



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th 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

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.: FL/A-21:82

APPLICANTS: Owners P. & C. Heary
Agent Viking Building System c/o Zig Zilinskas

SUBJECT PROPERTY: Municipal address **4 Bogle Dr., Flamborough**

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

ZONING: S1 district (Settlement Residential)

PROPOSAL: To permit the construction of a new 84.0m² accessory building in the side yard of the existing single detached dwelling notwithstanding that:

1. The total floor area of all accessory buildings on the lot shall be 135.0m² instead of the maximum permitted area of 97.0m²
2. A height of 7.4m shall be provided instead of the maximum permitted height of 5.0m for accessory structures.
3. A northerly side yard setback of 2.7m shall be provided instead of the minimum required side yard setback of 3.0m

NOTES:

- i. Please be advised that no portion of an accessory building is permitted to be used for human habitation.
- ii. The Hamilton Zoning By-law 05-200 further regulates the height of accessory buildings by limiting the height from grade to the underside of the eaves, overhang, or lower ends of the roof joists, rafters or trusses to a maximum of 3.0m. Insufficient information has been provided to determined compliance with this provision. As such, further variances may be required if compliance cannot be achieved.

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

DATE: Thursday, April 1st, 2021
TIME: 1:20 p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at
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:

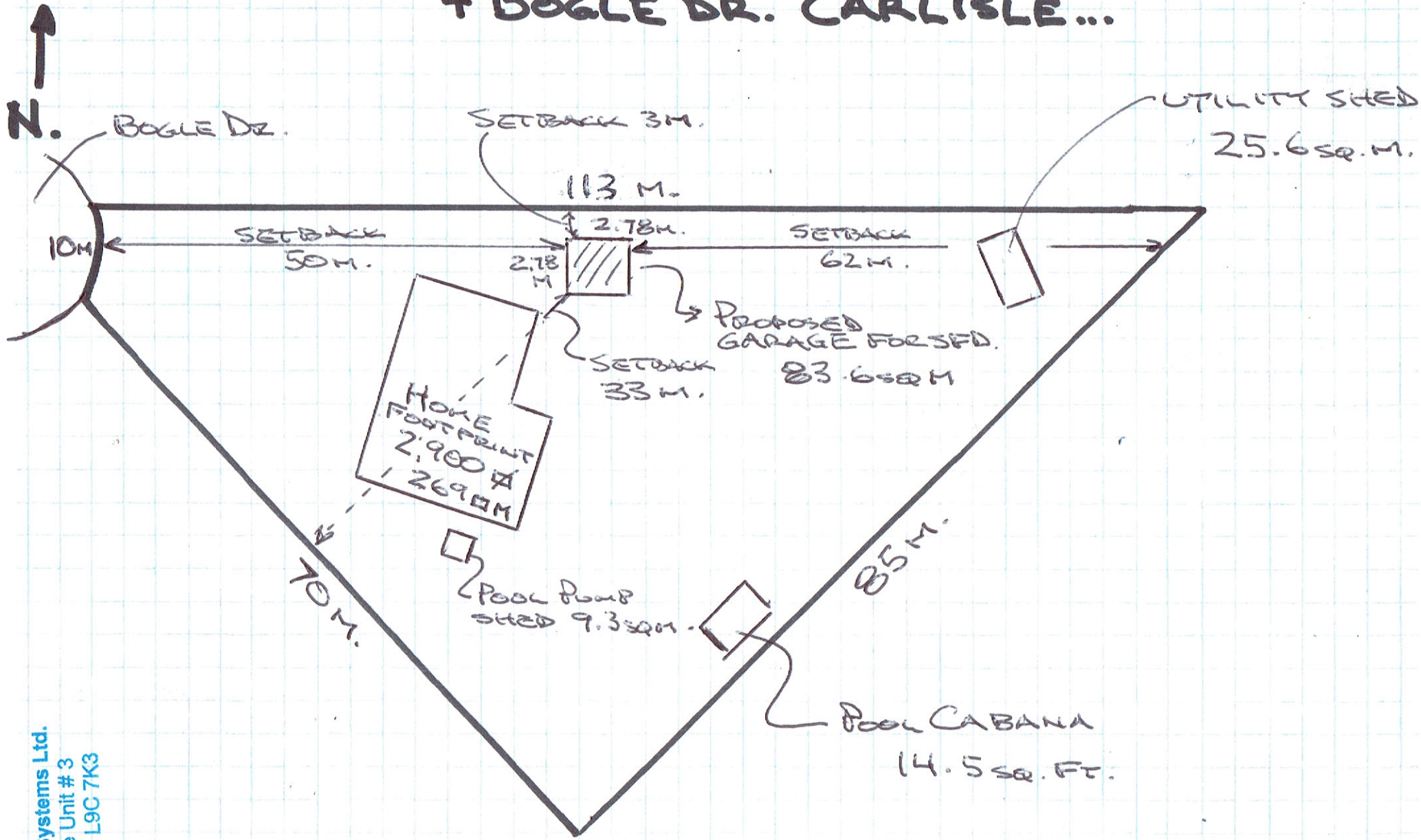
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: March 16th , 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.

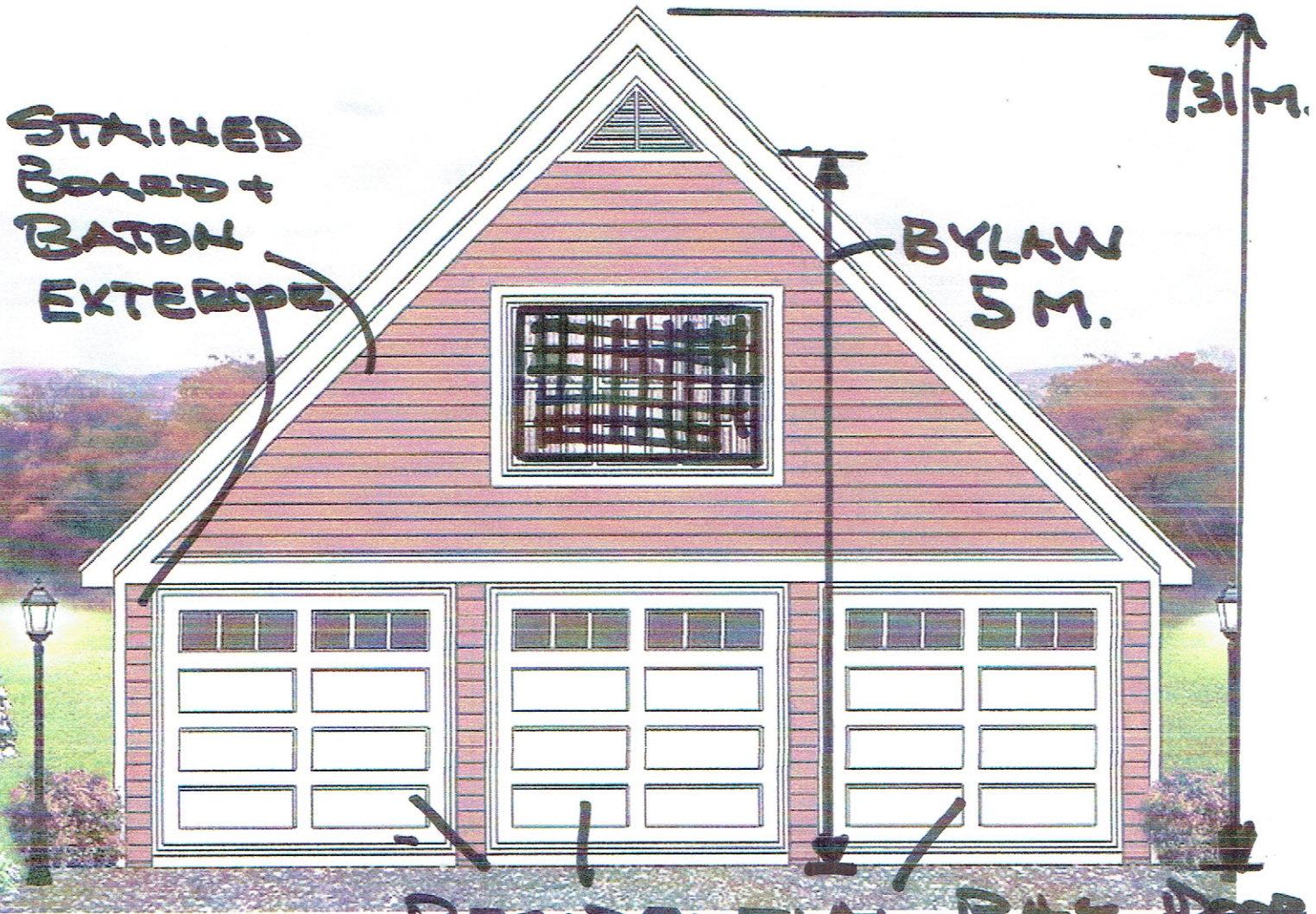
4 BOGLE DR. CARLISLE...



Viking Building Systems Ltd.
 38 Elora Drive Unit # 3
 Hamilton, ON L9C 7K3

ELEVATIONS:

VARIANCE
PROPOSED



RESIDENTIAL BYLAW DOOR
TO MATCH HOME...



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

FOR OFFICE USE ONLY.	
APPLICATION NO. _____	DATE APPLICATION RECEIVED _____
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

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, 2	NAME	ADDRESS
Registered Owners(s)	Peter Heary, Coreen Heary	
Applicant(s)*	Peter Heary, Coreen Heary	
Agent or Solicitor	ZIG ZILINSKAS	

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

3. Names and addresses of any mortgagees, holders of charges or other encumbrances:
 Mortgage Holder: RBC, 304 Dundas St E, Waterdown, ON L0R 2H0

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

4. Nature and extent of relief applied for:
Size (total of outbuildings) - from 1044 square feet allowed to 1432 square feet
Height - from 16.4 feet allowed to 24 feet
5. Why it is not possible to comply with the provisions of the By-law?
Due to having more drivers and therefore vehicles in the family, we require more garage parking. In order to have an esthetically pleasing roofline to match the architectural style of the house, we require the variance.
6. Legal description and Address of subject lands (registered plan number and lot number or other legal description and where applicable, **street and street number**):
4 Bogle Drive, Flamborough
Plan 62M-980, LOT 2

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial
Agricultural Vacant
Other _____

- 8.1 If Industrial or Commercial, specify use _____
- 8.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?
Yes No Unknown
- 8.3 Has a gas station been located on the subject land or adjacent lands at any time?
Yes No Unknown
- 8.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
Yes No Unknown
- 8.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
Yes No Unknown
- 8.6 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
- 8.7 Have the lands or adjacent lands ever been used as a weapon firing range?
Yes No Unknown
- 8.8 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
- 8.9 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

8.10 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

8.11 What information did you use to determine the answers to 9.1 to 9.10 above?
The lot was developed in 2004 and before that it was farmland.

8.12 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

9. 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.

February 9, 2021

Date

C. Heary

Signature Property Owner

Coreen Heary

Print Name of Owner

10. Dimensions of lands affected:

Frontage

PLEASE SEE SITE PLAN

Depth

Area

7,000 sq ft - 75,000 sq ft

Width of street

END OF COURT

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:

House & Attached Garage - 4500 square feet, 2 story house

Pool Pump Shed - 10' x 10' - 100 square feet

Utility Shed - 12' x 23' - 276 square feet

Pool Cabana - 156 square feet

*PLEASE SEE
SITE PLAN
FOR LOCATIONS...*

Proposed

Residential Detached Garage for SFD - 30' x 30' or 900 square feet

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

Existing:

House & Attached Garage - 4500 square feet, 2 story house

Pool Pump Shed - 10' x 10' - 100 square feet

Utility Shed - 12' x 23' - 276 square feet

Pool Cabana - 156 square feet

Proposed:

Residential Detached Garage for SFD - 30' x 30' or 900 square feet

13. Date of acquisition of subject lands:
January 10, 2010
-
14. Date of construction of all buildings and structures on subject lands:
House-2006, Pool Shed & Cabana-2013, Utility Shed - 2017
-
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:
15 years
18. Municipal services available: (check the appropriate space or spaces)
Water X Connected X
Sanitary Sewer _____ Connected _____
Storm Sewers _____
19. Present Official Plan/Secondary Plan provisions applying to the land:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
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. Additional Information
24. 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.

SITE PLAN 4^{CO} BOGGLE DRIVE CARLISLE

N.4

BLD.
DIMENSION
004
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