

## **NOTICE OF PUBLIC HEARING** **Minor Variance**

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**You are receiving this notice because you are either:**

- Assessed owner of a property located within 60 metres of the subject property
  - Applicant/agent on file, or
  - Person likely to be interested in this application
- 

**APPLICATION NO.:** FL/A-20:160

**APPLICANTS:** Adam J. Clapham, owner

**SUBJECT PROPERTY:** Municipal address **2178 2<sup>nd</sup> Con. Rd. W., Flamborough**

**ZONING BY-LAW:** Zoning By-law 05-200, as Amended by By-law 15-173

**ZONING:** "A1" (Agriculture) district

**PROPOSAL:** To permit the construction of an accessory building/structure (garage) associated with an existing single detached dwelling, notwithstanding that:

1. Accessory buildings shall be permitted to be located within the front yard instead of the requirement no accessory buildings or structures shall be located within a front yard.
2. Two parking spaces shall be permitted in the required front yard within the proposed accessory building (garage), instead of the requirement that on a lot containing a single detached dwelling, semi-detached dwelling, or duplex dwelling in all zones, no parking spaces shall be permitted in a required front yard or required side yard, except as otherwise permitted for single detached, semi-detached or duplex dwellings.

**NOTE:**

1. Construction of the proposed accessory building/structure (garage) is subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setbacks and construction types.
2. Specific details regarding proposed parking spaces have not been provided to confirm compliance with Section 5. Further variances may be required if compliance with Section 5 cannot be achieved.
3. The zoning by-law permits a maximum height of 6.0 metres for an accessory building/structure. Based on the elevation drawing provided, a maximum height of 4.87 metres is proposed. The applicant shall ensure that the height of the building/structure has been measured from grade as defined in the zoning By-law; otherwise, additional variances may be required.
4. As per Section 4.8.2(c), a maximum lot coverage of 5 percent is permitted for an accessory building/structure. Further variance may be required if compliance with Section 4.8.2© cannot be achieved.

This application will be heard by the Committee as shown below:

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**DATE:** Thursday, September 10th, 2020

**TIME:** 2:40 p.m.

**PLACE:** Via video link or call in (see attached sheet for details)  
**To be streamed at [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)**  
**for viewing purposes only**

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## **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 or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

## **MORE INFORMATION**

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: August 25th, 2020.

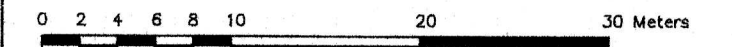
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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

***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.***

SITE PLAN OF  
**PART OF LOT 10  
 CONCESSION 1**  
 GEOGRAPHIC TOWNSHIP OF BEVERLY  
 IN THE  
**CITY OF HAMILTON**

SCALE: 1:400



EDWARD J. GRENKIE  
 ONTARIO LAND SURVEYOR  
 © COPYRIGHT 2012

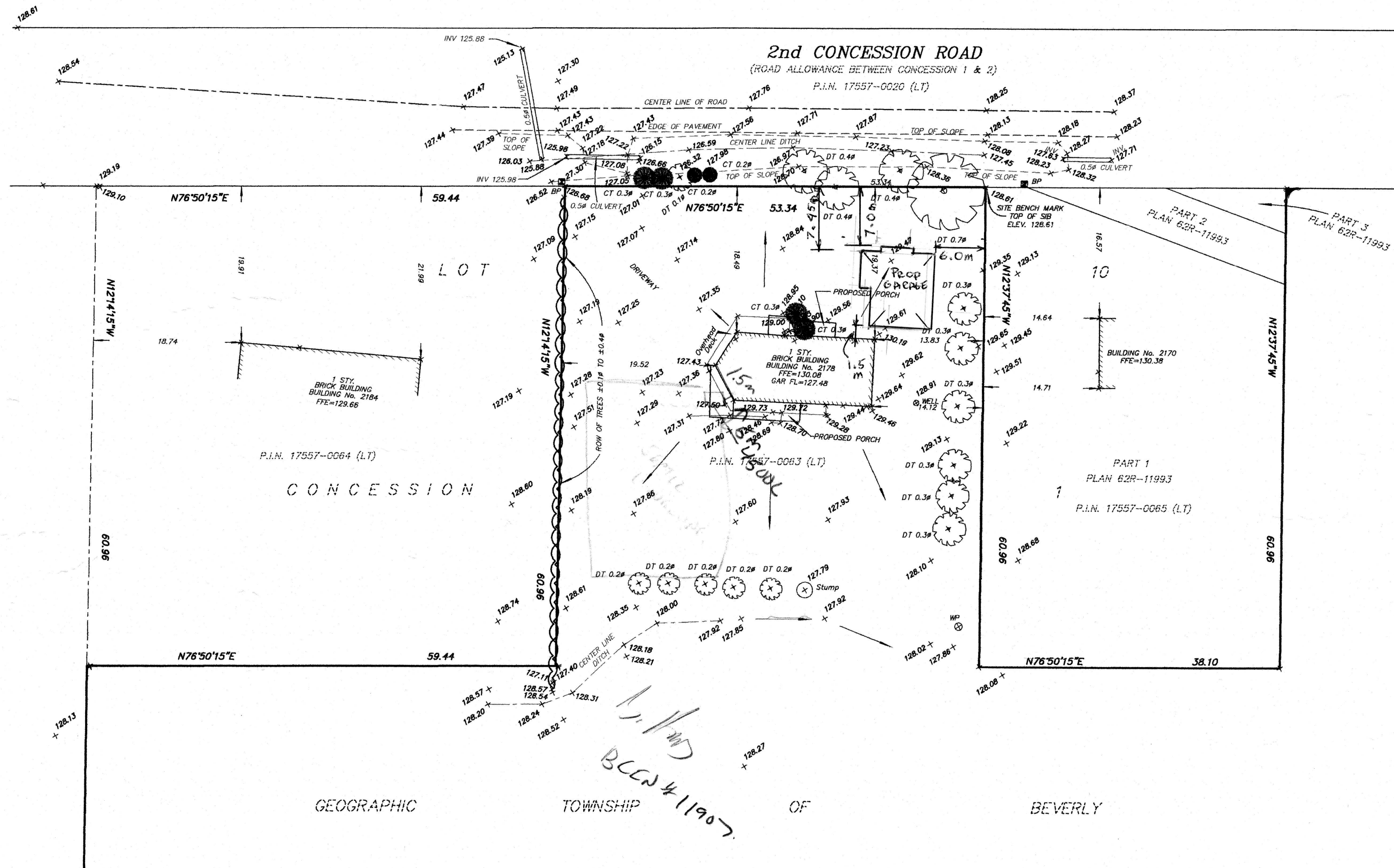
**LEGEND**

- T/W DENOTES TOP OF WALL
- ⊙ DENOTES SERVICE VALVE
- UP DENOTES UTILITY POLE
- ⊙ DENOTES DECIDUOUS TREE
- DENOTES CONIFEROUS TREE
- ⊗ BP DENOTES BELL PEDESTAL
- DENOTES DRAINAGE
- WP DENOTES WOOD POLE

**METRIC**  
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE  
 CONVERTED TO FEET BY DIVIDING BY 0.3048

**BEARING NOTE**  
 BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHERLY  
 OF 2nd CONCESSION ROAD AS SHOWN ON PLAN 62R-11993 HAVING A  
 BEARING OF N76°50'15"E.

**ELEVATION NOTE**  
 TOP OF STANDARD IRON BAR AT NORTHWEST  
 CORNER OF PART 1, PLAN 62R-11993  
 HAVING AN ASSUMED ELEVATION OF 129.61 METRES.



MARCH 2, 2012  
 DATE

*Edward J. Grenkie*  
 EDWARD J. GRENKIE, O.L.S.

NO	REVISION	DATE	APP
1	ADDED PROPOSED FRONT AND BACK PORCHES	9/04/12	
<b>Barich Grenkie</b> Surveying Ltd. 20 - 428 MILLER ROAD - STONEY CREEK, ON (905) 882-6787			DWN BY: J.B. CHK BY: EG JOB No. 12-1107










**SITE PLAN OF  
PART OF LOT 10  
CONCESSION 1**  
GEOGRAPHIC TOWNSHIP OF BEVERLY  
IN THE  
CITY OF HAMILTON

SCALE: 1:400  
0 2 4 6 8 10 20 30 Meters

EDWARD J. GRENKIE  
ONTARIO LAND SURVEYOR  
© COPYRIGHT 2012

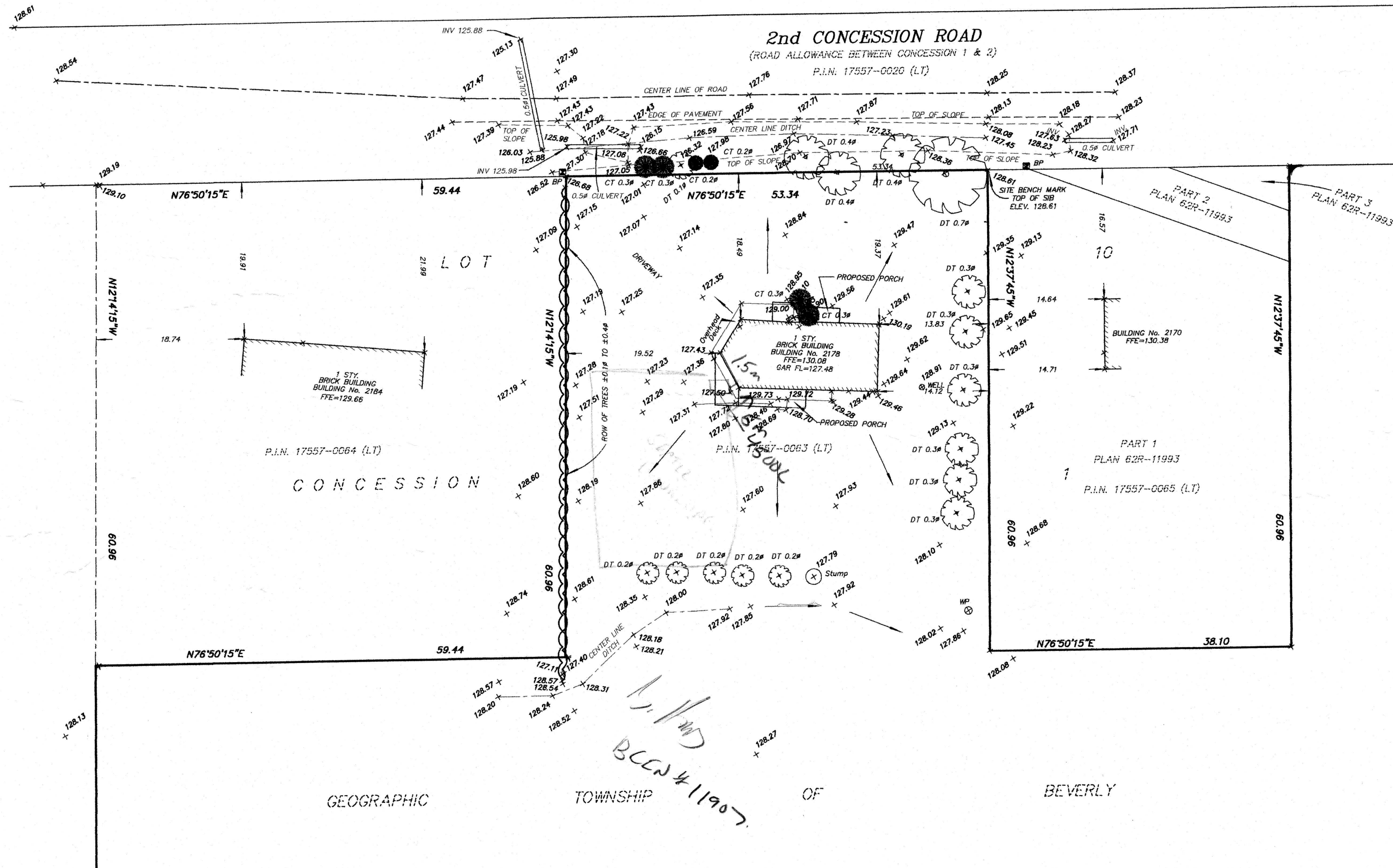
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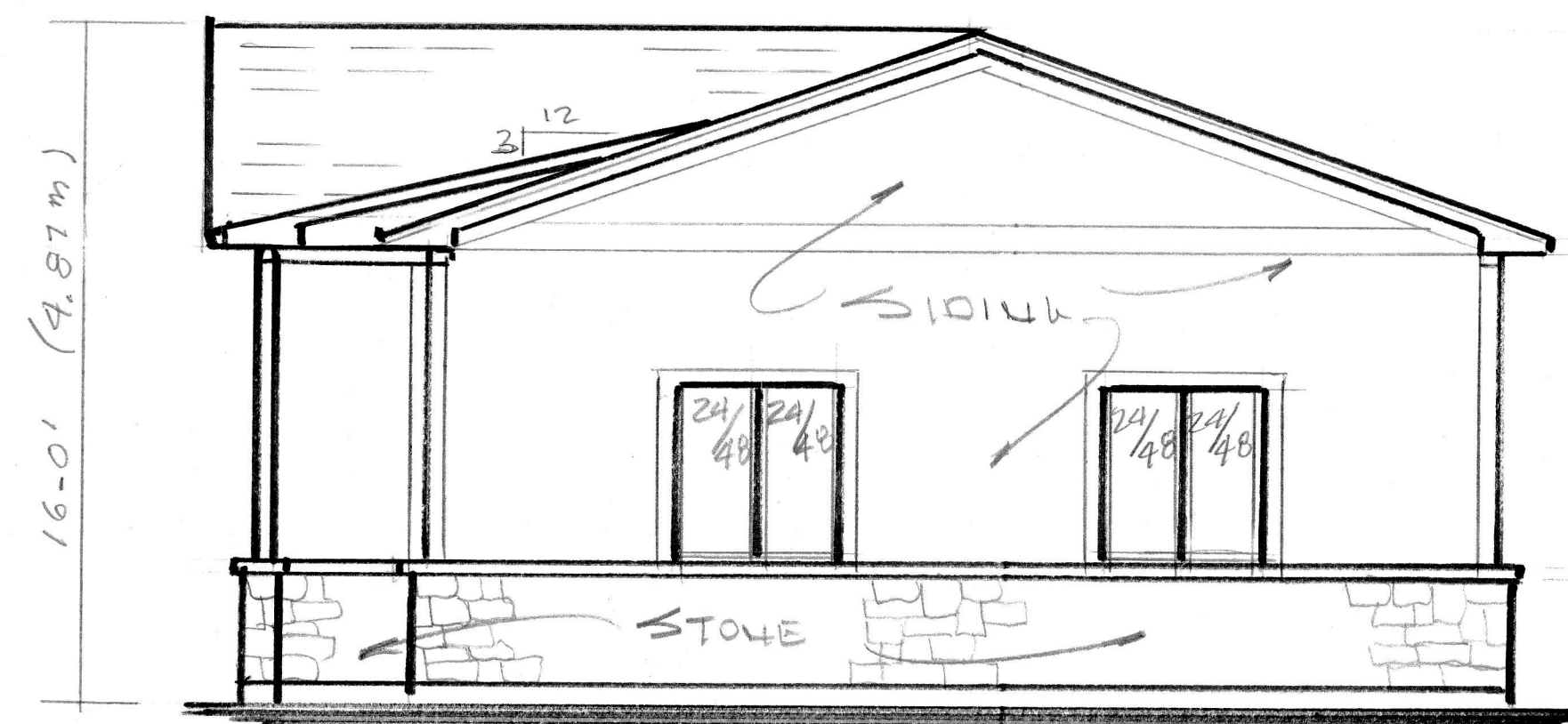


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NO	REVISION	DATE	APP
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<b>Barich Grenkie</b> <b>Surveying Ltd.</b> 20 - 423 MILLER ROAD - STONEY CREEK, ON (905) 882-6767			DWN BY: J.B. CHK BY: EG JOB No. 12-1107





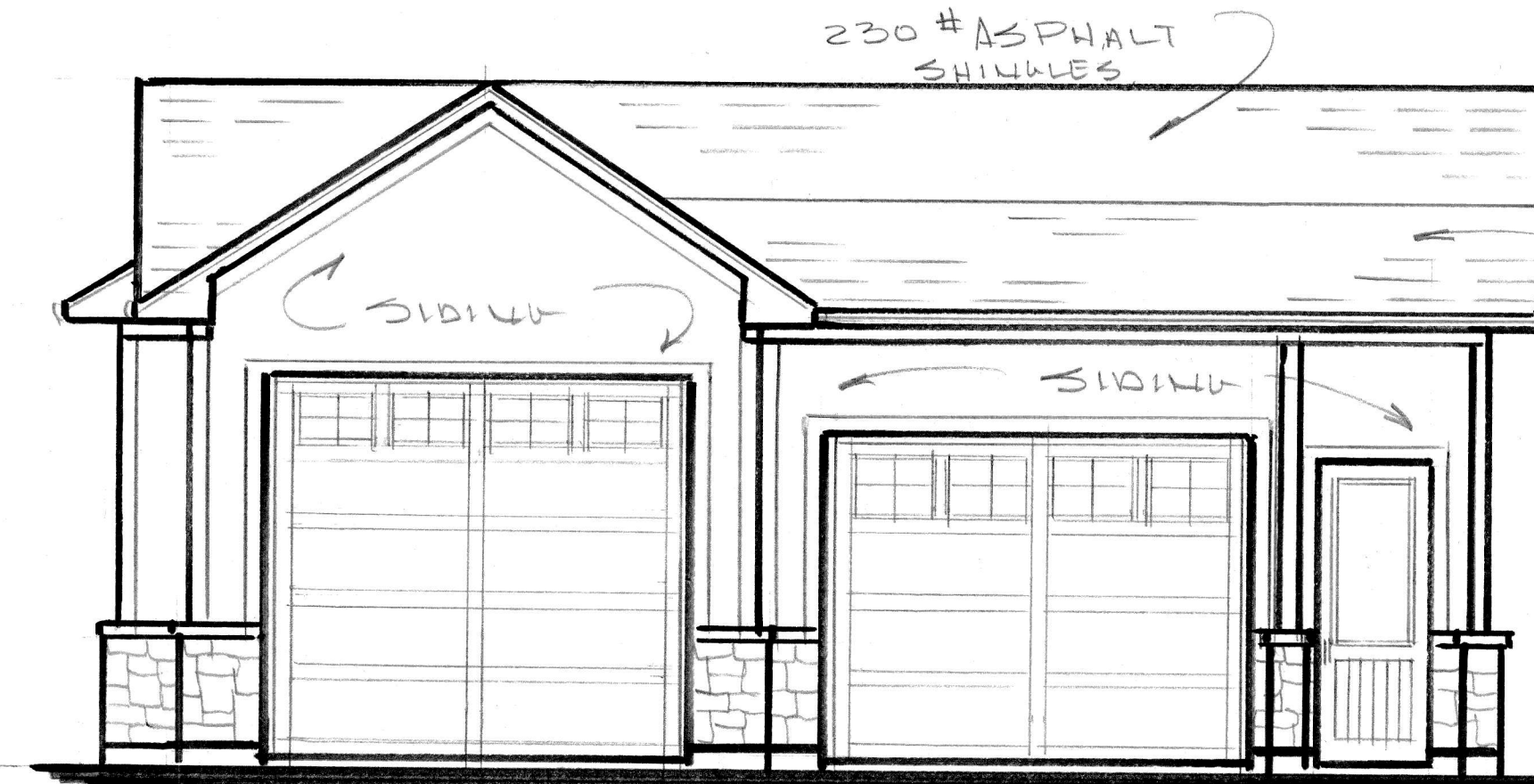
RIGHT SIDE ELEVATION



REAR ELEVATION



LEFT SIDE ELEVATION



FRONT ELEVATION

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.

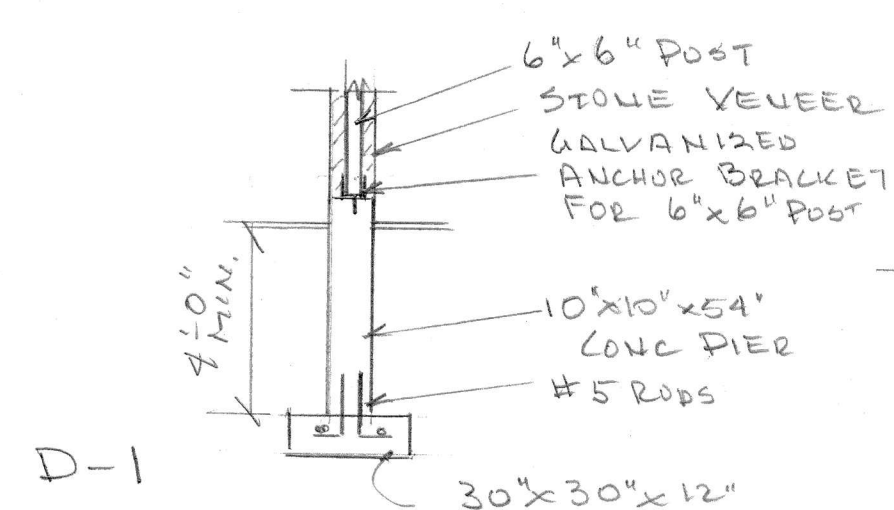
QUALIFICATION INFORMATION  
Required unless design is exempt under 3.2.4.1 of the building code.

J. CARNAHAN  
NAME SIGNATURE 27187 BCIN

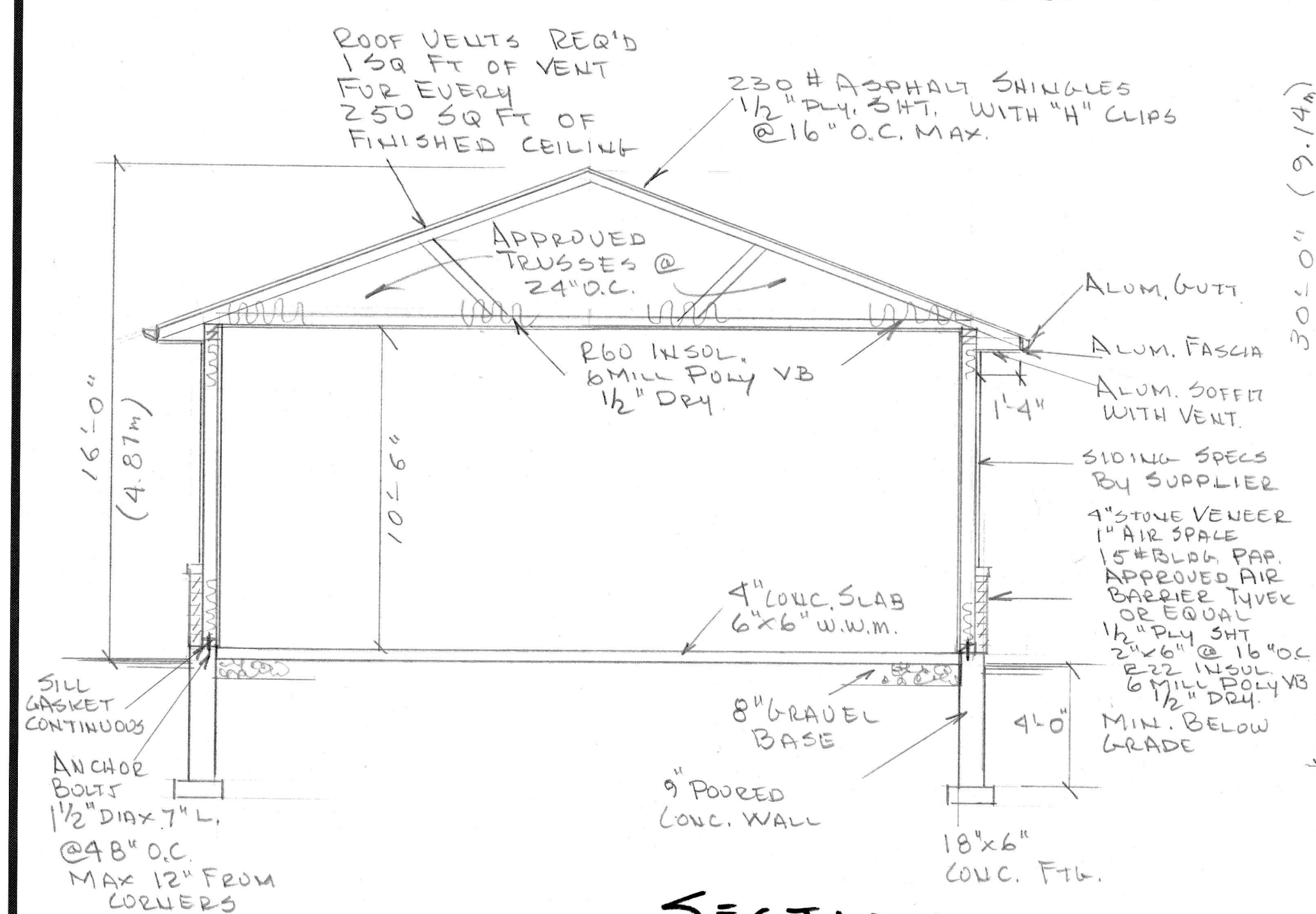
REGISTRATION INFORMATION  
Required unless design is exempt under 3.2.4.1 of the building code.

JOHN CARNAHAN  
FIRM NAME 32427 BCIN

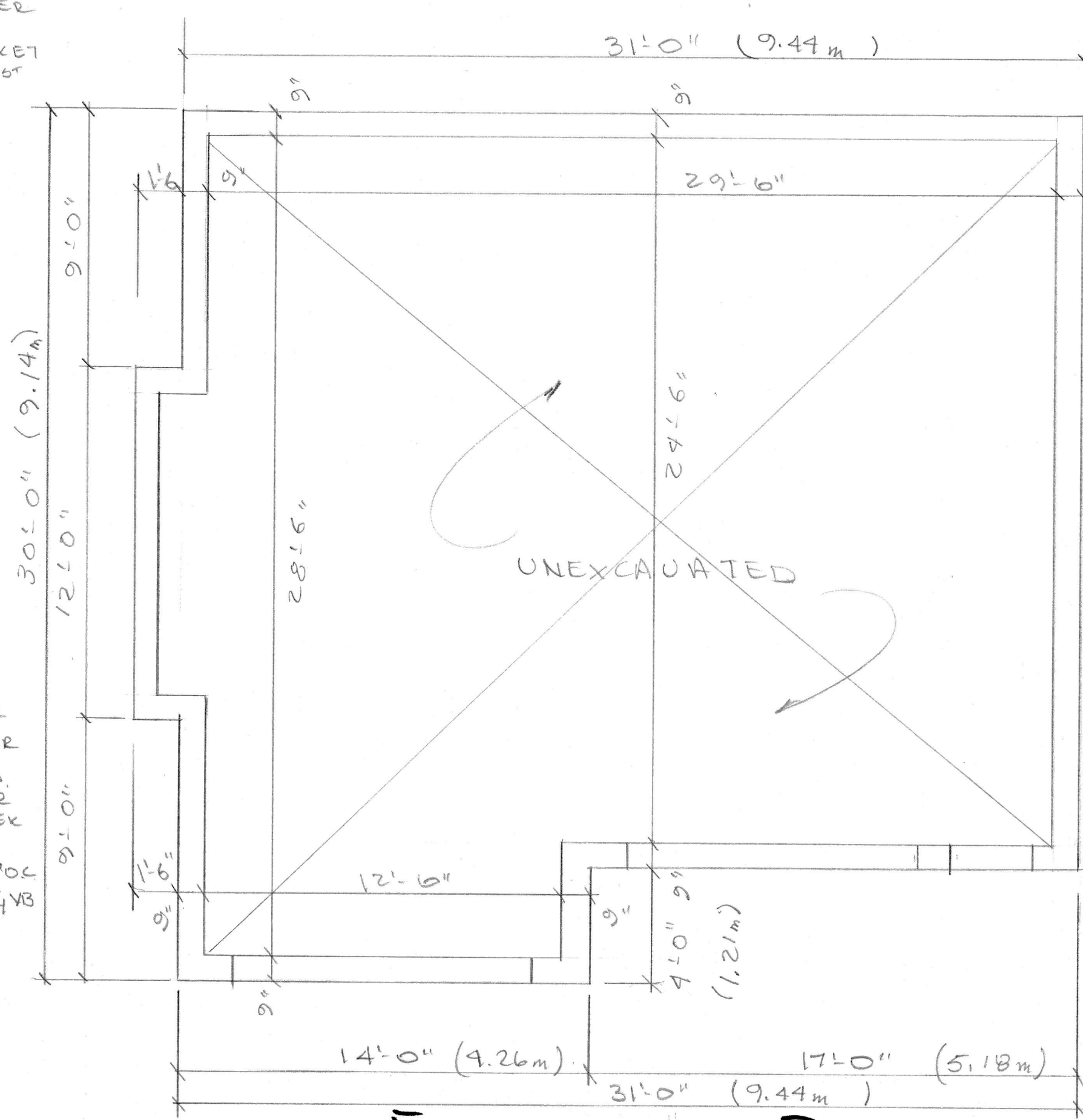
LOW  
SLOPE  
SHINGLE  
THIS ROOF  
ONLY



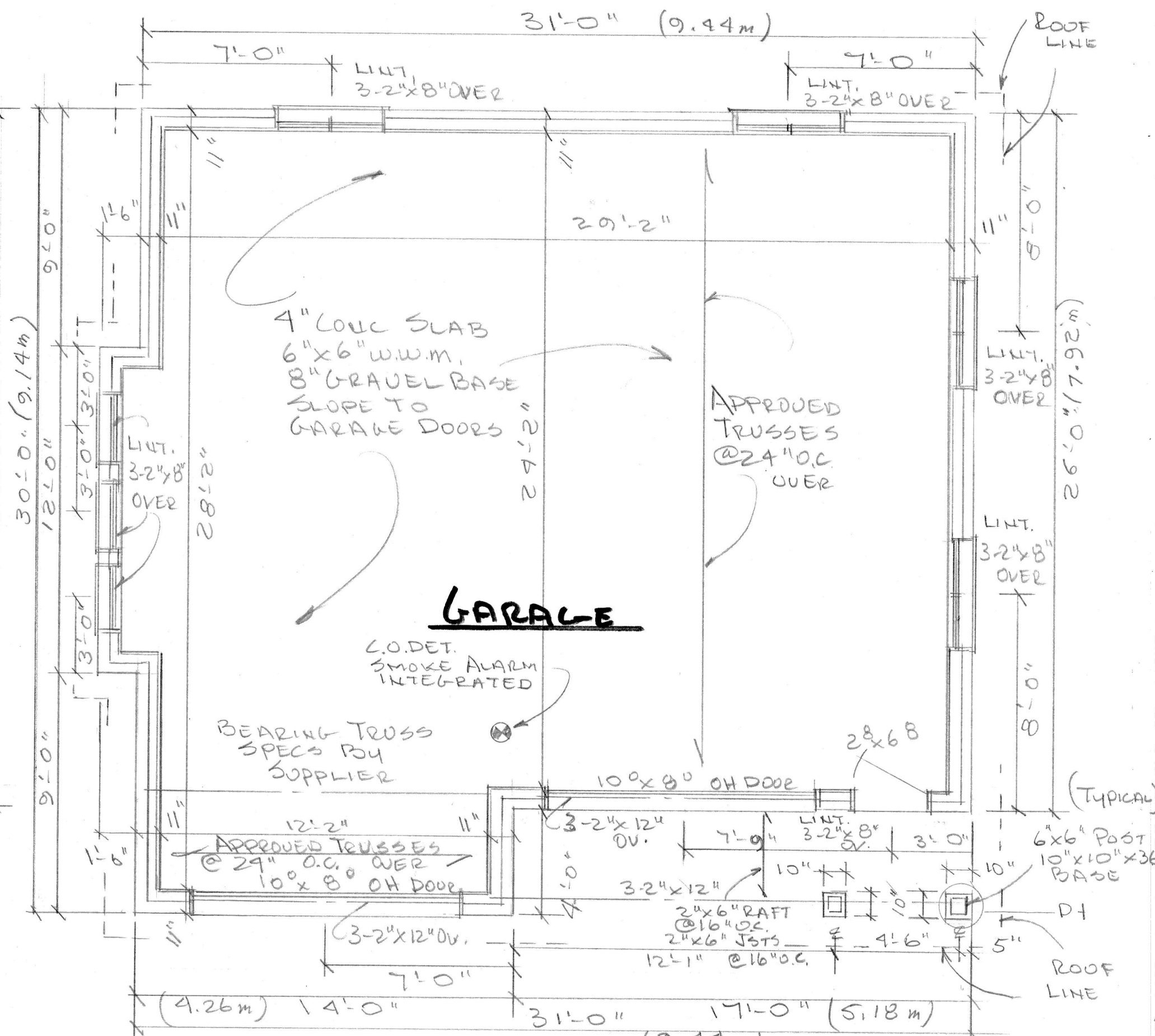
D-1



SECTION



FOUNDATION PLAN



MAIN PLAN

No.	Date	Description
REVISIONS		

CONTRACTOR WILL CHECK AND VERIFY ALL DIMENSIONS AND CHECK ALL JOB CONDITIONS ON THE JOB BEFORE PROCEEDING WITH THE WORK.

**PROPOSED GARAGE**

2ND CONCESSION RD  
NO - 2178

THESE PLANS ARE PROTECTED BY COPYRIGHT LAW.  
LAWFUL TO COPY OR REPRODUCE WITH OR WITHOUT MODIFICATIONS, ONLY BY INNOVATIVE DESIGN.

**Innovative design**

JOHN CARNAHAN  
24 Tamwood Court  
Stoney Creek, Ontario  
905-573-3224

SCALE 1/4" = 1'

DRAWN BY S

CHECKED BY 3

DATE MAY 24/20

DATE OF PRINT

A20-7

1





**Hamilton**

Planning and Economic Development Department  
Planning Division

**Committee of Adjustment**

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

Phone (905) 546-2424 ext.4221  
Fax (905) 546-4202

**PLEASE FILL OUT THE FOLLOWING PAGES AND  
RETURN TO THE CITY OF HAMILTON PLANNING  
DEPARTMENT.**

**FOR OFFICE USE ONLY.**

APPLICATION NO. \_\_\_\_\_ DATE APPLICATION RECEIVED \_\_\_\_\_

PAID \_\_\_\_\_ DATE APPLICATION DEEMED COMPLETE \_\_\_\_\_

SECRETARY'S  
SIGNATURE \_\_\_\_\_

**CITY OF HAMILTON  
COMMITTEE OF ADJUSTMENT  
HAMILTON, ONTARIO**

***The Planning Act***

**Application for Minor Variance or for Permission**

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

1. Name of Owner ADAM CLAPHAM Telephone No. \_\_\_\_\_  
[Redacted]
2. [Redacted]
3. Name of Agent N-A Telephone No. \_\_\_\_\_  
FAX NO. \_\_\_\_\_ E-mail address. \_\_\_\_\_
4. Address \_\_\_\_\_  
\_\_\_\_\_ Postal Code \_\_\_\_\_

**Note:** Unless otherwise requested all communications will be sent to the agent, if any.

5. Names and addresses of any mortgagees, holders of charges or other encumbrances:  
HAMILIFE BANK OF CANADA C/O HAMILIFE ONE  
500 KING ST. NORTH WATERLOO ON Postal Code N2J 4C6  
\_\_\_\_\_  
\_\_\_\_\_ Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:

ACCESSORY BUILDING IN FRONT YARD.

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

THE SEPTIC TIE BED IS LOCATED ON EDGE OF DRIVEWAY (SHOWN ON SITE PLAN)

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):

2178 CONCESSION 2 RD. W.

CON 1 PT LOT 10 BEV FLH

9. PREVIOUS USE OF PROPERTY

Residential ☒ Industrial ☐ Commercial ☐

Agricultural ☐ Vacant ☐

Other ☐

- 9.1 If Industrial or Commercial, specify use

- 9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes ☐ No ☒ Unknown ☐

- 9.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes ☐ No ☒ Unknown ☐

- 9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes ☐ No ☒ Unknown ☐

- 9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes ☐ No ☒ Unknown ☐

- 9.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?

Yes ☐ No ☒ Unknown ☐

- 9.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes ☐ No ☒ Unknown ☐

- 9.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?

Yes ☐ No ☒ Unknown ☐

- 9.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?

Yes ☐ No ☒ Unknown ☐



9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes ☐ No ☒ Unknown ☐

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?

PROPERTY HAS BEEN FAMILY OWNED SINCE 1970'S

9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes ☐ No ☒

#### ACKNOWLEDGEMENT CLAUSE

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

AUG 10 2020  
Date

  
Signature Property Owner

ADAM CLAPHAM  
Print Name of Owner

10. Dimensions of lands affected:

Frontage 53.34 M  
Depth APPROX 813. M  
Area APPROX 85 ACRES  
Width of street 6 M

11. Particulars of all buildings and structures on or proposed for the subject lands:  
(Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: AREA = 20.4 M x 8.5 M TOTAL 173.4 M  
SINGLE STORY HEIGHT IS 4.87 M  
BUNGALO WALKOUT STYLE 3 BEDROOM HOME

Proposed: TWO CAR GARAGE  
9.89 M x 9.14 M TOTAL 90.39 M  
HEIGHT = 4.87 M

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

Existing: 19.52 M EDGE OF HOUSE TO WEST PROPERTY LINE  
13.83 M EDGE OF HOUSE TO EAST PROPERTY LINE  
18.49 M EDGE OF HOUSE TO NORTH PROPERTY LINE  
APPROX 785 M EDGE OF HOUSE TO SOUTH PROPERTY LINE  
Proposed: GARAGE APPROX 40 M TO WEST PROP LINE  
GREATER THAN >500 M TO SOUTH PROP LINE  
6 M TO NORTH PROPERTY LINE  
4 M TO EAST PROPERTY LINE

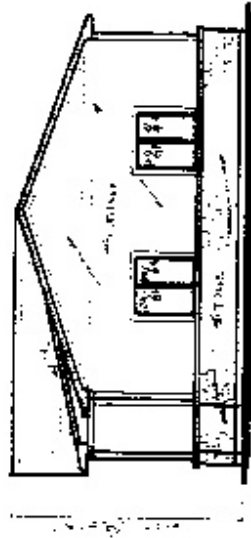
- NOTE:** It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

APPROX  
LOCATION OF  
PROPOSED  
GARAGE

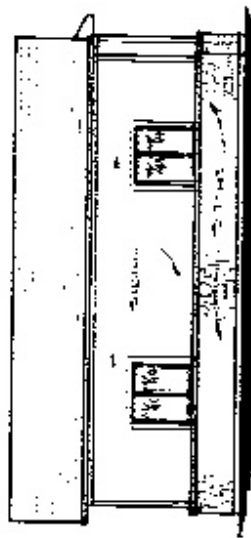




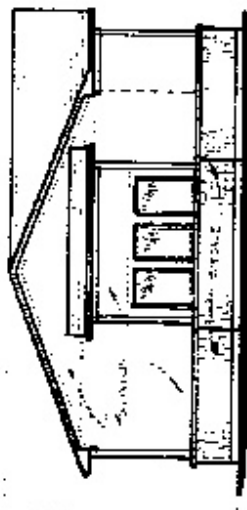




RIGHT SIDE ELEVATION



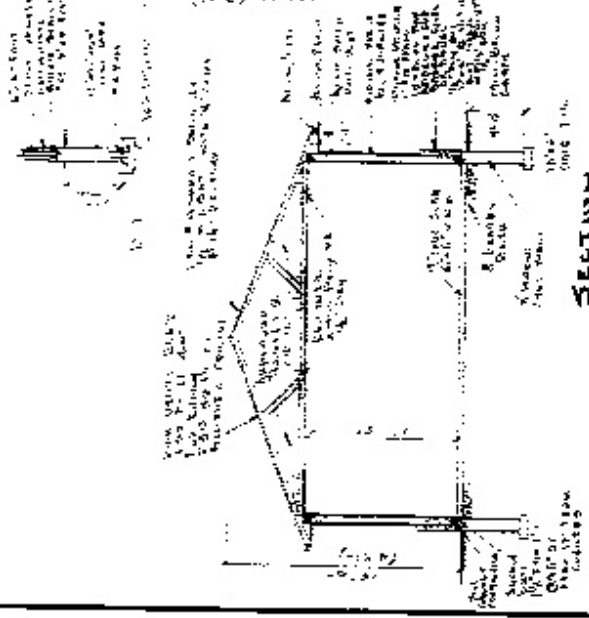
REAR ELEVATION



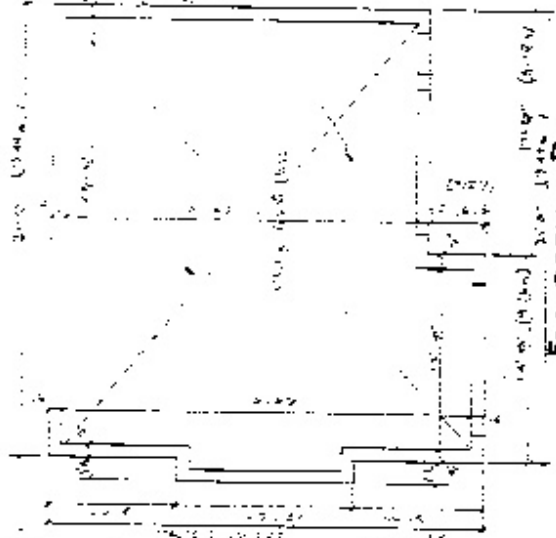
LEFT SIDE ELEVATION



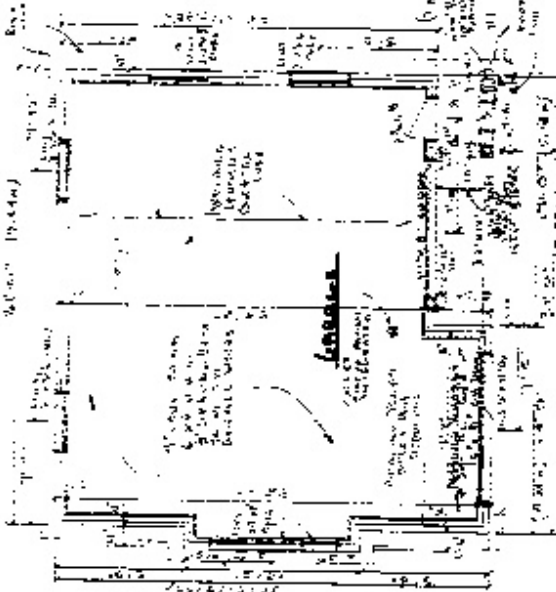
FRONT ELEVATION



SECTION



FOUNDATION PLAN



FLOOR PLAN

THIS DRAWING IS THE PROPERTY OF THE ARCHITECT AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT HIS WRITTEN CONSENT.

NO.	DATE	REVISION
1	10/1/50	FINAL

ARCHITECT  
J. H. HARRIS  
1000 14th Street, N.W.  
Washington, D.C.

THIS PLAN AND SPECIFICATIONS ARE PREPARED BY THE ARCHITECT AND ARE NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT HIS WRITTEN CONSENT.

ARCHITECT  
J. H. HARRIS  
1000 14th Street, N.W.  
Washington, D.C.

NO. 10-7  
1