



Hamilton

COMMITTEE OF ADJUSTMENT

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

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.:	A-24:58	SUBJECT PROPERTY:	941 Old Mohawk Road, Ancaster
ZONE:	"R3-699" (Residential 3)	ZONING BY-LAW:	Zoning By-law former Town of Ancaster 87-57, as Amended

APPLICANTS: Owner: Jordan Fortino
Agent: Fortino Brothers.

The following variances are requested:

1. To permit a maximum building height of 12.0 metres instead of the maximum required building height of 10.5 metres.

PURPOSE & EFFECT: To facilitate the construction of a single detached dwelling.

Notes: N/A

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:	Tuesday, April 23, 2024
TIME:	1:50 p.m.
PLACE:	City Hall Council Chambers (71 Main St. W., Hamilton)

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

PUBLIC INPUT

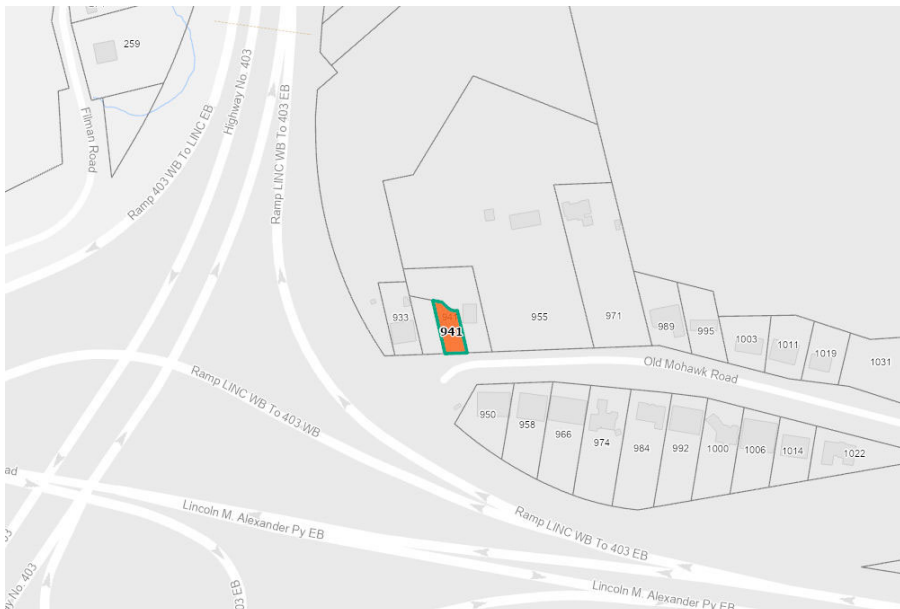
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. Written comments must be received no later than noon April 19, 2024

Orally: If you would like to speak to this item at the hearing you may do so by attending in person. Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive no less than 10 minutes before the time of the Public Hearing, as per above.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:58, 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: April 4, 2024

**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

E-mail: cofa@hamilton.ca

IN-PERSON 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 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 on the date listed on the Notice of Public Hearing.

Comments are available the Friday 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 in person at the Hearing.

In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive 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

DETACHED SINGLE FAMILY DWELLING

941 OLD MOHAWK ROAD, ANCASTER ONTARIO

INTERCONNECTED SMOKE &
CO2 ALARM C/W VISUAL
SIGNAL (OBC 9.10.19.3(3))



SHEET NO.: AO,01





WAL TYPE	SCHEDULE	FILE
WAL	TYPE	SCHEDULE

W1 FOUNDATION WALL (BELOW GRADE) 1" DRAINAGE BOARD (DELTA-MS OR APPROVED EQUAL) 1" EXTRUDED POLYSTYRENE (R5) - WATERPROOFING MEMBRANE (BLUESKIN WP200) 12" POURED REINFORCED CONC. FOUNDATION WALL 2"x4" WOOD STUDS @ 16" O/C C/W 1" STAND-OFF 3/8" BATT INSULATION (R12) (OWENS CORNING) - CONT. 6 MIL POLY VAPOUR BARRIER 1/2" GYPSUM WALL BOARD (TAPE, FILL, SAND, P. & P.)	W2 FOUNDATION WALL (ABOVE GRADE >R20.32 NOMINAL) 1" DPR ACRYLIC STUCCO C/W FIBER MESH & DRAINAGE MATT 1" EXTRUDED POLYSTYRENE (R5) - WATERPROOFING MEMBRANE (BLUESKIN WP200) 12" POURED REINFORCED CONC. FOUNDATION WALL 2"x4" WOOD STUDS @ 16" O/C C/W 1" STAND-OFF 3/8" BATT INSULATION (R12) (OWENS CORNING) - CONT. 6 MIL POLY VAPOUR BARRIER 1/2" GYPSUM WALL BOARD (TAPE, FILL, SAND, P. & P.)	W3 EXTERIOR WALL (BRICK) 3/8" BRICK VENEER (TO LATER SELECTION) 1" AIR SPACE 1" EXTRUDED POLYSTYRENE INSULATION (R5) - AIR BARRIER (BLUESKIN VP100) 1/2" EXTERIOR GRADE SHEATHING 2"x6" WOOD STUDS @ 16" O/C 5/8" BATT INSULATION (R19) (OWENS CORNING) 6 MIL VAPOUR BARRIER 1/2" GYPSUM WALL BOARD	W6 EXTERIOR INFILL WALL (SIDING) - PRE-MANUFACTURED VERTICAL SIDING C/W 1" STRAPPIS 1" EXTRUDED POLYSTYRENE EXTERIOR INSUL. (R5) - AIR BARRIER (BLUESKIN VP100) 1/2" EXTERIOR GRADE SHEATHING 2"x6" WOOD STUDS @ 16" O/C 5/8" BATT INSULATION (R19) (OWENS CORNING) 6 MIL VAPOUR BARRIER 1/2" GYPSUM WALL BOARD (TAPE, FILL, SAND, P. & P.)		
W2 FOUNDATION WALL 1" DRAINAGE BOARD (DELTA-MS OR APPROVED EQUAL) 1" EXTRUDED POLYSTYRENE (R5) - WATERPROOFING MEMBRANE (BLUESKIN WP200) 12" REINFORCED POURED CONC. FOUNDATION WALL	W5 FOUNDATION WALL SIMILAR TO "W2" EXCEPT 8" REINFORCED POURED CONCRETE FOUNDATION WALL	W4 FOUNDATION WALL SIMILAR TO "W2" EXCEPT 8" REINFORCED POURED CONCRETE FOUNDATION WALL	W7 INTERIOR WALL (GARAGE) 2"x4" WOOD STUDS @ 16" O/C 5/8" BATT INSULATION (R19) (OWENS CORNING) 6 MIL VAPOUR BARRIER 1/2" GYP. WALL BOARD (BOTH SIDES)	W8 INTERIOR PARTITION WALL 2"x4" WOOD STUDS @ 16" O/C 5/8" GYP. WALL BOARD (BOTH SIDES)	W9 INTERIOR PARTITION WALL (POCKET DOORS) 2"x4" WOOD STUDS @ 16" O/C 5/8" GYP. WALL BOARD (BOTH SIDES) 2 ROWS OF 2"x2" WOOD STUDS @ 12" P. & P.



FLOOR TYPE SCHEDULE

1" STRAPPING J.L. (R5)	CAST-IN-PLACE CONC. FLOOR ASSEMBLY (BASEMENT) 4" CAST-IN-PLACE CONC. FLR. SLAB C/W 6X6X6 W.W.M. - CONT. 6 MIL POLY VAPOUR BARRIER 5" COMPACTED FILL - GRANULAR 'A' - BITUMINOUS FIBER EXPANSION JOINT @ SLAB PERIMETER. CAST-IN-PLACE CONCRETE FLOOR ASSEMBLY (GARAGE) 5" CAST-IN-PLACE CONC. FLR. SLAB C/W 6X6X6 W.W.M. - CONT. 6 MIL POLY VAPOUR BARRIER 6" COMPACTED FILL - GRANULAR 'A' - BITUMINOUS FIBER EXPANSION JOINT @ SLAB PERIMETER. FLOOR ASSEMBLY ¾" T&G SUBFLOOR (GLUED & SCREWED) 1 1/8" T&J @ 12" OR 16" O/C (REFER PLANS) ¾" RESILIENT CHANNELS ¾" GYPSUM BOARD (TAPE, FILL, SAND, P. & P.)	FLOOR ASSEMBLY (ABOVE GARAGE) ¾" T&G SUBFLOOR (GLUED & SCREWED) 1 1/8" T&J @ 12" OR 16" O/C (REFER PLANS) C/W R35 BATT INSULATION (OWENS CORNING) 6 MIL VAPOUR BARRIER ¾" RESILIENT CHANNELS ¾" GYPSUM BOARD (TAPE, FILL, SAND, P. & P.) FLOOR ASSEMBLY (STAIR LANDINGS) ¾" T&G SUBFLOOR (GLUED & SCREWED) 2"x8" SPF SS FLOOR JOISTS @ 16" O/C ¾" RESILIENT CHANNELS ¾" GYPSUM BOARD (TAPE, FILL, SAND, P. & P.) FLOOR ASSEMBLY (FRONT PORCH LANDINGS) 125mm THICK CONC. SLAB C/W 10M BARS SPACED @ 200mm O/C EACH - DIRECTION C/W 30mm MIN. COVER FROM SLAB BOTTOM TO LOWER BARS. - SLAB TO REAR 75mm MIN. O.C. SUPPORTING FOUNDATION C/W 600mm X 600mm 10M RENT DOWELS SPACED @ 600mm O.C.	ROOF ASSEMBLY (TRUSS) 25 YEAR SHAKE SHINGLES C/W UNDERLAYMENT ¾" EXTERIOR GRADE PLYWOOD - ROOF TRUSSES (REFER TO TRUSS DRAWINGS) - LOOSE BLOWN INSULATION (R50) (PRO KING OWENS CORNING) 6 MIL VAPOUR BARRIER ¾" RESILIENT CHANNELS ¾" GYPSUM BOARD (TAPE, FILL, SAND, P. & P.) ROOF ASSEMBLY (RAFTERS) 25 YEAR SHAKE SHINGLES C/W UNDERLAYMENT ¾" EXTERIOR GRADE PLYWOOD - ROOF RAFTERS (REFER TO PLANS)
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POST / COLUMN SCHEDULE			
JACK STUD	STEEL COLUMN	STEEL COLUMN	
2 PLY 2"x6"	4"x4"x4" HSS	3"x3"x3" x 4" HSS	
	(REF. STRUCT. NOTES)	(REF. STRUCT. NOTE)	
JACK STUD	POST	POST	
3 PLY 2"x6"	3 PLY 2"x6"	4 PLY 2"x6"	
	(REF. STRUCT. NOTES)	(REF. STRUCT. NOTE)	
DECK POST			
6"x6" CEDAR W/ SST POST CAP C/W		ABU662 BASE	
AND TITEN HD STAINLESS SCREWS MIN.		6" EMBED. TYP.	

THIS DRAWING MUST NOT BE SCALED.
THE GENERAL CONTRACTOR SHALL VERIFY ALL
DIMENSIONS, DATUMS & LEVELS PRIOR TO THE
COMMENCEMENT OF WORK.
ALL ERRORS & OMISSIONS ARE TO BE REPORTED
IMMEDIATELY TO THE DESIGNER.

ISSUE

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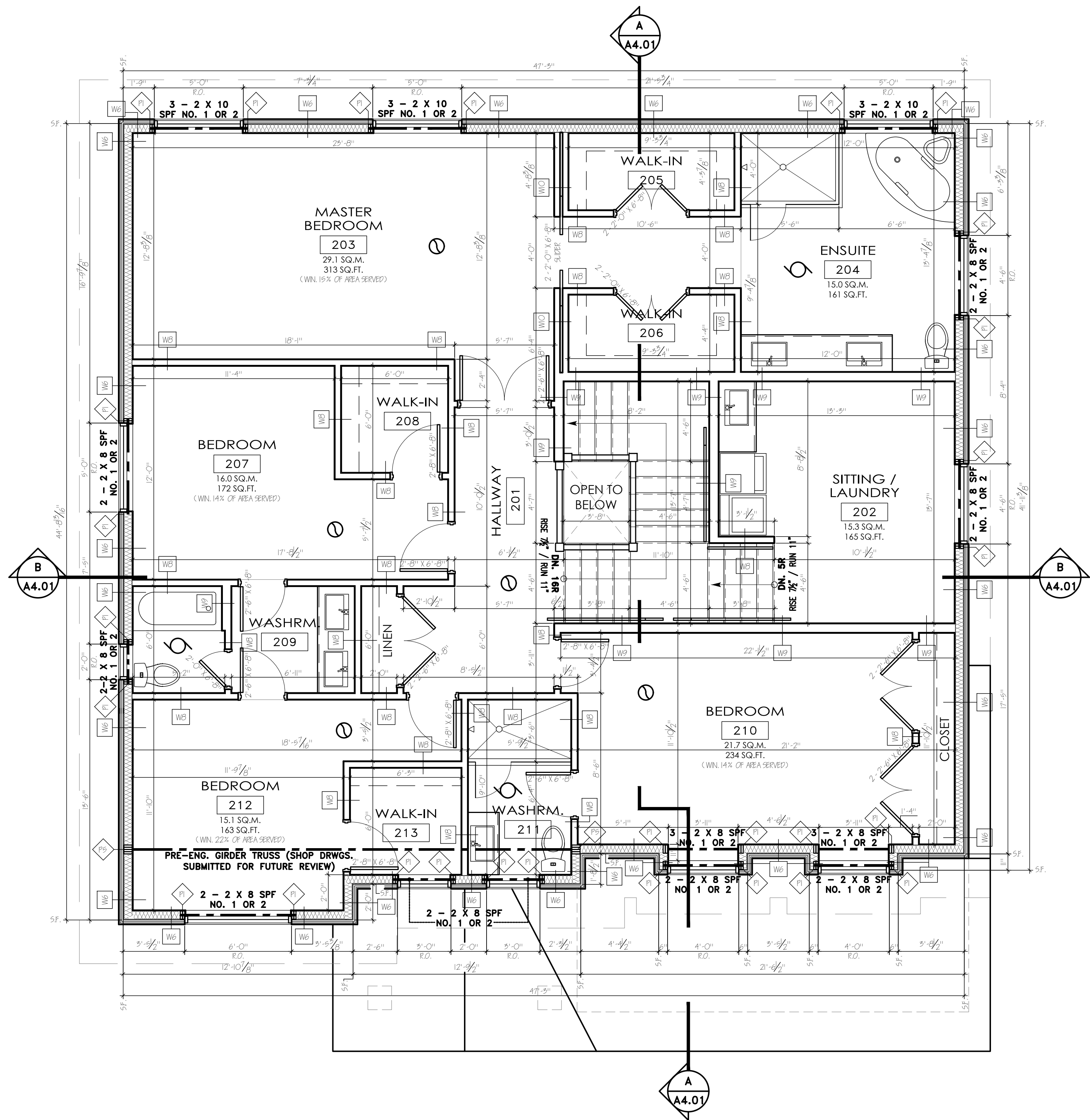
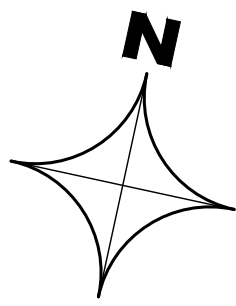
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SCALE:	AS NOT
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NEW CONSTRUCTION:
DETACHED SINGLE FAMILY DWELLING
CLIENT: FORTINO BROS
941 OLD MOHAWK ROAD
CHICAGO, ILLINOIS 60642

TITLE:
GROUND &
SECOND
FLOOR PLAN

SHEET NO.: A.01



1 SECOND FLOOR PLAN
A1.02 SCALE 1/4" = 1'-0"

FLOOR TYPE SCHEDULE		ROOF TYPE SCHEDULE	
[R1]	CAST-IN-PLACE CONC. FLOOR ASSEMBLY (BASEMENT) - 1" CAST-IN-PLACE CONC. FLR. SLAB C/W 6X6X6 W.W.M. - CONT. 6 MIL. POLY VAPOUR BARRIER - 5" COMPACTED FILL - GRANULAR 'A' - BITUMINOUS FIBER EXPANSION JOINT @ SLAB PERIMETER.	[F4]	FLOOR ASSEMBLY (ABOVE GARAGE) - ¾" T&G SUBFLOOR (GLUED & SCREWED) - 1½" TJI @ 12" or 16" O/C (REFER PLANS) C/W R35 BATT INSULATION (OWENS CORNING) - 6 MIL VAPOUR BARRIER - ½" RESILIENT CHANNELS - ½" GYPSUM BOARD (TAPE, FILL, SAND, P. & P.)
[R2]	CAST-IN-PLACE CONCRETE FLOOR ASSEMBLY (GARAGE) - 5" CAST-IN-PLACE CONC. FLR. SLAB C/W 6X6X6 W.W.M. - CONT. 6 MIL. POLY VAPOUR BARRIER - 6" COMPACTED FILL - GRANULAR 'A' - BITUMINOUS FIBER EXPANSION JOINT @ SLAB PERIMETER.	[F5]	FLOOR ASSEMBLY (STAIR LANDINGS) - ¾" T&G SUBFLOOR (GLUED & SCREWED) - 2"x8" SPF SS FLOOR JOISTS @ 16" O/C - ½" RESILIENT CHANNELS - ½" GYPSUM BOARD (TAPE, FILL, SAND, P. & P.)
[R3]	FLOOR ASSEMBLY - ¾" T&G SUBFLOOR (GLUED & SCREWED) - 1½" TJI @ 12" or 16" O/C (REFER PLANS) - ½" RESILIENT CHANNELS - ½" GYPSUM BOARD (TAPE, FILL, SAND, P. & P.)	[F6]	FLOOR ASSEMBLY (FRONT PORCH LANDING) - 125mm THK. CONC. SLAB C/W 10M BARS SPACED @ 200mm O/C EACH - DIRECTION C/W 30mm MIN. COVER FROM SLAB BOTTOM TO LOWER BARS - SLAB TO REAR, 75mm MIN. O/C - SUPPORTING FOUNDATION C/W 600mm x 600mm 10M REIN. DOWELS SPACED @ 600mm O/C
		[R]	ROOF ASSEMBLY (SHINGLES) - 25 YEAR SHAKE SHINGLES C/W UNDERLAYMENT - ½" EXTERIOR GRADE PLYWOOD - ROOF TRUSSES (REFER TO TRUSS DRAWINGS) - LOOSE BLOWN INSULATION (R50) (PRO PINK OWENS CORNING) - 6 MIL VAPOUR BARRIER - ½" RESILIENT CHANNELS - ½" GYPSUM BOARD (TAPE, FILL, SAND, P. & P.)
		[R2]	ROOF ASSEMBLY (RAFTERS) - 25 YEAR SHAKE SHINGLES C/W UNDERLAYMENT - ½" EXTERIOR GRADE PLYWOOD - ROOF RAFTERS (REFER TO PLANS)

POST / COLUMN SCHEDULE			
P1	JACK STUD 2 PLY 2"x6"	P3	STEEL COLUMN 4"x4"x4" HSS (REF. STRUCT. NOTES)
P2	JACK STUD 3 PLY 2"x6"	P4	POST 3 PLY 2"x6" (REF. STRUCT. NOTES)
P5	DECK POST 6"x6" CEDAR W/ AND TITEN HD STAINLESS SCREWS MIN.	P6	STEEL COLUMN 3 1/2"x3 1/2"x 1/4" HSS (REF. STRUCT. NOTES)
			POST 4 PLY 2"x6" (REF. STRUCT. NOTES)
			ABU662 BASE 6" EMBD. TYP.

THIS DRAWING MUST NOT BE SCALED.
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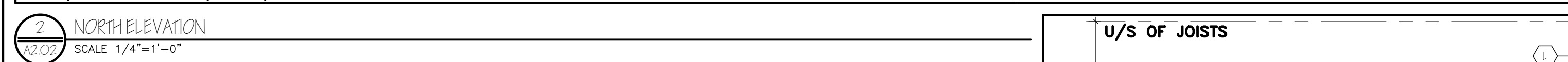
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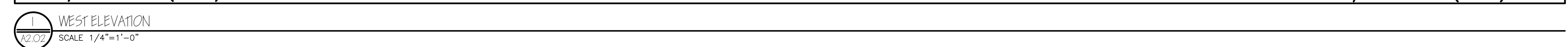
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DWN. BY: JB

NEW CONSTRUCTION:
DETACHED SINGLE FAMILY DWELLING
CLIENT: FORTINO PROS
941 OLD MOHAWK ROAD
ANCASTER, ONTARIO (MUNICIPALITY OF HAMILTON)

TITLE: SECOND FLOOR & ROOF PLAN

SHEET NO.: A1.02





SHEET NO.: A2.02



Ministry of Municipal
Affairs and Housing

QUALIFICATION INFORMATION

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER. REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 'C' SECTION 3.2 OF THE O.B.C.



CHRISTINE BROWN

BCIN

37240

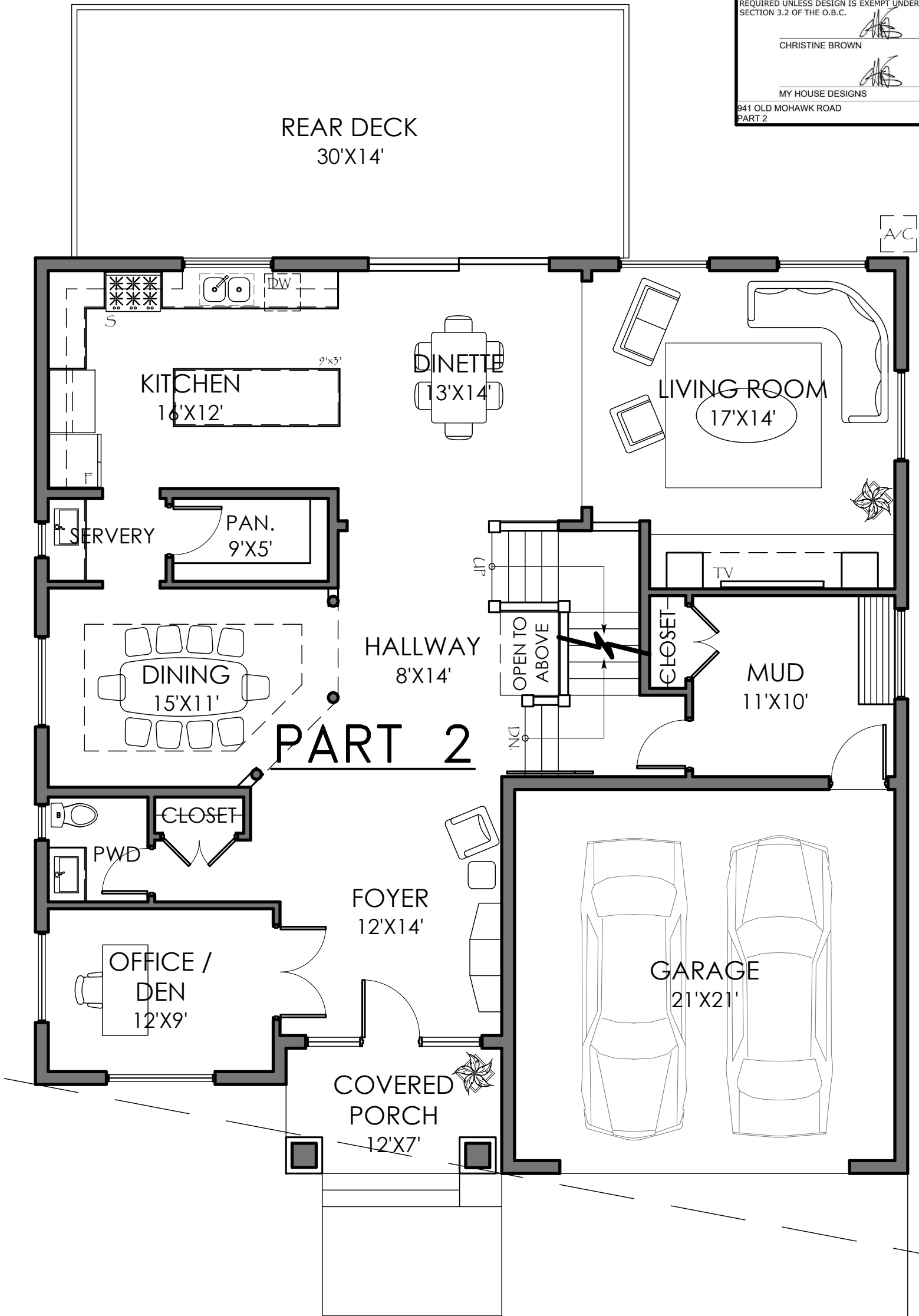


MY HOUSE DESIGNS

BCIN

113120

941 OLD MOHAWK ROAD
PART 2



ISSUED FOR INFORMATION ONLY

NEW CONSTRUCTION:			ISSUED:		GROUND FLOOR PLAN - PART 2 (MDA-22-085)
DETACHED DWELLING PART 2			5.0	ISSUED FOR VARIANCE	FEB 22 2024
FORTINO BROS			4.0	RE-ISSUED FOR SPA	OCT 14 2022
941 OLD MOHAWK ROAD			3.0	RE-ISSUED FOR SPA	JULY 19 2022
ANCASTER, ONTARIO (MUNICIPALITY OF HAMILTON)			2.0	ISSUED FOR CLIENT REVIEW	OCT 27 2021
SCALE:		1:75	SHEET. No.		A6



Ministry of Municipal
Affairs and Housing

QUALIFICATION INFORMATION
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RESPONSIBILITY FOR THIS DESIGN AND HAS THE
QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT
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REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 'C'
SECTION 3.2 OF THE O.B.C.



CHRISTINE BROWN

BCIN
37240

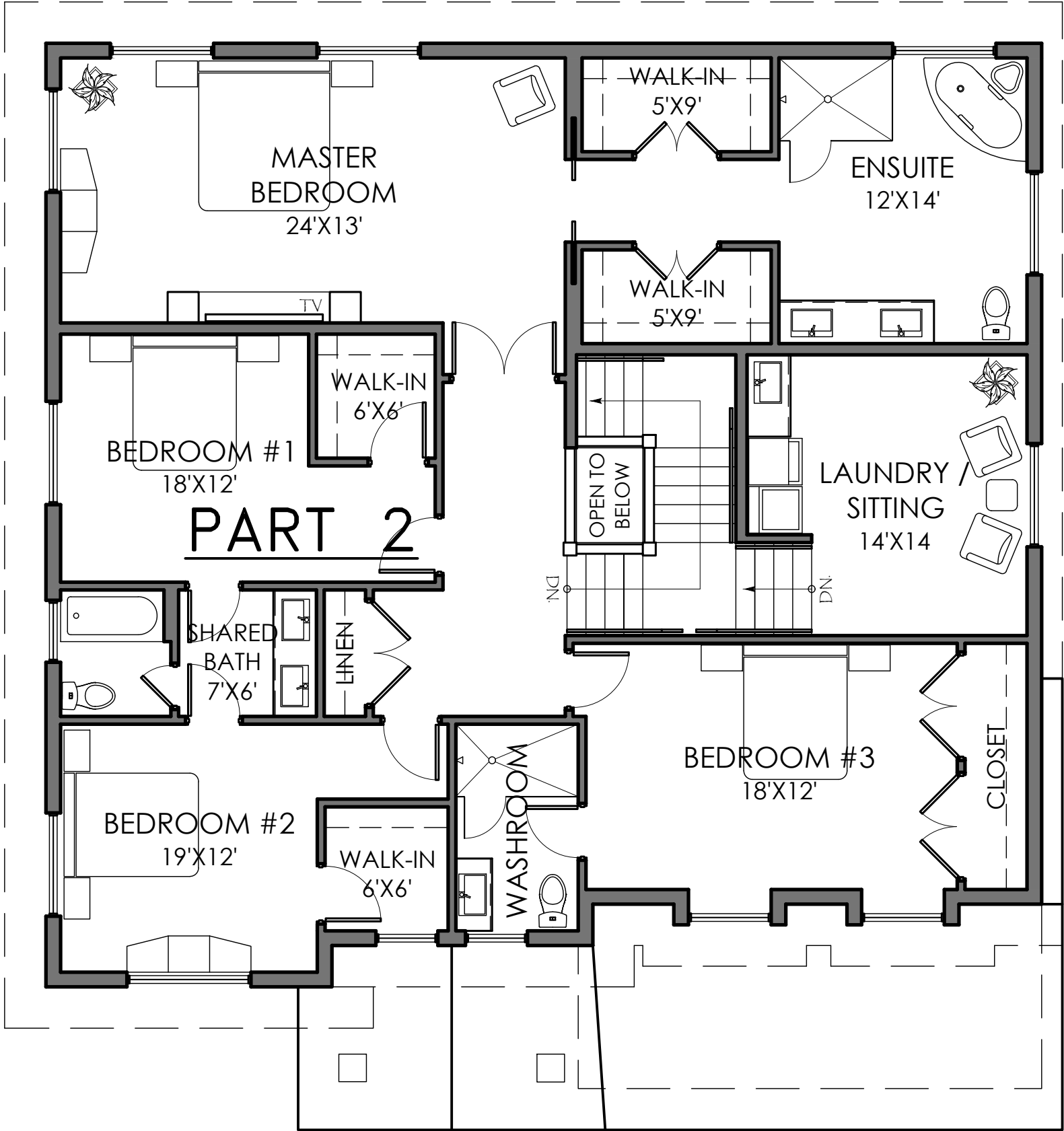


MY HOUSE DESIGNS

BCIN
113120

941 OLD MOHAWK ROAD

PART 2



ISSUED FOR INFORMATION ONLY

NEW CONSTRUCTION:		ISSUED:		SECOND FLOOR PLAN - PART 2 (MDA-22-085)	
DETACHED DWELLING PART 2		5.0	ISSUED FOR VARIANCE	FEB 22 2024	
FORTINO BROS		4.0	RE-ISSUED FOR SPA	OCT 14 2022	
941 OLD MOHAWK ROAD		3.0	RE-ISSUED FOR SPA	JULY 19 2022	
ANCASTER, ONTARIO (MUNICIPALITY OF HAMILTON)		2.0	ISSUED FOR CLIENT REVIEW	OCT 27 2021	
		SCALE: 1:75		SHEET. No. A7	



Ministry of Municipal
Affairs and Housing

QUALIFICATION INFORMATION

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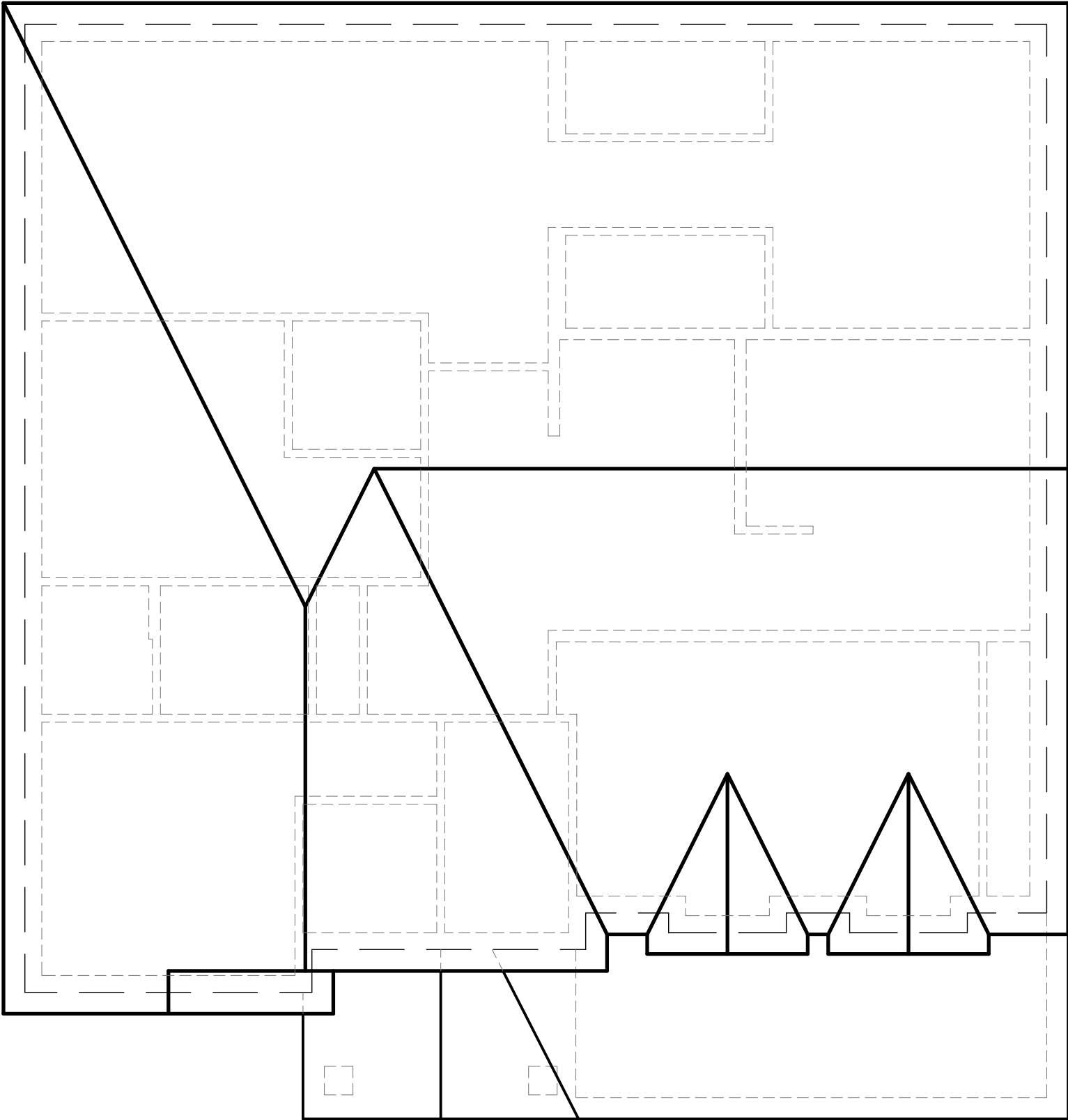


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CHRISTINE BROWN37240



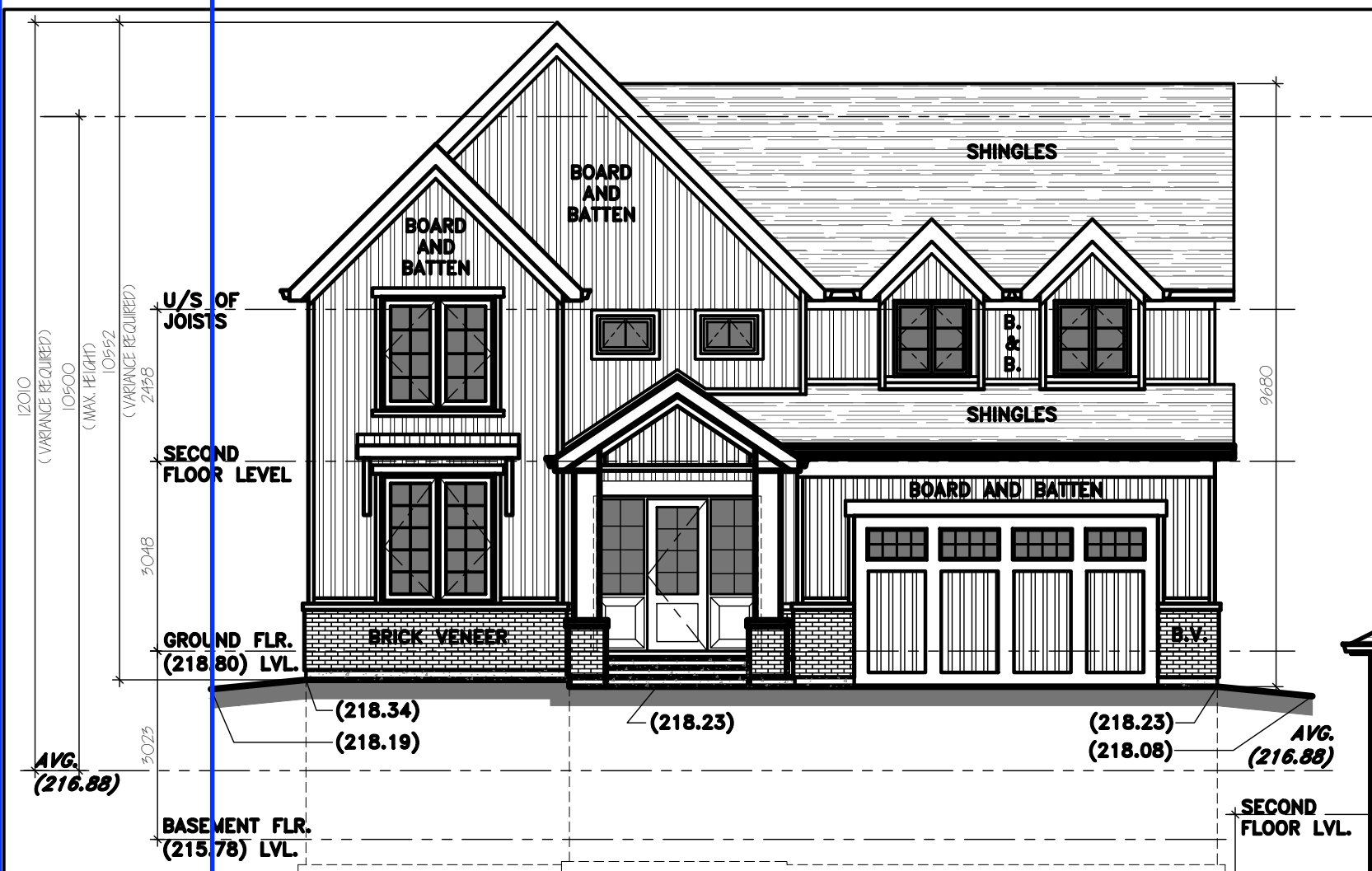
BCIN
MY HOUSE DESIGNS113120

941 OLD MOHAWK ROAD
PART 2



ISSUED FOR INFORMATION ONLY

NEW CONSTRUCTION:			ISSUED:			ROOF PLAN - PART 2 (MDA-22-085)	
DETACHED DWELLING PART 2			5.0	ISSUED FOR VARIANCE	FEB 22 2024	SCALE: 1:75	SHEET. No. A8
FORTINO BROS			4.0	RE-ISSUED FOR SPA	OCT 14 2022		
941 OLD MOHAWK ROAD			3.0	RE-ISSUED FOR SPA	JUNE 17 2022		
ANCASTER, ONTARIO (MUNICIPALITY OF HAMILTON)			2.0	ISSUED FOR CLIENT REVIEW	OCT 27 2021		



SOUTH ELEVATION

Ministry of Municipal
Affairs and Housing

QUALIFICATION INFORMATION

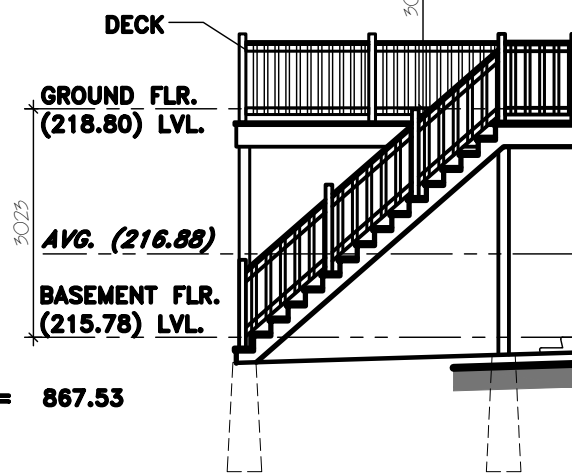
THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER. REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 'C' SECTION 3.2 OF THE O.B.C.

CHRISTINE BROWN BCIN 37240

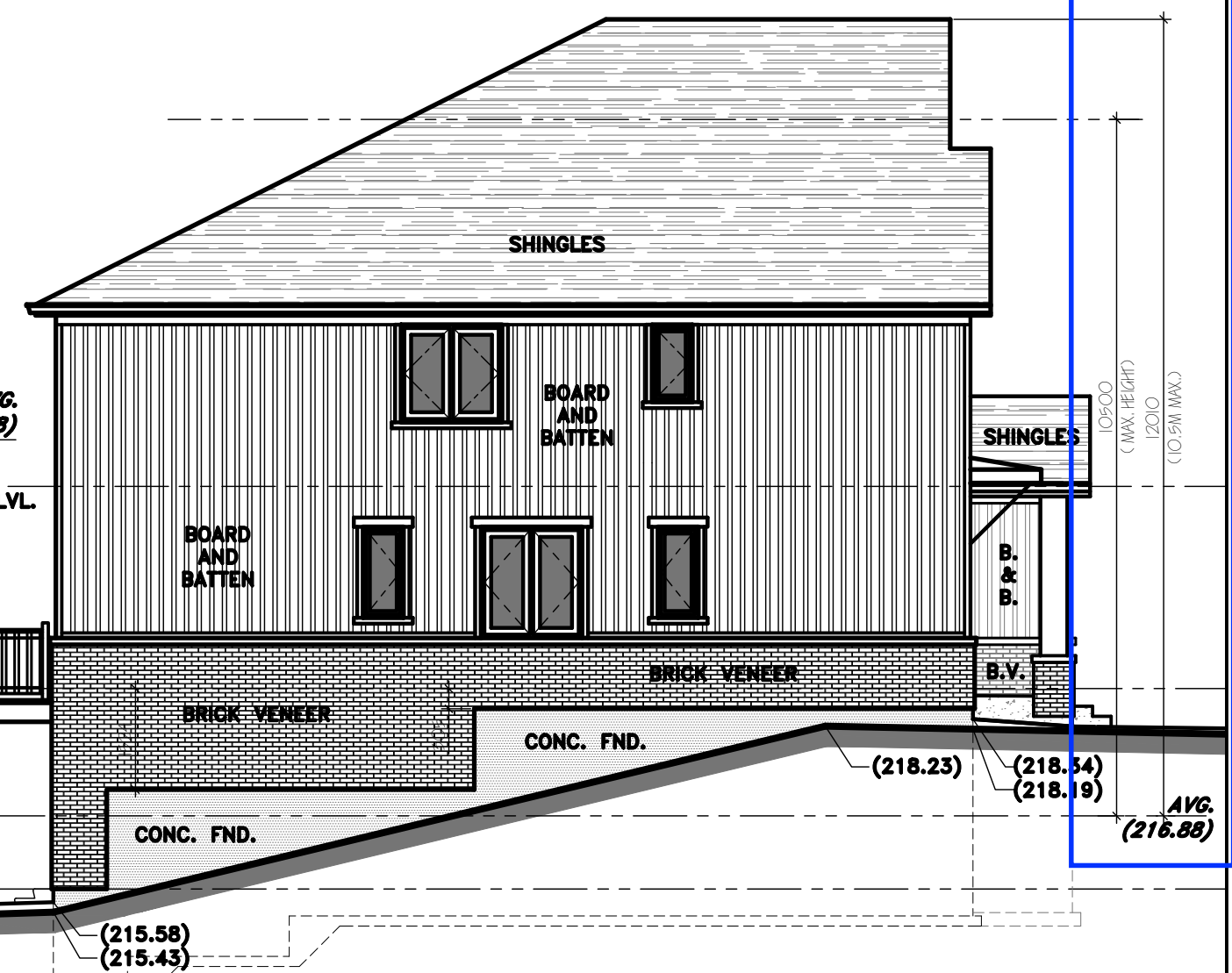
MY HOUSE DESIGNS BCIN 113120

941 OLD MOHAWK ROAD
PART 2

AVERAGE GRADE:
 $215.58 + 215.38 + 218.23 + 218.34 = 867.53$
 $867.53 / 4 = 216.88$



WEST ELEVATION



NEW CONSTRUCTION:

DETACHED DWELLING PART 2

FORTINO BROS

941 OLD MOHAWK ROAD
ANCASTER, ONTARIO (MUNICIPALITY OF HAMILTON)

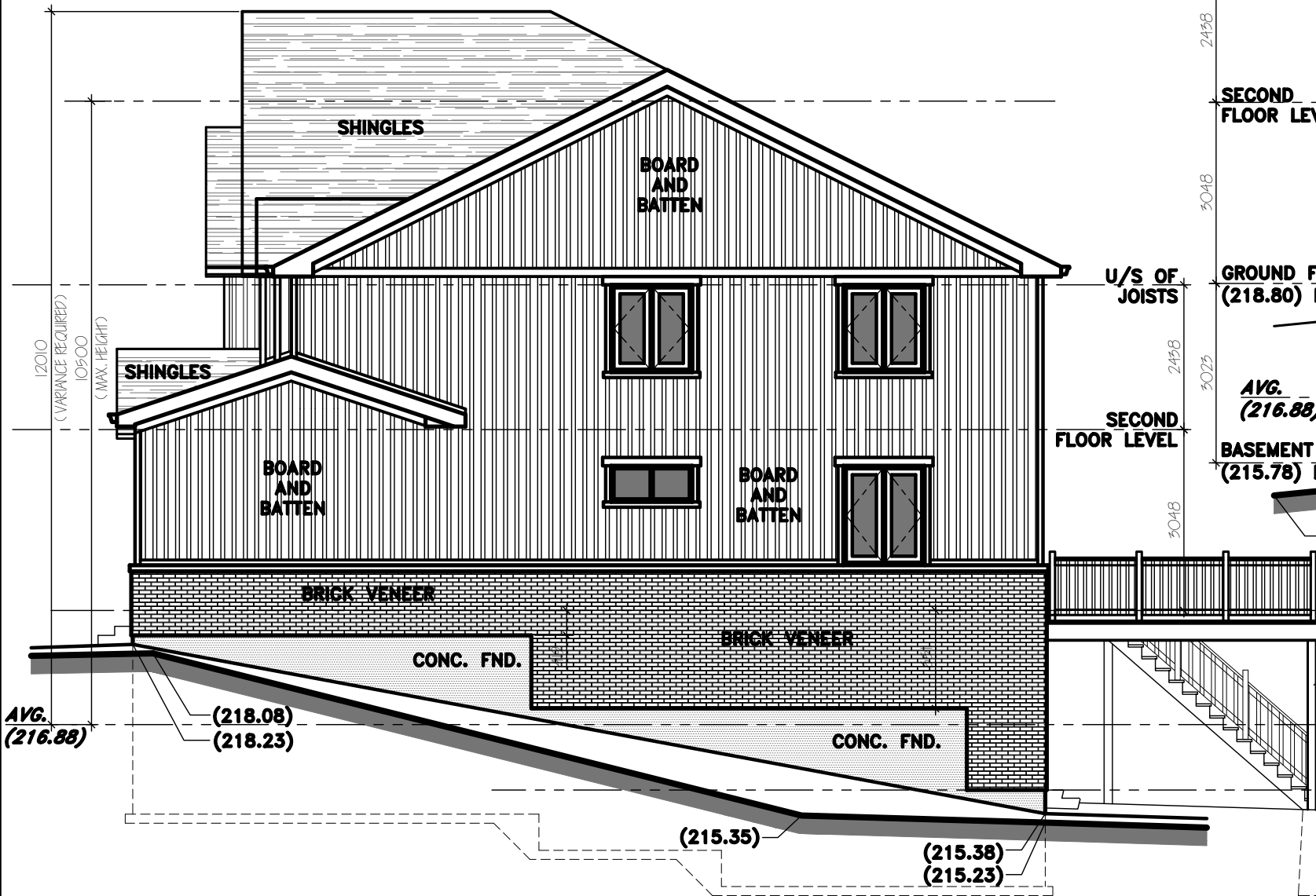
ISSUED:		
5.0	ISSUED FOR VARIANCE	FEB 22 2024
4.0	RE-ISSUED FOR SPA	OCT 14 2022
3.0	RE-ISSUED FOR SPA	JULY 19 2022
2.0	ISSUED FOR CLIENT REVIEW	OCT 27 2021

ELEVATIONS - PART 2
(MDA-22-085)

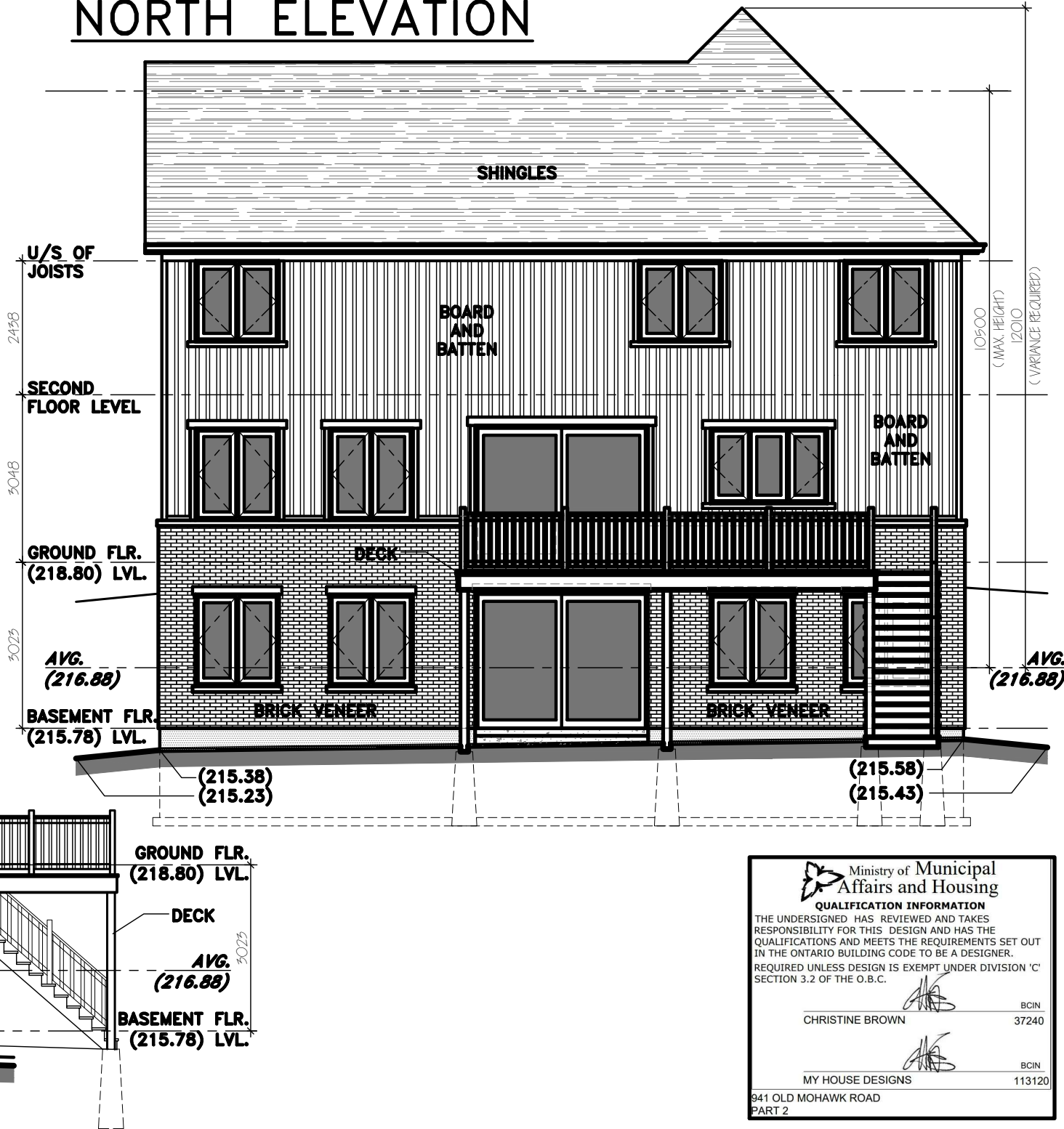
SCALE: 1:100

SHEET. No. A9

EAST ELEVATION



NORTH ELEVATION



Ministry of Municipal Affairs and Housing

QUALIFICATION INFORMATION

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CHRISTINE BROWN BCIN 37240

MY HOUSE DESIGNS BCIN 113120

941 OLD MOHAWK ROAD
PART 2

NEW CONSTRUCTION:

DETACHED DWELLING PART 2

FORTINO BROS

941 OLD MOHAWK ROAD
ANCASTER, ONTARIO (MUNICIPALITY OF HAMILTON)

ISSUED:

5.0	ISSUED FOR VARIANCE	FEB 22 2024
4.0	RE-ISSUED FOR SPA	OCT 14 2022
3.0	RE-ISSUED FOR SPA	JULY 19 2022
2.0	ISSUED FOR CLIENT REVIEW	OCT 27 2021

ELEVATIONS - PART 2
(MDA-22-085)

SCALE: 1:100
SHEET. No. A10



FORTINO BROS. INC.

502-12 James St. N | 905.929.7947 | eugenio@fortinobros.com

February 24, 2024

City of Hamilton
Committee of Adjustment
77 James St. N, 4th Floor Suite 400
Hamilton, ON

To Whom It May Concern:

The purpose of this variance application is to request a minor height adjustment to the proposed dwelling. There are two drawings attached with the application:

1. 941 Old Mohawk Road – Variance (2024-02-22)
 - a. Critical information is found on Page 4 highlighted in 2 x blue boxes. These measurements are in metric and indicate the allowable max height within the zoning designation vs. the requested adjustment in height. All other measurements can be ignored as these are already compatible within the approved building envelopes (Refer to File #MDA-22-085 if needed)
2. 941 – Old Mohawk Road – Progress Set (2023-07-31)
 - a. This is provided for information purposes only. It is to give the Committee an idea of what the intent for the single-family home is. This drawing is nearly complete and ready to be submitted for building permit.
 - b. 941 is a lot that has been created along with 937 and 945 as part of a zoning change that converted a larger lot 941 into 3 separate lots. 945 is nearly complete in construction.

Due to the topography being a walk-out style, the average height is lowered from the highest point on the property (i.e., the front, south side). We need to take the average height to use as our maximum height thus lowering our ability to build to a certain height on the south side. Therefore, this variance application's intention is to increase the height at the front slightly to accommodate the architectural features of the home. This is also noted in attachment #1 – page 4.

Please don't hesitate to reach out with any further questions. Thank you kindly for your consideration.

Sincerely,

Eugenio Fortino



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)	Jordan Fortino	
Applicant(s)	Fortino Bros. Inc.	
Agent or Solicitor		
		E-mail:

1.2 Primary contact ☒ Applicant ☐ Owner ☐ Agent/Solicitor

1.3 Sign should be sent to ☒ 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.

1.6 Payment type ☐ In person ☒ Credit over phone*
☐ Cheque

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	941 Old Mohawk Rd.		
Assessment Roll Number	14028006300		
Former Municipality	Town of Ancaster, Regional Municipality of Hamilton		
Lot		Concession	2
Registered Plan Number	62R-21556	Lot(s)	51
Reference Plan Number (s)		Part(s)	2

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:

Overall Height Restriction for New Build (single family residential home)

☐ Second Dwelling Unit

☐ Reconstruction of Existing Dwelling

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

We want to have the 2nd story top gable at the height shown in drawing (architectural reasons)

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
18m	35.3 m (E side), 44.5 m (W side)	718 square m	11.3

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
Vacant Lot	6	7.6	1.2	N/A

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
New Single Family	6	7.6	1.2	Spring 2024

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
N/A	N/A	N/A	N/A	N/A

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
New Single Family	212	404	2	12

- 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)

Walkout (sloped with catch basins & soakaway pits)

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

☐ right of way

☐ municipal road, seasonally maintained

☐ other public road

☒ municipal road, maintained all year _____

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):
single detached family home

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

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:
2013

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

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

7.4 Length of time the existing uses of the subject property have continued:
50+ 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) _____

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

7.6 What is the existing zoning of the subject land?

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: _____

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing:

8.2 Number of Dwelling Units Proposed:

8.3 Additional Information (please include separate sheet if needed):
See attached drawing for proposed height change.

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
