



Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>A-24:60</b>	<b>SUBJECT PROPERTY:</b>	263 Haddon Ave, S., Hamilton
<b>ZONE:</b>	“C District” (Urban Protected Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended

**APPLICANTS:** Owner: Nancy Hawkins  
Applicant: Robert Hawkins

The following variances are requested:

1. The ground floor area of a Secondary Dwelling Unit – Detached shall be permitted to be 87% of the ground floor area of the principle dwelling instead of the requirements that that ground floor area of a secondary dwelling unit shall be 70% of the principle dwelling when the ground floor area of the principle dwelling is less than or equal to 105 square metres.

**PURPOSE & EFFECT:** To facilitate the construction of a new Secondary Dwelling Detached in the rear yard of an existing single detached dwelling.

**Notes:**

1. Please be advised no information was provided regarding existing or proposed parking. Additional variances may be required if compliance with the Former Hamilton Zoning By-law 6593 cannot be achieved.
2. Please be advised if the side yard landscaping does not contain one of the permitted materials in Section 19 (1).2 (vi) (b) 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:

<b>DATE:</b>	<b>Tuesday, May 7, 2024</b>
<b>TIME:</b>	<b>1:15 p.m.</b>

## A-24:60

<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>City Hall Council Chambers (71 Main St. W., Hamilton)</b>
	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221

### **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, written comments must be received no later than noon May 3, 2024

**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, registration to participate virtually must be received no later than noon May 6, 2024

### **FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:60, you must submit a written request to [cofa@hamilton.ca](mailto: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](mailto: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 18, 2024

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public, and may include posting electronic versions.



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### PARTICIPATION PROCEDURES

#### Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing advance of the meeting. Comments can be submitted by emailing [cofa@hamilton.ca](mailto: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](http://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 on the day listed on the Notice of Public 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](mailto: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 one business day before the Hearing. Only those registered will be called upon to speak.

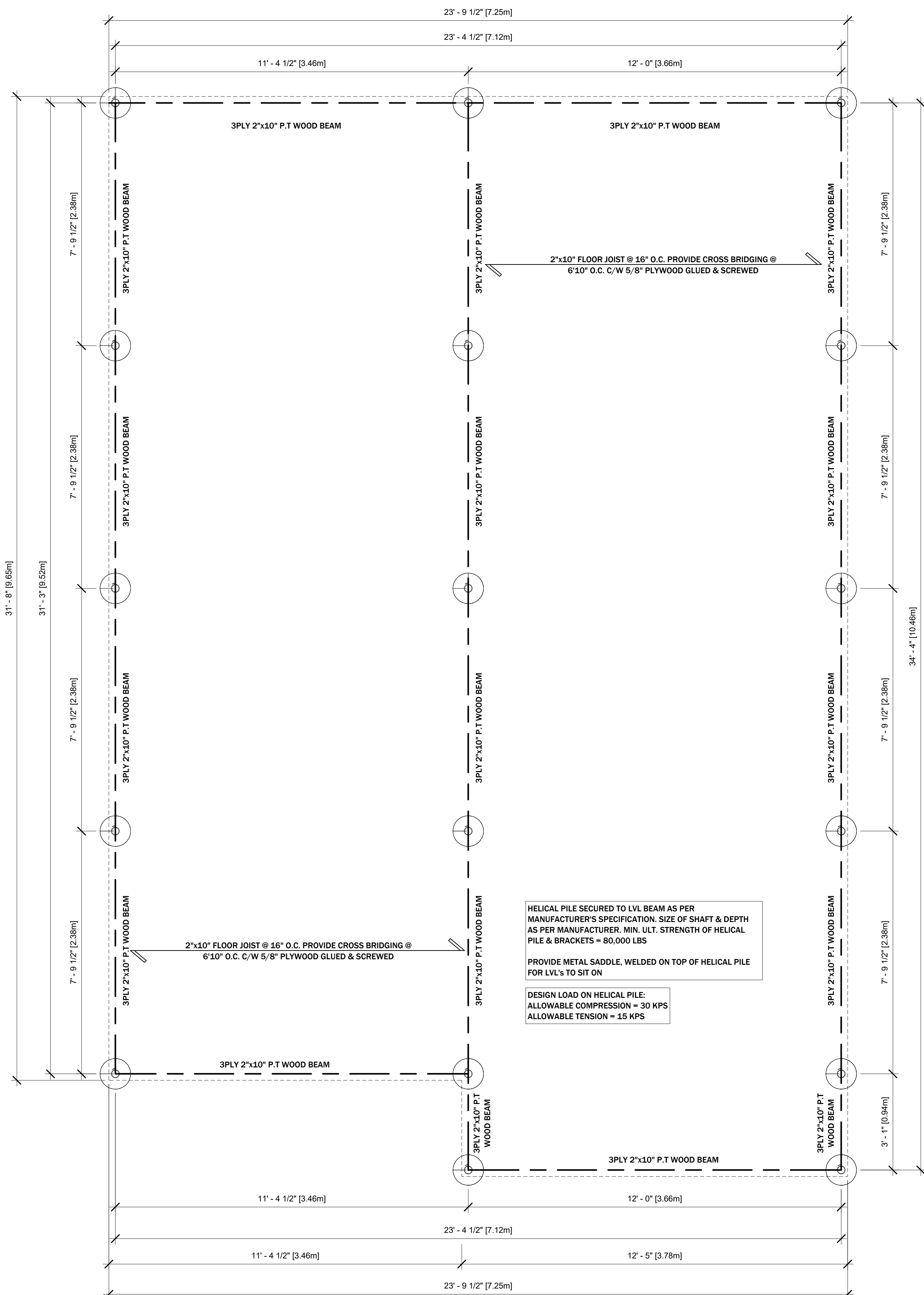
##### 2. In person Oral Submissions

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.

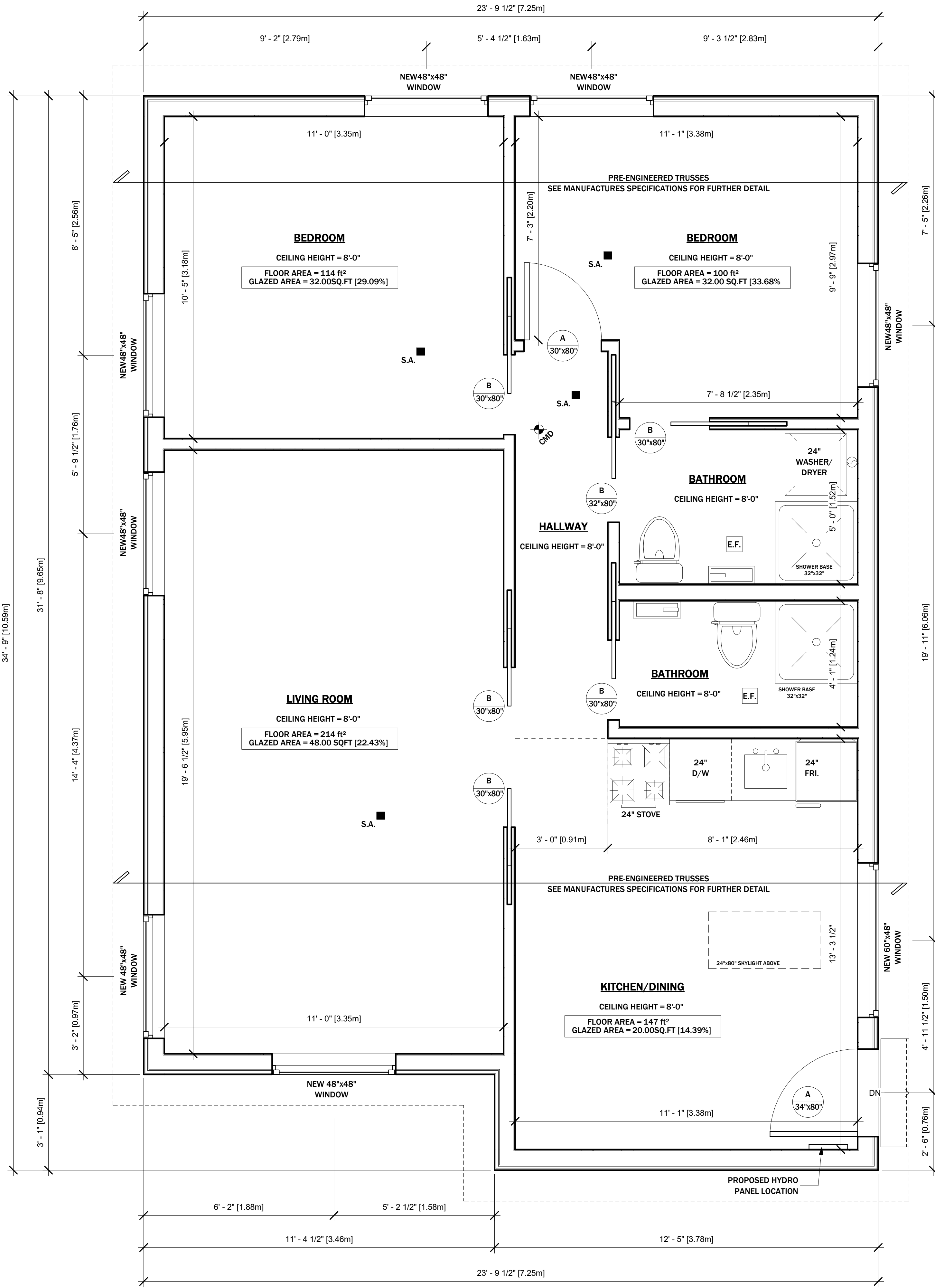
We hope this is of assistance and if you need clarification or have any questions, please email [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by phone at 905-546-2424 ext. 4221.

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.



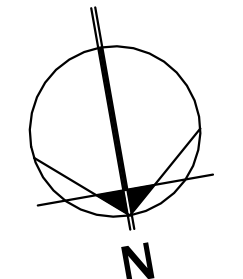


1 FOUNDATION PLAN  
1/2" = 1'-0"



2 PROPOSED FLOOR PLAN  
1/2" = 1'-0"

- CITY ELECTRONIC STAMP:
- GENERAL NOTE:**
- DO NOT SCALE DRAWINGS. FULL SCALE: 24" X 36"
  - ALL DIMENSIONS AND INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE AND ANY DISCREPANCIES REPORTED TO THE DESIGNER PRIOR TO CONSTRUCTION AND FABRICATION OF ITS COMPONENTS. SHOULD EXISTING CONDITIONS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED ON THE DRAWINGS, THE LEAD DESIGNER MUST BE NOTIFIED IMMEDIATELY.
  - FEATURES OF CONSTRUCTION NOT FULLY SHOWN ARE ASSUMED TO BE THE SAME CHARACTER AS THOSE NOTED FOR SIMILAR CONDITIONS.
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  - USE LATEST REVISED DRAWINGS.
  - ALL CONSTRUCTION TO MEET LATEST ONTARIO BUILDING CODE.
  - ALL DRAWINGS, SPECIFICATIONS, RELATED DOCUMENTS AND DESIGN ARE THE COPYRIGHT PROPERTY OF HOUGHTON & ASSOCIATES. REPRODUCTION OF THIS PROPERTY IN WHOLE OR IN PART IS STRICTLY PROHIBITED WITHOUT SRK & ASSOCIATES WRITTEN PERMISSION. SRK & ASSOCIATES ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THIS PROPERTY UNLESS IT BEARS THE APPROPRIATE PEO NUMBER AND ORIGINAL SIGNATURE.
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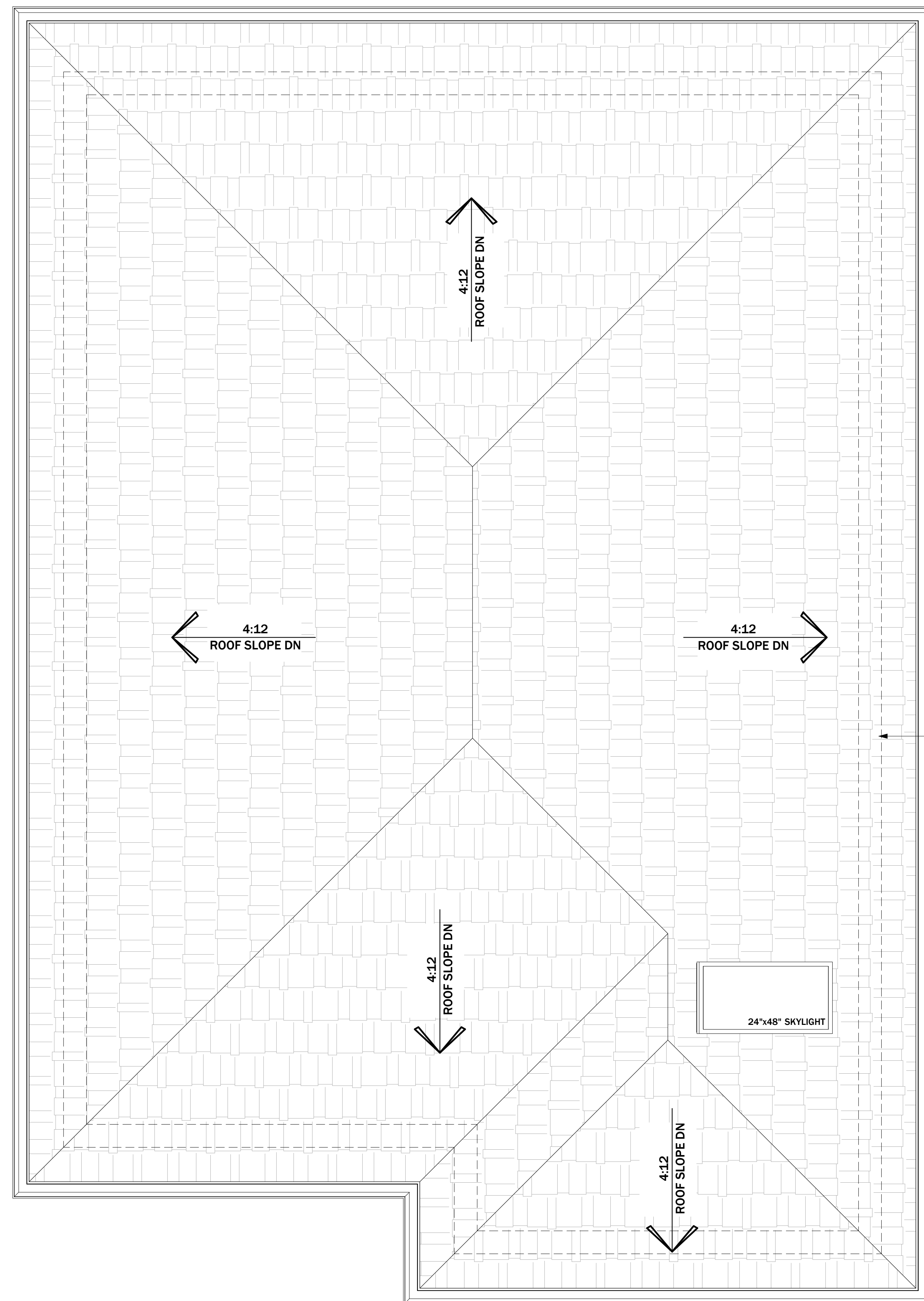


PROJECT NUMBER:  
PROJECT NAME/LOCATION:  
**ASSESSORY DWELLING UNIT - D**  
**263 HADDON AVE. S**

DESCRIPTION:		
DRAWN BY:	CH	
CHECKED BY:	CLIENT	
APPROVED BY:		
REVISION	DESCRIPTION	DATE
001	ISSUED FOR M. VARIANCE	02/25/2024

DRAWING SCALE: As indicated  
DRAWING TITLE:  
**PROPOSED FLOOR PLANS**

**A1.01**



DASHED LINE TO INDICATE EXTERIOR WALL BELOW

**LEGEND**

**SLOPED ROOF**

30 YEAR ASPHALT SHINGLES, ON 1/2" PLYWOOD SHEATHING (W/ H CLIPS) ROOF RAFTERS OR TRUSSES AS SPECIFIED ON DWGS. PROVIDE EICE AND WATER SHEILD EAVES PROTECTION TO EXTEND 42" MIN. BEYOND THE INTERIOR FACE OF THE EXTERIOR WALL. MIN. 3" LAP AND 6" END LAP AS PER O.B.C 9.26.5. METAL EAVETROUGH ON WOOD FACIA 2"x6" CEILING JOIST @ 16" O.C R60 INSULATION W/ BAFFLE AS REQUIRED FOR VENTILATION. 6 MIL POLY VAPOUR BARRIER, LAP AND SEAL ALL JOINTS, 1/2" GYPSUM BOARD CEILING, TAPED, SANDED, PRIMED AND PAINTED MIN. 2 COATS

NOTE: CONTRACTOR TO PROVIDE ADEQUATE VENTILATION. MINIMUM VENT AREA 1 SQ.FT. VENT AREA FOR EVERY 300 SQ.FT OF INSULATED CEILING AREA W/ MIN. 50% AT EAVES. VENTS NOT TO BE PLACED ON FRONT ELEVATION. COLOUR OF VENTS TO MATCH ROOFING MATERIAL

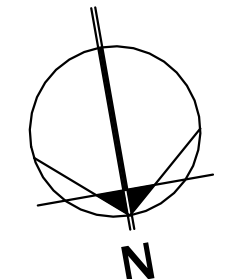
\* REFER TO ENGINEERED ROOF TRUSS DRAWINGS

TRUSS DRAWINGS TO BE APPROVED BY INSTALLER AND GENERAL CONTRACTOR PRIOR TO FABRICATION

VENTILATE ATTIC AT 1/300 OF INSULATION CLG. AREA WITH 50% LOCATED AT SOFFIT 50% NEAR RIDGE

1 TOP OF ROOF  
1/2" = 1'-0"

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STAMP:

CONSULTANT:



PROJECT NUMBER:

PROJECT NAME/LOCATION:

ASSESSORY DWELLING UNIT - D  
263 HADDON AVE. S

DESCRIPTION:

DRAWN BY: Author

CHECKED BY: Checker

APPROVED BY:

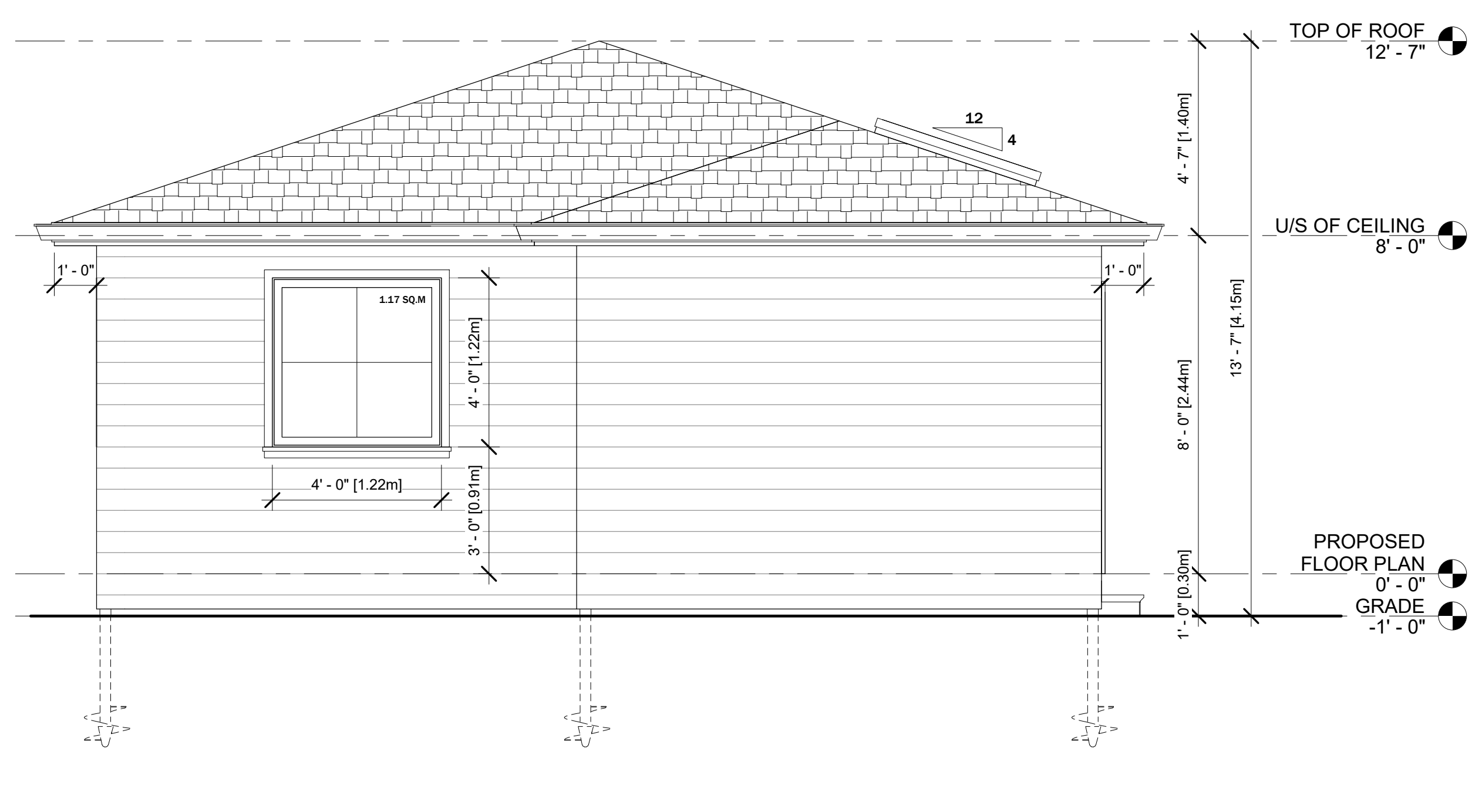
REVISION	DESCRIPTION	DATE
001	ISSUED FOR M. VARIANCE	02/25/2024

DRAWING SCALE: 1/2" = 1'-0"

DRAWING TITLE:

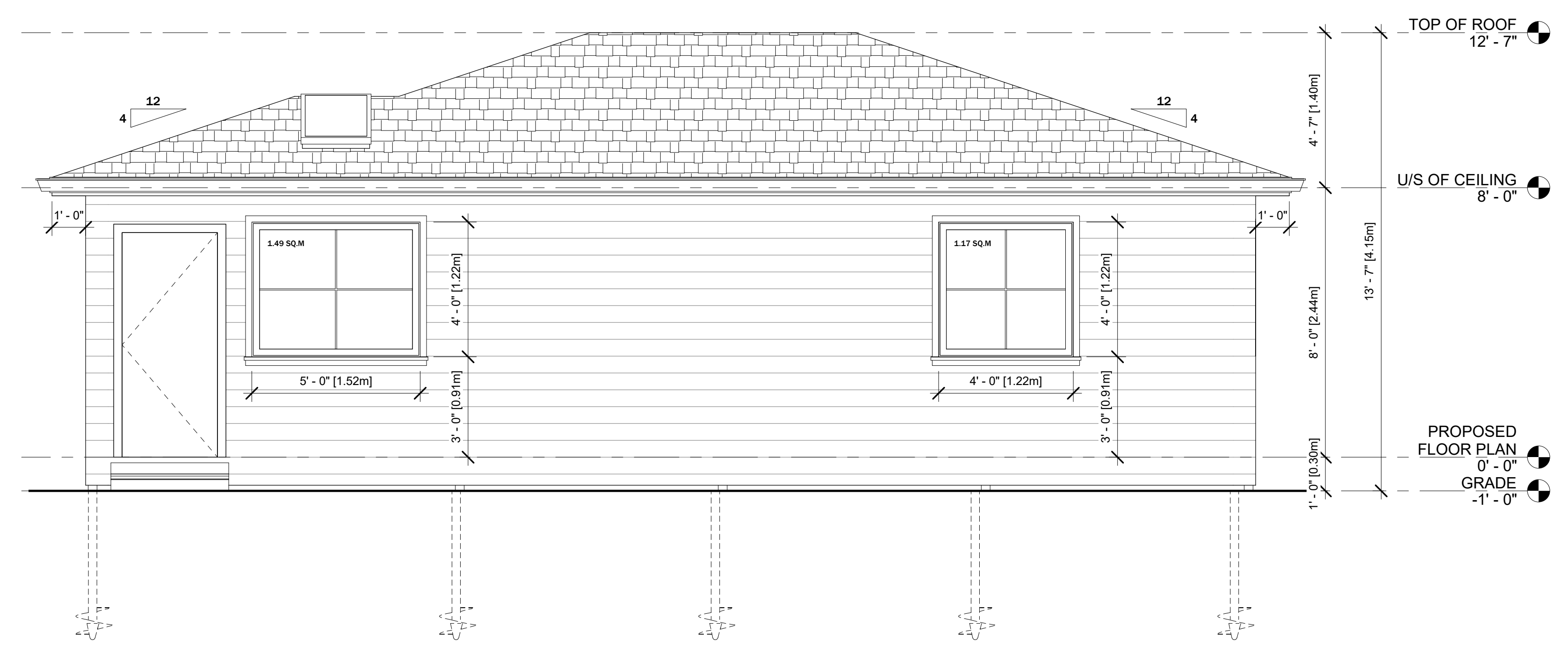
PROPOSED ROOF PLAN

**A1.02**



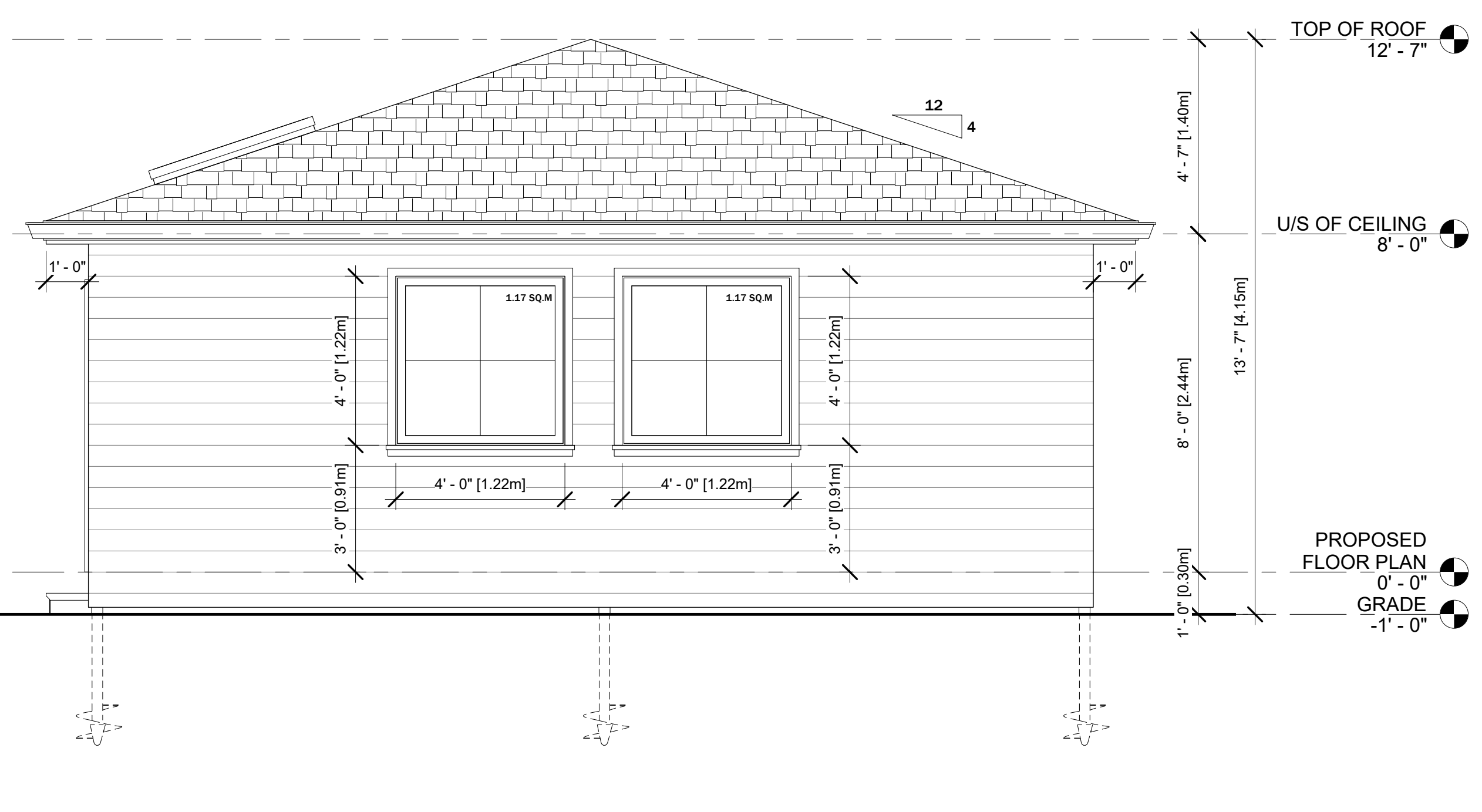
1 PROPOSED NORTH ELEVATION  
3/8" = 1'-0"

GLAZED UNPROTECTED OPENINGS:  
SETBACK TO PROPERTY LINE = 8.51 m  
WALL SURFACE AREA = 9.32 m<sup>2</sup>  
PERMITTED OPENINGS = N/A (-%)  
PROPOSED = 1.17 m<sup>2</sup> (12.55%)



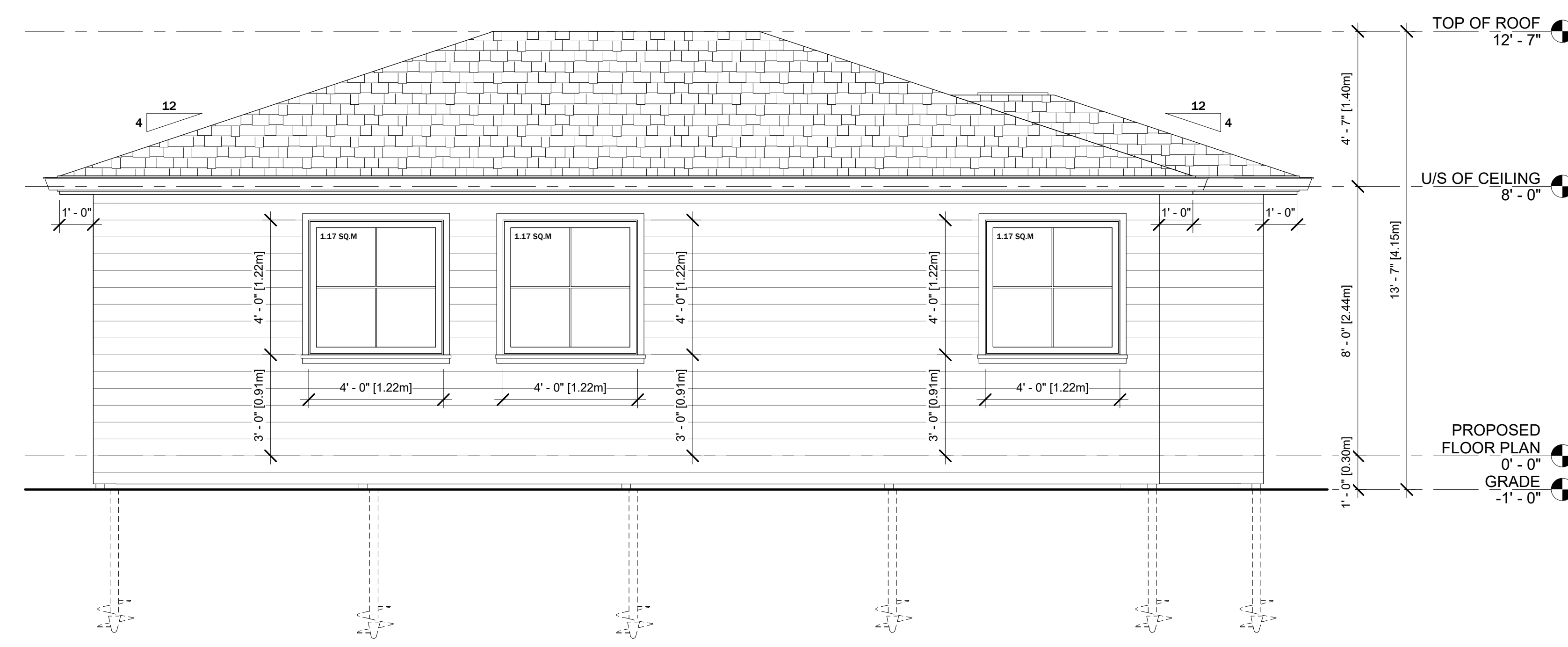
3 PROPOSED EAST ELEVATION  
3/8" = 1'-0"

GLAZED UNPROTECTED OPENINGS:  
SETBACK TO PROPERTY LINE = 2.90 m  
WALL SURFACE AREA = 28.18 m<sup>2</sup>  
PERMITTED OPENINGS = 5.35 (19%)  
PROPOSED = 2.66 m<sup>2</sup> (9.44%)



2 PROPOSED SOUTH ELEVATION  
3/8" = 1'-0"

GLAZED UNPROTECTED OPENINGS:  
SETBACK TO PROPERTY LINE = 4.52 m  
WALL SURFACE AREA = 19.51 m<sup>2</sup>  
PERMITTED OPENINGS = 13.07 (67%)  
PROPOSED = 2.33 m<sup>2</sup> (11.94%)



4 PROPOSED WEST ELEVATION  
3/8" = 1'-0"

GLAZED UNPROTECTED OPENINGS:  
SETBACK TO PROPERTY LINE = 2.88 m  
WALL SURFACE AREA = 25.64 m<sup>2</sup>  
PERMITTED OPENINGS = 4.87 (19%)  
PROPOSED = 3.50 m<sup>2</sup> (13.65%)

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CONSULTANT:



PROJECT NUMBER:

PROJECT NAME/LOCATION:

ASSESSORY DWELLING UNIT - D  
263 HADDON AVE. S

DESCRIPTION:

DRAWN BY: Author

CHECKED BY: Checker

APPROVED BY:

REVISION	DESCRIPTION	DATE
001	ISSUED FOR M. VARIANCE	02/25/2024

DRAWING SCALE: 3/8" = 1'-0"

DRAWING TITLE:

PROPOSED ELEVATIONS

**A2.01**





Hamilton

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

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

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

**1. APPLICANT INFORMATION**

NAME	
Registered Owners(s)	Nancy Victoria Hawkins
Applicant(s)	Robert Hawkins
Agent or Solicitor	Phone:
	E-mail:

1.2 Primary contact  Applicant  Owner  Agent/Solicitor

1.3 Sign should be sent to  Applicant  Owner  AgentSolicitor

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

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.):

Secondary dwelling unit - detached

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

Single Dwelling Unit - Detached

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

Feb. 28, 2001

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

Single Dwelling Unit - Detached

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

Single Dwelling Unit - Detached

7.4 Length of time the existing uses of the subject property have continued:

Since constructed

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

Rural Hamilton Official Plan designation (if applicable): \_\_\_\_\_

Rural Settlement Area: \_\_\_\_\_

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

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

Meets 4 test, and the variance we are seeking is minor in nature

7.6 What is the existing zoning of the subject land? C/S-1335 C/S-1335a (Urban Protected F

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: C/S-1335 C/S-1335a (Urban Protected Resider

## 2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	263 Haddon Ave. S., Hamilton		
Assessment Roll Number	2518010-04502970		
Former Municipality	Hamilton		
Lot	23&24	Concession	
Registered Plan Number	767	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:

Proposed additional dwelling unit

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

Lot size, existing dwelling size and the bylaw as it pertains to the existing

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
11.68m	40.38m	514.00m <sup>2</sup>	6.35m

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Single Dwelling Unit - Detached	4.39m	22.58m	2.07m & 2.26m	1946
unknown			2.74m & 2.27m	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Second Dwelling Unit - Detached	25.38m	4.52m 4.40m	2.88m & 2.90m	May 15 2024
			3.37m & 2.90m	

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

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Single Dwelling Unit	72.56m <sup>2</sup>	151.48m <sup>2</sup>	1	
Single dwelling unit	84.78 m <sup>2</sup>	153.31 m <sup>2</sup>	1	5.96 m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Second Dwelling Unit - Detached	72.56m <sup>2</sup>	72.56m <sup>2</sup>	1	4.15m
Second Dwelling Unit - Detached	73.48 m <sup>2</sup>	73.48 m <sup>2</sup>	1	4.5 m

- 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)

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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: 1

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 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
- 
-

### **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:**

1. To permit a Secondary Dwelling Unit - Detached with a floor area meeting 86.67% of the principle ground floor area whereas the Zoning By-law states that the ground floor area of a Secondary Dwelling Unit – Detached shall not exceed 70.0% of the ground floor area of the principal dwelling when the ground floor area of the principal dwelling is less than or equal to 105.0m<sup>2</sup>.