

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-25:155	SUBJECT PROPERTY:	738 Upper Gage Avenue, Hamilton
ZONE:	R1 (Low Density Residential)	ZONING BY-LAW:	Hamilton Zoning By-law 05-200

APPLICANTS: Owner: Gregory Wilson
 Applicant: Len Angelci

The following variances are requested:

1. A minimum setback of 1.0 metres shall be permitted from the interior Side Lot Line for an Additional Dwelling Unit-Detached instead of the minimum required setback of 1.2 metres.
2. An unobstructed path from the Street Line to the entrance of an Additional Dwelling Unit-Detached shall not be required, whereas the By-law requires an obstructed path to be provided.
3. A maximum height of 6.7 metres shall be permitted for an Additional Dwelling Unit – Detached, instead of the maximum permitted height of 6.0 metres.
4. The maximum Gross Floor Area for an Accessory Dwelling Unit - Detached shall not exceed 192.2 square metres, instead of the requirement that the maximum Gross Floor Area shall not exceed 75 square metres or the Gross Floor Area of the principle dwelling, whichever is the lesser.
5. The ground floor area of an Additional Dwelling Unit-Detached shall not exceed 87.3% of the ground floor area of the principal dwelling, instead of the requirement that when the ground floor area of the principle dwelling is less than or equal to 105 square metres, the ground floor area shall not exceed 70% ground floor area of the principle dwelling.

PURPOSE & EFFECT: To permit an addition onto an existing accessory building and convert to an

A-25:155

Additional Dwelling Unit – Detached, on a lot containing a Single Detached Dwelling.

Notes:

- i. Please be advised a variance for Section 4.33.2 d) i), respecting eaves and gutter encroachment is not required provided that variance No.1 is granted.

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, September 4, 2025
TIME:	3:35 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (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

PUBLIC INPUT

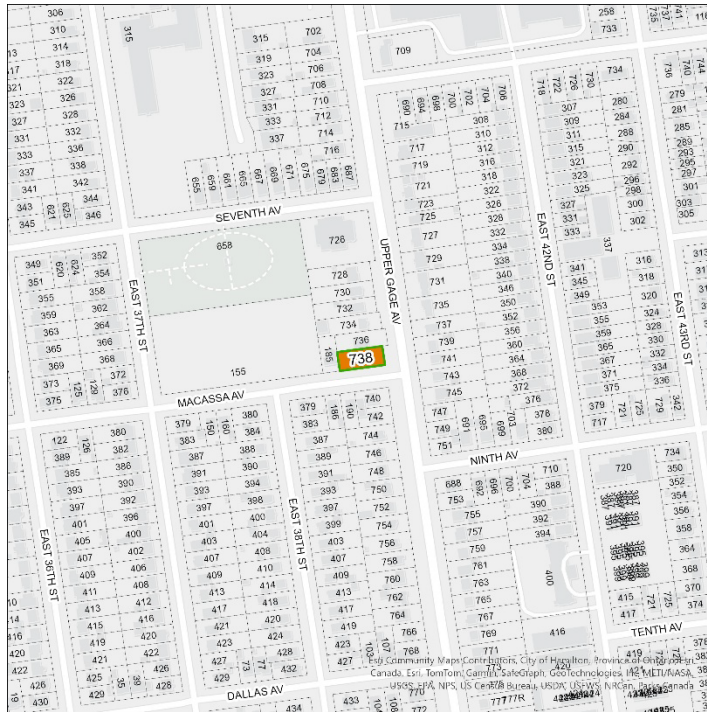
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon September 2, 2025

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 September 3, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:155, 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.



DATED: August 18, 2025

Justin Leung,
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

E-mail: cofa@hamilton.ca

PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:

Send to: cofa@hamilton.ca

By Mail:

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

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

2. Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:

All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

Virtual Presentations:

Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing**. The submission must be one document in PDF format only.

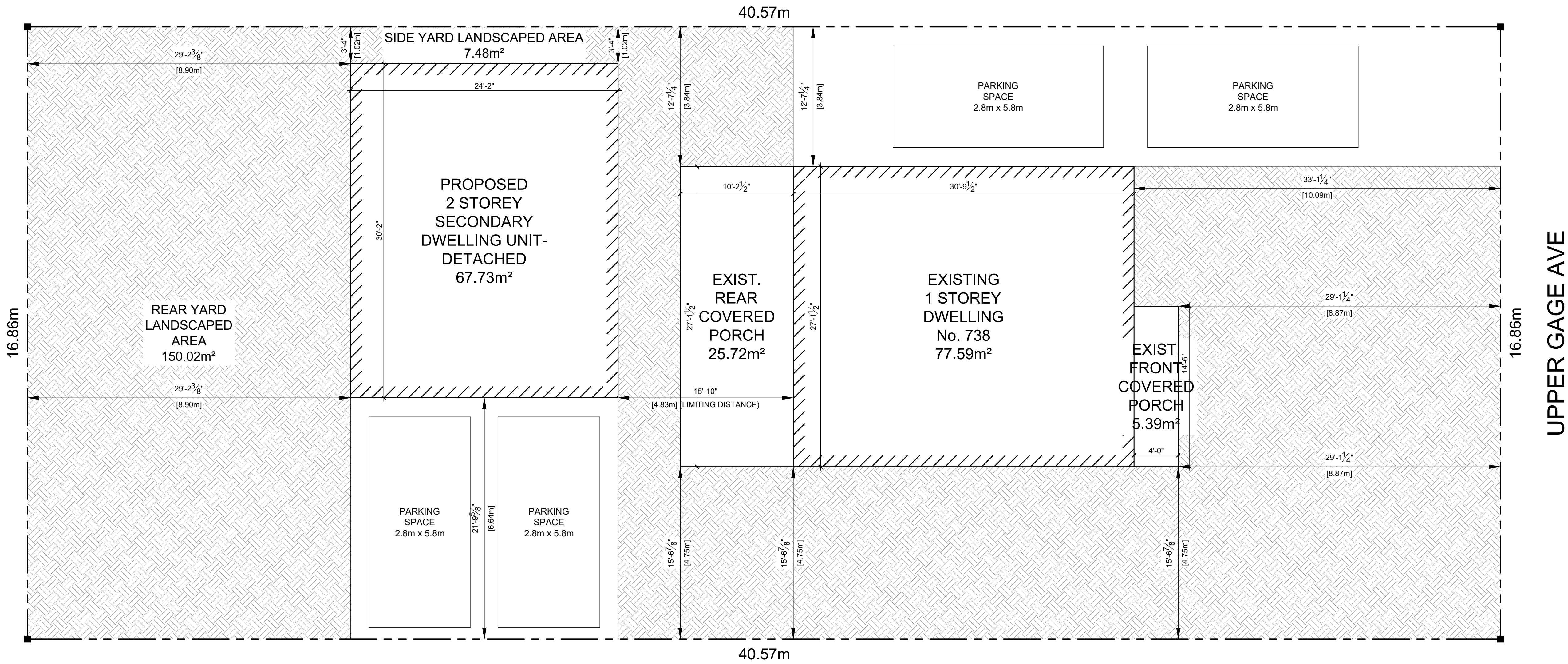
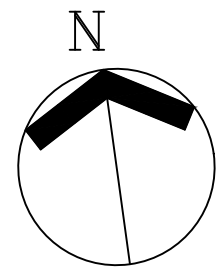
In-Person Presentations:

Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing**. The submission must be one document in PDF format only. Handouts are permitted only if the same content can be displayed on the presentation screen.

6. Additional Notes

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.



MACASSA AVENUE

UPPER GAGE AVE

NOTE:
NO CHANGE TO GRADES AT
PROPERTY LINES AND NO
EXISTING DEVELOPMENT
FEATURES WILL BE
ALTERED OR REMOVED

SITE DATA	
ZONE:	R1
LOT AREA:	683.81m ²
EXISTING DWELLING FOOTPRINT:	77.59m ²
EXISTING FRONT PORCH:	5.39m ²
EXISTING REAR PORCH:	25.72m ²
PROPOSED SECONDARY DWELLING UNIT: DETACHED:	67.73m ²
LOT COVERAGE:	25.80%
BUILDING HEIGHT	
No. of STOREYS:	2
SECONDARY DWELLING SETBACKS	
WEST SIDE:	8.90m
EAST SIDE:	4.83m
SOUTH SIDE:	6.64m
NORTH SIDE:	1.02m

PROJECT NORTH	TRUE NORTH

No.	REVISION	DATE
01.	DRAWINGS FOR VARIANCE	07/14/2025

- ALL CONTRACTORS AND/OR TRADES SHALL VERIFY ALL DIMENSIONS, NOTES, SITE AND REPORT ANY DISCREPANCIES PRIOR TO THE COMMENCEMENT OF WORK.
- THIS DRAWING IS NOT TO BE SCALED. ALL DRAWINGS, PRINTS AND RELATED DOCUMENTS ARE THE PROPERTY OF LEN ANGELICI DESIGN AND MUST BE RETURNED UPON REQUEST.
- REPRODUCTION OF DRAWINGS AND RELATED DOCUMENTS IN PART OR IN WHOLE IS STRICTLY PROHIBITED WITHOUT WRITTEN CONSENT OF LEN ANGELICI DESIGN.
- CONTRACTOR SHALL REVIEW ALL DRAWINGS PRIOR TO COMMENCING CONSTRUCTION FOR ANY ERRORS OR OMISSIONS.
- LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR THE DESIGN OR PRE-ENGINEERED TRUSSES OR ANY PRE-ENGINEERED PRODUCTS.
- LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR HEATING, PLUMBING, OR ELECTRICAL DRAWINGS.
- DRAWING MAY NOT BE CHANGED, ALTERED OR COPIED WITHOUT WRITTEN CONSENT OF LEN ANGELICI DESIGN. FAILURE TO COMPLY WITH THIS STATEMENT IS NOT THE RESPONSIBILITY OF LEN ANGELICI DESIGN.
- LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR POOR CONSTRUCTION PRACTICES.

SEAL

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.	
QUALIFICATION INFORMATION	
LEONARD ANGELICI	42391
NAME	BOIN
REGISTRATION INFORMATION	
LEN ANGELICI DESIGN	124457
NAME	BOIN
07/14/2025	
DATE	SIGNATURE

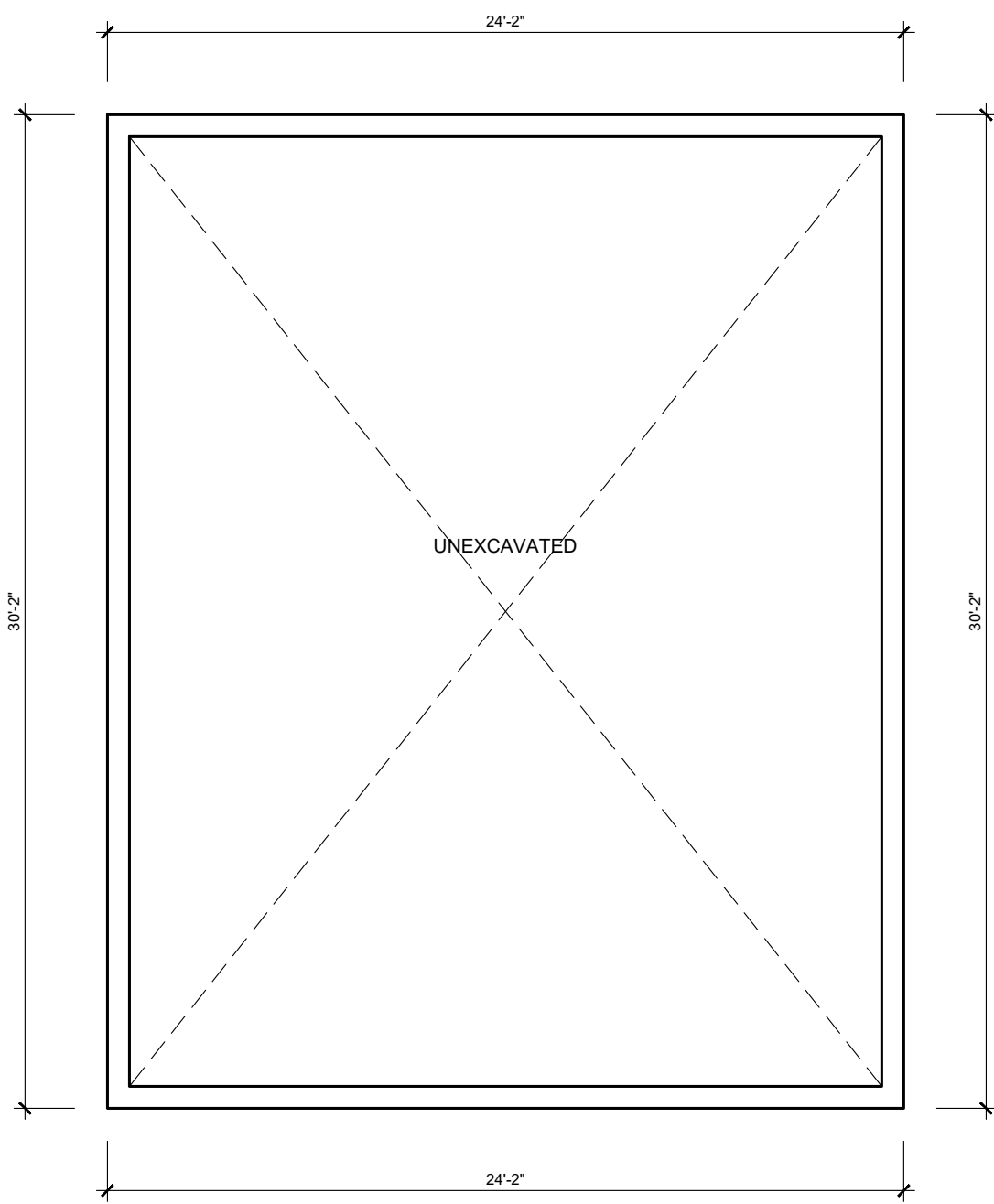
Len Angelici Design

270 SHERMAN AVE N. UNIT MILL-125
HAMILTON, ON L8L 6N4
(905) 393-8868
info@lenangelicidesign.ca

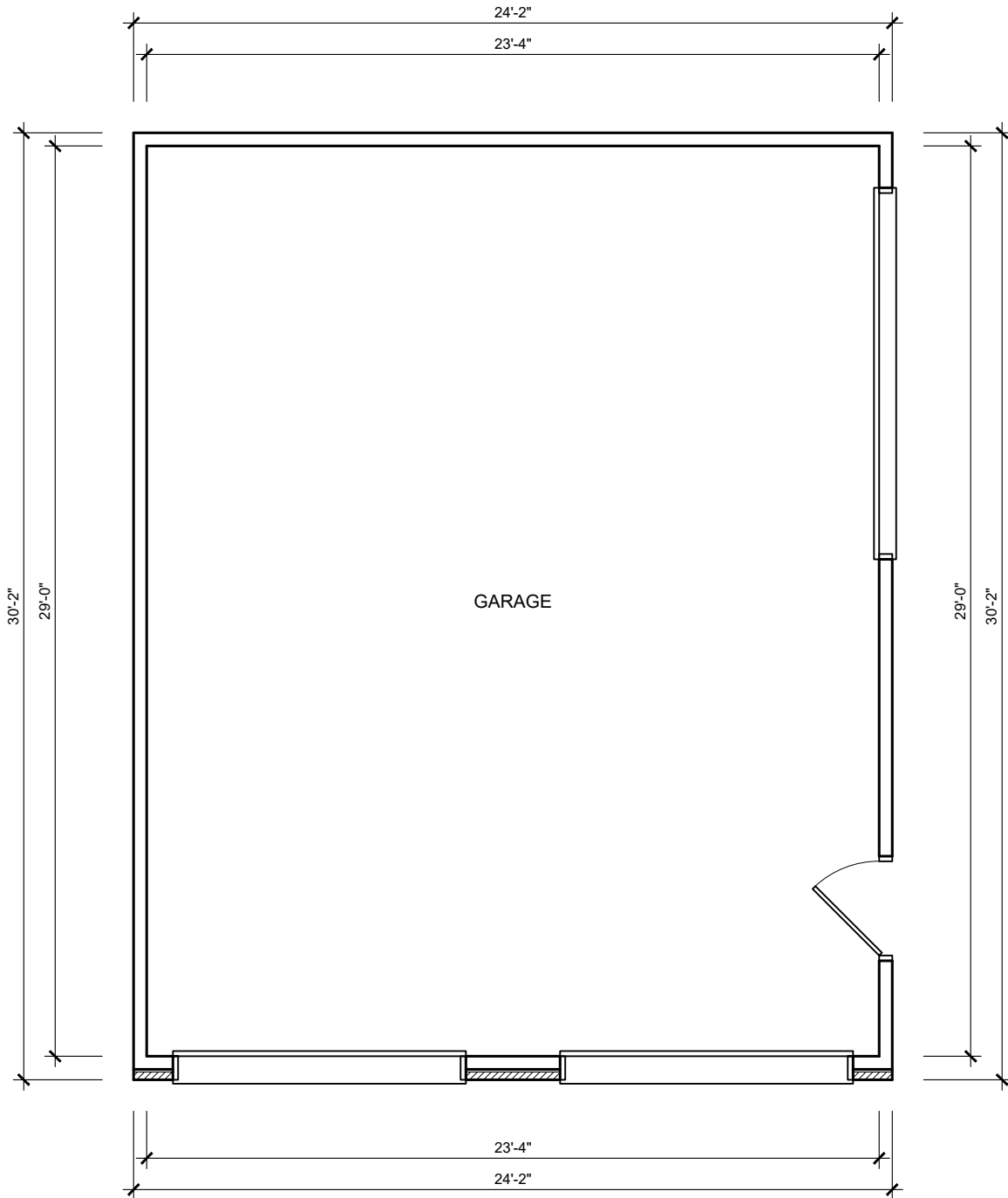
PROJECT

**738 UPPER GAGE AVE
HAMILTON, ON**

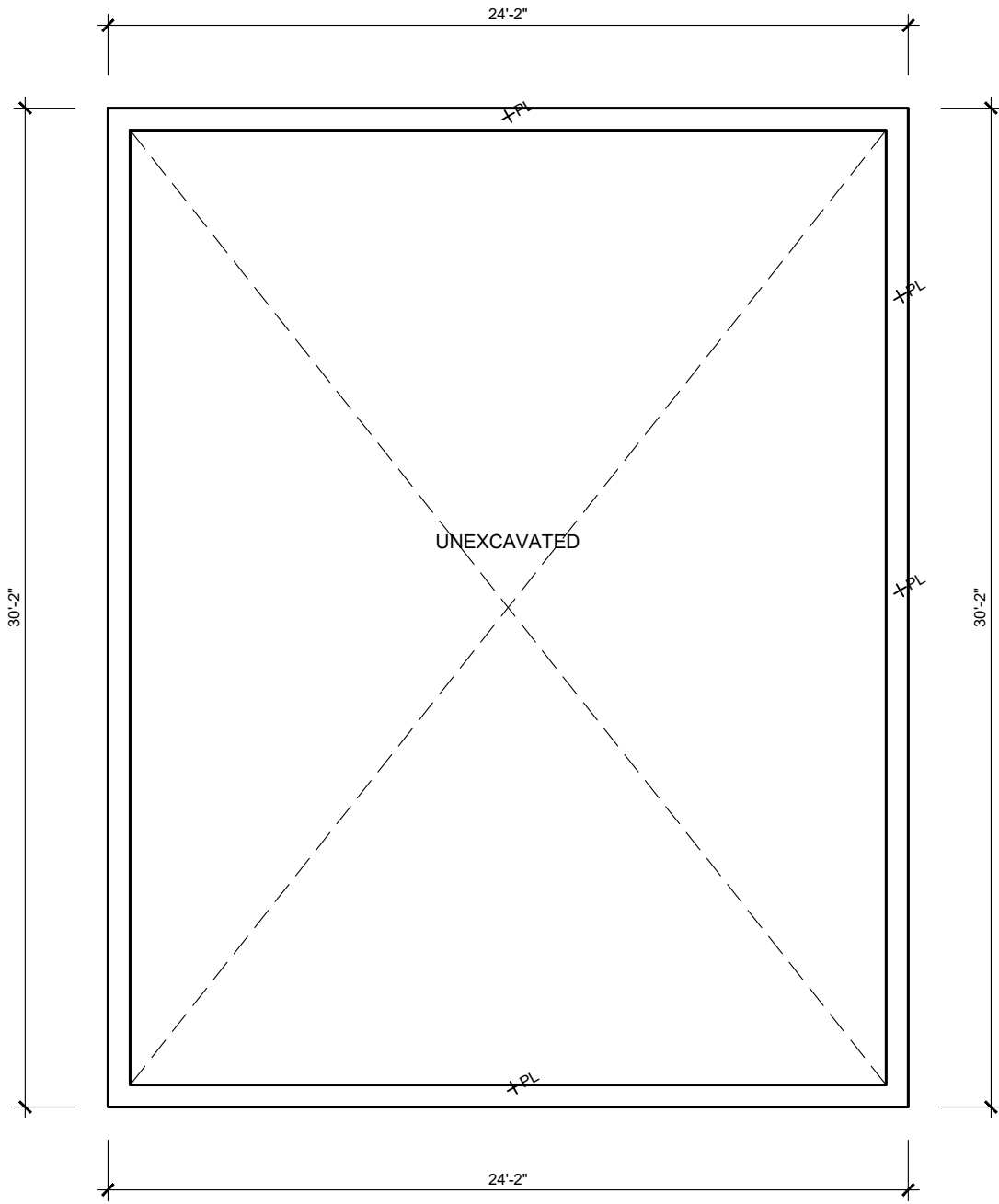
SHEET TITLE	
SITE PLAN	
DRAWN BY	SP1
L. ANGELICI	
DATE	
07/14/2025	
SCALE	
3/16"=1'-0"	
PROJECT No.	
25019	



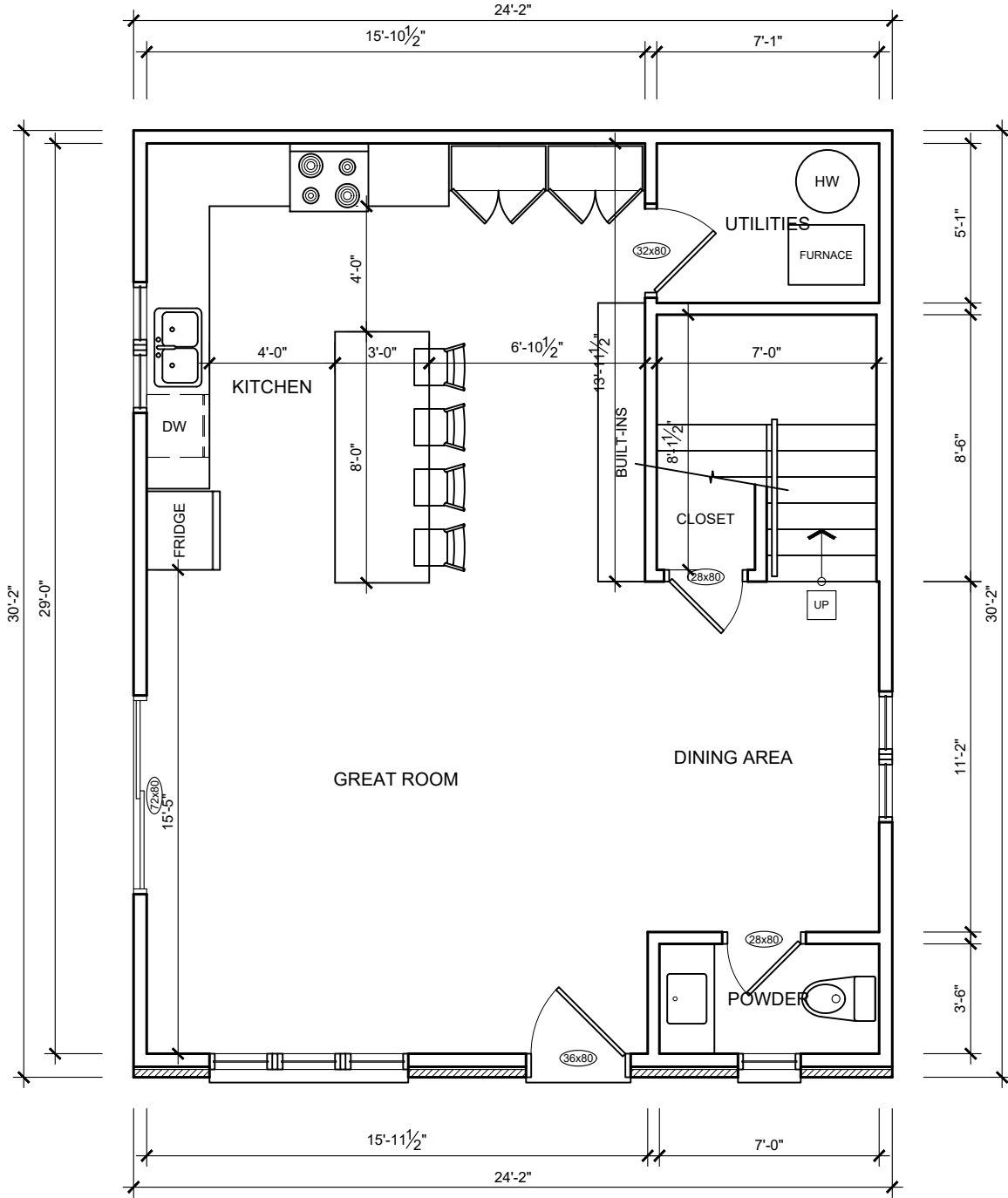
EXISTING FOUNDATION PLAN
SCALE 3/16" = 1' - 0"



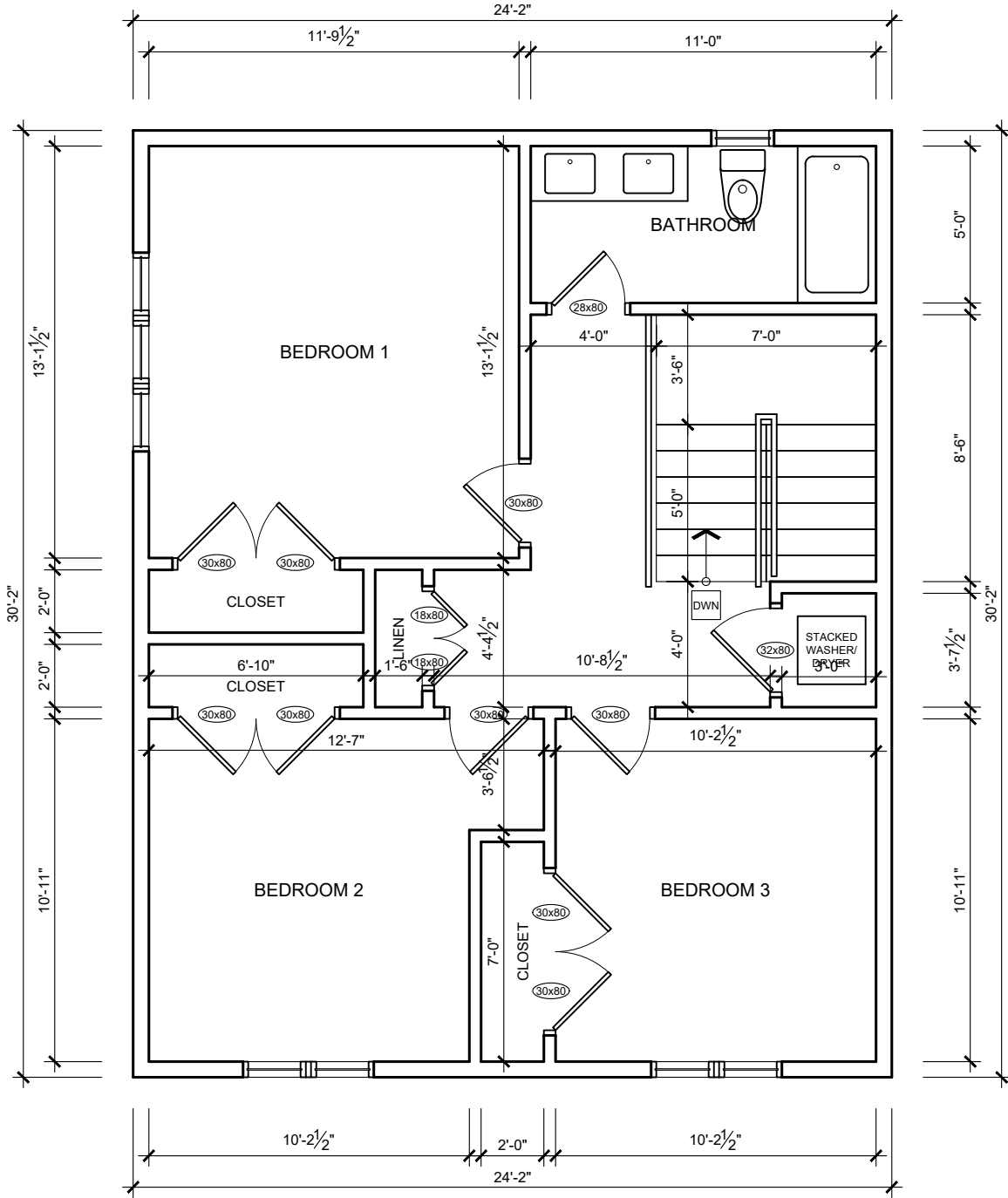
EXISTING GROUND FLOOR PLAN
SCALE 3/16" = 1' - 0"



PROPOSED FOUNDATION PLAN
SCALE 3/16" = 1' - 0"



PROPOSED GROUND FLOOR PLAN
SCALE 3/16" = 1' - 0"
FLOOR AREA: 729.03sqft (67.73m²)
TOTAL FLOOR AREA: 1398.56sqft (129.93m²)



PROPOSED SECOND FLOOR PLAN
SCALE 3/16" = 1' - 0"
STAIR OPENING: 59.5sqft (5.53m²)
FLOOR AREA: 669.53 (62.20m²)

PROJECT NORTH	TRUE NORTH

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8. LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR POOR CONSTRUCTION PRACTICES.

SEAL

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QUALIFICATION INFORMATION	
LEONARD ANGELICI	42391
NAME	BOB
REGISTRATION INFORMATION	
LEN ANGELICI DESIGN	124457
NAME	BOB
07/14/2025	SIGNATURE
DATE	

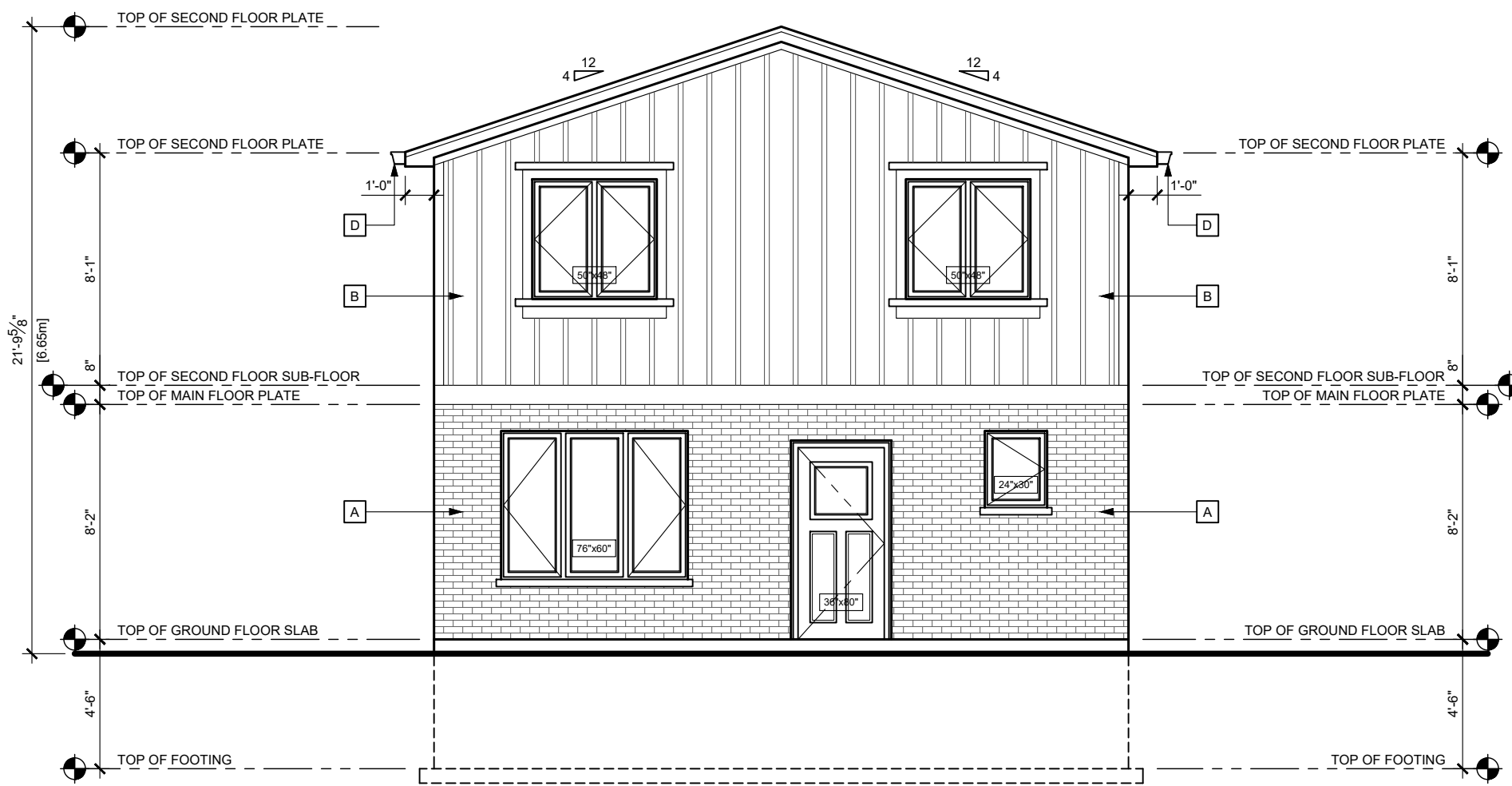
Len Angelici Design

270 SHERMAN AVE N. UNIT MILL-125
HAMILTON, ON L8L 6N4
(905) 393-8868
info@lenangelicdesign.ca

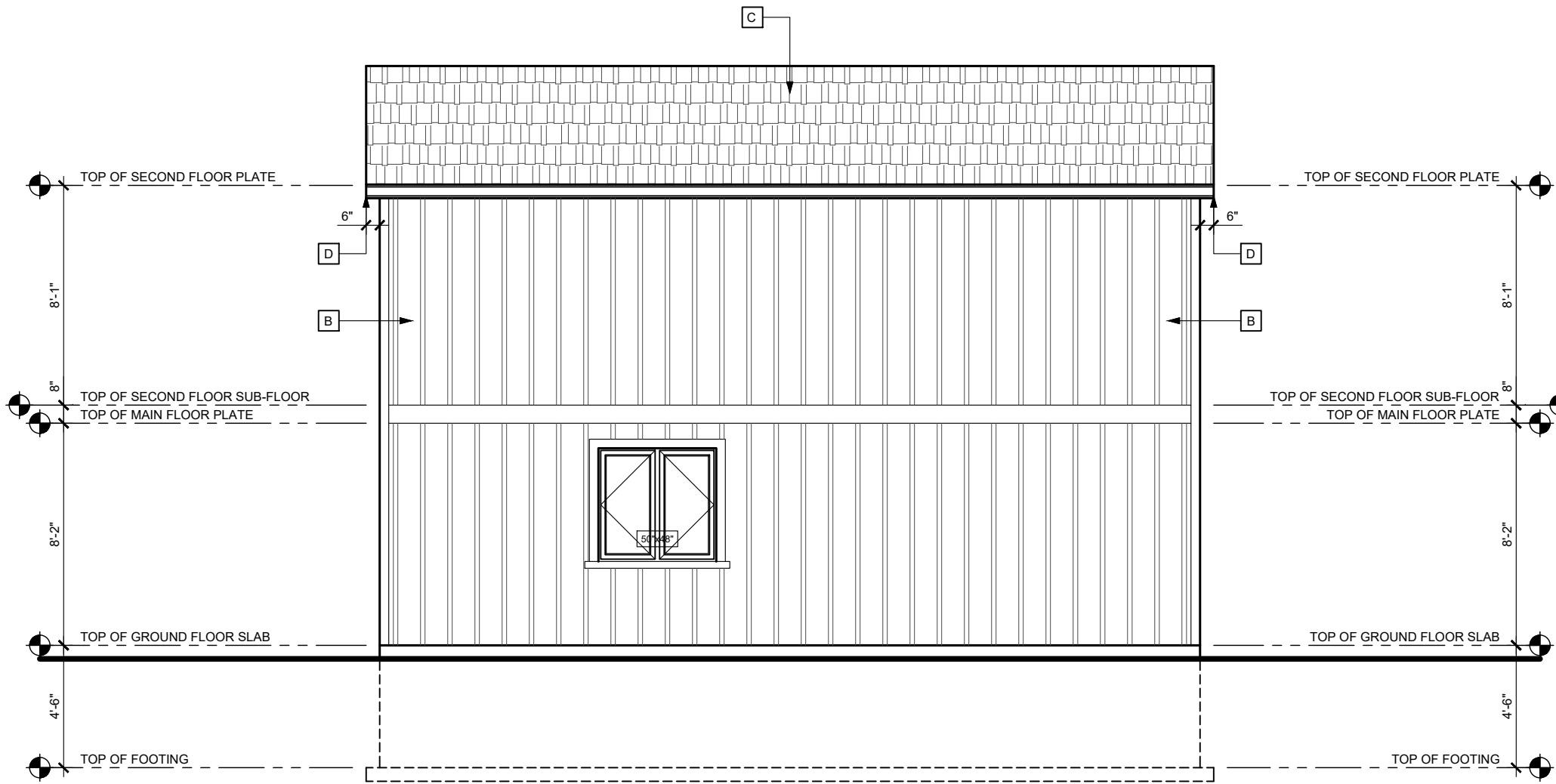
PROJECT

738 UPPER GAGE AVE
HAMILTON, ON

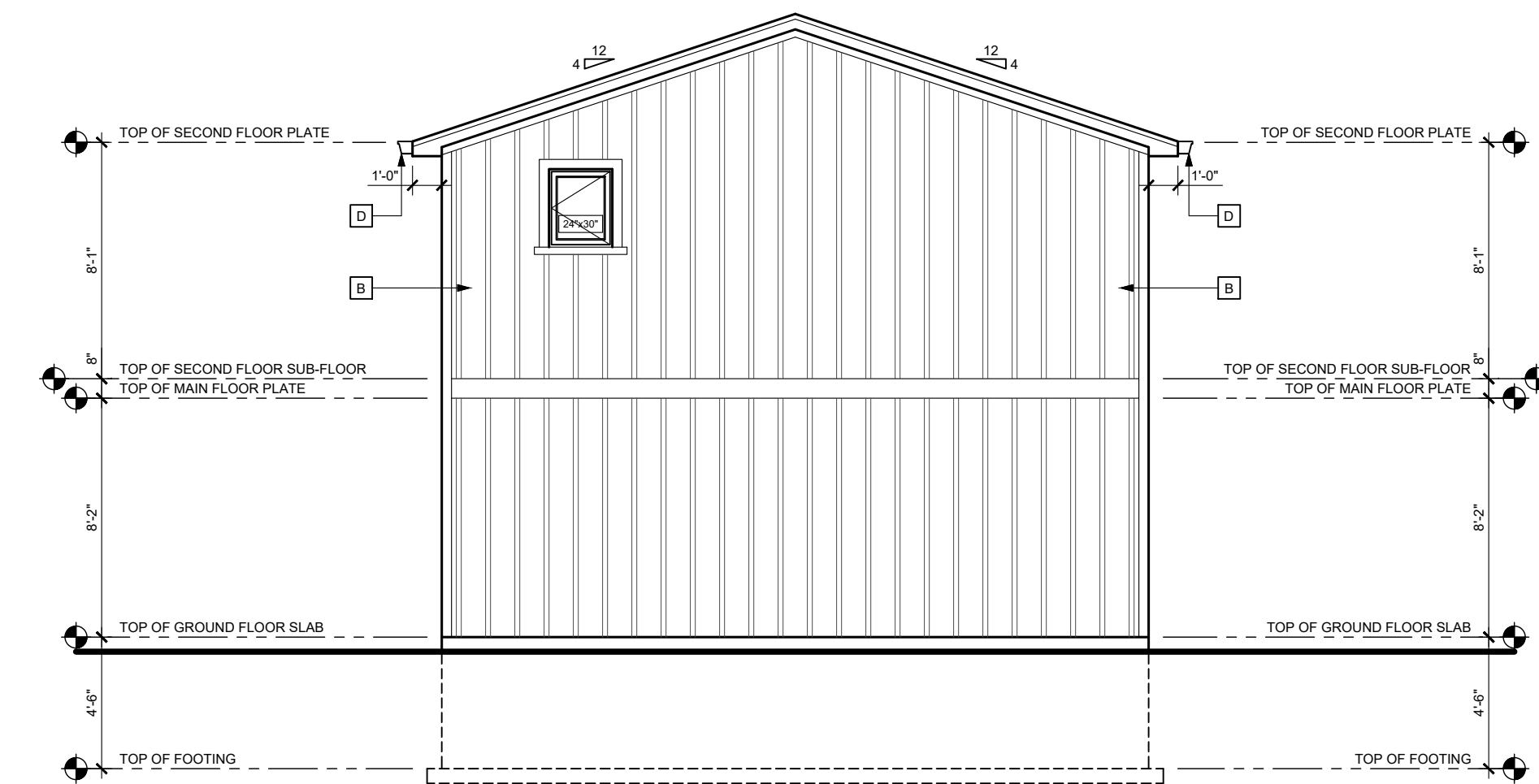
SHEET TITLE	
EXISTING & PROPOSED FLOOR PLANS	
DRAWN BY	A1
L. ANGELICI	
DATE	
07/14/2025	
SCALE	
3/16"=1'-0"	
PROJECT No.	
25019	



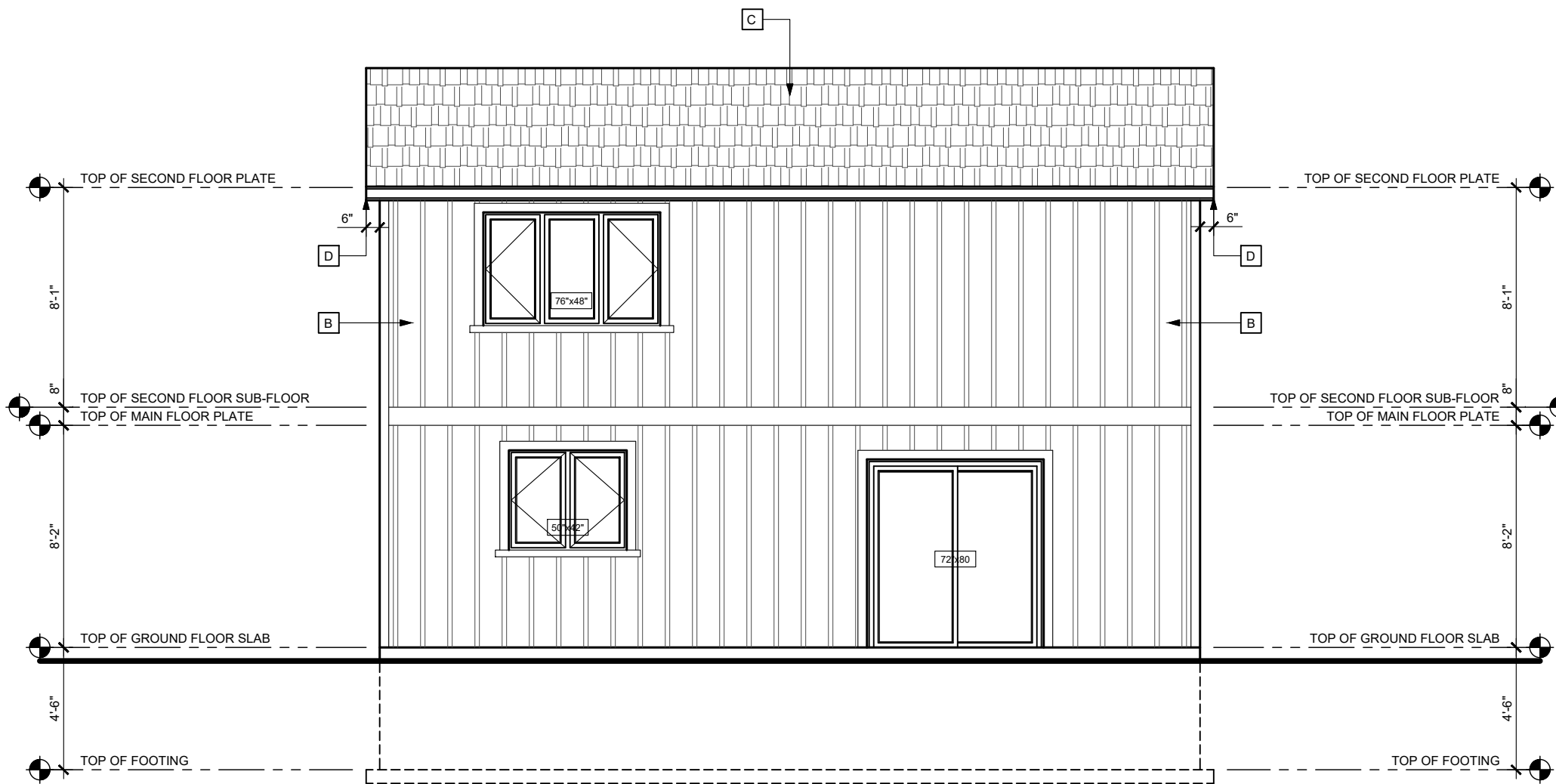
FRONT ELEVATION
SCALE $\frac{3}{16}" = 1' - 0"$



RIGHT SIDE ELEVATION
SCALE $\frac{3}{16}" = 1' - 0"$



REAR ELEVATION
SCALE $\frac{3}{16}" = 1' - 0"$



LEFT SIDE ELEVATION
SCALE $\frac{3}{16}" = 1' - 0"$

EXTERIOR FINISH INDEX

- [A] BRICK VENEER
[B] BOARD & BATTEN WOOD SIDING
[C] ASPHALT SHINGLES
[D] 5" PRE-FIN. ALUM. EAVETROUGH ON 8" WITH PRE-FIN. ALUM. FASCIA C/W PRE-FIN. ALUM. DOWNSPOUT

PROJECT NORTH	TRUE NORTH

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Len Angelici Design

270 SHERMAN AVE N. UNIT MILL-125
HAMILTON, ON L8L 6N4
(905) 393-8868
info@lenangelicidesign.ca

PROJECT
738 UPPER GAGE AVE
HAMILTON, ON

SHEET TITLE
ELEVATIONS

DRAWN BY L. ANGELICI	A2
DATE 07/14/2025	
SCALE $\frac{3}{16}" = 1' - 0"$	
PROJECT No. 25019	



Hamilton

Committee of Adjustment

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

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE/PERMISSION

UNDER SECTION 45 OF THE *PLANNING ACT*

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Registered Owners(s)	GREGORY WILLSON		
Applicant(s)	LEN ANGELCI		
Agent or Solicitor			Phone:
			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 be 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	738 UPPER GAGE AVE		
Assessment Roll Number			
Former Municipality			
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:

RELIEF FROM 4.33.2.d) MIN. 1.2m SIDE YARD SETBACK TO PROPOSED 1.02m

RELIEF FROM 4.33.2.h) MAX. HEIGHT OF 6m TO PROPOSED 6.65m

RELIEF FROM 4.33.2.i) MAX FLOOR AREA SHALL NOT EXCEED 75m² TO PROPOSED 129.93m²

RELIEF FROM 4.33.2.i)ii) MAX. GROUND FLOOR AREA OF 70% OF PRINCIPAL DWELLING TO PROPOSED 87.29%

☒ Second Dwelling Unit

☐ Reconstruction of Existing Dwelling

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

EXISTING DETACHED GARAGE TO BE CONVERTED INTO PROPOSED SECONDARY DWELLING UNIT - DETACHED INCLUDING A SECOND STOREY ADDITION WITH LOW PITCH ROOF THAT EXCEEDS THE MAX HEIGHT REQUIREMENT. THE EXISTING GARAGE DIMENSIONS EXCEED THE FLOOR AREA REQUIREMENTS AND DOES NOT COMPLY WITH THE REQUIRED SIDE YARD SETBACK

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
16.86m	40.57m	683.81m ²	N/A

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
DWELLING	10.09m	21.09m	4.75m, 3.84m	UNKNOWN
FRONT PORCH	8.87m	N/A	4.75m, 7.69m	UNKNOWN
REAR PORCH	N/A	17.98m	4.75m, 3.84m	UNKNOWN
DETACHED GARAGE	24.30m	8.90m	6.64m, 1.02m	UNKNOWN

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
DETACHED DWELLING UNIT	24.30m	8.90m	6.64m, 1.02m	FALL 2025

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
DWELLING	77.59m2	77.59m2	1	5.94m
DETACHED GARAGE	67.73m2	67.73m2	1	3.98m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
DETACHED DWELLING UNIT	67.73m2	129.93m2	2	6.65m

- 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 FAMILY DETACHED DWELLING UNIT, SECONDARY DWELLING UNIT -
DETACHED

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

SINGLE FAMILY DETACHED DWELLING UNIT

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

UNKNOWN

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

SINGLE FAMILY DETACHED DWELLING UNIT

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

SINGLE FAMILY DETACHED DWELLING UNIT

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

SINCE CONSTRUCTION

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) RESIDENTIAL 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? R1

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: 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
