



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, 3935 Fax (905) 546-4202  
E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

# 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-21:14

**APPLICANTS:** Christopher Zegray, owner

**SUBJECT PROPERTY:** Municipal address **1256 Old Hwy 8., Flamborough**

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

**ZONING:** "S2" (Settlement Commercial) district

**PROPOSAL:** To permit the expansion of the existing legally established non-conforming three (3) family dwelling through the construction of a new 53.1m<sup>2</sup> accessory building (shed) in the rear yard notwithstanding that:

1. A side yard setback of 0.6m shall be provided instead of the minimum required side yard setback of 3.0m for accessory structures.
2. A height of 3.1m shall be provided from grade to the underside of the fascia eaves, overhang, or the lower ends of the roof joists, rafters or trusses instead of the maximum permitted height of 3.0m.

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

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**DATE:** Thursday, February 18th, 2021

**TIME:** 2:20 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:

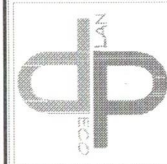
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: February 2nd, 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.***



DECOPLAN INC.  
542 FOUNTAIN ST. 9,  
CAMBRIDGE, ON,  
OFFICE: 416-834-9226

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 design the work shown on the attached documents.

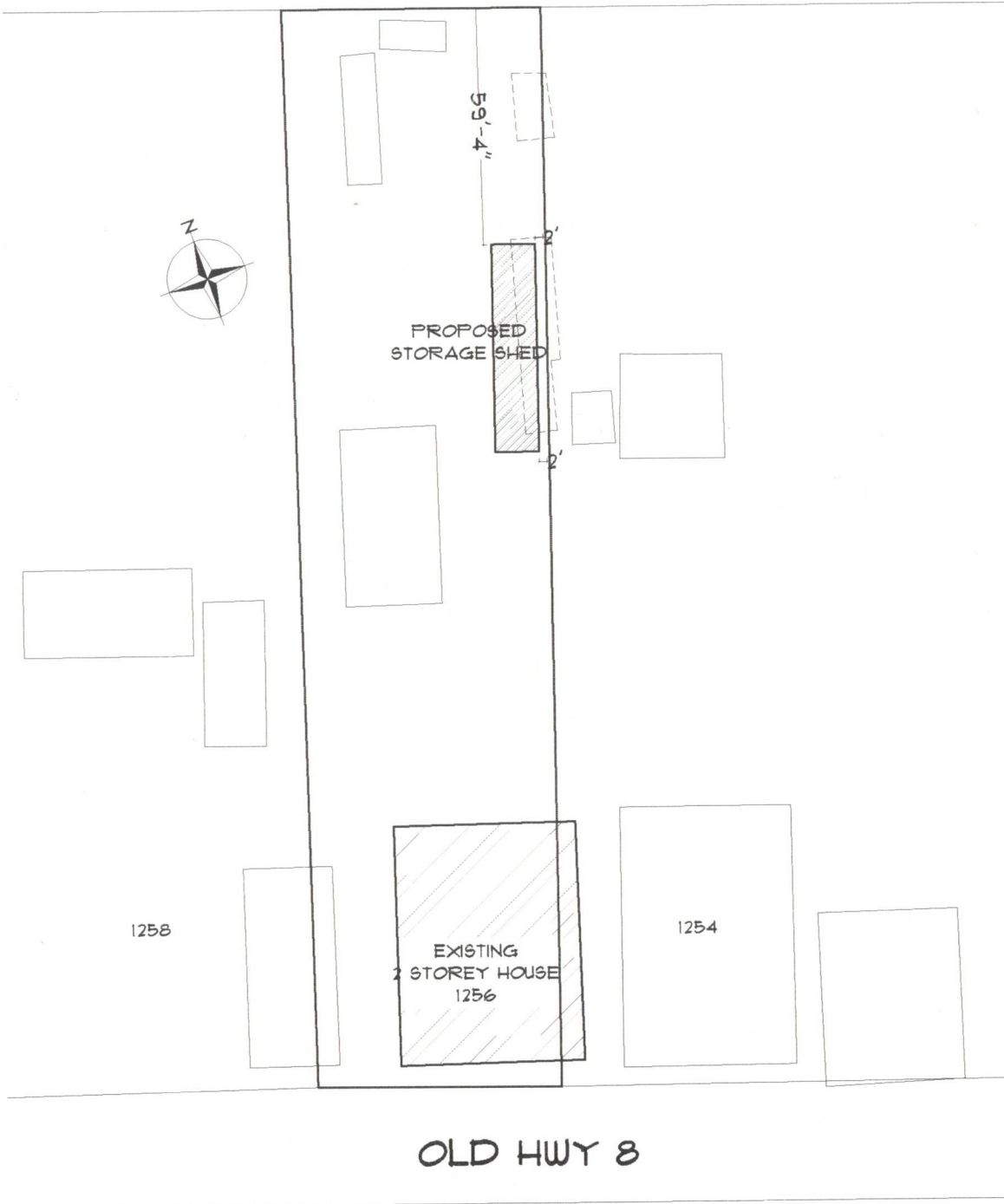
Qualification Information  
Required unless design is exempt under 2.17.5.1 of the building code

Amal Charif 37239  
Name BCIN

Prints and specifications shall not be reproduced without the permission of the Designer. The contractor shall check and verify all dimensions on the work and report any discrepancies to the Designer before proceeding.

If there are any dimensions, details or design intent that cannot be determined from the drawings, the Designer shall be notified prior to proceeding with fabrication and/or construction.

Drawings are not to be scaled.



EXISTING STRUCTURE IN DOTTED LINE ARE TO BE REMOVED.

ZONING: 52  
aprox. Lot Area: 1589.07m<sup>2</sup>

Proposed Accessory Buildings: 53.1 m<sup>2</sup>  
Allowed Bld. Height: 5m  
Proposed Height: 3.86m  
Set back side yard: 0.6m

1258

EXISTING 2 STOREY HOUSE  
1256

1254

OLD HWY 8

**PROJECT:**  
**STORAGE SHED**  
1256 OLD HWY 8,  
SHEFFIELD, ONTARIO

SCALE: 1/500	DRAFTING BY: A.CHARIF
DWG TITLE: SITE PLAN	DATE: NOV 7-2019
PROJECT NO. 88-19	DWG. No.
REVISION NO. -	<b>Ae</b>



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OFFICE 416-834-9226

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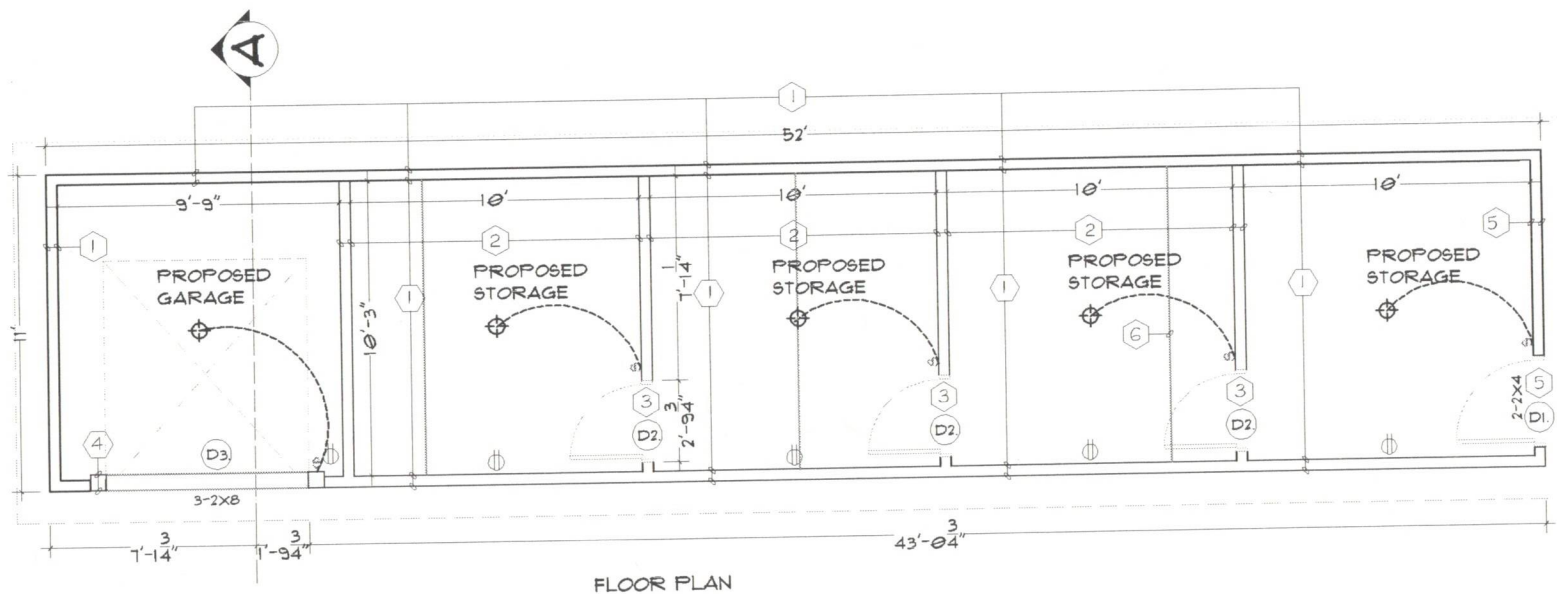
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Amal Charif 37239  
Name  BCIN

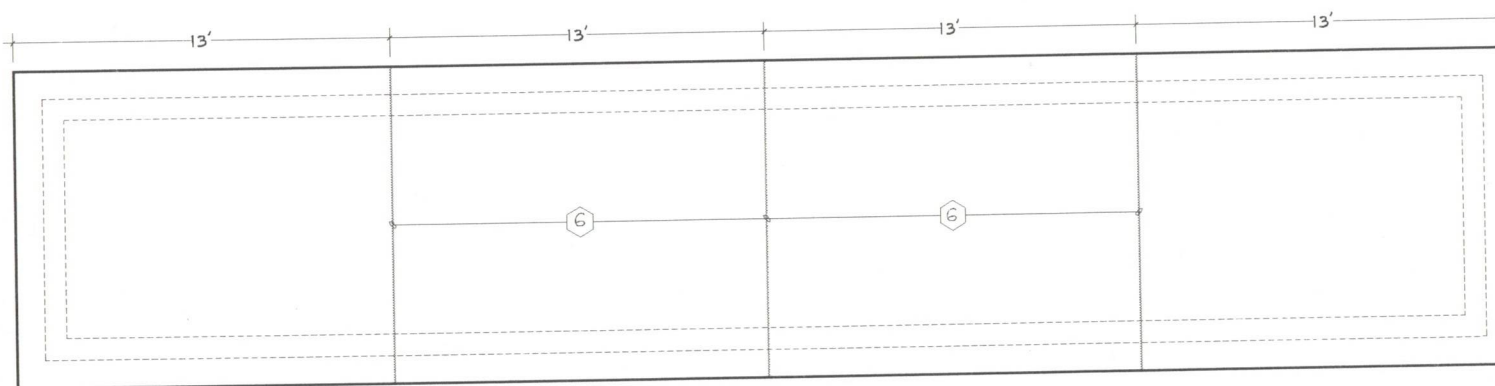
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FLOOR PLAN



CONCRETE SLAB EXPANSION LINES

PROJECT:  
STORAGE SHED  
1256 OLD HWY 8,  
SHEFFIELD, ONTARIO

SCALE: 1/80	DRAFTING BY: A.CHARIF
DWG TITLE PLAN	DATE: NOV 7-2019
PROJECT NO. 88-19	DWG. No.
REVISION NO. -	<b>A1</b>



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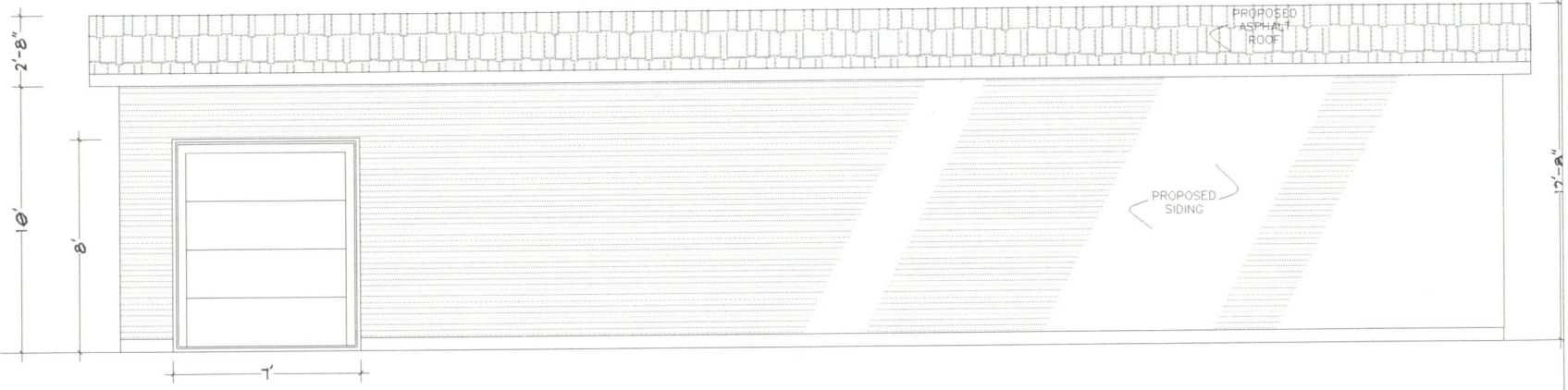
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Amal Charif *Amal Charif* 37239  
Name BCIN

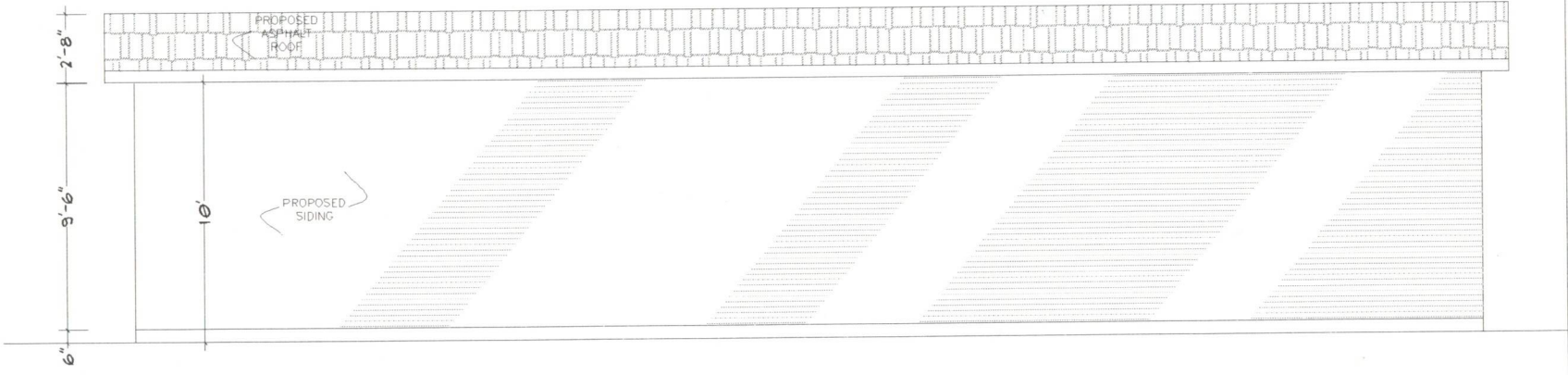
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WEST ELEVATION  
SCALE: 1/80

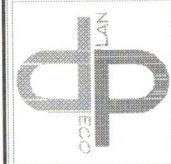


EAST ELEVATION  
SCALE: 1/80

**PROJECT:**  
STORAGE SHED  
1256 OLD HWY 8,  
SHEFFIELD, ONTARIO

<b>SCALE:</b> AS SHOWN	<b>DRAFTING BY:</b> A.CHARIF
<b>DWG. TITLE:</b> ELEVATION	<b>DATE:</b> NOV 7-2019
<b>PROJECT NO.:</b> 88-19	<b>DWG. No.:</b>
<b>REVISION NO.:</b> -	<b>A3</b>



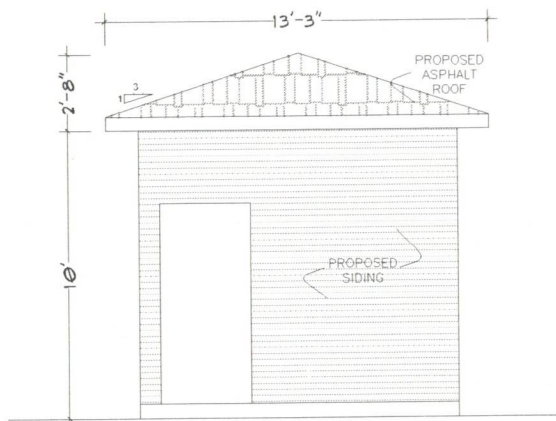


DECOPLAN INC.  
542 FOUNTAIN ST. S,  
CAMBRIDGE, ON,  
OFFICE: 416-834-9226.

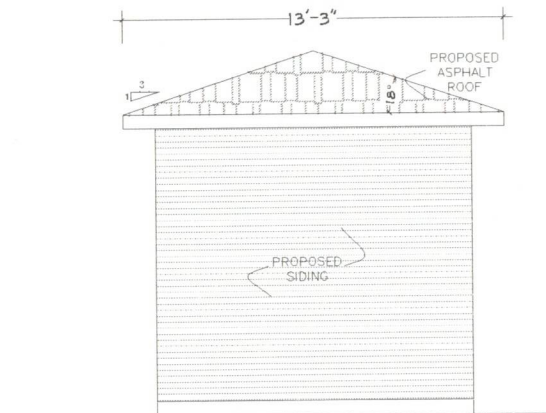
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Qualification Information Required unless design is exempt under 2.17.5.1 of the building code

Amal Charif  
Name *Amal Charif* 37239 BCIN



**SOUTH ELEVATION**  
SCALE: 1/80



**NORTH ELEVATION**  
SCALE: 1/80

- ① **Exterior wall construction**  
38x89 (2x4) wood stud @ 600(24") O/C  
W/Double plate at top and sole plate at bottom.  
see section for details
- ② **Partition wall construction**  
38x89 (2x4) wood stud @ 600(24") O/C  
W/Double plate at top and sole plate at bottom.  
12.7mm(1/2") interior drywall both sides
- ③ **Framing around interior partition wall opening**  
38x89 (2x4) timber stud nailed to 2x4 both sides,  
W/2-2x4 header w/1/2" plywood spacer.
- ④ **Framing Garage load bearing exterior wall**  
3-2x8 lintel bearing on 3-2x6 Post on both sides  
of garage door opening.
- ⑤ **Framing around opening in non load bearing exterior wall**  
2-2x4 lintel bearing on 2-2x4 Post on both sides
- ⑥ **Concrete expansion joints**  
expansion joint every 13' MIN to control cracking.  
Seal with epoxy on expansion joint.

**ROOM FINISH SCHEDULE**

RM NO.	ROOM NAME	FLOOR		BASE		WALLS		CEILING		HEIGHT
		MATERIAL	FINISH	MATERIAL	FINISH	MATERIAL	FINISH	MATERIAL	FINISH	
1	GARAGE	Concrete	-	-	-	Drywall	Paint	Drywall	Paint	9'10"
2	STORAGE	Concrete	-	-	-	Drywall	Paint	Drywall	Paint	
3	STORAGE	Concrete	-	-	-	Drywall	Paint	Drywall	Paint	
4	STORAGE	Concrete	-	-	-	Drywall	Paint	Drywall	Paint	

**DOOR SCHEDULE**

NO.	TYPE	SIZE	QTY.	REMARKS
D1	EXTERIOR WALL	32"x80"	1	-
D2	INTERIOR SLAB	30"x80"	3	
D3	GARAGE DOOR	7'X8'	1	

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**PROJECT:**

STORAGE SHED

1256 OLD HWY 8,  
SHEFFIELD, ONTARIO

<b>SCALE:</b> AS SHOWN	<b>DRAFTING BY:</b> A.CHARIF
<b>DWG. TITLE:</b> AS SHOWN	<b>DATE:</b> NOV 7-2019
<b>PROJECT NO.:</b> 88-19	<b>DWG. No.:</b>
<b>REVISION NO.:</b> -	<b>A4</b>



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542 FOUNTAIN ST. S,  
CAMBRIDGE, ON,  
OFFICE: 416-834-9226

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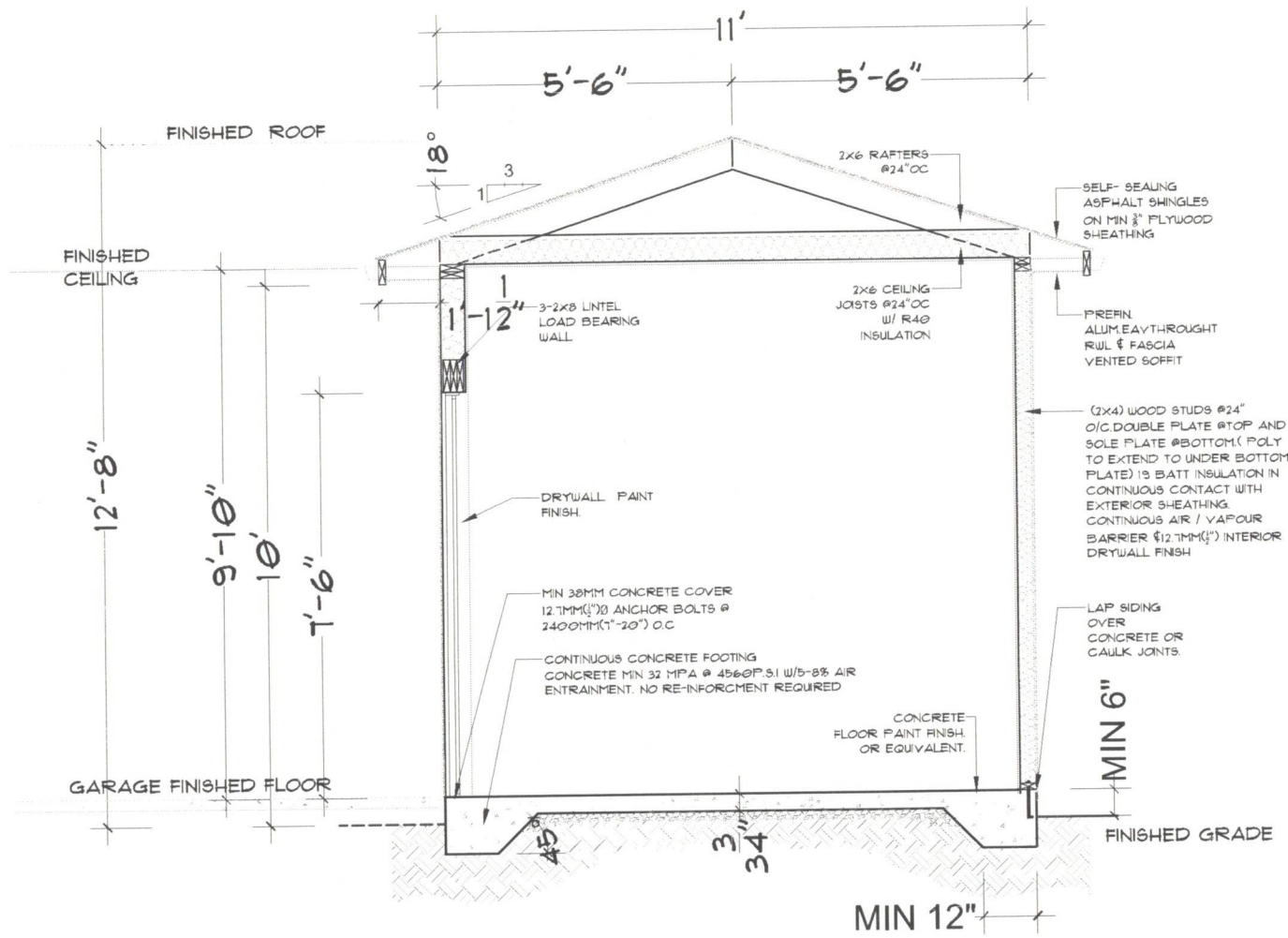
Qualification Information  
Required unless design is exempt under 2.17.5.1 of the building code

Amal Charif 37239  
Name BCIN

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PROJECT:  
STORAGE SHED  
1256 OLD HWY 8,  
SHEFFIELD, ONTARIO

SCALE: 1/40	DRAFTING BY: A.CHARIF
DWG TITLE SECTION	DATE: NOV 7-2019
PROJECT No. 88-19	DWG. No.
REVISION NO. -	<b>A2</b>



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 Christopher Zegray Telephone No. \_\_\_\_\_

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

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

3. Name of Agent \_\_\_\_\_ 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:

Bylaw OS-200 states accessory dwelling larger than 18m<sup>2</sup> must comply with principle dwelling setbacks. I am replacing existing sheds with a larger shed. I am requesting to use a sideyard setback of 0.6m.

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

- The tile bed for the house septic tank sits in the middle of the yard so I cannot place a shed there.
- Existing sheds are being replaced with a larger shed in same place
- Setback of 0.6m is required to maintain access to existing garage.

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

Application #: 20-179998 R9, PT LT 5, PL 333, AS IN AB263278; Flamborough City of Hamilton, 1256 Old Hwy 8 Sheffield, Ontario, L0R1Z0

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?

My grandfather has lived on the property for 60 years and built the sheds being replaced. Both adjacent houses belonged to relatives.

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.

January 4 2021  
Date

Signature Property Owner

Christopher Zegray  
Print Name of Owner

10. Dimensions of lands affected:

Frontage 52'  
Depth 11'  
Area 572sqft  
Width of street \_\_\_\_\_

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: 539sqft(gross), 404.25sqft(Floor)  
1 storey building. 11 foot width,  
49 foot length, 10-8 foot height

Proposed: 572sqft(gross), 429sqft(Floor)  
1 storey building. 11 foot width,  
52 foot length, 12 foot 8 inches at peak  
3.86m tall

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

Existing: Side yard setback overhangs slightly  
onto neighbours yard. 59 feet and 4  
inches from rear yard.

Proposed: Setback of 0.6m from side yard.  
Setback of 59 feet 4 inches from  
rear yard

13. Date of acquisition of subject lands:  
January 27 2016
14. Date of construction of all buildings and structures on subject lands:  
n/a
15. Existing uses of the subject property:  
Residential
16. Existing uses of abutting properties: Residential
17. Length of time the existing uses of the subject property have continued:  
n/a
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:  
05-200
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
05-200
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





# Hamilton

September 1, 2020

**RE: 1256 Old Hwy 8 Hamilton  
 Building Permit Application Number 20-179998 R9  
 Building Permit Application Review Letter**

The following item(s) are required to be addressed prior to further review of the above-noted building permit application:

Item	Fees/Charges Payable to the City of Hamilton prior to permit issuance	Amount
F1.	The cost of the building permit is calculated at \$5.96/m <sup>2</sup> . For this proposed structure the cost will be \$302. An amount of \$252 has already been paid, so a remaining fee of \$50 is still outstanding	\$50

Item	Zoning	Reference
Z1.	<p>As per the regulations in the 05-200 Bylaw, an accessory dwelling in a property zoned as S2 which is larger than 18m<sup>2</sup> must comply with the principle dwelling setbacks.</p> <p>For this zone, this means the accessory structure must be at least 3m from the side lot line, and 7m from the rear lot line.</p> <p>Revise the site plan to match these restrictions or a successful application to the committee of adjustments must be mad (905-546-2424x1355)</p>	

Due to concerns related to COVID-19, the City has put in place precautions to protect both the public and staff while providing some continuity of service. As a result City offices are closed to the public, while City services remain in operation, but at a reduced service level. Please note responding information may be sent by mail or courier unless the responding information is 11" x 17" or less and no more than 20 pages in total. In this case responding information will be accepted by email.



**Note: Responding information will only be reviewed if provided in a single comprehensive submission complete with an itemized covering letter. Incomplete submissions will be subject to additional fees.**

All documents shall be signed by the applicable required design professional(s). When revised drawings are submitted provide two (2) copies sealed and signed by the design professional(s).

If you require further information, please contact Ryan Allison at (905) 546-2424 ext. 1104

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Ryan Allison  
Permit Application Specialist  
For Director, Building Division