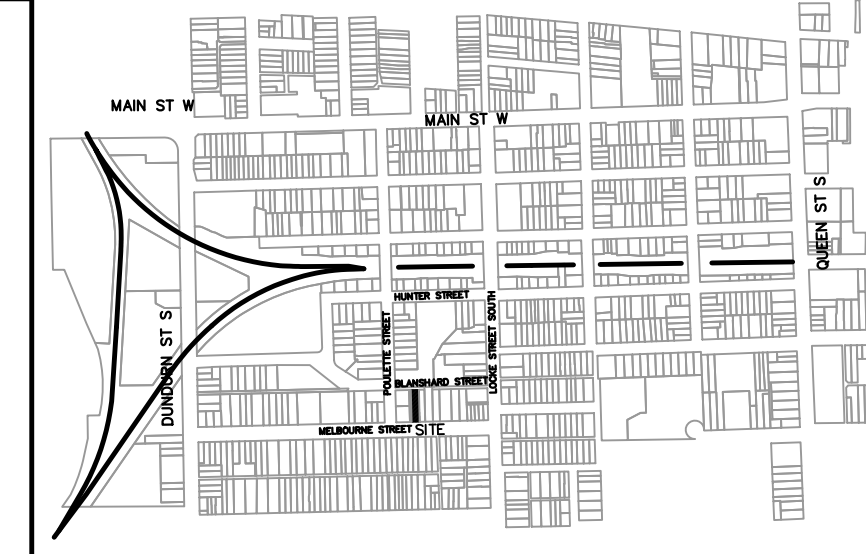
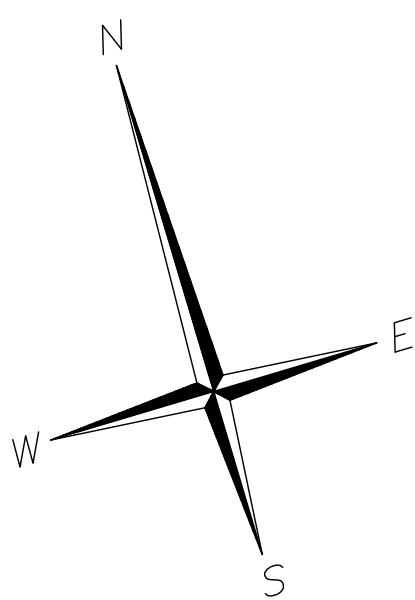
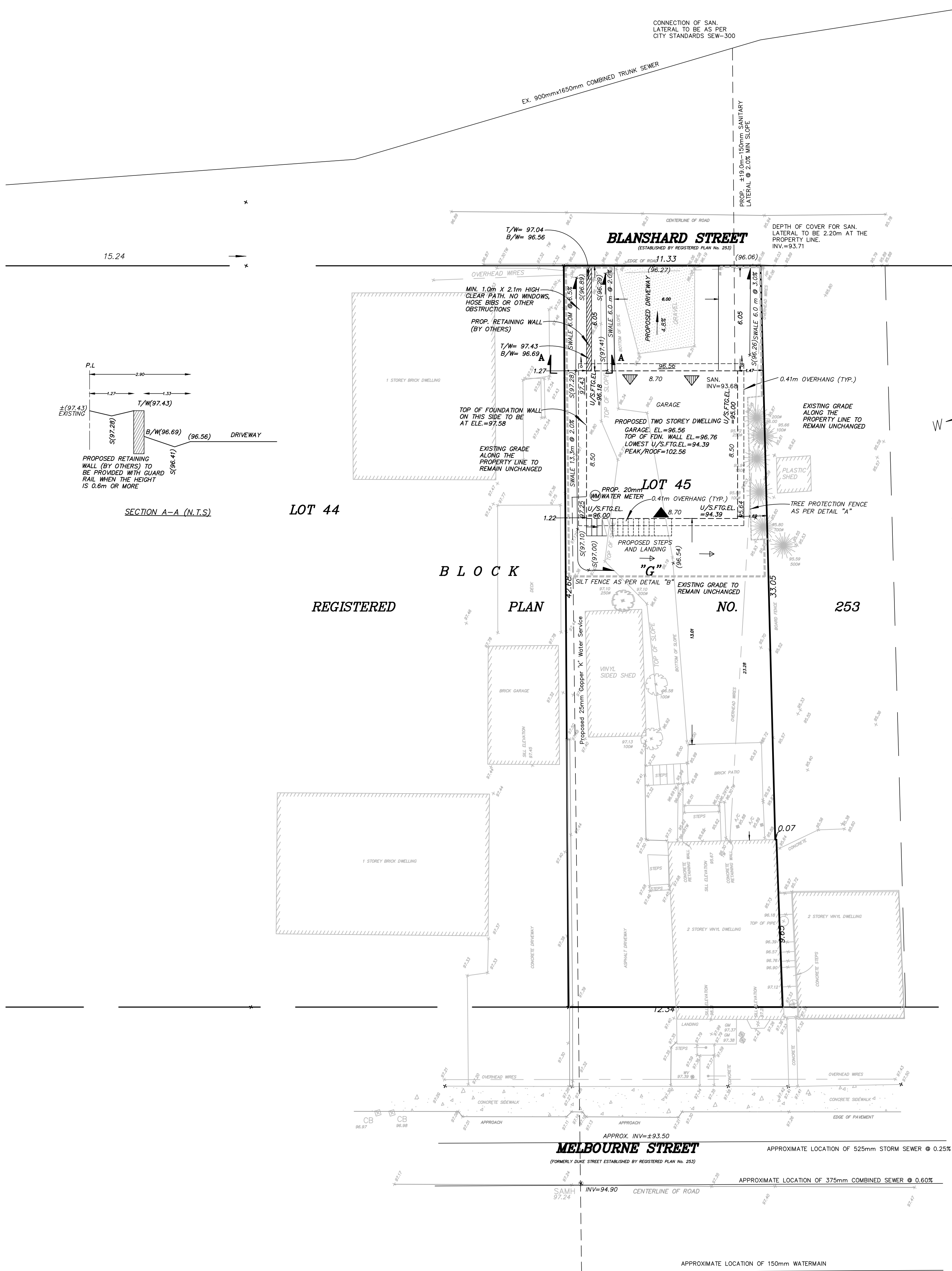
EROSION AND SILTATION CONTROL

- Install all erosion and sediment control measures approved by the City of Hamilton, prior to development, and maintain such measures throughout the construction process, until all disturbed areas have been re-vegetated and.
- Inspect and maintain all erosion and sediment control measures after each rainfall to the satisfaction of the City and maintain a diary for review upon request by the City and.
- Provide suitable temporary mulch and seed cover within seven (7) days of the completion of a particular phase of construction for any disturbed area not scheduled for further construction within forty-five (45) days and.
- Re-vegetate all disturbed areas with permanent cover immediately following completion of construction.
- Additional silt control locations may be required as determined by the City of Hamilton.

TYPICAL SWALE CROSS-SECTION N.T.S.



NOTE:
Swales to be placed in a manner to meander around trees where grades permit to reduce impact on adjacent trees.



KEY PLAN N.T.S.

SITE & GRADING PLAN
PART OF LOT 45 BLOCK 'G'
REGISTERED PLAN No. 253
IN THE
CITY OF HAMILTON
SCALE 1:150

AMAD NAMU P.ENG

Caution:
This is not a plan of survey and shall not be used except for the purpose indicated in the title block.

BENCH MARK
CITY OF HAMILTON
MONUMENT No.: 07720100049
RIB WITH BRASS CAP
MONUMENT IS LOCATED AT THE EAST SIDE OF BAY FRONT PARK, 85m WEST OF THE CENTRELINE OF BAY STREET NORTH AND 22m SOUTHWEST OF THE CENTRELINE OF HARBOUR FRONT DRIVE.
ELEVATION= 85.227m

NOTE:
The builder is to verify the location and grade of all sewer and water services prior to setting 1/2 footings elevation.

NOTE:
The builder is to verify the location of all street hardware and utilities prior to construction. Driveways and/or driveway approaches shall be located such that they do not interfere with the projections of the outside garage walls unless otherwise detailed on the lot grading plan.

RAINWATER LEADERS
All rainwater leaders shall discharge into splash pans and then to a graded or landscaped area a minimum of 0.6m from the building face.

MUNICIPAL No. 26 MELBOURNE STREET
PROPOSED SINGLE FAMILY
STOREY DWELLING
RURAL RESIDENTIAL "R1A" ZONING

	REQUIRED	PROPOSED
MIN. LOT FRONTAGE	15.00m	12.34m (EXISTING)
MAX LOT COVERAGE	40%	161.94m ² (23.57%)
MIN. FRONT YARD (FROM MAIN DWELLING)	7.50m	13.01m
MIN. REAR YARD	1.20m	6.05m
MIN. SIDE YARD	1.20m	1.47m (EAST SIDE) 1.22m (WEST SIDE)
MAX BUILDING HEIGHT	6.00 METRES	PEAK ELEV = 102.51m AVERAGE GRADE = (96.56+95.60+97.25+97.43)/4=96.71 BUILDING HEIGHT= 5.65m
GFA MAX (LESSER OF 75.0m ² OR EXISTING DWELLING GFA)	64.03m ² (GFA EXISTING DWELLING)	73.95m ²

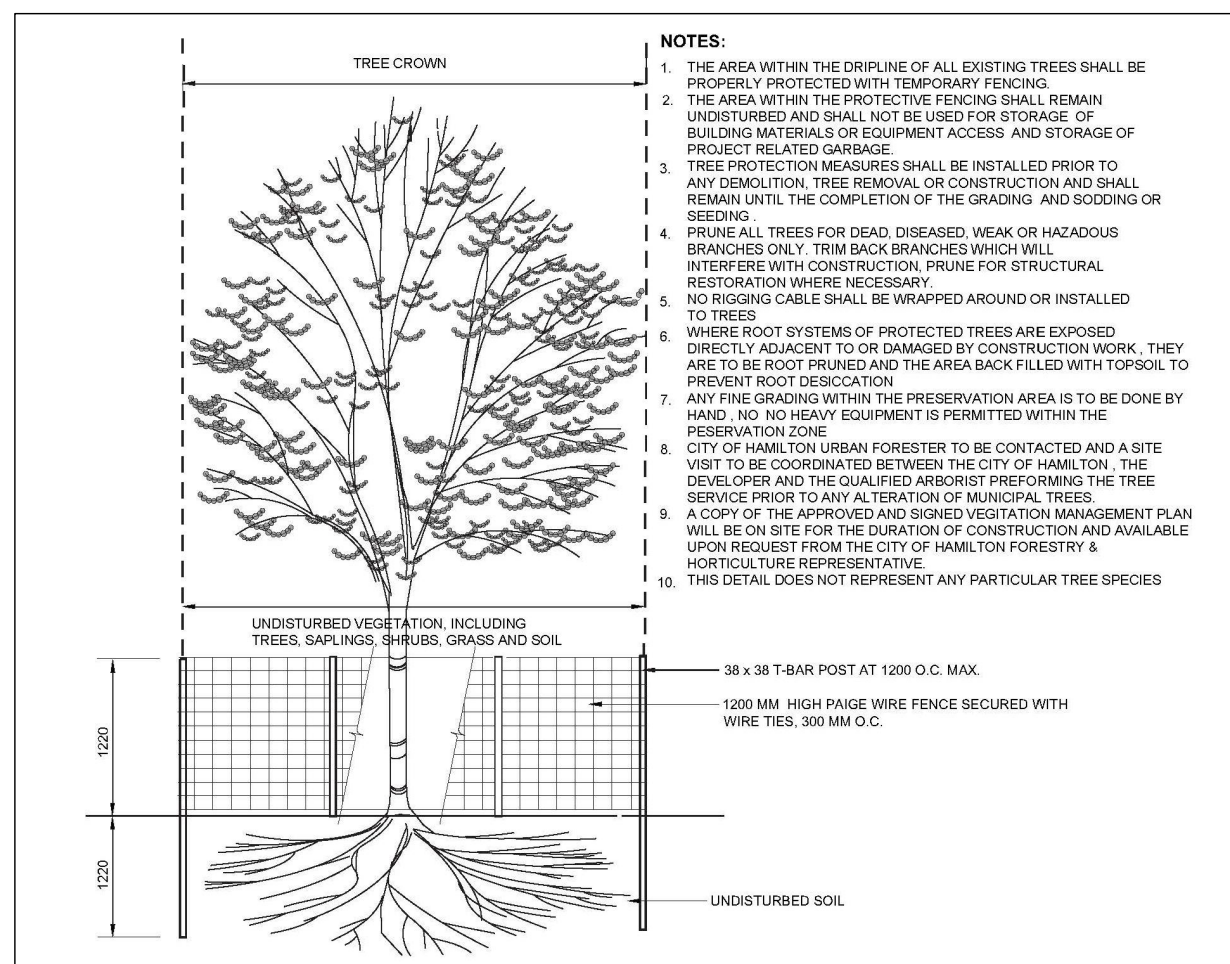
NOTE:
(a) THE ELEVATIONS SHOWN ON THIS PLAN WERE OBTAINED BY ACTUAL FIELD SURVEY BY A. J. CLARKE & ASSOCIATES LTD. DATED FEBRUARY 1, 2023
(b) METRIC: DISTANCES AND ELEVATIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

LEGEND:
 (000.00) EXISTING GROUND ELEVATION
 (000.00) PROPOSED FINISHED GROUND ELEVATION
 (000.00) PROPOSED FINISHED GROUND ELEVATION AT DWELLING
 (000.00) PROPOSED SWALE INVERT ELEVATION
 - - - - - PROPOSED DIRECTION OF SURFACE DRAINAGE FLOW
 - - - - - DENOTES DOWNSPOUT
 ▲ DENOTES ENTRANCE DOOR LOCATION
 ▲ DENOTES GARAGE DOOR LOCATION
 ▲ DENOTES SHEET FLOW LOCATION
 ▲ DENOTES HYDRANT
 LS DENOTES LIGHT STANDARD
 HP DENOTES UTILITY POLE
 400# DENOTES 400mm DIA. TREE
 W# DENOTES WATER VALVE
 CB DENOTES CATCH BASIN
 - - - - - DENOTES TEMPORARY TREE PROTECTION FENCE (SEE DETAIL "A")
 - - - - - DENOTES SEDIMENT CONTROL FENCE (SEE DETAIL "B")
 * DENOTES EXISTING TREE

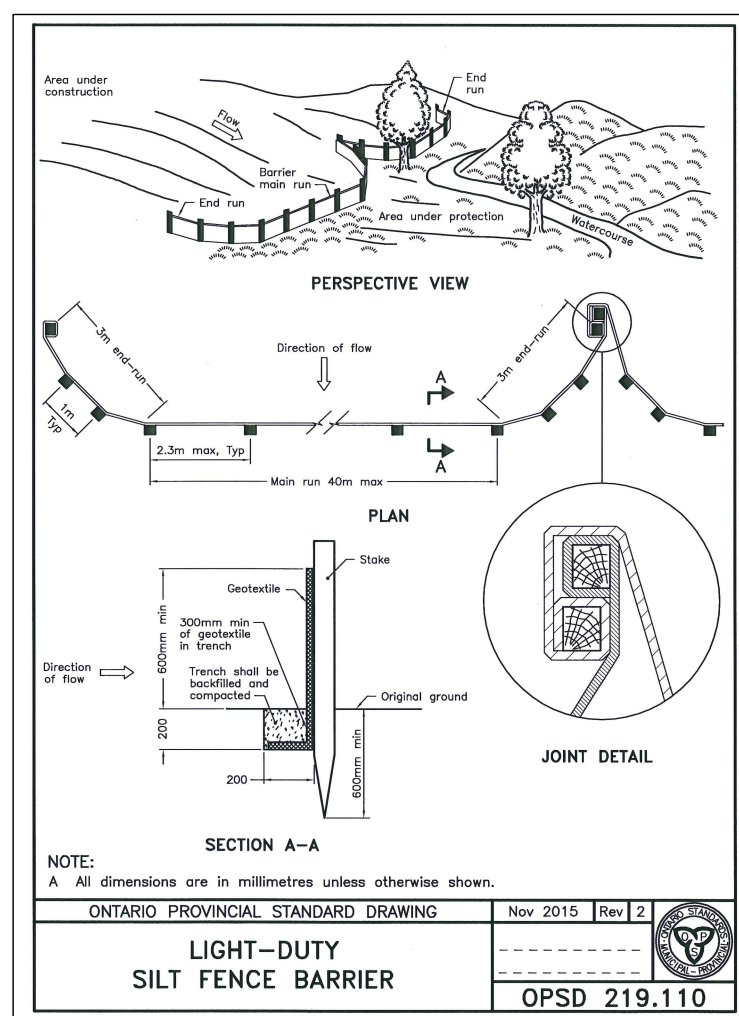
September 11, 2023
DATE

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

DRAWN BY: MW
CHECKED BY: KB
PROJECT No. 198072R
INDEX No. T-3524C



DETAIL "A"
TEMPORARY TREE PROTECTION FENCING

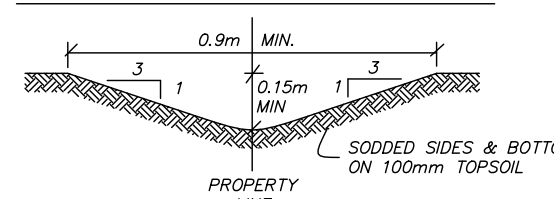


DETAIL "B"
SEDIMENT CONTROL FENCE INSTALLATION

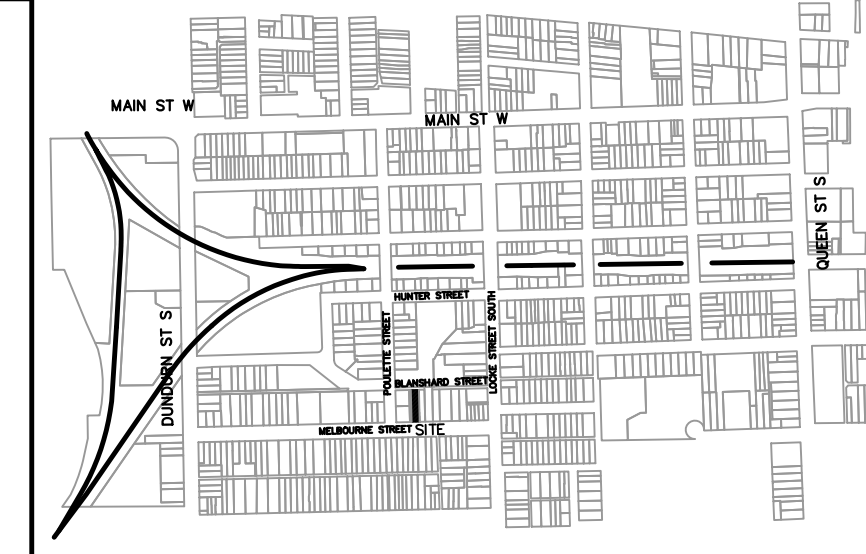
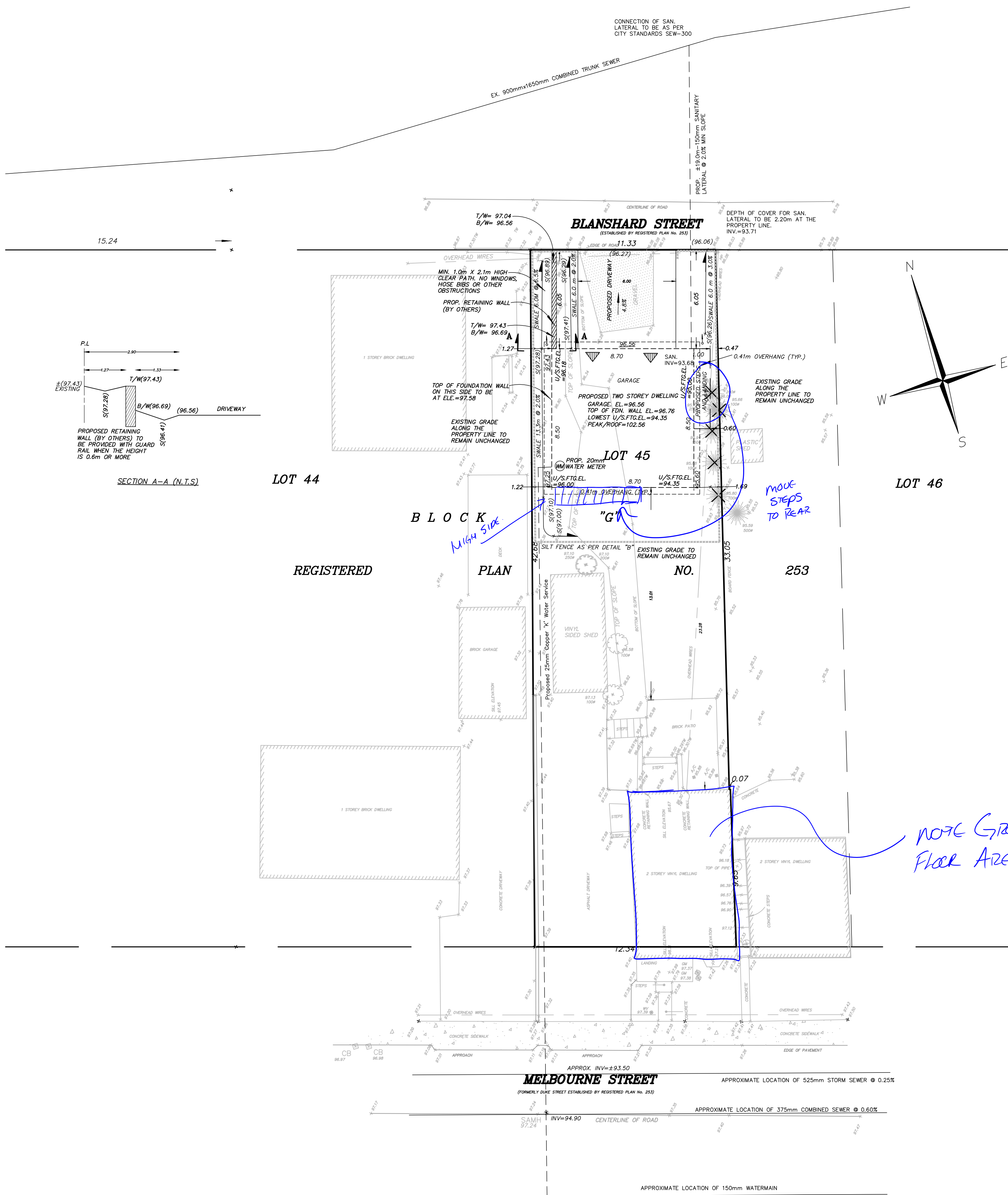
EROSION AND SILTATION CONTROL

- Install all erosion and sediment control measures approved by the City of Hamilton, prior to development, and maintain such measures throughout the construction process, until all disturbed areas have been re-vegetated and.
- Inspect and maintain all erosion and sediment control measures after each rainfall to the satisfaction of the City and maintain a diary for review upon request by the City and.
- Provide suitable temporary mulch and seed cover within seven (7) days of the completion of a particular phase of construction for any disturbed area not scheduled for further construction within forty-five (45) days and.
- Re-vegetate all disturbed areas with permanent cover immediately following completion of construction.
- Additional silt control locations may be required as determined by the City of Hamilton.

TYPICAL SWALE CROSS-SECTION N.T.S.



NOTE:
Swales to be placed in a manner to meander around trees where grades permit to reduce impact on adjacent trees.



KEY PLAN N.T.S.
SITE & GRADING PLAN
PART OF LOT 45 BLOCK 'G'
REGISTERED PLAN No. 253
IN THE
CITY OF HAMILTON
SCALE 1:150

AMAD NAMU P.ENG
Caution:
This is not a plan of survey and shall not be used except for the purpose indicated in the title block.

BENCH MARK
CITY OF HAMILTON
MONUMENT No. 07720100049
RIB WITH BRASS CAP
MONUMENT IS LOCATED AT THE EAST SIDE OF BAY FRONT PARK, 85m WEST OF THE CENTRELINE OF BAY STREET NORTH AND 22m SOUTHWEST OF THE CENTRELINE OF HARBOUR FRONT DRIVE.
ELEVATION= 85.227m

NOTE:
The builder is to verify the location and grade of all sewer and water services prior to setting u/s footings elevation.
NOTE:
The builder is to verify the location of all street hardware and utilities prior to construction. Driveways and/or driveway approaches shall be located such that hydro vaults and other street furniture are minimum 1.2 metres from the projections of the outside garage walls unless otherwise detailed on the lot grading plan.

RAINWATER LEADERS
All rainwater leaders shall discharge into splash pads and then to a grassed or landscaped area a minimum of 0.6m from the building face.

MUNICIPAL No 26 MELBOURNE STREET
PROPOSED SINGLE FAMILY
STOREY DWELLING
RURAL RESIDENTIAL "R1A" ZONING

	REQUIRED	PROPOSED
MIN. LOT FRONTAGE	15.00m	12.34m (EXISTING)
MAX LOT COVERAGE	40%	161.94m ² (23.57%)
MIN. FRONT YARD (FROM MAIN DWELLING)	7.50m	13.01m
MIN. REAR YARD	1.20m	6.05m
MIN. SIDE YARD	1.20m	0.47m (EAST SIDE) 1.22m (WEST SIDE)
MAX BUILDING HEIGHT	6.00 METRES	PEAK ELEV = 102.51m AVERAGE GRADE = (96.56+95.60+97.25+97.43)/4=96.71 BUILDING HEIGHT= 5.65m
GFA MAX (LESSER OF 75.0m ² OR EXISTING DWELLING GFA)	64.03m ² (GFA EXISTING DWELLING)	73.95m ²

NOTE:
(a) THE ELEVATIONS SHOWN ON THIS PLAN WERE OBTAINED BY ACTUAL FIELD SURVEY BY A. J. CLARKE & ASSOCIATES LTD. DATED FEBRUARY 1, 2023
(b) METRIC: DISTANCES AND ELEVATIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

- LEGEND:
- EXISTING GROUND ELEVATION (000.00)
 - PROPOSED FINISHED GROUND ELEVATION (000.00)
 - PROPOSED FINISHED GROUND ELEVATION AT DWELLING (0000.00)
 - PROPOSED SWALE INVERT ELEVATION
 - PROPOSED DIRECTION OF SURFACE DRAINAGE FLOW
 - DENOTES DOWNSPOUT
 - DENOTES ENTRANCE DOOR LOCATION
 - DENOTES GARAGE DOOR LOCATION
 - DENOTES SHEET FLOW DIRECTION
 - HYD
 - LS
 - HP
 - 400#
 - WV
 - CB
 - DENOTES TREE TO BE REMOVED

JULY 19, 2023
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

DRAWN BY: MW CHECKED BY: KB PROJECT No. 198072R INDEX No. T-3524B

PROJECT INFORMATION

Project Information:

2022-064

26 Melborne Street, Hamilton Ontario\

ALL CONSTRUCTION PRACTICES TO COMPLY WITH THE ONTARIO BUILDING CODE REGULATIONS

This drawing set has been prepared under the
O. Reg 332/12
Ontario Building Code 1992
Amendment Jan 1 2020

CONTRACTOR'S USE ONLY
ISSUED UNDER THE ONTARIO BUILDING CODE REGULATIONS
ALL CONSTRUCTION PRACTICES TO COMPLY WITH THE 2012 ONTARIO BUILDING CODE REGULATIONS
ALL DIMENSIONS GIVEN FIRST IN METRIC (mm) FOLLOWED BY IMPERIAL

1.	Issued to Consultants	2021.04.20	E.C.
----	-----------------------	------------	------

Virtual Creations Inc. – Energy Efficiency for Housing SB-12 (2017) ZONE 1 <92

COMPONENTS

Attic	Cathedral	Exposed Floor	Walls	Continuous Insulation	Basement	Slab Horizontal	Edge of Slab
R60	R31	R31	R22	N/A	R20 ci	---	R10
Heated Slab	Skylights	Windows	Glazing Upgrade	Space Heating	HRV	Hot Water	Gray water heat recovery
R10	.49	25er		96%	75%	.8	42%

BUILDING INFORMATION

Area Calculations

Total Building Area	918.17 Sq. Ft. (85.30 Sq. m.)
Proposed Foundation Area	803.49 Sq. Ft. (74.64 Sq. m.)
Garage Area	803.50 Sq. Ft. (74.65 Sq. m.)
Proposed Second Floor Area	803.50 Sq. Ft. (74.65 Sq. m.)
Balcony Area	114.67 Sq. Ft. (10.65 Sq. m.)

1	Bathroom group* with 6 LPF flush tank	N/A	3.6
2	Bathroom group* with greater than 6 LPF flush	N/A	6
3	Bathtub with or without shower head	1/2	1.4
4	Clothes washer	1/2	1.4
5	Dishwasher, domestic	3/8	1.4
6	Hose bibb (1/2")	1/2	2.5
7	Lavatory	3/8	0.7
8	Shower head	1/2	1.4
9	Shower, spray, multi-head, fixture unit per head	**	1.4
10	Sink, bar	3/8	1
11	Sink, kitchen, domestic	3/8	1.4
12	Sink, laundry (1 or 2 compartments)	3/8	1.4
13	Water closet, 6 LPF or less with flush tank	3/8	2.2
14	Other:		

BUILDING INFORMATION

Metric to Imperial Steel Beam Converting

Metric	Imperial	Metric	Imperial	Metric	Imperial	Metric	Imperial	Metric	Imperial
W150x22	W6x15	W200x27	W8x18	W250x22	W10x15	W310x39	W12x26	W360x57	W14x38
W150x30	W6x20	W200x31	W8x21	W250x33	W10x22	W310x60	W12x40		
W150x37	W6x25	W200x36	W8x24	W250x38	W10x29	W310x67	W12x45		
		W200x42	W8x28						
		W200x46	W8x31						
		W200x59	W8x40						

Client Sign Off: _____ Date: _____

PROJECT: 26 Melborne Street, Hamilton Ontario

PROJECT NO: 2022-064

INC. (905) 481 1153

BCIN No. 28844

ERIC CANTON BCIN#25135

ISSUED Sep 07 2023

SMALL BUILDINGS

Client: LOUIS-FELIX BOITEAU Classification:

WWW.VCINC.CA

AT VIRTUAL CREATIONS INC. THE BEST EFFORT HAS BEEN MADE TO RECORD EXISTING BUILDING STRUCTURES AND PROPOSED A COMPREHENSIVE SET OF CONSTRUCTION DRAWINGS. HOWEVER, THERE ARE AREAS AT THE TIME OF DESIGNING THAT ARE UNAVAILABLE OR INACCESSIBLE. WITH PROPER COORDINATION AND ACCESS TO THE NECESSARY INFORMATION, THE DRAWINGS WILL BE REVISED TO REFLECT THE ACTUAL CONDITIONS. VIRTUAL CREATIONS INC. IS NOT RESPONSIBLE FOR ANY CHANGES, DISCREPANCIES OR SUBSTITUTIONS FOR REVIEW BEFORE COMMENCING CONSTRUCTION. ALL DESIGNS AND DRAWINGS ARE THE SOLE PROPERTY AND COPYRIGHT OF VIRTUAL CREATIONS INC. ANY REPRODUCTIONS MUST BE AUTHORIZED BY VIRTUAL CREATIONS INC OR PURCHASED THROUGH VIRTUAL CREATIONS INC DIRECTLY.

CONTRACT

Designed By:

VIRTUAL CREATIONS INC.
ARCHITECTURAL CONSULTING SERVICES (905) 481 1153

PROJECT GENERAL NOTES

Terms and Conditions

License Agreement and Copyright Notice: When you purchase a reproducible set from Virtual Creations Inc, the designer as licensor grants you, a license, the right to use these documents to construct ONE home. All of the plans referenced in this publication are protected under copyright laws and other laws. The designers retains titles and ownership of the original documents and all intellectual property rights in the plans. The construction drawings licensed to you may not be resold or used by any other person. When you purchase a reproducible set, you reserve the right to modify and reproduce the plan, but you are still limited to the construction of one house. Reproducible sets or the modified version of any plan may not be resold or used by any other person to construct a home.

Compliance with Codes: Virtual Creations Inc authorizes the use of this document, expressly conditioned upon your obligation and agreement to strictly comply with all local building codes, ordinances, regulations and requirements – including permits, and inspections at the time of construction and your assurance you will retain the trades necessary to assist in your needs. Due to differences in time and place and continuing changes in Building codes, the plan you requested may need to be modified to comply with the codes in your area. Some minor changes may be made by most professional builders. However, any significant changes including dimensional and structural changes, will require the review of Virtual Creations Inc. Virtual Creations Inc and its designers are not responsible or liable for any changes or modifications made without their express permission, and you accept full responsibility for the accuracy and integrity of any changes or modifications to the plans, and all uses of the plans.

Certification: Virtual Creations Inc can certify these documents for permit in Ontario under Part 9 and Part 4 of the OBC 2012 and do not require an Architect or Structural Engineer as we are qualified by the Ontario Ministry of Housing and Municipal Affairs. However other provinces MAY require an architect or engineer to review and "seal" a blueprint prior to construction. There may be a fee for this service. Please contact your local lumberyard, municipal building department or builders association.

Disclaimer: Substantial care has gone into the creation of our home designs. However, because we cannot provide personal or on-site consultation, supervision or have control over the construction and because of the great variance in local building codes and requirements prior to construction and to limit our liability for any damages due to any deficiencies, omissions or errors to the cost of plans purchased by you; We make no warranty, expressed or implied, including but not limited to any warranty of merchantability or of fitness for a particular purpose with respect to the use or content of these plans.

Home Plans are Copyrighted

All documents created by Virtual Creations Inc are covered by copyright laws and other intellectual property laws of architects and home designers. These laws allow for significant damages or penalties per incident, plus legal fees, for copyright infringement involving any of the plans found in this publication or on our web site. Construction documents WITH A SIGNATURE may not be duplicated. If additional sets are required, they may be purchased at a nominal cost. If structural modifications are needed or if the plan needs or be redrawn, you must return to Virtual Creations Inc to complete the work and issue a new set of drawings at a reasonable fee. Construction documents WITHOUT A SIGNATURE may not be submitted for building permit or plans examination. Thank you in advance for your compliance with these laws

All parties involved with a renovation project should verify all dimension prior to commencing work. Virtual Creations Inc. makes a best effort to accurately measure the existing building, however, we can not determine wall thickness construction assembly, building square-ness, level and plumb-ness as well as general room to room accuracy at the time these drawings were prepared. Each trade, contractor and or builder should read these drawings as "intent based" documents and adjust accordingly.

PROJECT GENERAL NOTES

THESE ARE GENERAL NOTES AND NOT ALL INFORMATION MENTIONED HERE MAY APPLY TO THIS SPECIFIC PROJECT. THESE NOTES ARE MEANT TO BE GENERAL, FOR EXAMPLE IF THIS IS A NEW PROJECT THEN OBVIOUSLY THE VERIFY EXISTING FINISHES WOULD NOT APPLY.

ALL new and existing dimensions are approximate. Verify on site. Verify existing and all finished grades on site. Cold cellars to be vented to exterior. Cold cellar doors to be weather-stripped and exterior grade. Carbon Monoxide Detectors required for fuel appliances (OBC 9.33.4.2), as well as adjacent to each sleeping area. Smoke alarms shall be located as per 9.10.19.2. of the OBC. Smoke alarms shall be wired so that when the alarm sounds, all alarms sound as per 9.10.19.4. of the OBC. Fireplace to be installed as per manufacturer's specification and instructions. Verify fireplace and bump out dimensions from manufacturer

9.10.22.2. Vertical clearances above ranges. 9.10.22.3. Protection around ranges. See general notes

See Supplier Engineering Data for all Pre-Engineered steel beams, and wood headers, beams columns and wood I joists

9.5.2.3.(1) Stud wall reinforcement, If wood wall studs or sheet steel wall studs enclose the main bathroom in a dwelling unit, reinforcement shall be installed to permit the future installation of a grab bar on a wall adjacent to, a water closet in the location required by Clause 3.8.3.8.(1)(d), and a shower or bathtub in the location required by Clause 3.8.3.13.(1)(f).

To be read in conjunction with pre-manufactured lumber specifications attached.

Roof Framing Information

ALL laminated veneer lumber (LVL) beams, built-up beams, girder trusses and metal hanger connections supporting roof framing to be designed and certified by roof truss manufacturer. Refer to roof truss shop drawings for all roof framing information unless otherwise noted on Architectural drawings.

9.26.18.2. Downspouts

Where downspouts are provided and are not connected to a sewer extensions shall be provided to carry rainwater away from the building in a manner that will prevent soil erosion.

9.19.2.1. Attic Access

Every attic or roof space shall be provided with an access hatch where the attic or roof space measures not less than, 100 sq.ft. in area, 1 000 mm in length or width. The hatch required shall be not less than 550 mm by 900 mm except that, where the hatch serves a single dwelling unit, the hatch may be reduced to 0.32 m2 in area with no dimensions less than 545mm. Hatchways to attic or roof spaces shall be fitted with doors or covers.

9.19.1.2. Roof Vent Requirements

The unobstructed vent area shall be not less than 1/300 of the insulated ceiling area. 9.26.5.1. Type "s" smooth surface roll roofing eaves protection for first 3'-0" of roof above an interior living area.

9.10.16.1. Attic Firestop is required at this location of the attic as the attic is greater than 65'-0" in length and or greater than 3230 sq. ft. in area. 9.10.16.3.(d) 1/2" sheet of OSB from underside of truss to underside of roof sheathing spanning from edge of roof to edge of roof at this specific location.

Cathedral Ceiling Note:

MINIMUM requirement for rooms with cathedral ceilings, slopes, ceiling heights, knee wall heights, cathedral ceiling (flat) width area II noted in elevation. Truss manufacturer to notify Virtual Creations Inc. when the minimum cannot be met.

PROJECT GENERAL NOTES

REVISION LIST:

BACKGROUND: These drawings are a direct result of your (plans examiners) deficiency lists. Each time a deficiency is given we add the comment to our standard drawing set. Continually adding new items to the drawing set. What follows is a record of "why" something might be in our drawing sets.

- 2019.10.10 – City of Burlington – All exterior dimension on all floor plans will be in both metric and imperial
- 2019.11.15 – City of Burlington – R values noted on building sections
- 2019.12.11 – Town of Oakville – Town required detail drawings of interior and exterior guards on drawings.
- 2020.01.15 – City of Niagara Falls – Smoke alarms must be shown on the drawings along with mechanical fans.
- 2021.01.14 – OBC – 6mil Poly Vapour Barrier required below basement slab added.
- 2021.01.20 – OBC – Removed 1/2" flex cell joint from basement slab work as it is not OBC requirement
- 2021.03.11 – City of Burlington – all deck and porches dimensioned vertically in elevations drawings
- 2021.11.16 – City of Hamilton – AFW shown on elevations and building sections means "Above Top Foundation Wall"
- 2021.11.16 – City of Hamilton – Note added explaining this page is a GENERAL NOTES and not all notes may apply

CONTRACT AND OBLIGATIONS:

By using these plans to construct the structure you the, READER of these drawings, I.E. The HOMEOWNER, BUILDER, GENERAL CONTRACTOR, SUB-CONTRACTOR, SUB-TRADE do here by agree to Virtual Creations Inc's Contract and Obligations.



Which can be found at:

https://docs.google.com/document/d/17UioWi5EJkE2AJL2Y2j4n-VsyR95HWg5qU_XxHFEQw/edit?usp=sharing

Client Sign Off: _____ Date: _____

PROJECT: 26 Melborne Street, Hamilton Ontario

PROJECT No: 2022-264

INC. (905) 481 1153

BCIN No. 28844

ERIC CANTON BCIN#25135

ISSUED: Jul 26 2023

SMALL BUILDINGS

Client: _____ LOUIS-FELIX BOITEAU Classification : _____

Original Signature: _____

WWW.VCINC.CA

AT VIRTUAL CREATIONS INC, THE BEST EFFORT HAS BEEN MADE TO RECORD EXISTING BUILDING STRUCTURES AND PROPOSED A COMPREHENSIVE SET OF CONSTRUCTION DRAWINGS. HOWEVER, THERE ARE AREAS AT THE TIME OF DESIGNING THAT ARE UNAVAILABLE OR INACCESSIBLE. WITH PROPER COORDINATION AND ACCESS TO THESE AREAS, VIRTUAL CREATIONS INC CAN PROVIDE A MORE COMPLETE SET OF DRAWINGS. VIRTUAL CREATIONS INC IS NOT RESPONSIBLE FOR ANY CHANGES, DISCREPANCIES OR SUBSTITUTIONS FOR REVIEW BEFORE COMMENCING CONSTRUCTION. ALL DESIGNS AND DRAWINGS ARE THE SOLE PROPERTY AND COPYRIGHT OF VIRTUAL CREATIONS INC. ANY REPRODUCTIONS MUST BE AUTHORIZED BY VIRTUAL CREATIONS INC OR PURCHASED THROUGH VIRTUAL CREATIONS INC DIRECTLY.



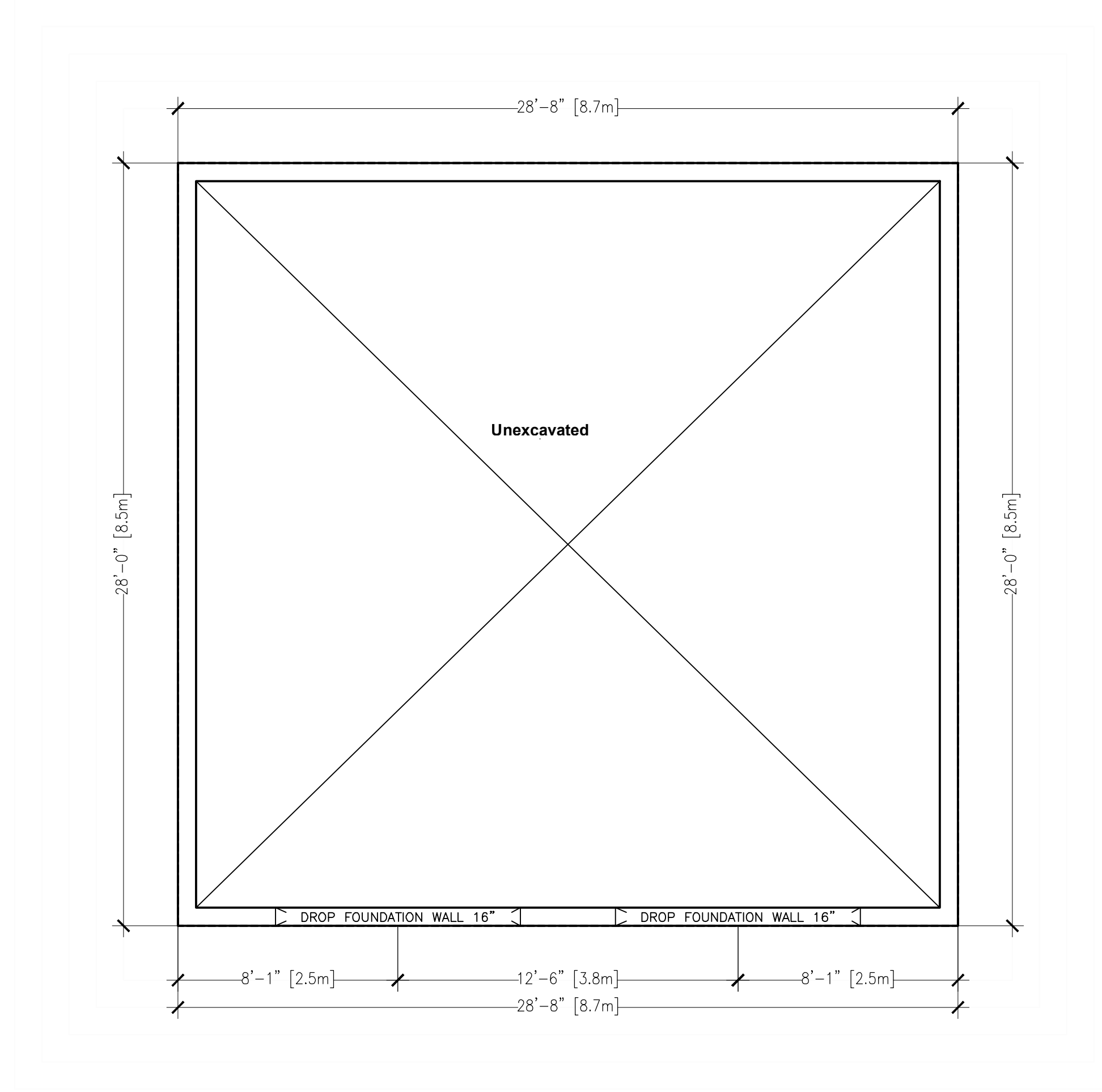
CONTRACT

A0.03

Floor Plan Notes

Part 1 Notes

Part 2 Notes



Foundation Floor Plan
 SCALE 1/4" = 1'-0"

Client Sign Off: _____ Date: _____

PROJECT 26 Melborne Street, Hamilton Ontario

PROJECT No 2022-364

VIRTUAL CREATIONS INC.
(905) 481 1153 BCIN No. 28844

Client: **LOUIS-FELIX BOITEAU**
Classification: **28844**
ERIC CANTON BCIN#25135

SMALL BUILDINGS

Original Signature: _____
WWW.VCINC.CA

ISSUED Sep 07 2023

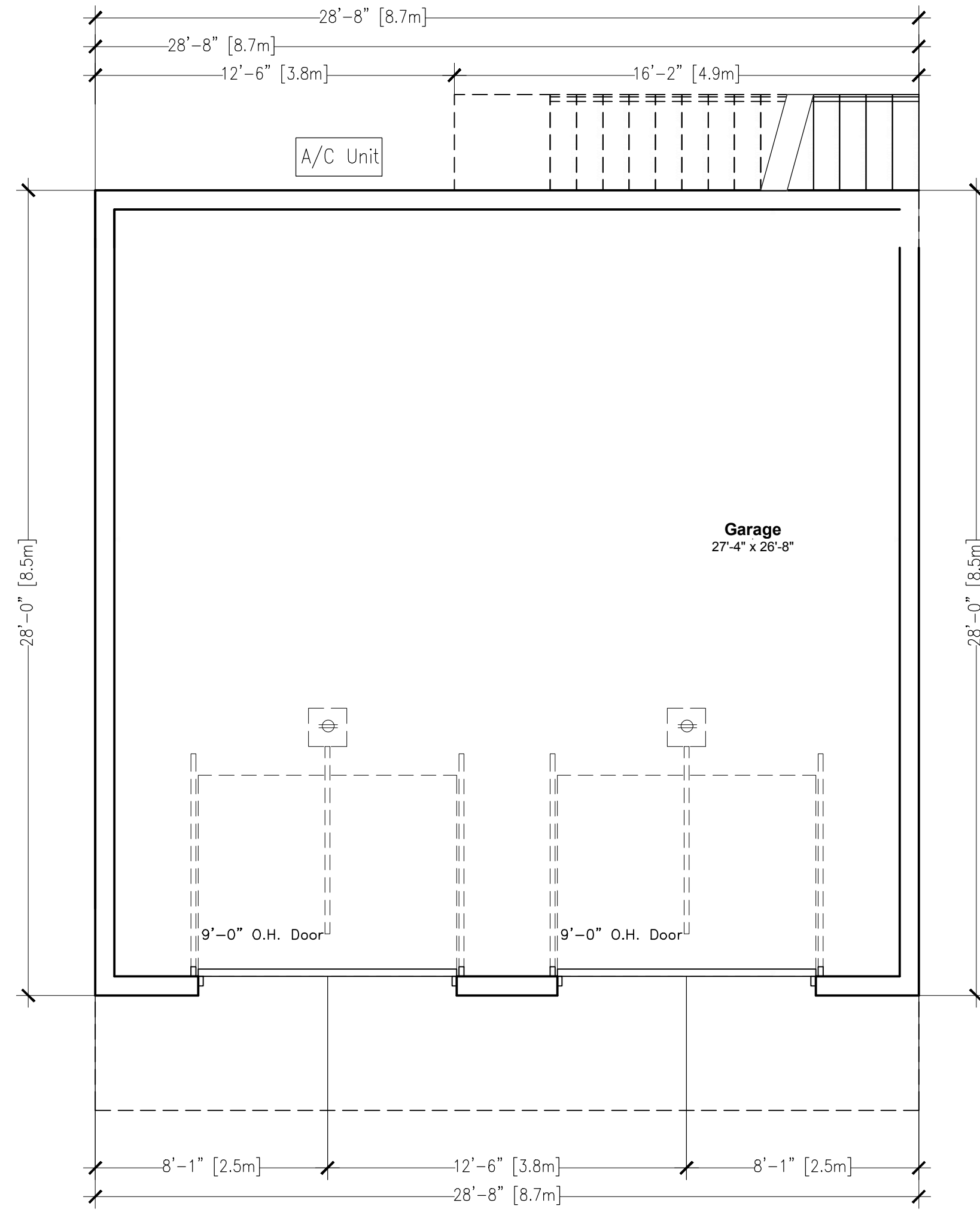


AT VIRTUAL CREATIONS INC. THE BEST EFFORT HAS BEEN MADE TO RECORD EXISTING BUILDING STRUCTURES AND PROPOSED A COMPREHENSIVE SET OF CONSTRUCTION DRAWINGS. HOWEVER, THERE ARE AREAS AT THE TIME OF DESIGNING THAT ARE UNAVAILABLE OR INACCESSIBLE. WITH PROPER CO-ORDINATION WITH THE CLIENT, THE DESIGNER WILL ATTEMPT TO OBTAIN THE NECESSARY INFORMATION TO COMPLETE THE DRAWINGS. THE CLIENT IS ADVISED THAT THE DESIGNER IS NOT RESPONSIBLE FOR ANY DISCREPANCIES OR SUBSTITUTIONS FOR REVIEW BEFORE COMMENCING CONSTRUCTION. ALL DESIGNS AND DRAWINGS ARE THE SOLE PROPERTY AND COPYRIGHT OF VIRTUAL CREATIONS INC. ANY REPRODUCTIONS MUST BE AUTHORIZED BY VIRTUAL CREATIONS INC OR PURCHASED THROUGH VIRTUAL CREATIONS INC DIRECTLY.

CONTRACT

Floor Plan Notes

Floor Plan Notes



First Floor Plan
 SCALE 1/4" = 1'-0"

Client Sign Off: _____ Date: _____

PROJECT: 26 Melbome Street, Hamilton Ontario

PROJECT No: 2022-264

VIRTUAL CREATIONS INC.
 (905) 481-1153 BCIN No. **28844**

ERIC CANTON BCIN#25135

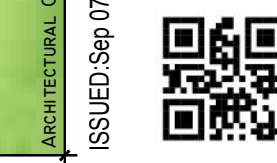
SMALL BUILDINGS
 Classification : _____

Original Signature: _____

WWW.VCINC.CA

AT VIRTUAL CREATIONS INC. THE BEST EFFORT HAS BEEN MADE TO RECORD EXISTING BUILDING STRUCTURES AND PROPOSED A COMPREHENSIVE SET OF CONSTRUCTION DRAWINGS. HOWEVER, THERE ARE AREAS AT THE TIME OF DESIGNING THAT ARE UNAVAILABLE OR INACCESSIBLE. WITH PROPER CO-ORDINATION WITH THE CLIENT, THE ARCHITECT, ENGINEER, AND OTHER PROFESSIONALS INVOLVED IN THE DESIGN PROCESS, IT IS THE POLICY OF VIRTUAL CREATIONS INC. TO REVIEW PRIOR TO FABRICATION. DETERMINE LOCATIONS OF EXISTING SERVICES, INFORM VIRTUAL CREATIONS INC OF ANY CHANGES, DISCREPANCIES OR SUBSTITUTIONS FOR REVIEW BEFORE COMMENCING CONSTRUCTION. ALL DESIGNS AND DRAWINGS ARE THE SOLE PROPERTY AND COPYRIGHT OF VIRTUAL CREATIONS INC. ANY REPRODUCTIONS MUST BE AUTHORIZED BY VIRTUAL CREATIONS INC OR PURCHASED THROUGH VIRTUAL CREATIONS INC DIRECTLY.

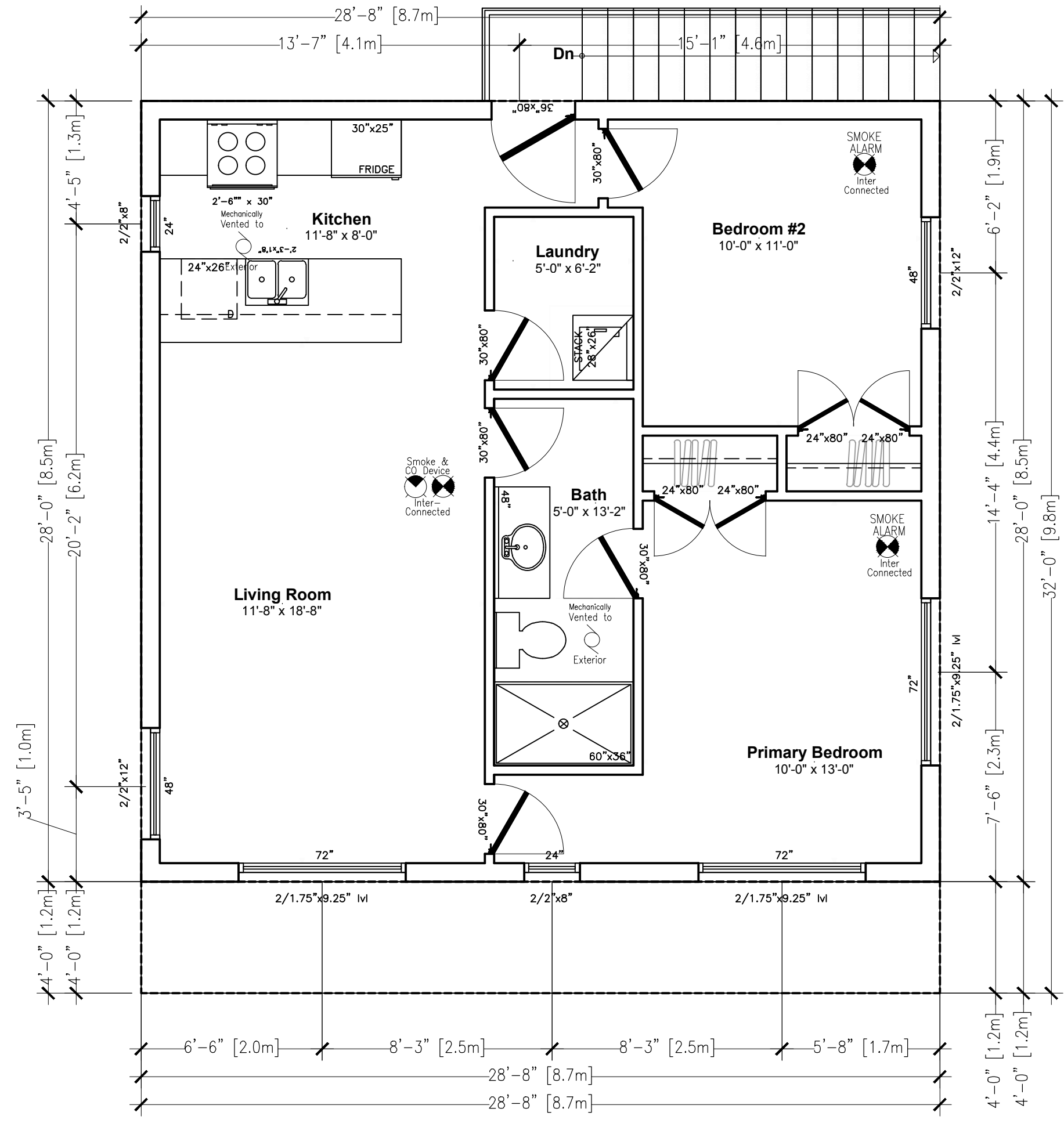
ISSUED Sep 07 2023



A1.01

CONTRACT

803.4963 SQ. FT.



Second Floor Plan
SCALE 1/4" = 1'-0"

Client Sign Off: _____ Date: _____

PROJECT 26 Melbome Street, Hamilton Ontario

PROJECT No: 2022-264

VIRTUAL CREATIONS INC.
(905) 481-1153 BCIN No. 28844

SMALL BUILDINGS
Original Signature: _____

ERIC CANTON BCIN#25135

WWW.VCINC.CA

AT VIRTUAL CREATIONS INC. THE BEST EFFORT HAS BEEN MADE TO RECORD EXISTING BUILDING STRUCTURES AND PROPOSED A COMPREHENSIVE SET OF CONSTRUCTION DRAWINGS. HOWEVER, THERE ARE AREAS AT THE TIME OF DESIGNING THAT ARE UNAVAILABLE OR INACCESSIBLE. WITH PROPER CO-ORDINATION WITH THE CLIENT, THE ARCHITECT HAS MADE THE BEST EFFORT TO DETERMINE THE EXISTING CONDITIONS AND ELEMENTS SUCH AS ROOF TRUSSES AND ENGINEERED FLOOR JOIST TO VIRTUAL CREATIONS INC. TO REVIEW PRIOR TO FABRICATION. DETERMINE LOCATIONS OF EXISTING SERVICES INFORM VIRTUAL CREATIONS INC. OF ANY CHANGES, DISCREPANCIES OR SUBSTITUTIONS FOR REVIEW BEFORE COMMENCING CONSTRUCTION. ALL DESIGNS AND DRAWINGS ARE THE SOLE PROPERTY AND COPYRIGHT OF VIRTUAL CREATIONS INC. ANY REPRODUCTIONS MUST BE AUTHORIZED BY VIRTUAL CREATIONS INC OR PURCHASED THROUGH VIRTUAL CREATIONS INC DIRECTLY.

ISSUED Sep 07 2023



CONTRACT

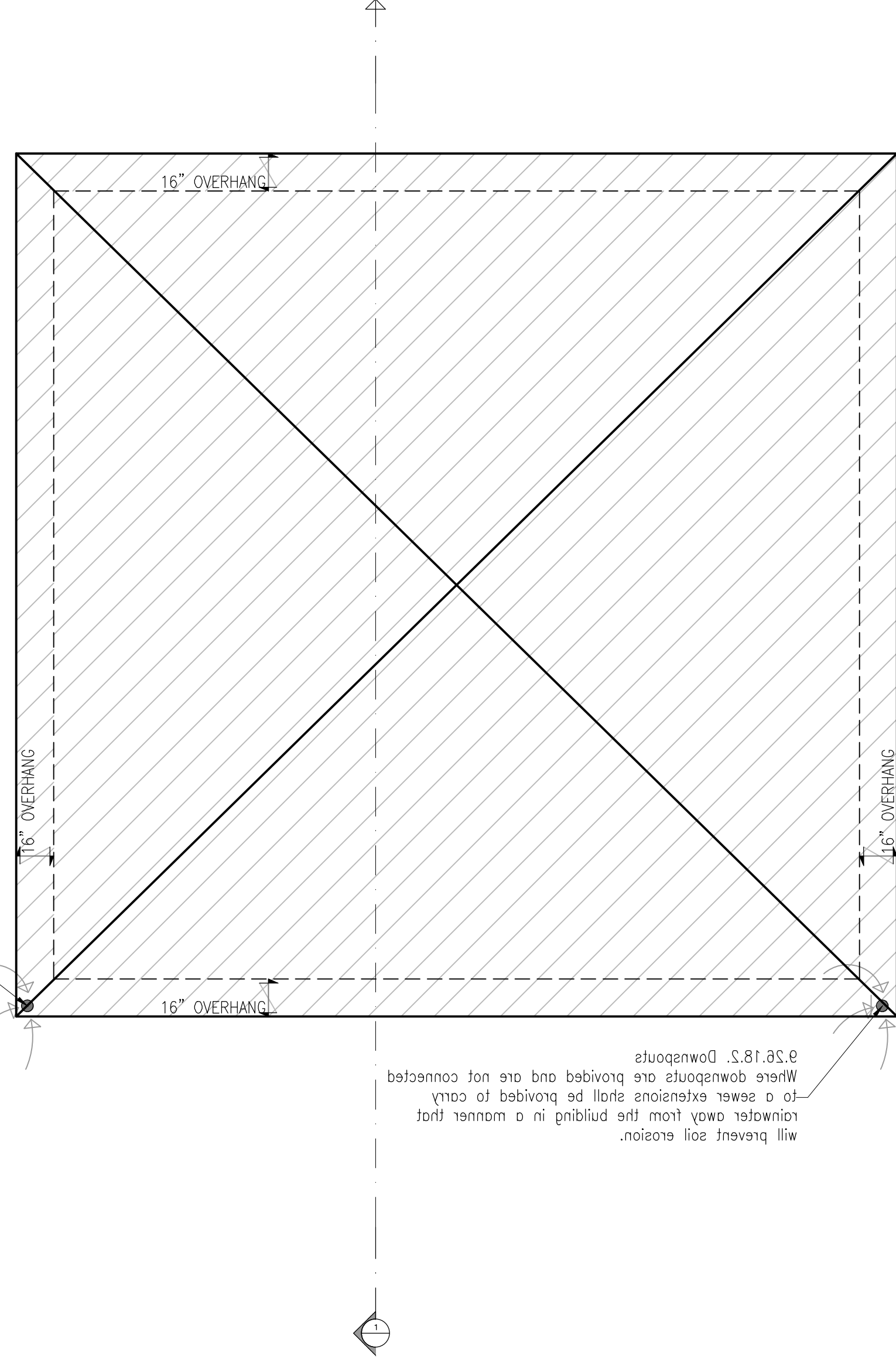
Floor Plan Notes

Floor Plan Notes

VCINC recommends = 1
 Number of vents in roof space = 0
 20% of vent req. to be in soffit = 0
 1 sq. ft. = 144 sq. in.
 Total OBC venting req. = 0 sq. ft.
 Total roof area = 138.3 sq. ft.
 OBC req. = 0 sq. ft.
 Total vent req. = 0 sq. ft.

9.26.18.3. Downspouts
 Where downspouts are provided and are not connected
 to a sewer extension shall be provided to carry
 rainwater away from the building in a manner that
 will prevent soil erosion.

9.26.18.3. Downspouts
 Where downspouts are provided and are not connected
 to a sewer extension shall be provided to carry
 rainwater away from the building in a manner that
 will prevent soil erosion.



Roof Plan
 SCALE 1/4" = 1'-0"

Client Sign Off: _____ Date: _____

PROJECT: 26 Melborne Street, Hamilton Ontario

PROJECT No: 2022-264

VIRTUAL CREATIONS INC.
(905) 481 1153

BCIN No. **28844**

ERIC CANTON BCIN#25135

SMALL BUILDINGS
Classification : _____

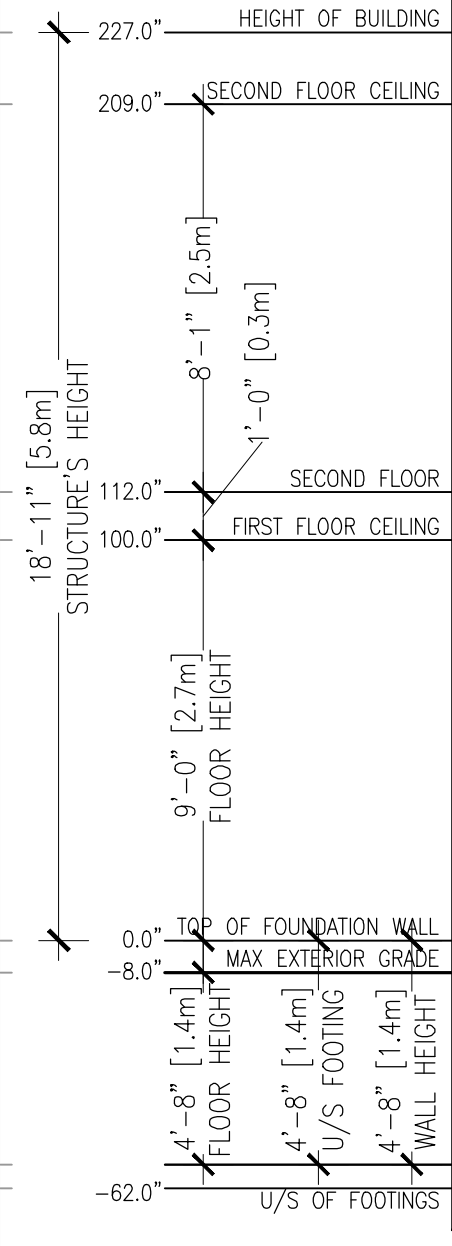
Original Signature: _____

WWW.VCINC.CA

AT VIRTUAL CREATIONS INC. THE BEST EFFORT HAS BEEN MADE TO RECORD EXISTING BUILDING STRUCTURES AND PROPOSED A COMPREHENSIVE SET OF CONSTRUCTION DRAWINGS, HOWEVER, THERE ARE AREAS AT THE TIME OF DESIGNING THAT ARE UNAVAILABLE OR INACCESSIBLE. WITH PROPER CO-ORDINATION AND ACCESS TO THESE AREAS, VIRTUAL CREATIONS INC. WILL BE ABLE TO PROVIDE A MORE ACCURATE SET OF DRAWINGS. VIRTUAL CREATIONS INC. IS NOT RESPONSIBLE FOR ANY DISCREPANCIES OR SUBSTITUTIONS FOR REVIEW BEFORE COMMENCING CONSTRUCTION. ALL DESIGNS AND DRAWINGS ARE THE SOLE PROPERTY AND COPYRIGHT OF VIRTUAL CREATIONS INC. ANY REPRODUCTIONS MUST BE AUTHORIZED BY VIRTUAL CREATIONS INC OR PURCHASED THROUGH VIRTUAL CREATIONS INC DIRECTLY.

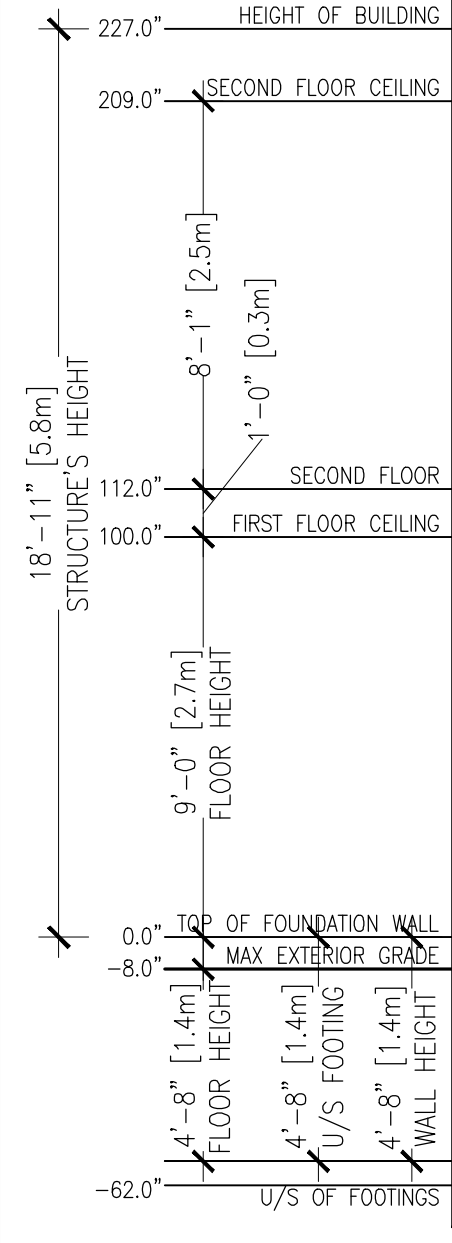
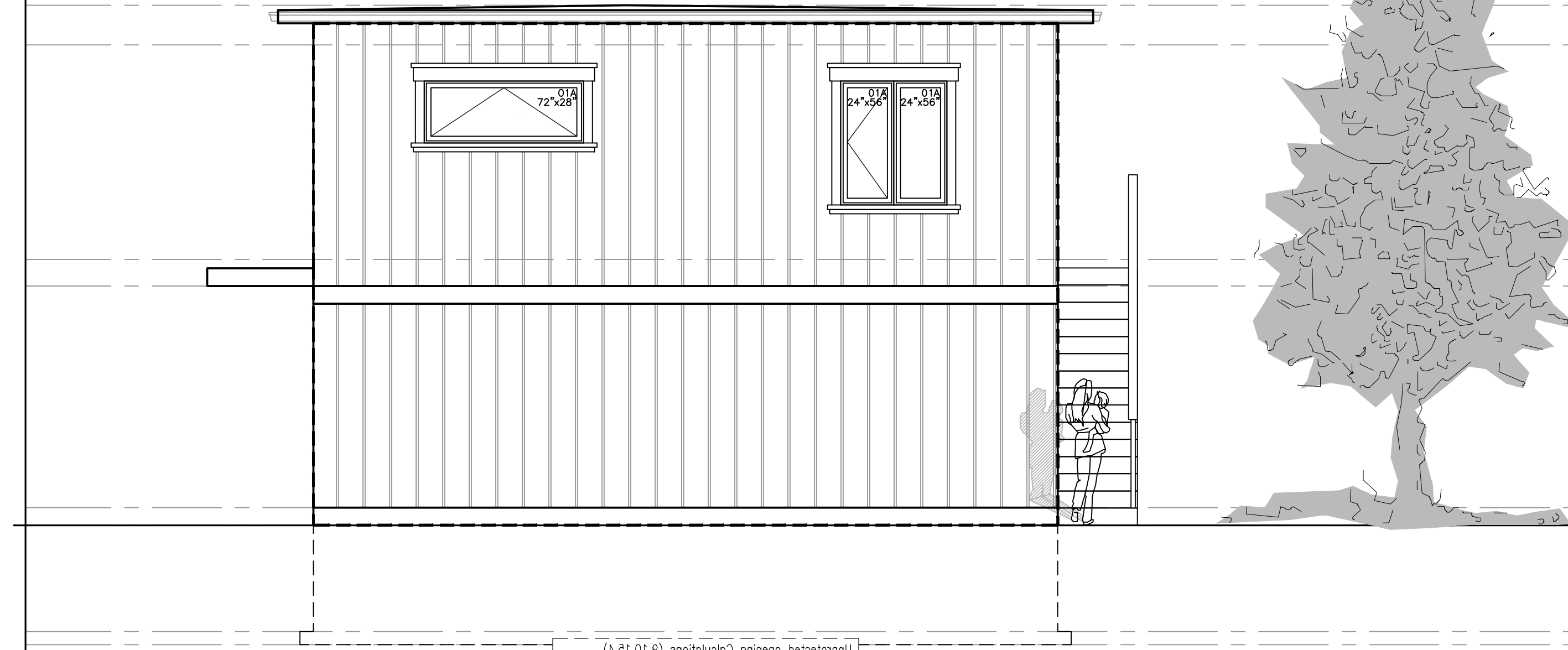
ISSUED: Sep 07 2023





Right Side Elevation
SCALE 1/4" = 1'-0"

468.4 sq. ft. = area total floor
12.4 sq. ft. = apron area
2.6% = apron area
7% = base area



Front Elevation
SCALE 1/4" = 1'-0"



Client Sign Off: _____ Date: _____

PROJECT 26 Melborne Street, Hamilton, Ontario

PROJECT No: 2022-264

VIRTUAL CREATIONS INC. (905) 481 1153 BCIN No. 28844

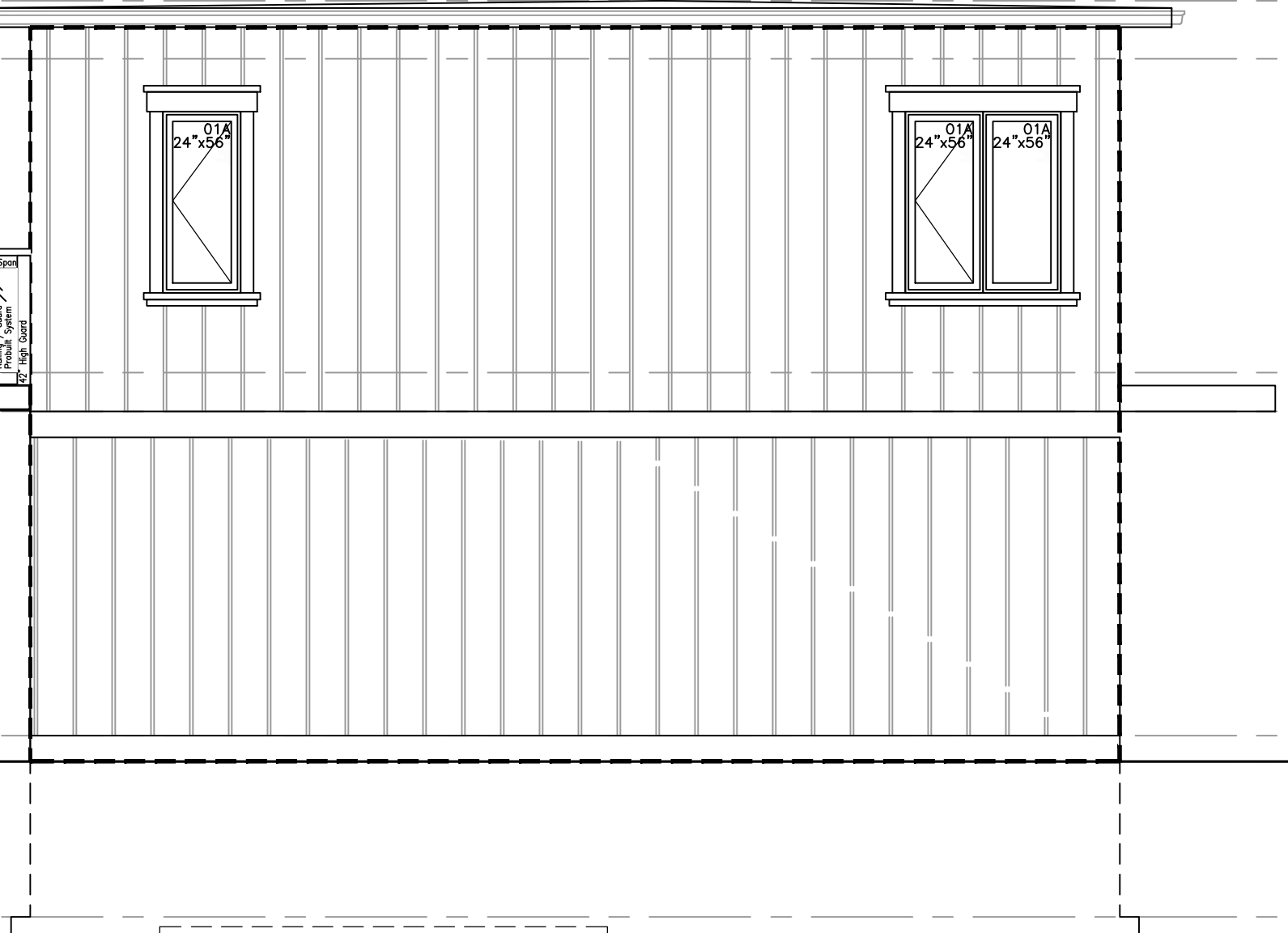
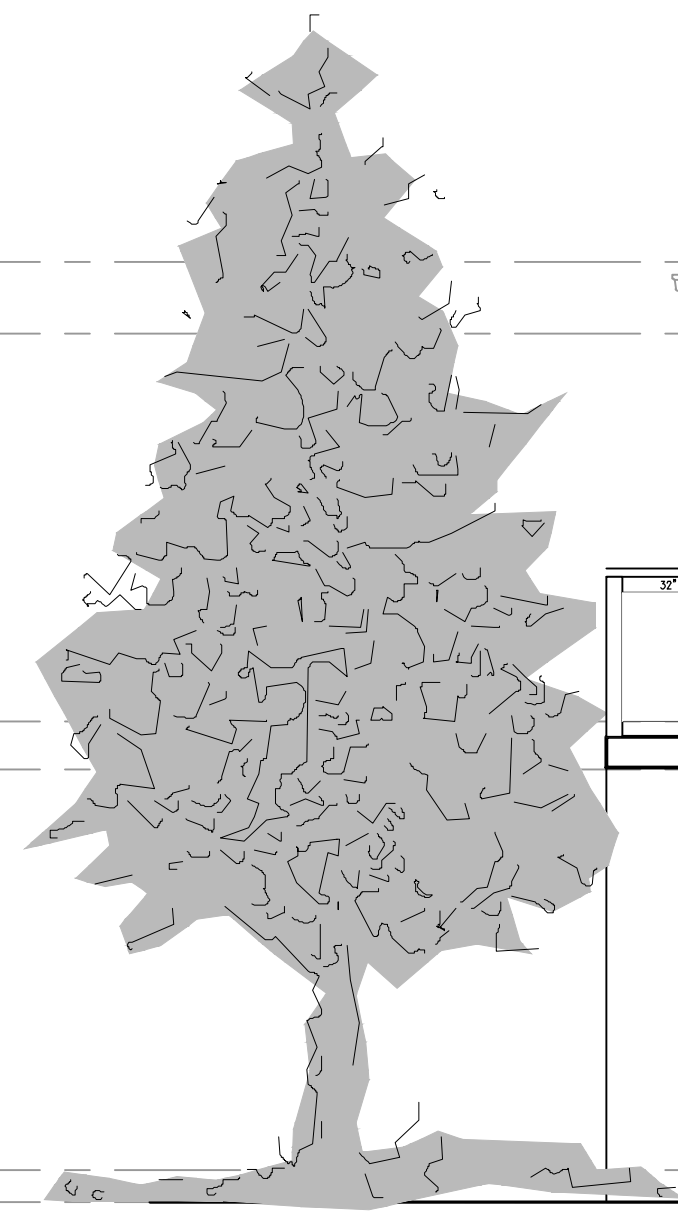
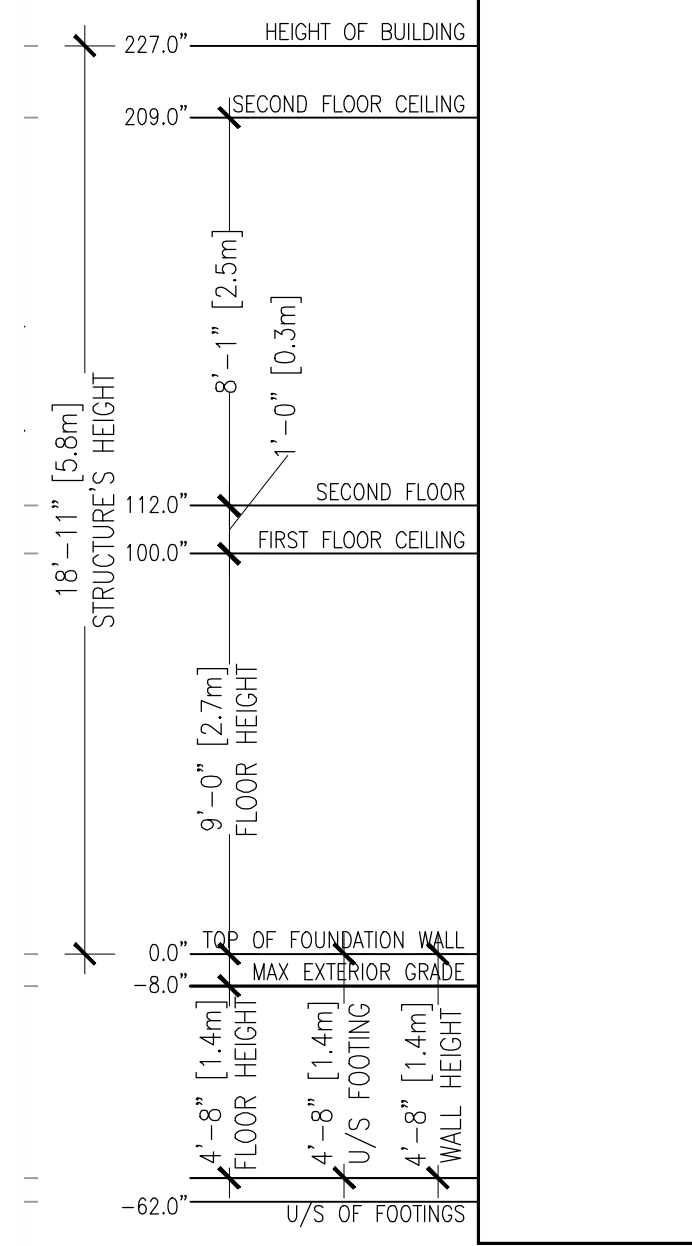
Client: LOUIS-FELIX BOITEAU Classification: **SMALL BUILDINGS**
Original Signature: **WWW.VCINC.CA**

AT VIRTUAL CREATIONS INC. THE BEST EFFORT HAS BEEN MADE TO RECORD EXISTING BUILDING STRUCTURES AND PROPOSED A COMPREHENSIVE SET OF CONSTRUCTION DRAWINGS. HOWEVER, THERE ARE AREAS AT THE TIME OF DESIGNING THAT ARE UNAVAILABLE OR INACCESSIBLE. WITH PROPER COORDINATION WITH THE CLIENT, THE ARCHITECT WILL ATTEMPT TO OBTAIN THE NECESSARY INFORMATION TO COMPLETE THE DRAWINGS. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE ARCHITECT'S DESIGN AND DRAWINGS ARE THE SOLE PROPERTY AND COPYRIGHT OF VIRTUAL CREATIONS INC. ANY REPRODUCTIONS MUST BE AUTHORIZED BY VIRTUAL CREATIONS INC OR PURCHASED THROUGH VIRTUAL CREATIONS INC DIRECTLY.



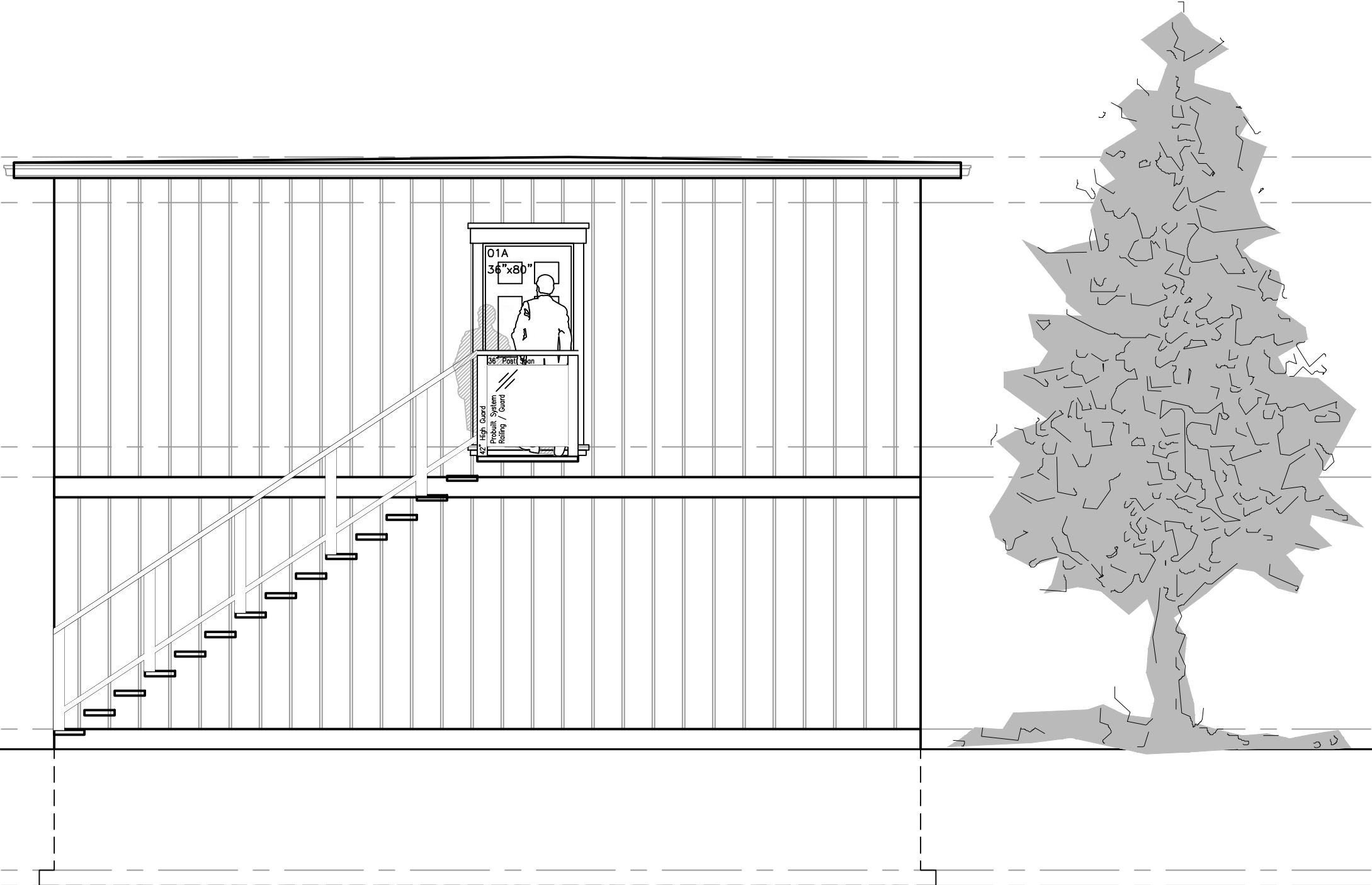
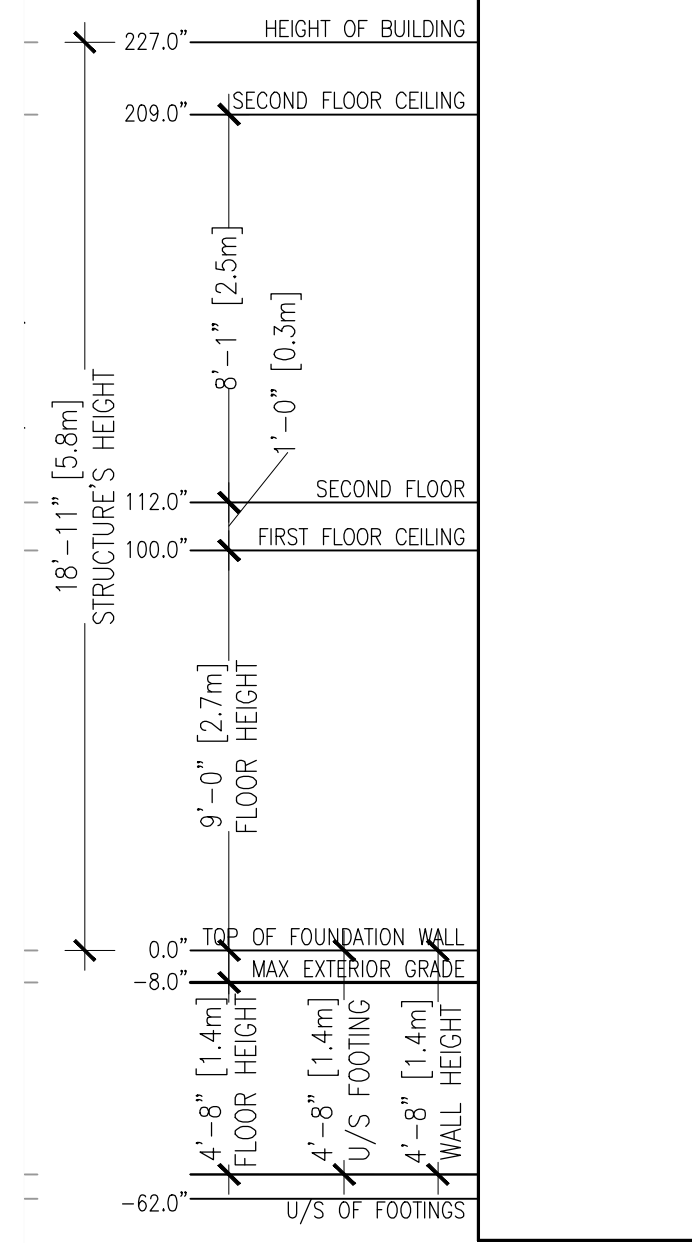
ISSUED: Sep 07 2023

CONTRACT



Left Side Elevation
SCALE 1/4" = 1'-0"

Unprotected opening Calculations (9.10.15.4)
 Wall face area = 468.4 sq. ft.
 Openings = 27.8 sq. ft.
 Percentage = 5.9%
 Max allowed = 7%
 Wall area assumes smallest amount of wall area regardless of grading conditions. And opening calculations include entire basement window regardless if the window is below grade or not.



Rear Elevation
SCALE 1/4" = 1'-0"

Client Sign-Off: _____ Date: _____

PROJECT: 26 Melborne Street, Hamilton Ontario

PROJECT No: 2022-064

BCIN No. 28844

Client: LOUIS-FELIX BOITEAU

Classification: SMALL BUILDINGS

Original Signature: _____

WWW.VCINC.CA

AT VIRTUAL CREATIONS INC. THE BEST EFFORT HAS BEEN MADE TO RECORD EXISTING BUILDING STRUCTURES AND PROPOSED A COMPREHENSIVE SET OF CONSTRUCTION DRAWINGS. HOWEVER, THERE ARE AREAS AT THE TIME OF DESIGNING THAT ARE UNAVAILABLE OR INACCESSIBLE. WITH PROPER CO-ORDINATION WITH THE CLIENT, THE ARCHITECT WILL MAKE EVERY EFFORT TO VERIFY THE ACCURACY OF THE INFORMATION PROVIDED. THE ARCHITECT DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THE DRAWINGS. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY CONSTRUCTION DEFECTS OR DELAYS. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY CHANGES, DISCREPANCIES OR SUBSTITUTIONS FOR REVIEW BEFORE COMMENCING CONSTRUCTION. ALL DESIGNS AND DRAWINGS ARE THE SOLE PROPERTY AND COPYRIGHT OF VIRTUAL CREATIONS INC. ANY REPRODUCTIONS MUST BE AUTHORIZED BY VIRTUAL CREATIONS INC OR PURCHASED THROUGH VIRTUAL CREATIONS INC DIRECTLY.



ISSUED: Sep 07 2023

CONTRACT



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division
71 Main Street West, 5th Floor
Hamilton, Ontario, L8P 4Y5
Phone: 905-546-2424 x1719 Fax: 905-546-4202
www.hamilton.ca

September 06, 2023

FILE: ALR
FOLDER: 23-135213-00 ALR
ATTENTION OF: Ross McIntosh
TELEPHONE NO: (905) 546-2424
EXTENSION: 2077

Eric Canton
17 KING ST E UNIT 205
DUNDAS, ON L9H 1B7

Attention:

**Re: APPLICABLE LAW REVIEW – ZONING BYLAW
Present Zoning: R1A ZONE – LOW DENSITY RESIDENTIAL (SMALL LOT)
Address: 26 MELBOURNE ST, HAMILTON, ON**

An Applicable Law Review respecting zoning bylaw compliance has been completed and the following comments are provided.

COMMENTS:

1. This applicant is proposing an additional dwelling unit-detached with parking on the first floor and the additional dwelling unit on the second floor.
2. Our records indicate the recognized use for 26 Melbourne Street is a two family dwelling. In the situation where there is an existing two family dwelling and an additional dwelling unit- detached is proposed, the two family dwelling will now be considered a single family dwelling with an additional dwelling unit.

Note: if the ADU does not meet the regulations of the by-law, such as the number of bedrooms, this is legal non-complying provided the ADU was existing prior to May 12, 2021. Therefore, an ADU-detached is permitted as the principal dwelling is considered a single family dwelling with an Additional Dwelling Unit, in accordance with the zoning by-law.

3. The property in question is a through lot. Melbourne Street is recognized as the 'Front Lot Line.' Blanshard Street as the 'Rear Lot Line' and the remaining as 'Exterior Lot Lines.'
4. The proposed additional dwelling unit- detached has been reviewed under the R1a Zone & Additional Dwelling Unit regulations of the City of Hamilton Zoning By-law No. 05-200.

**R1a Zone – Low Density Residential (Small Lot)
(Section 15.2 of Hamilton Zoning By-law 05-200)**

	By-law Requirement	Provided	Conforming/ Non-Conforming
SECTION 15.2.2 – R1A REGULATIONS			
Minimum Lot Area [as per section 15.2.2.1(a) of Hamilton Zoning By-law 05-200]	270.0 m ²	>270.0m ²	Conforms
Minimum Lot Width [as per section 15.2.2.1(b) of Hamilton Zoning By-law 05-200]	9.0 m	12.34m	Conforms
Minimum Setback from the Front Lot Line [as per section 15.2.2.1(c) of Hamilton Zoning By-law 05-200]	3.0m	Existing Primary Dwelling	N/A
Minimum Setback from a Side Lot Line [as per section 15.2.2.1(d) of Hamilton Zoning By-law 05-200]	1.2m	Existing Primary Dwelling	N/A
Minimum Setback from a Flankage Lot Line [as per section 15.2.2.1(e) of Hamilton Zoning By-law 05-200]	3.0m	Existing Primary Dwelling	N/A
Minimum Setback from a Rear Lot Line [as per section 15.2.2.1(f) of Hamilton Zoning By-law 05-200]	7.5m	Existing Primary Dwelling	N/A
Maximum Building Height [as per section 15.2.2.1(g) of Hamilton Zoning By-law 05-200]	10.5m	Existing Primary Dwelling	N/A
Parking [as per section 15.2.2.1(h) of Hamilton Zoning By-law 05-200]	i) In accordance with the requirements of Section 5 of this By-law. ii) Notwithstanding Section 5.6 c) i., 2 parking spaces shall be required for a Single Detached Dwellings	2 parking spaces	Conforms
Accessory Buildings [as per section 15.2.2.1(i) of Hamilton Zoning By-law 05-200]	In accordance with the requirements of Section 4.8 of this By-law.	No Accessory building proposed	N/A
GENERAL PROVISIONS- <i>In accordance with the requirements of Section 4 of Hamilton Zoning By-law 05-200</i>			

Permitted Yard Encroachments [as per section 4.6 of Hamilton Zoning By-law 05-200] <i>MOVED TO REAR</i>	a) The usual projections of window sills, chimney breasts, belt courses, cornices, eaves, troughs and other similar architectural features, ductwork, venting and other similar appurtenances may be permitted in any required yard, provided that no such feature shall project more than 0.6 metres into the required yard, or to a maximum of half the distance of the required yard, whichever is the lesser;	Eaves project 0.41m	Conforms
	b) A fire escape or exterior staircase may encroach into a required side or rear yard to a maximum of 1.5 metres, or to a maximum of half the distance of the required yard, whichever is the lesser;	Exterior Staircase is 0.47m from the side lot line (East).	Non-Conforming (Minor Variance Required for staircase/side yard setback)
	c) An unenclosed ramp for wheelchair access may encroach into any required yard to no maximum distance;		N/A
	d) A porch, deck or canopy may encroach into any required yard to a maximum of 1.5 metres, or to a maximum of half the distance of the required yard, whichever is the lesser		N/A
Mechanical and Unitary Equipment [as per section 4.9 of Hamilton Zoning By-law 05-200]	Hot boxes, air conditioners and pumps (including heat pumps and swimming pool pumps) and other similar mechanical equipment shall be located only in accordance with the following regulations: a) Within a required front yard, provided such equipment shall have a minimum setback of 3.0 metres from the street line, a minimum setback of 0.6 metres from a side lot line and is screened from the street by an enclosure or landscaping; and, b) Within a required side yard or required rear yard provided such equipment has a minimum setback of 0.6 metres from the side lot line or rear lot line.	A/C Unit does not encroach into a required yard.	Conforms
ADDITIONAL DWELLING UNIT - DETACHED <i>In accordance with the requirements of Section 4.33.2 of Hamilton Zoning By-law 05-200</i>			
Number of Additional Dwelling Units- Detached [as per section 4.33.2(a) of Hamilton Zoning By-law 05-200]	(a) For lands within a D5, I1, I2, C1, TOC3, R1, R1a Zone, a maximum of one Additional Dwelling Unit – Detached shall be permitted on a lot containing a Single Detached Dwelling, a Semi-Detached Dwelling, or a Street Townhouse Dwelling.	One ADU-detached unit proposed	Conforms
Additions for Legally Established Accessory Buildings with an ADU-Detached [as per section 4.33.2(b) of Hamilton Zoning By-law 05-200]	(b) In addition to Section 4.33.2 (a), a legally established accessory building existing as of May 12, 2021, may be converted to the one Additional Dwelling Unit - Detached permitted on a lot containing an existing Single Detached Dwelling, Semi-Detached Dwelling, or Street Townhouse Dwelling subject to the following provision: i) Any additions over 10% of the existing gross floor area of the legally established accessory building converted to an Additional Dwelling Unit – Detached shall be in accordance with the regulations of	Not an Existing Building	N/A

	Section 4.33.2.		
The Existing Dwelling [as per section 4.33.2(c) of Hamilton Zoning By-law 05-200]	All the regulations of this By-law applicable to the existing dwelling shall continue to apply unless specifically provided in Section 4.33.2.	Provided	Conforms
Location [as per section 4.33.2(d) of Hamilton Zoning By-law 05-200]	An Additional Dwelling Unit – Detached shall only be permitted in a Rear and/or interior Side Yard.	Located in Rear Yard	Conforms
Rear & Interior Side Yard Setbacks [as per section 4.33.2(e) of Hamilton Zoning By-law 05-200]	A minimum 1.2 metre setback shall be provided from the interior Side Lot Line and Rear Lot Line. <i>STAIR MOVED</i>	0.47m to Interior Side Lot Line (East)	Non-Conforming <i>(Minor Variance Required)</i>
		1.22m to Interior Side Lot Line (West)	Conforms
		6.05m to Rear Lot Line (North)	Conforms
	i) Notwithstanding Section 4.33.2 (e), an eave or a gutter may extend a maximum of 0.45 metres into a required minimum setback area.	0.41m	Conforms
	ii) In addition to Section 4.33.2 (e), a landscape strip is required to be provided within the required side yard adjacent to an Additional Dwelling Unit – Detached and shall be limited to sod, ground cover, permeable pavers, or a planting strip, and may include a visual barrier.	Provided	Conforms
Flankage Yard Setback [as per section 4.33.2(f) of Hamilton Zoning By-law 05-200]	An Additional Dwelling Unit – Detached shall not be located closer to the flankage street than the principal dwelling.	Not a Corner lot	N/A
One Metre Unobstructed Path [as per section 4.33.2(g) of Hamilton Zoning By-law 05-200]	An unobstructed path with a minimum 1.0 metre width and minimum 2.1 metre clearance in height from a street line to the entrance of the Additional Dwelling Unit – Detached shall be provided and maintained.	Provided	Conforms
Building Separation [as per section 4.33.2(h) of Hamilton Zoning By-law 05-200]	The following building separation shall be provided: i) Where an Additional Dwelling Unit – Detached is in the Rear Yard, a minimum distance of 7.5 metres shall be required between the rear wall of the principal dwelling and the Additional Dwelling Unit – Detached.	13.01m	Conforms
	ii) Where an Additional Dwelling Unit – Detached is in an Interior Side Yard, the following is required: (A) A minimum distance of 4.0 metres shall be provided between the side wall of the principal dwelling and an Additional Dwelling Unit – Detached; and,	Not located in the interior side yard	N/A

	(B) An Additional Dwelling Unit – Detached shall be set back a minimum 5.0 metres from the front façade of the principal dwelling.		
Maximum Height [as per section 4.33.2(i) of Hamilton Zoning By-law 05-200]	A maximum height of 6.0 metres shall be permitted.	5.8m	Conforms
	i) Notwithstanding Section 4.33.2. (i), balconies and rooftop patios shall be prohibited above the first floor level. <i>REMOVED</i>	Balcony proposed above the first floor level.	Non-Conforming (Minor Variance Required)
Maximum Gross Floor Area [as per section 4.33.2(j) of Hamilton Zoning By-law 05-200]	The maximum gross floor area shall not exceed the lesser of 75 square metres or the gross floor area of the principal dwelling. <i>GFA of Existing Dwelling = 64.03m²</i>	73.95m ²	Conforms
	i) Notwithstanding Section 4.33.2 (j), the maximum combined lot coverage of all accessory buildings and the Additional Dwelling Unit - Detached shall be 25%.	23.57%	Conforms
	ii) In addition to Section 4.33.2 (j), the ground floor area of an Additional Dwelling Unit – Detached shall not exceed 70% of the ground floor area of the principal dwelling when the ground floor area of the principal dwelling is less than or equal to 105 square metres.	GFA of proposed ADU-Detached exceeds GFA of Primary Dwelling <i>VARIANCE</i>	Non-Conforming (Minor Variance Required)
Minimum Landscaped Area [as per section 4.33.2(k) of Hamilton Zoning By-law 05-200]	A minimum landscaped area of 12.0 square metres shall be provided and maintained within the rear yard.	> 12.0m ²	Conforms
Landscape Requirements [as per section 4.35 of Hamilton Zoning By-law 05-200]	On lots containing a single detached dwelling, semi-detached dwelling, duplex dwelling, or street townhouse dwelling in all zones, the following shall be provided:		
	a) A minimum 50% landscaped area in the Front Yard, and; b) A minimum 50% landscaped area in the Flankage Yard.	> 50% No Flankage Yard	Conforms N/A

5. This review is based on the plans submitted with the application.

6. Minor Variances Required:

- i. ~~To permit a minimum 0.4 metre setback of the additional dwelling unit- detached from the interior Easterly Side Lot Line instead of the required minimum setback from the interior side lot line of 1.2 metres.~~
- ii. ~~To permit a balcony above the first floor level of the additional dwelling unit- detached.~~
- iii. To permit the additional dwelling unit-detached ground floor area to be larger than the ground floor area of the principal dwelling.

7. Approvals through a City of Hamilton Planning process do not confirm or establish conformity with the

SURVEYOR TO ADD EXISTING GROUND FLOOR AREA

Ontario Building Code (OBC). It is the owner/applicant's responsibility to ensure compliance with the Ontario Building Code for the proposed Secondary Dwelling Unit.

8. In addition to other areas, the OBC compliance may include: Fire Department Access, type of construction permitted, maximum area(s) of permitted glazed openings, and distance separation requirements to the property lines for the Secondary Dwelling Unit as well as the principle dwelling on the property. Additional requirements around water and sewer servicing requirements shall also be taken into consideration and must comply with the Ontario Building Code and City of Hamilton municipal standards. Note, water and sewer services may be permitted to be connected through the existing dwelling on the property however this may require additional upgrades to the existing water and or sewer services which could impose additional costs to the owner.
9. Construction of the proposed development is subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setback and construction types.
10. All fencing shall conform to Hamilton Fence By-law 10-142.
11. The designer shall ensure that the fire access route conforms to the Ontario Building Code.

Best Regards,

A handwritten signature in black ink, appearing to read "R. Matthews", with a long horizontal flourish extending to the right.

for the Manager of Zoning and Committee of Adjustment



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	
Registered Owners(s)	Louis Boiteau	
Applicant(s)	Eric Canton Virtual Creations Inc	
Agent or Solicitor		

- 1.2 All correspondence should be sent to Purchaser Applicant Owner Agent/Solicitor
- 1.3 Sign should be sent to Purchaser Applicant Owner Agent/Solicitor

1.4 Request for digital copy of sign: Yes* No

If YES, provide email address where sign is to be sent

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	26 Melbourne		
Assessment Roll Number			
Former Municipality	Hamilton		
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:

Please see attached ALR, we have moved the stairs so the only variance requested is the ratio of the ADU to the principal dwelling being more than 70%

Second Dwelling Unit Reconstruction of Existing Dwelling

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

The existing home's first floor isn't very large but the GFA is sufficient to make it clear the ADU is subordinate to the principal dwelling. The principal dwelling can also support a large addition on the side given it's placement on the lot.

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
12.34	4268	504.92	

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
Principal Dwelling	0	33.4	0/5.77	01/01/1940
Shed	12	19	1.1/6.05	01/01/1940

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Detached ADU	27	6.05	1.22/1.47	12/01/2023

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
Principal Dwelling	64.27	130	3	10
Shed	24	24	1	3.5

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Detached ADU	74.65	149.3	2	6.0

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.):
 single detached dwelling
- 4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):
 Residential

7 HISTORY OF THE SUBJECT LAND

- 7.1 Date of acquisition of subject lands:
 2012
- 7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc.)
 single family
- 7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc.)
 duplex
- 7.4 Length of time the existing uses of the subject property have continued:
 10 plus years

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

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

7.6 What is the existing zoning of the subject land? R1a

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: _____

7.9 Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?

Yes 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 No

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: 3

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 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
