

## **AMENDED 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-20:260

**APPLICANTS:** Agent Carrothers & Assoc.  
Owners N. Coffey & A. Burkett

**SUBJECT PROPERTY:** Municipal address **143 Rockcliffe Rd., Flamborough**

**ZONING BY-LAW:** Zoning By-law Flamborough 90-145-Z, as Amended

**ZONING:** R1-6district Urban Residential (Single Detached) Zone

**PROPOSAL:** To permit the construction of a new 2 storey single detached dwelling notwithstanding that;

1. A maximum floor space of 406.2 m<sup>2</sup> shall be permitted instead of the maximum floor space required of 372.0 m<sup>2</sup>.

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

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**DATE:** Thursday, January 21<sup>st</sup>, 2021

**TIME:** 1:15 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.

***Important note:*** *If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent does not make written submission to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal (LPAT) may dismiss the appeal.*

## **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: January 5<sup>th</sup>, 2021.

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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.***

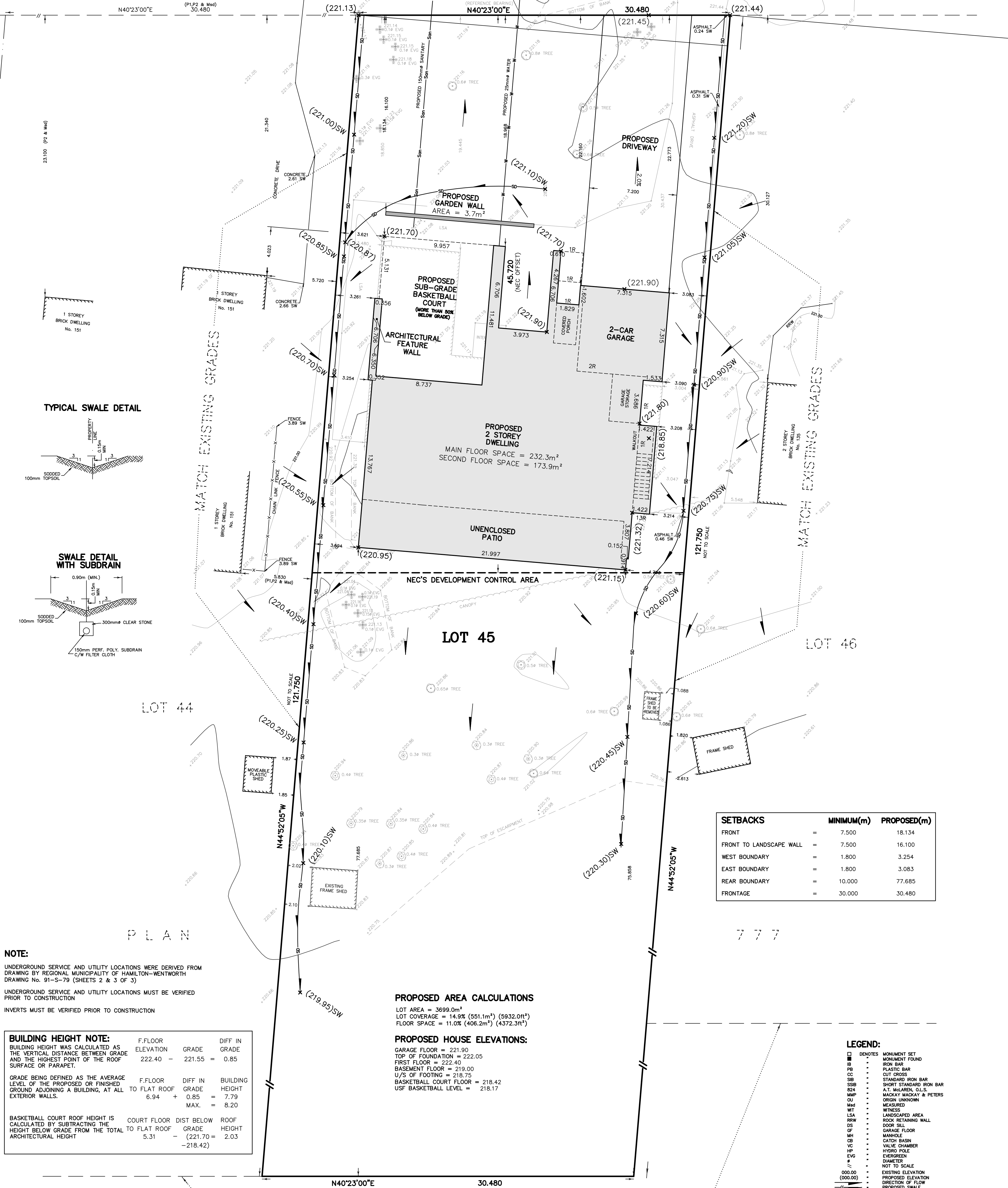
SITE AND GRADING PLAN  
OF PART OF  
LOT 45  
REGISTERED PLAN 777  
IN THE  
CITY OF HAMILTON

SCALE 1:150 METRIC

S.D. McLAREN, O.L.S. - 2020

SITE BENCH  
MARK  
CONCRETE PIN  
ELEV. 221.51

ROCKCLIFFE ROAD  
(BY PLAN 777)



**NOTE:**  
UNDERGROUND SERVICE AND UTILITY LOCATIONS WERE DERIVED FROM  
DRAWING BY REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH  
DRAWING No. 91-S-79 (SHEETS 2 & 3 OF 3)  
UNDERGROUND SERVICE AND UTILITY LOCATIONS MUST BE VERIFIED  
PRIOR TO CONSTRUCTION  
INVERTS MUST BE VERIFIED PRIOR TO CONSTRUCTION

| BUILDING HEIGHT NOTE:                                                                                                                |             |            |                            |
|--------------------------------------------------------------------------------------------------------------------------------------|-------------|------------|----------------------------|
| BUILDING HEIGHT WAS CALCULATED AS<br>THE VERTICAL DISTANCE BETWEEN GRADE<br>AND THE HIGHEST POINT OF THE ROOF<br>SURFACE OR PARAPET. | F.FLOOR     | DIFF IN    |                            |
|                                                                                                                                      | ELEVATION   | GRADE      | GRADE                      |
|                                                                                                                                      | 222.40      | -          | 221.55 = 0.85              |
| GRADE BEING DEFINED AS THE AVERAGE<br>LEVEL OF THE PROPOSED OR FINISHED<br>GROUND ADJOINING A BUILDING, AT ALL<br>EXTERIOR WALLS.    | F.FLOOR     | DIFF IN    |                            |
|                                                                                                                                      | GRADE       | GRADE      | BUILDING                   |
|                                                                                                                                      | 6.94        | + 0.85     | = 7.79                     |
| BASKETBALL COURT ROOF HEIGHT IS<br>CALCULATED BY SUBTRACTING THE<br>HEIGHT BELOW GRADE FROM THE TOTAL<br>ARCHITECTURAL HEIGHT        | COURT FLOOR | DIST BELOW | ROOF                       |
|                                                                                                                                      | GRADE       | GRADE      | HEIGHT                     |
|                                                                                                                                      | 5.31        | -          | (221.70 = 2.03<br>-218.42) |

PROPOSED AREA CALCULATIONS

LOT AREA = 3699.0m<sup>2</sup>  
LOT COVERAGE = 14.9% (551.1m<sup>2</sup>) (5932.0ft<sup>2</sup>)  
FLOOR SPACE = 11.0% (406.2m<sup>2</sup>) (4372.3ft<sup>2</sup>)

PROPOSED HOUSE ELEVATIONS:

GARAGE FLOOR = 221.90  
TOP OF FOUNDATION = 222.05  
FIRST FLOOR = 222.40  
BASEMENT FLOOR = 219.00  
U/S OF FOOTING = 218.75  
BASKETBALL COURT FLOOR = 218.42  
USF BASKETBALL LEVEL = 218.17

LEGEND:

- DENOTES MONUMENT SET
- IB MONUMENT FOUND
- IB PLASTIC BAR
- CC CUT CROSS
- SB STANDARD IRON BAR
- SB SHORT STANDARD IRON BAR
- 624 A.T. McLAREN, O.L.S.
- IMP MACKAY MACKAY & PETERS
- OU ORIGIN UNKNOWN
- Med MEASURED
- WT WITNESS
- LSA LANDSCAPED AREA
- RRW ROCK RETAINING WALL
- DS DOOR SILL
- OF GARAGE FLOOR
- MH MANHOLE
- CB CATCH BASIN
- VC VALVE CHAMBER
- HP HYDRO POLE
- EVO EVERGREEN
- Ø DIAMETER
- NOT TO SCALE
- 000.00 EXISTING ELEVATION
- 000.00 PROPOSED ELEVATION
- DIRECTION OF FLOW
- SD PROPOSED SWALE
- SD PROPOSED SWALE WITH SUBDRAIN
- ↑ RISER
- REVISED DIMENSION
- ROOFWATER LEADER

BENCHMARK:

MONUMENT 001975U101

BRIDGE OVER CREEK ALONG CENTRE  
ROAD, 3.2 KM NORTHWEST OF  
INTERSECTION WITH HIGHWAY NO. 5, 0.5  
KM NORTHWEST OF EAST FLAMBOROUGH  
CONCESSION ROAD V, TABLET IN  
NORTHEAST FACE OF NORTHWEST  
CONCRETE ABUTMENT, 57 CM FROM  
NORTH CORNER OF BRIDGE, 1.2 M BELOW  
TOP OF CORNER POST.

ELEVATION: 249.132 metres CGVD-1928:1978

PART 1, PLAN 62R-3933  
LOT 10 CONCESSION 3

METRIC NOTE:

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 SOUTHEASTLY LIMIT  
OF ROCKCLIFFE ROAD AS SHOWN ON PLAN  
777 AS BEING N40°23'00"E

NOVEMBER 11, 2020  
DATE

S. DAN McLAREN, O.L.S.

|     |                              |                  |    |
|-----|------------------------------|------------------|----|
| 2   | REVISE PER CLIENT'S COMMENTS | NOVEMBER 4, 2020 | JM |
| 1   | REVISE PER CLIENT'S COMMENTS | AUGUST 23, 2020  | JM |
|     | INITIAL DRAWING              | JULY 23, 2020    | JM |
| No. | DESCRIPTION                  | DATE             | BY |

REVISIONS

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REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN  
PART WITHOUT THE WRITTEN PERMISSION OF S.D. McLAREN, O.L.S.

A.T. McLaren Limited  
LEGAL AND ENGINEERING SURVEYS  
69 JOHN STREET SOUTH, SUITE 230  
HAMILTON, ONTARIO, L8N 2B9  
PHONE (905) 527-8559 FAX (905) 527-0032

Drawn JM Checked KB/SDM Scale 1:150 Dwg No. 36247-S

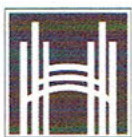




FRONT ELEVATION RENDERING

NOVEMBER, 2020





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 NAMH COFFEY  
ANDREW BURKETT Telephone No. \_\_\_\_\_

FAX NO. \_\_\_\_\_ E-mail address. \_\_\_\_\_

2. Address \_\_\_\_\_  
\_\_\_\_\_ Postal Code \_\_\_\_\_

3. Name of Agent DAVID CARROTHERS (CARROTHERS & ASSOC.) 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:

\_\_\_\_\_  
\_\_\_\_\_ Postal Code \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_ Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:

FLOOR SPACE OF 406.2 m<sup>2</sup> IN LIEU OF 372 m<sup>2</sup>

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

ADDITIONAL SQUARE FOOTAGE IS REQUIRED DUE TO DESIGN

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

PART OF LOT 45, REGISTERED PLAN 777

143 ROCKCLIFFE ROAD, WATERDOWN, L9H 7H3

9. PREVIOUS USE OF PROPERTY

Residential ☒ Industrial ☐ Commercial ☐

Agricultural ☐ Vacant ☐

Other

9.1 If Industrial or Commercial, specify use

N/A

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?

OWNER INFORMATION  
\_\_\_\_\_  
\_\_\_\_\_

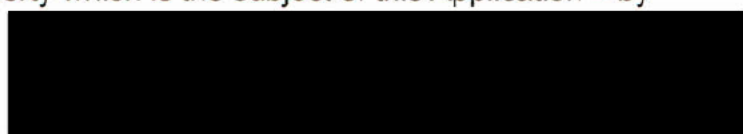
9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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.

OCTOBER 09/2020  
Date



Andrew Burckett NIAH COFFEY  
Print Name of Owner

10. Dimensions of lands affected:

|                 |                            |
|-----------------|----------------------------|
| Frontage        | <u>30.48m</u>              |
| Depth           | <u>121.75m</u>             |
| Area            | <u>3699.1m<sup>2</sup></u> |
| Width of street | <u>UNKNOWN</u>             |

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: EXISTING 1 STOREY HOME:  
EXISTING FOOTPRINT: 258.4m<sup>2</sup>, WIDTH 23.94m, LENGTH 21.41m, 1 STOREY  
\_\_\_\_\_  
\_\_\_\_\_

Proposed: NEW 2 STOREY CUSTOM HOME:  
GROUND FLOOR AREA 232.1m<sup>2</sup>, GFA 406.2m<sup>2</sup>, 2 STORES, HEIGHT 7.79m  
WIDTH 23.57m, LENGTH 18.98m, 2 STOREYS  
\_\_\_\_\_  
\_\_\_\_\_

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

Existing: \_\_\_\_\_  
FRONT YARD: 18.85m, REAR YARD: 79.75m, RIGHT: 3.41m, LEFT: 3.0m  
\_\_\_\_\_  
\_\_\_\_\_

Proposed:

FRONT YARD: 18.13m, REAR YARD: 77.7m, RIGHT: 3.25m, LEFT: 3.08m

13. Date of acquisition of subject lands:

June 20 / 2019

14. Date of construction of all buildings and structures on subject lands:

1950's

15. Existing uses of the subject property: RESIDENTIAL SINGLE FAMILY DWELLING

16. Existing uses of abutting properties: RESIDENTIAL SINGLE FAMILY DWELLING

17. Length of time the existing uses of the subject property have continued:

SEVENTY YEARS +/-

18. Municipal services available: (check the appropriate space or spaces)

Water ☒ Connected ☐  
Sanitary Sewer ☒ Connected ☐  
Storm Sewers ☒

19. Present Official Plan/Secondary Plan provisions applying to the land:

N/A

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:

R1-6

21. Has the owner previously applied for relief in respect of the subject property?

Yes

(No)

If the answer is yes, describe briefly.

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

Yes

(No)

23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

**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