



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**

---

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

- 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-21:17

**APPLICANTS:** Agent James Smith  
Owners M & K Robinson

**SUBJECT PROPERTY:** Municipal address **401 Carlisle Rd., Flamborough**

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

**ZONING:** S1 (Settlement Residential) district

**PROPOSAL:** To permit the construction of a one-storey addition, including an attached garage, to the existing single detached dwelling, notwithstanding,

1. A minimum front yard of 4.4 metres shall be provided instead of the minimum required front yard of 7.5 metres.

**NOTES:**

1. A further variance will be required if the eaves and gutter encroach greater than 0.6 metres, to a maximum of half the required distance of a required yard.

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

---

**DATE:** Thursday, February 18<sup>th</sup>, 2021  
**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

---

## **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 2<sup>nd</sup>, 2021.

---

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.***



EXIST. DWELLING



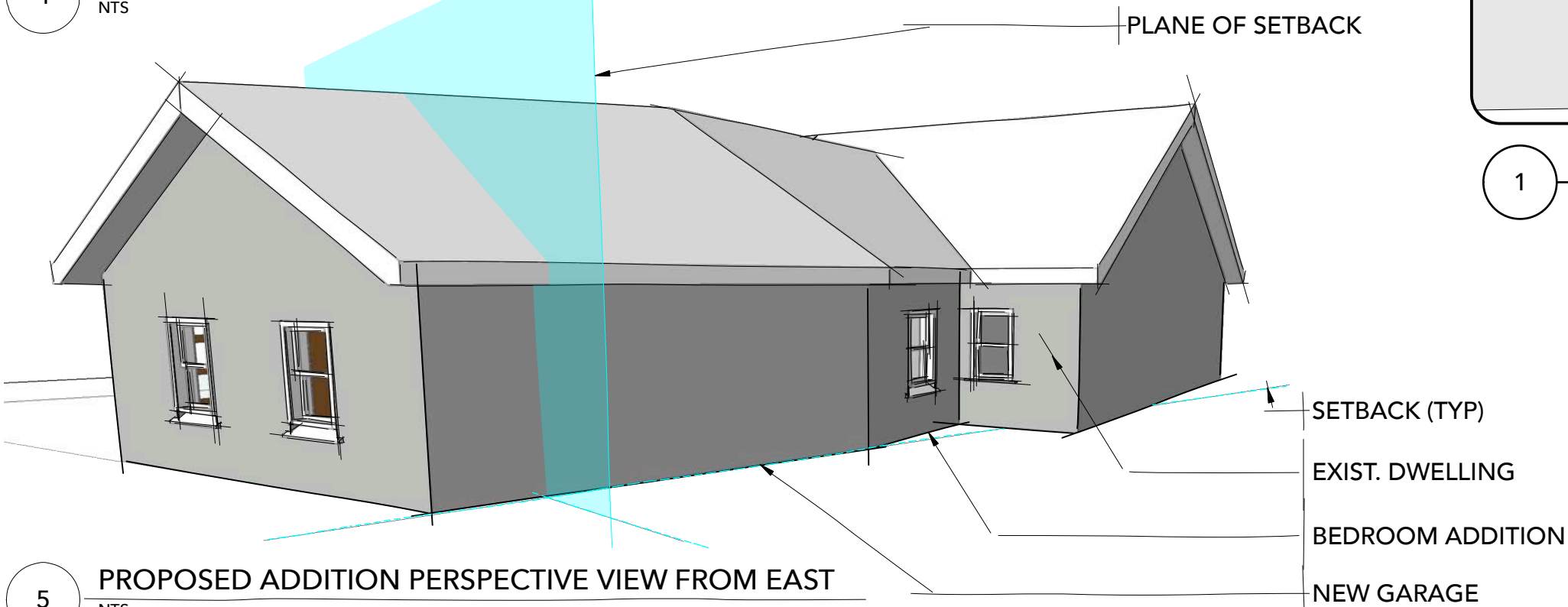
EXISTING BEDROCK  
OUTCROP

3 CONTEXTUAL PHOTO  
NTS

APPROX LOC. OF NEW  
PROPOSED GARAGE

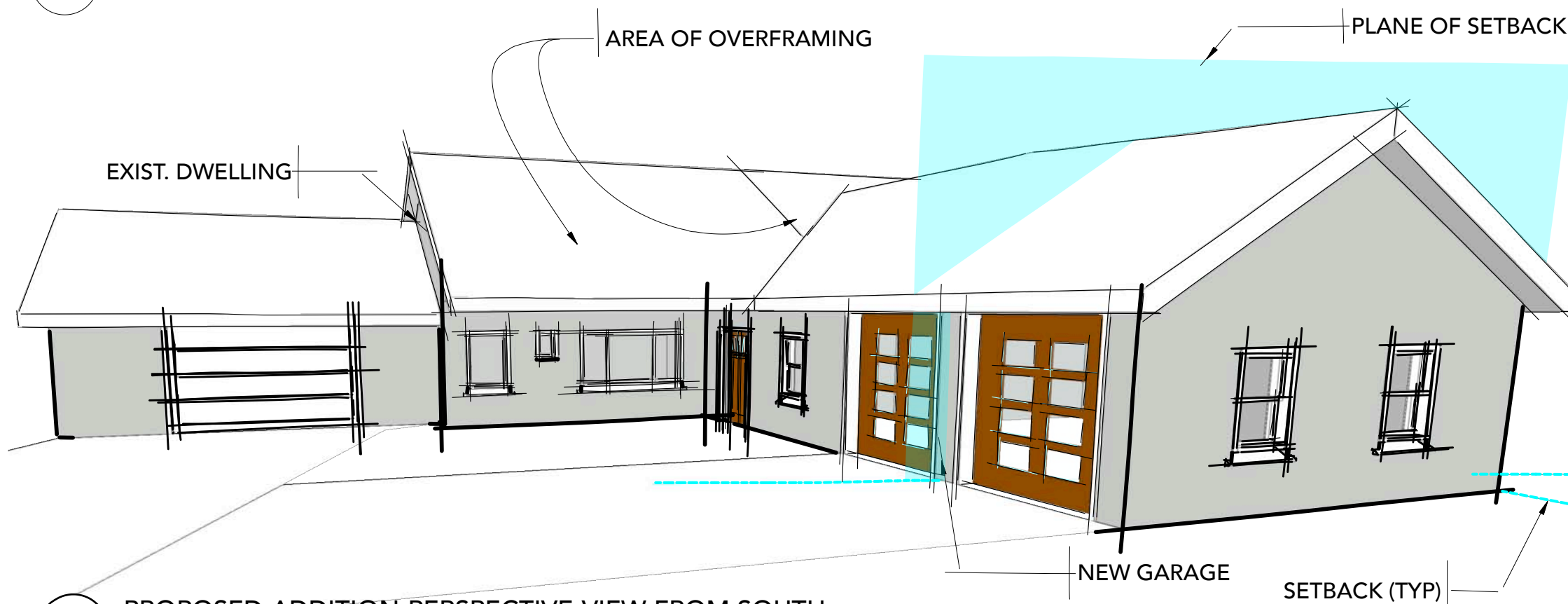


4 VIEW FROM WEST  
NTS



5 PROPOSED ADDITION PERSPECTIVE VIEW FROM EAST  
NTS

AREA OF OVERFRAMING



6 PROPOSED ADDITION PERSPECTIVE VIEW FROM SOUTH  
NTS

PROJECT LOCATION



107 Kensington St. Guelph, ON  
N13 3P8 905-510-4202

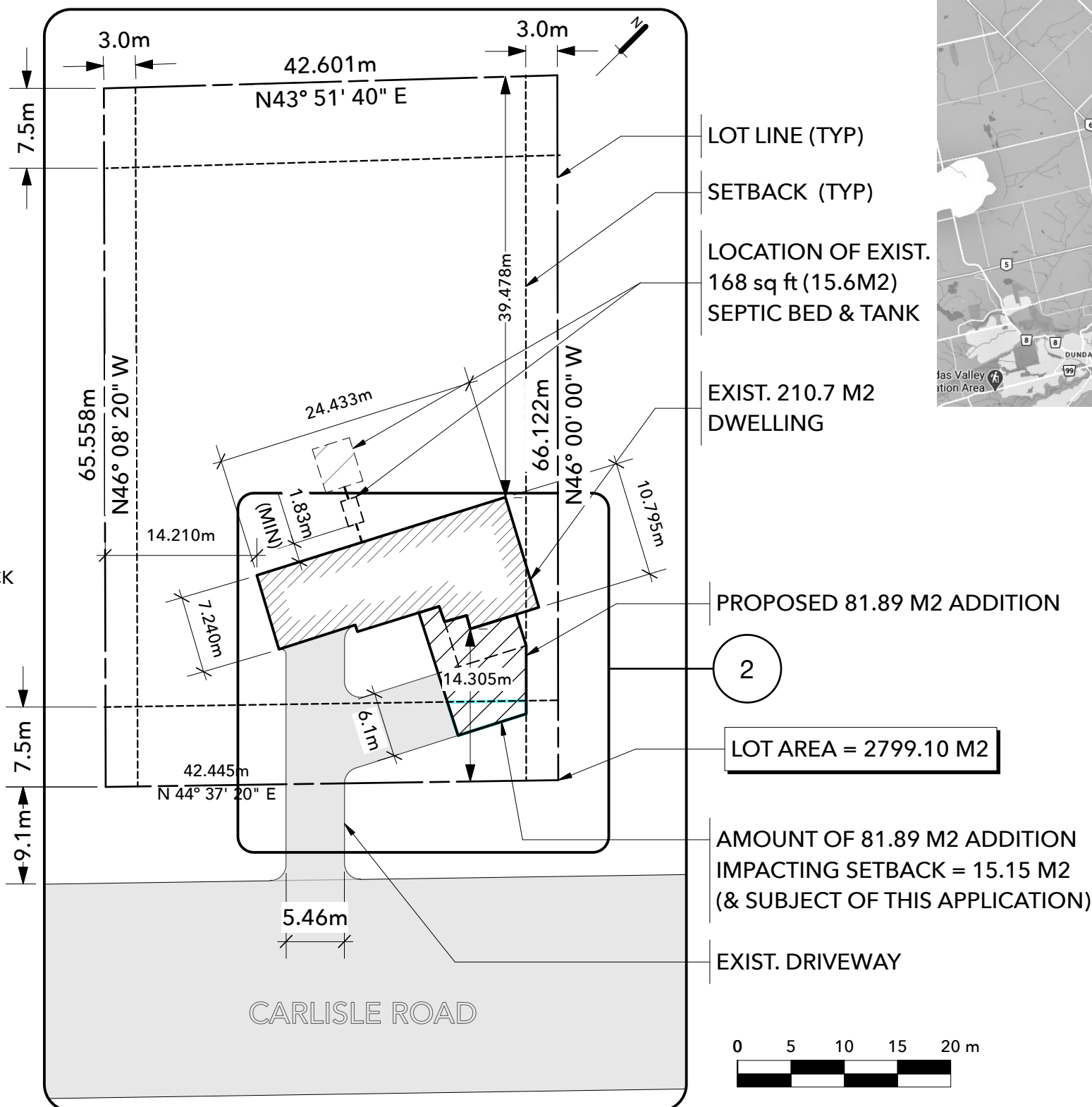
WWW.FOLDEDSPACEDESIGNS.COM

**DO NOT SCALE DRAWINGS**  
CHECK ALL DIMENSIONS AT THE SITE. REPORT  
ANY DISCREPANCIES TO THE DESIGNER  
BEFORE COMMENCING CONSTRUCTION.  
THIS DOCUMENT IS PRODUCED USING  
METRIC UNITS ANY IMPERIAL  
MEASUREMENTS ARE FOR CONVENIENCE  
ONLY IN THE EVENT OF ANY CONFLICT THE  
METRIC VALUE SHALL GOVERN

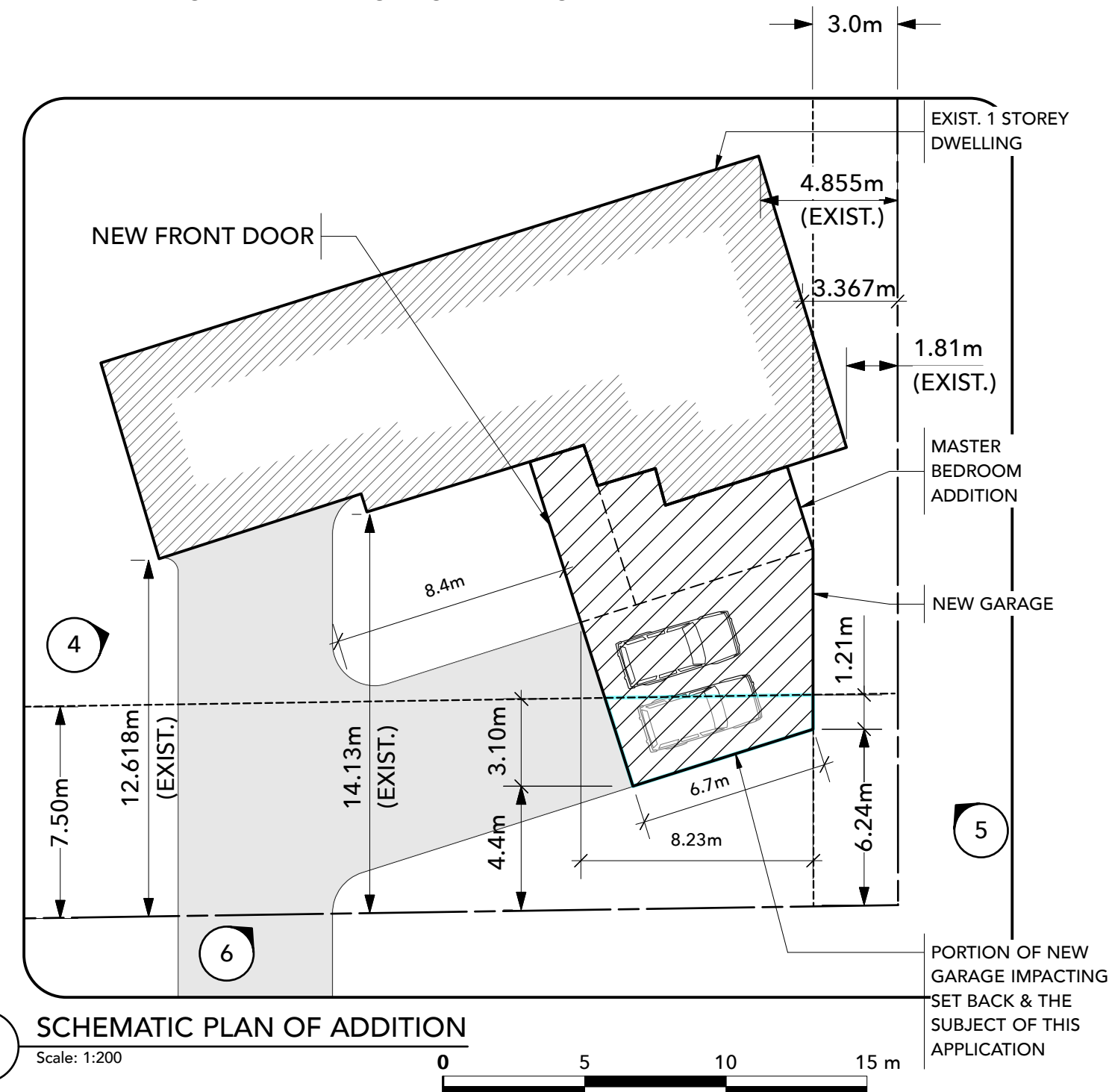
DRAWINGS © FOLDED SPACE DESIGNS  
REPRODUCTION IS PROHIBITED  
WITHOUT WRITTEN PERMISSION.

**SCALE- AS NOTED**

ENGINEER NOTED ABOVE HAS EXERCISED RESPONSIBLE  
CONTROL WITH RESPECT TO DESIGN ACTIVITIES.  
THE ENGINEER'S SEAL IS THE ENGINEER'S BCIN



1 PROPOSED SITE PLAN (INFORMATION TAKEN FROM SURVEY  
Scale: 1:500 PROVIDED BY THE CITY OF HAMILTON)



8 SCHEMATIC PLAN OF ADDITION  
Scale: 1:200

ISSUED FOR C of A APPLICATION JANUARY 5, 2021  
ISSUED FOR CLIENT REVIEW DECEMBER 21, 2020  
ISSUED FOR PRE-PLANNING REVIEW NOVEMBER 27, 2020  
ISSUED FOR CLIENT REVIEW NOVEMBER 24, 2020  
ISSUED FOR CLIENT REVIEW NOVEMBER 6, 2020  
ISSUED FOR CLIENT REVIEW NOVEMBER 2, 2020

**PROPOSED RENOVATION  
401 CARLISLE ROAD  
CARLISLE, ONTARIO**

**SITE PLAN & COVER**

(24x18)

**A-01a**

**DRAWN BY: JS**

**DATE OF  
PRINTING: 2021 Jan 8**

**CHECKED BY:  
JE**

**PROJECT  
2022**





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

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

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

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

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

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

### Application for Minor Variance or for Permission

1. Name of Owner Mark Robinson Karen Lusk-Robinson Telephone No. [REDACTED]  
FAX NO. [REDACTED] E-mail address. [REDACTED]

2. Address [REDACTED]  
[REDACTED] Postal Code [REDACTED]

3. Name of Agent JAMES SMITH Telephone No. [REDACTED]  
FAX NO. [REDACTED] E-mail address. [REDACTED]

4. Address [REDACTED]  
[REDACTED] Postal Code [REDACTED]

5. Names and addresses of any mortgagees, holders of charges or other encumbrances:

N/A

Postal Code

Postal Code

6. Nature and extent of relief applied for:

THE PROPERTY IS LOCATED IN THE SETTLEMENT RESIDENTIAL ZONE (S1) RELIEF IS SOUGHT FROM SECTION 12.3.3 (c) OF THE CITY OF HAMILTON ZONING BY-LAW, MINIMUM FRONT YARD SETBACK OF 7.5 METRES TO PERMIT THE CONSTRUCTION OF A NEW ATTACHED 2 CAR GARAGE WITH A SETBACK FROM THE FRONT PROPERTY LINE OF BETWEEN 4.4 METERS & 6.24 METERS OVER THE WIDTH OF 8.23 METERS WITH AN AVERAGE OF 5.33M

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

A) AN INTIAL DESIGN WAS CONSIDERED TO ENLARGE THE EXISTING ATTACHED GARAGE TO ALLOW FOR INCREASED HEIGHT, WIDTH & DEPTH BUT WAS FOUND TO BE IMPRACTICAL DUE TO EXTENSIVE BEDROCK OUTCROP AND MANY MATURE TREETS VERY CLOSE TO THE EXISTING DWELLING.

B) DUE TO THE EXISTING DWELLING BEING SITUATED ON AN ECENTRIC ANGLE NEW GARAGE IMPACTS THE FRONT SETBACK

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

PLAN 62M901 PART OF LOT 23 (IRREGULAR) GEOGRAPHIC TOWNSHIP OF FLAMBOROUGH  
KNOWN AS MUNICIPAL No. 401 CARLISE ROAD EAST BEING IN THE CITY OF HAMILTON, FORMERLY  
[2005] 419 CARLISLE ROAD

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 X 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 X Unknown \_\_\_\_\_

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

THE PROPERTY HAS BEEN USED AS SINGLE DETACHED RESIDENTIAL IN EXCESS OF 20 YEARS

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 X

### 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.

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Signature Property Owner

Mark Robinson Karen Lusk-Robinson

\_\_\_\_\_  
Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>42.445 M</u>
Depth	<u>65.558 M</u>
Area	<u>2799.10 M2</u>
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: SINGLE STOREY SINGLE FAMILY DWELLING W/ ATTACHED SINGLE CAR GARAGE

GFA: 210.7 M2

24.433M WIDE x 10.79 M DEPTH (ECCENTRICALLY SHAPED)

5.5 M HEIGHT TO EXISTING RIDGE

Proposed: SINGLE STOREY SINGLE FAMILY DWELLING W/ A NEW ATTACHED GARAGE

ADDITON GFA: 81.89 M2 FOR A NEW TOTAL OF GFA: 292.59 M2

23.08M WIDE x 16.390 M DEPTH (ECCENTRICALLY SHAPED)

6.10 M HEIGHT TO NEW / EXISTING RIDGE

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 SETBACK = 14.305M (MIN) 12.618M (MAX)

REAR SETBACK = 39.478M (MIN)

SOUTH (LEFT) SETBACK = 14.210 M (MIN)

NORTH (RIGHT) SETBACK = 4.855M (MAX) 3.367M (AVERAGE) 1.81M (MIN)

Proposed: FRONT SETBACK AT PROPOSED ADDTION = 4.4M (MIN) 6.24M (MAX)

REAR SETBACK = 39.478M (MIN. EXIST.)

SOUTH (LEFT) SETBACK = 14.210 M (MIN. EXIST.)

NORTH (RIGHT) SETBACK = 4.855M (MAX) 3.367M (AVERAGE) 1.81M (MIN)

13. Date of acquisition of subject lands:

2005

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

NOT KNOW, EXIST. DWELLING MOVED TO PRESENT LOCATION IN 2000

15. Existing uses of the subject property:

SINGLE FAMILY DETACHED RESIDENTIAL DWELLING

16. Existing uses of abutting properties:

SINGLE FAMILY DETACHED RESIDENTIAL DWELLING

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

AT A MINIMUM, 20 YEARS

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

Water CONNECTION DATE UNKNOWN,

Connected SINCE 2005 AT A MIN.

Sanitary Sewer N/A

Connected

Storm Sewers N/A (OPEN CULVERT)

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

VOLUME 2, CHAPTER A - CARLISLE RURAL SETTLEMENT AREAS OCT. 2018

- 3.2.3.1 ONE OF THE 4 LAND USE CATEGORIES (ie) SETTLEMENT RESIDENTIAL

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

SETTLEMENT RESIDENTIAL (S1)

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

No

If the answer is yes, describe briefly.

N/A

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

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