

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-21:125

APPLICANTS: Agent Jeff Markowiak
Owner Matt Markowiak

SUBJECT PROPERTY: Municipal address **217 Mill St., Flamborough**

ZONING BY-LAW: Zoning By-law 90-145-Z and Water Down Interim Control, as Amended by By-law 20-101

ZONING: "R1-2" (Urban Residential (Single Detached) Zone

PROPOSAL: To permit the development of a two-storey addition to an existing single detached dwelling comprising 44.76 square metres of gross floor area, and a covered porch at the rear of the dwelling located on a residential parcel of land, notwithstanding that:

1. The expansion of a legally existing building or structure shall be permitted to a maximum of 24% of the existing gross floor area, instead of the requirement that an expansion of a legally existing building or structure shall be permitted to a maximum of 10% of the existing gross floor area.

NOTES

1. Please note that this application is necessary to facilitate Minor Variance Application No. FL/A-20:238 which was previously granted by the Committee.
2. This property is listed in the City of Hamilton's Inventory of Buildings of Architectural and/or Historical Interest as a property of cultural heritage value or interest. Please contact a Cultural Heritage Planner at (905) 546-2424, extension 1202 or 1214, or visit www.hamilton.ca/heritageplanning for further information.

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

DATE: Thursday, May 6th, 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:

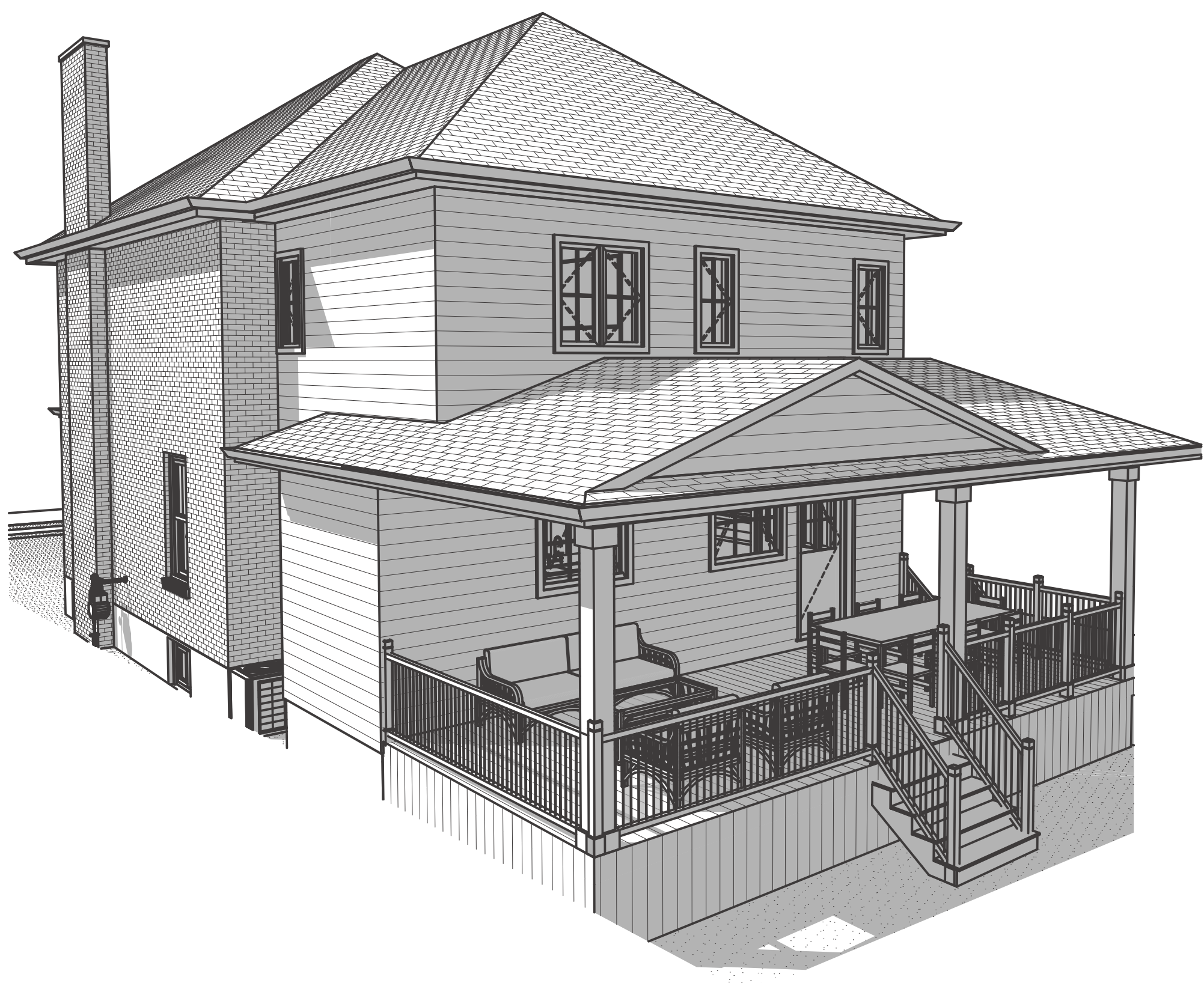
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: April 20th, 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.

RENOVATION TO:
MARKOWIAK
217 MILL STREET N WATERDOWN ON L0R 2H0

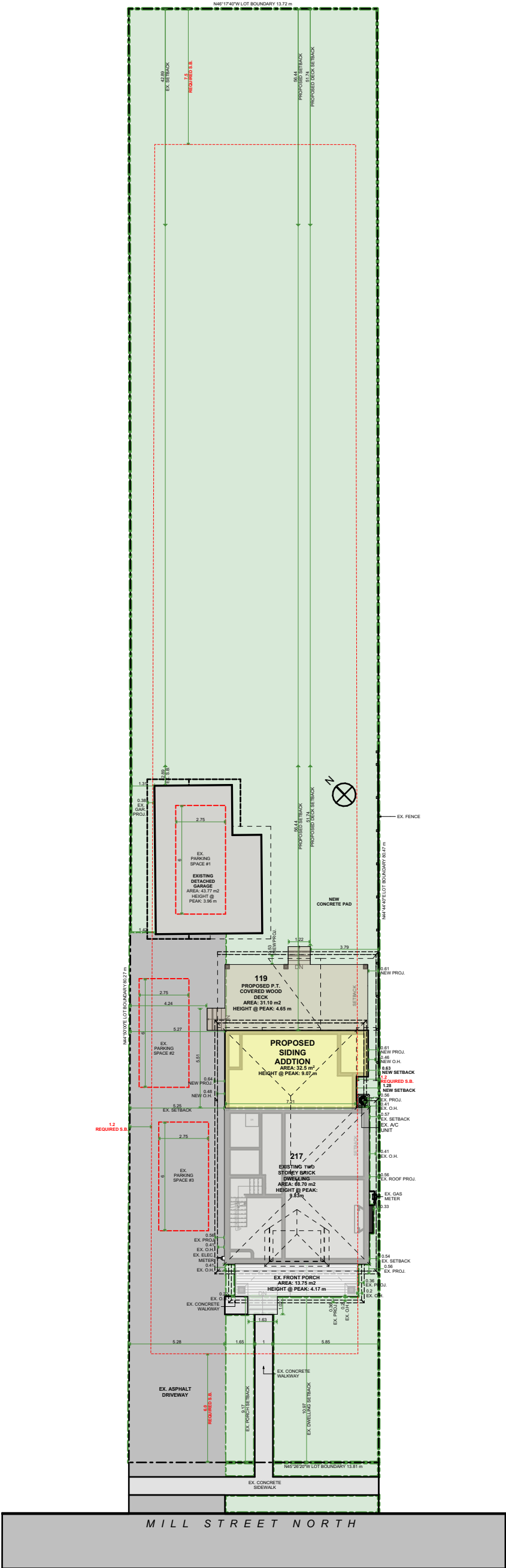


3D PERSPECTIVE

SCALE: 1/8" = 1'-0"

MARKOWIAK
217 MILL STREET N
WATERDOWN ON L0R 2H0
10/23/2020
1/8" = 1'-0"
VARIANCE PLANS SET





SITE STATS

PROPERTY INFORMATION
ADDRESS: 217 MILL STREET N POSTAL CODE: L0R 2H0
MUNICIPALITY: WATERDOWN
ZONE CODE: R1-2
ZONING DESCRIPTION: URBAN RESIDENTIAL (SINGLE DETACHED)
BYLAW #: 90-145-Z FLAMBOROUGH

MIN. LOT AREA (m2):	495	LOT AREA (m2):	1111.29
MIN. LOT WIDTH (m):	15	LOT WIDTH (m):	13.81
MIN. LOT DEPTH (m):	33	LOT DEPTH (m):	80.47

	Allowed:	Existing:	Proposed:
LOT COVERAGE (%) ¹ :	30 %	11.64 %	12.98 %
FLOOR AREA RATIO ² :	N/A	0.258:1	0.299:1
GROSS FLOOR AREA (m2) ⁴ :	N/A	286.97	331.73
GROUND FLOOR AREA (m2):	N/A	129.39	144.24
BUILDING HEIGHT (m):	11.0	9.83	9.83
PARKING SPACES ³ :	1	3	3

SETBACKS (m)	Allowed:	Existing:	Proposed:
FRONT:	7.5	10.97	10.97
REAR:	7.5	58.19	56.44
SIDE (EAST):	1.2	0.54	0.63
SIDE (WEST):	1.2	5.25	5.27

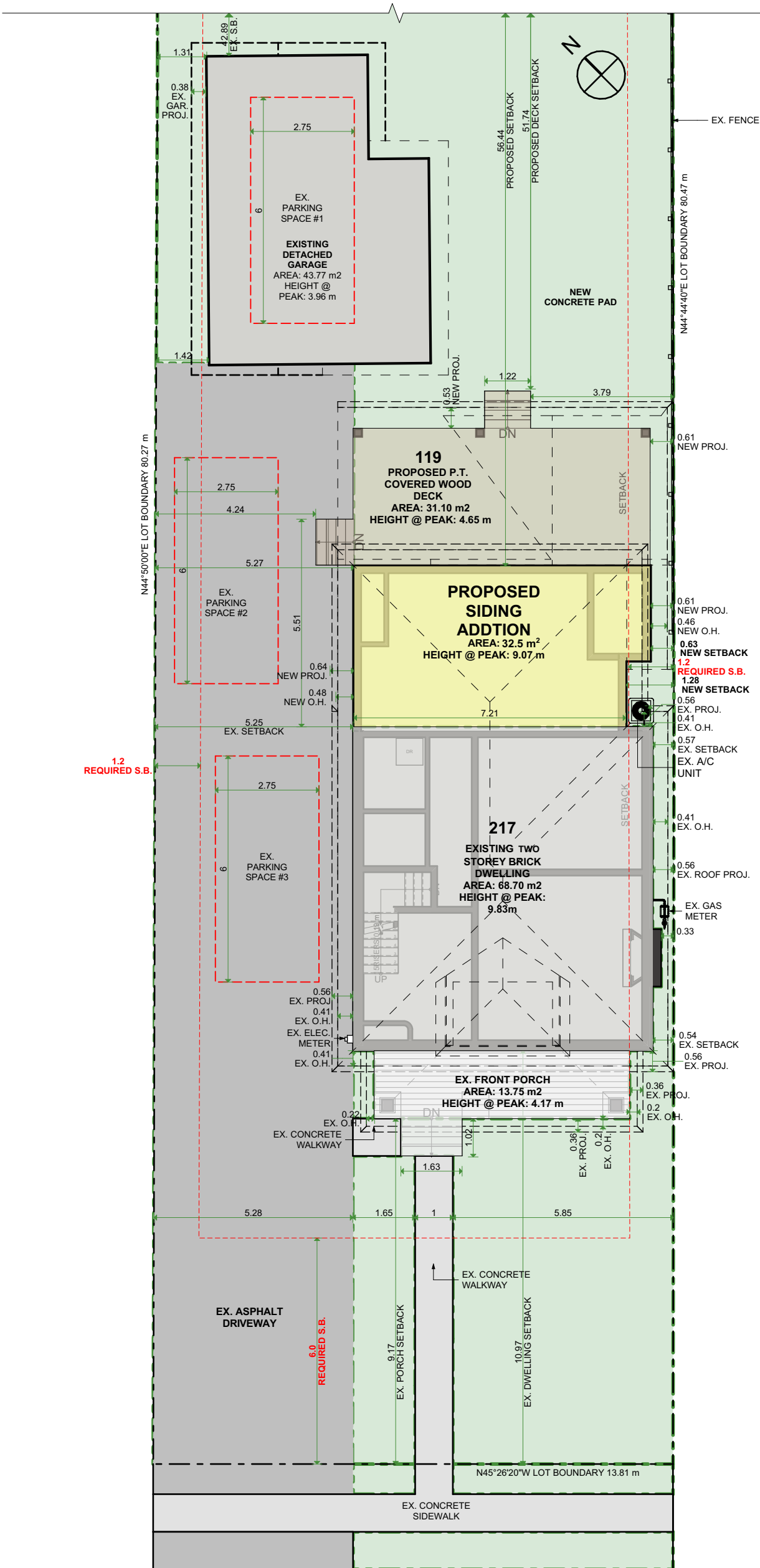
CORNER:	7.5	N/A	N/A
---------	-----	-----	-----

ENCROACHMENTS (m)	Allowed:	Existing:	Proposed:
ROFF PROJECTION:	0.65	AS NOTED	AS NOTED
COVERED PORCH:	1.5	N/A	N/A
UNCOVERED PORCH:	1.5	N/A	N/A
DECK:	1.5	N/A	N/A
CHIMNEY :	0.65	0.23	0.23

ACCESSORY BUILDINGS:
THERE IS NO BUILDING ACCESSORY.

OTHER RETRICTIONS:	Not Req'd:	Req'd:
MINOR VARIANCE	<input type="checkbox"/>	<input checked="" type="checkbox"/>
CONSERVATION AUTHORITY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NIAGARA ESCARPMENT CONTROL	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MT0	<input checked="" type="checkbox"/>	<input type="checkbox"/>

REFERENCES
¹ Proposed lot coverage calculations = Proposed Footprint area / Lot Area
² Floor Area Ratio Calculation: Total GFA / Lot Area
³ Parking space sizing as follows:
Hamilton: 2.7m x 6.0m
Burlington: 2.7m x 6.0m
⁴ Area of all floors excluding the following:
1. 100sf for laundry if possible
2. 70sf for mechanical if possible
3. Attic spaces
4. Any area that is uninhabitable



SITE STATS

PROPERTY INFORMATION
ADDRESS: 217 MILL STREET N POSTAL CODE: L0R 2H0
MUNICIPALITY: WATERDOWN
ZONE CODE: R1-2
ZONING DESCRIPTION: URBAN RESIDENTIAL (SINGLE DETACHED)
BYLAW #: 90-145-Z FLAMBOROUGH

ZONING INFORMATION	
MIN. LOT AREA (m2): 495	LOT AREA (m2): 1111.29
MIN. LOT WIDTH (m): 15	LOT WIDTH (m): 13.81
MIN. LOT DEPTH (m): 33	LOT DEPTH (m): 80.47

	Allowed:	Existing:	Proposed:
LOT COVERAGE (%) ¹ :	30 %	11.64 %	12.98 %
FLOOR AREA RATIO ² :	N/A	0.258:1	0.299:1
GROSS FLOOR AREA (m2) ³ :	N/A	286.97	331.73
GROUND FLOOR AREA (m2):	N/A	129.39	144.24
BUILDING HEIGHT (m):	11.0	9.83	9.83
PARKING SPACES ³ :	1	3	3

SETBACKS (m)	Allowed:	Existing:	Proposed:
FRONT:	7.5	10.97	10.97
REAR:	7.5	58.19	56.44
SIDE (EAST):	1.2	0.54	0.63
SIDE (WEST):	1.2	5.25	5.27

CORNER:	7.5	N/A	N/A
---------	-----	-----	-----

ENCROACHMENTS (m)	Allowed:	Existing:	Proposed:
ROFF PROJECTION:	0.65	AS NOTED	AS NOTED
COVERED PORCH:	1.5	N/A	N/A
UNCOVERED PORCH:	1.5	N/A	N/A
DECK:	1.5	N/A	N/A
CHIMNEY :	0.65	0.23	0.23

ACCESSORY BUILDINGS:
THERE IS NO BUILDING ACCESSORY.

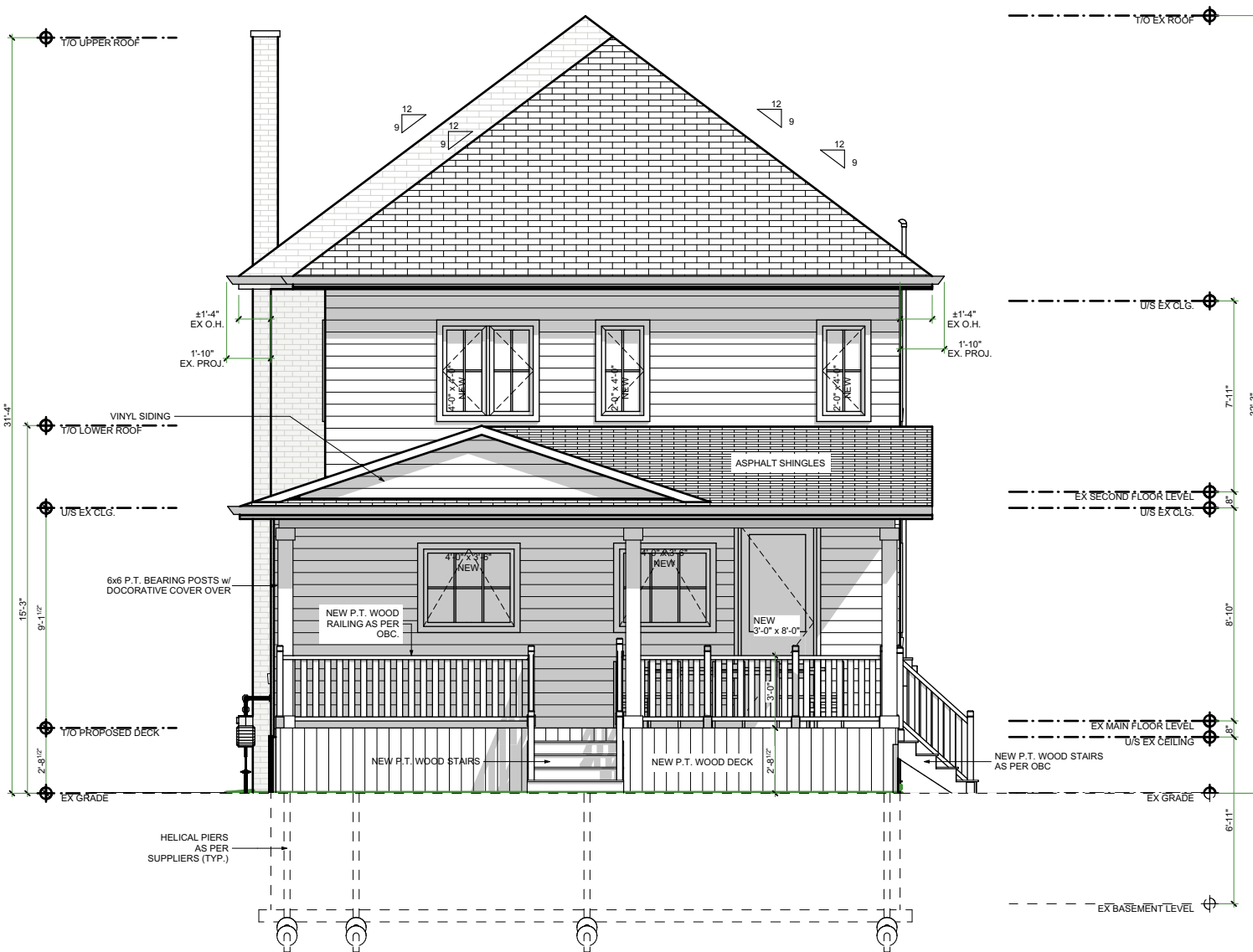
OTHER RETRICTIONS:	Not Req'd:	Req'd:
MINOR VARIANCE	<input type="checkbox"/>	<input checked="" type="checkbox"/>
CONSERVATION AUTHORITY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NIAGARA ESCARPMENT CONTROL	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MTO	<input checked="" type="checkbox"/>	<input type="checkbox"/>

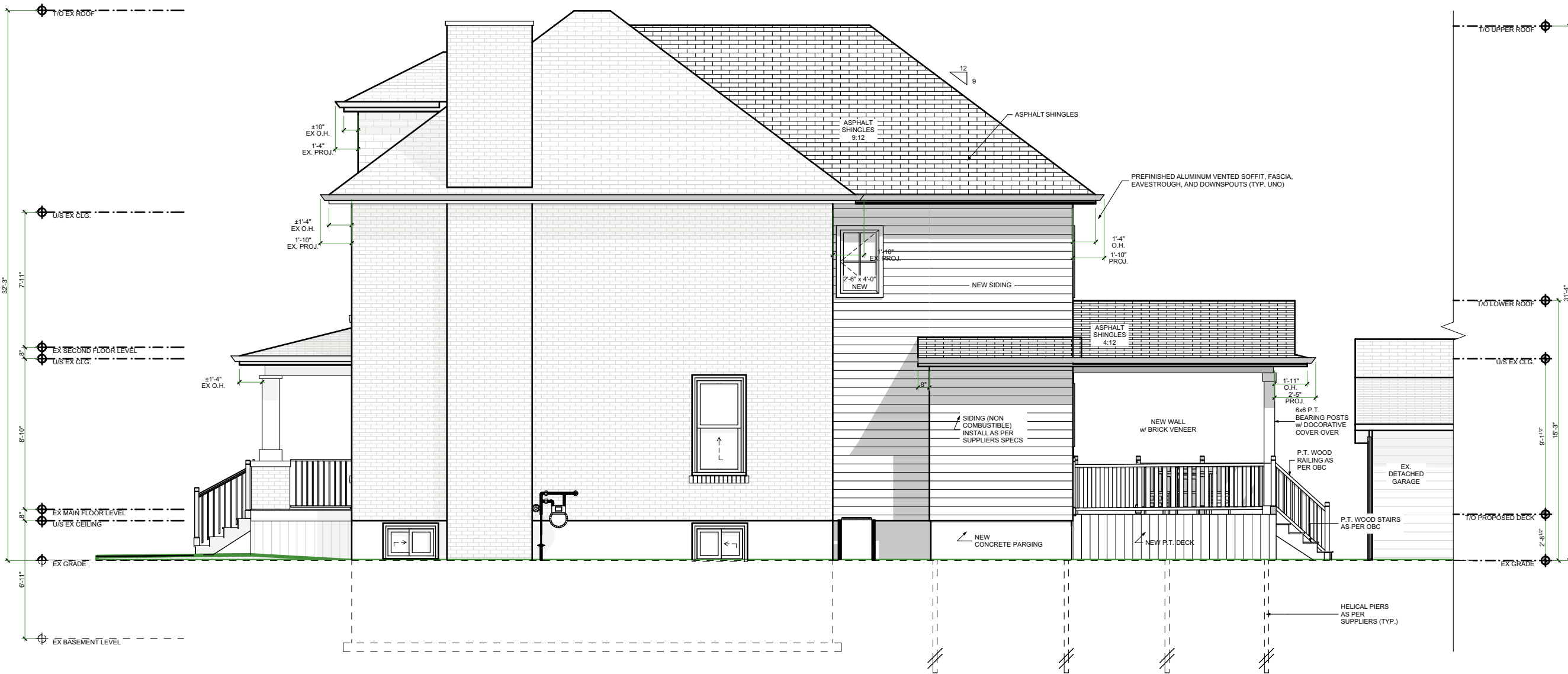
- REFERENCES
- Proposed lot coverage calculations = Proposed Footprint area / Lot Area
 - Floor Area Ratio Calculation: Total GFA / Lot Area
 - Parking space sizing as follows:
Hamilton: 2.7m x 6.0m
Burlington: 2.7m x 6.0m
 - Area of all floors excluding the following:
1. 100sf for laundry if possible
2. 70sf for mechanical if possible
3. Attic spaces
4. Any area that is uninhabitable



MARKOWIAK
217 MILL STREET N
WATERDOWN ON L0R 2H0
10/23/2020
1:80
VARIANCE PLANS SET







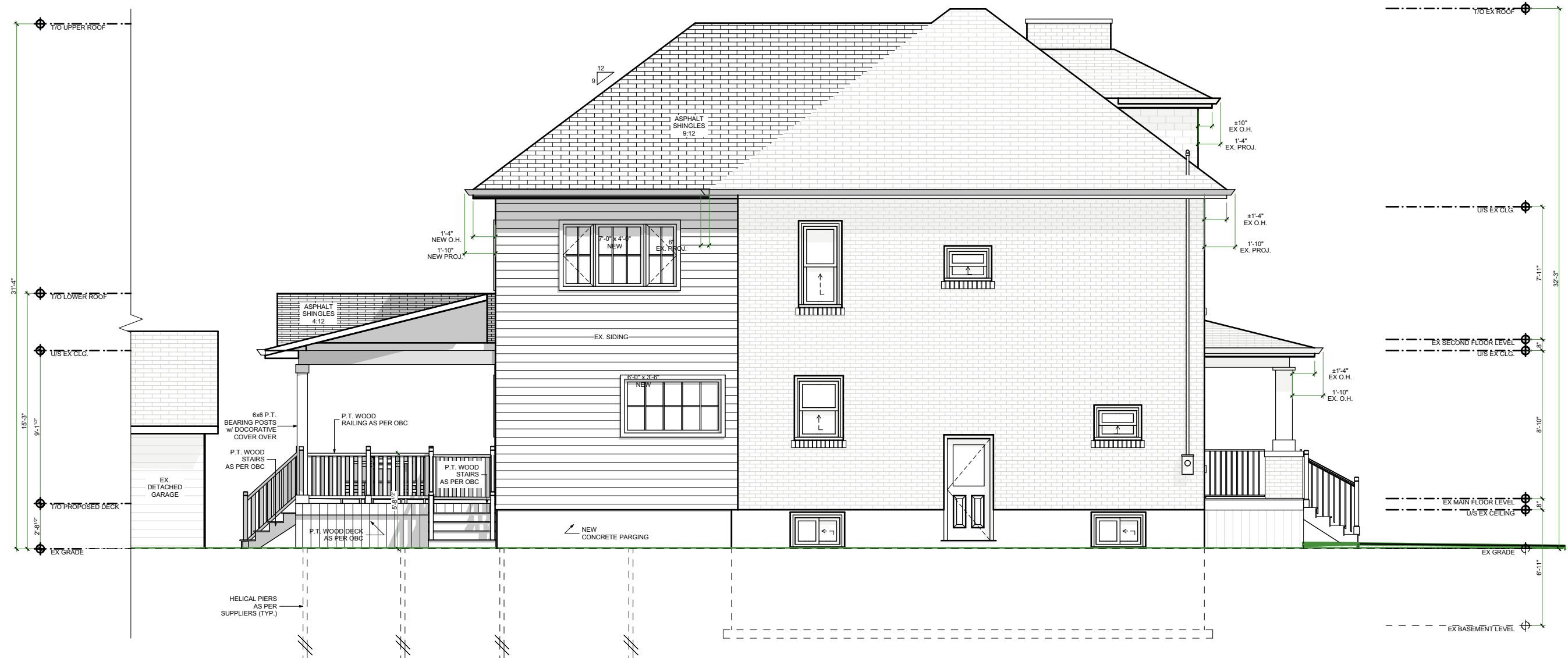
1

PROPOSED RIGHT ELEVATION

SCALE: 1:80

MARKOWIAK
217 MILL STREET N
WATERDOWN ON LOR 2H0
10/23/2020
1:80
VARIANCE PLANS SET

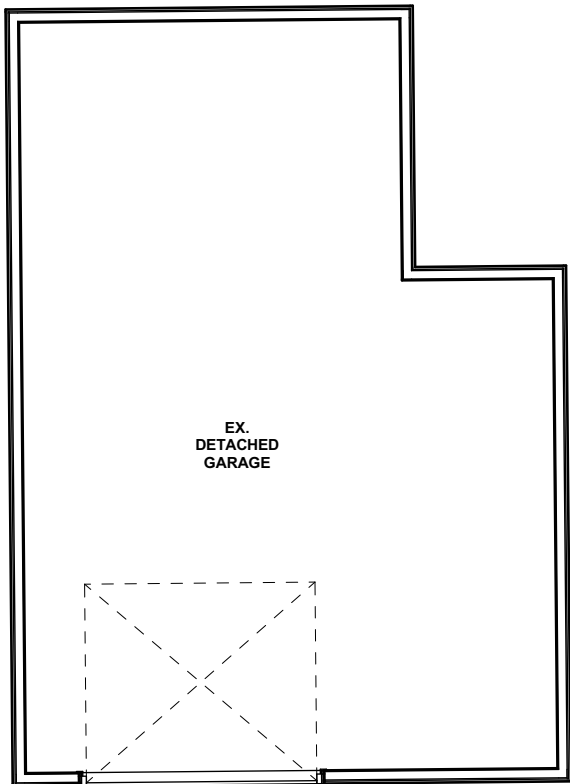


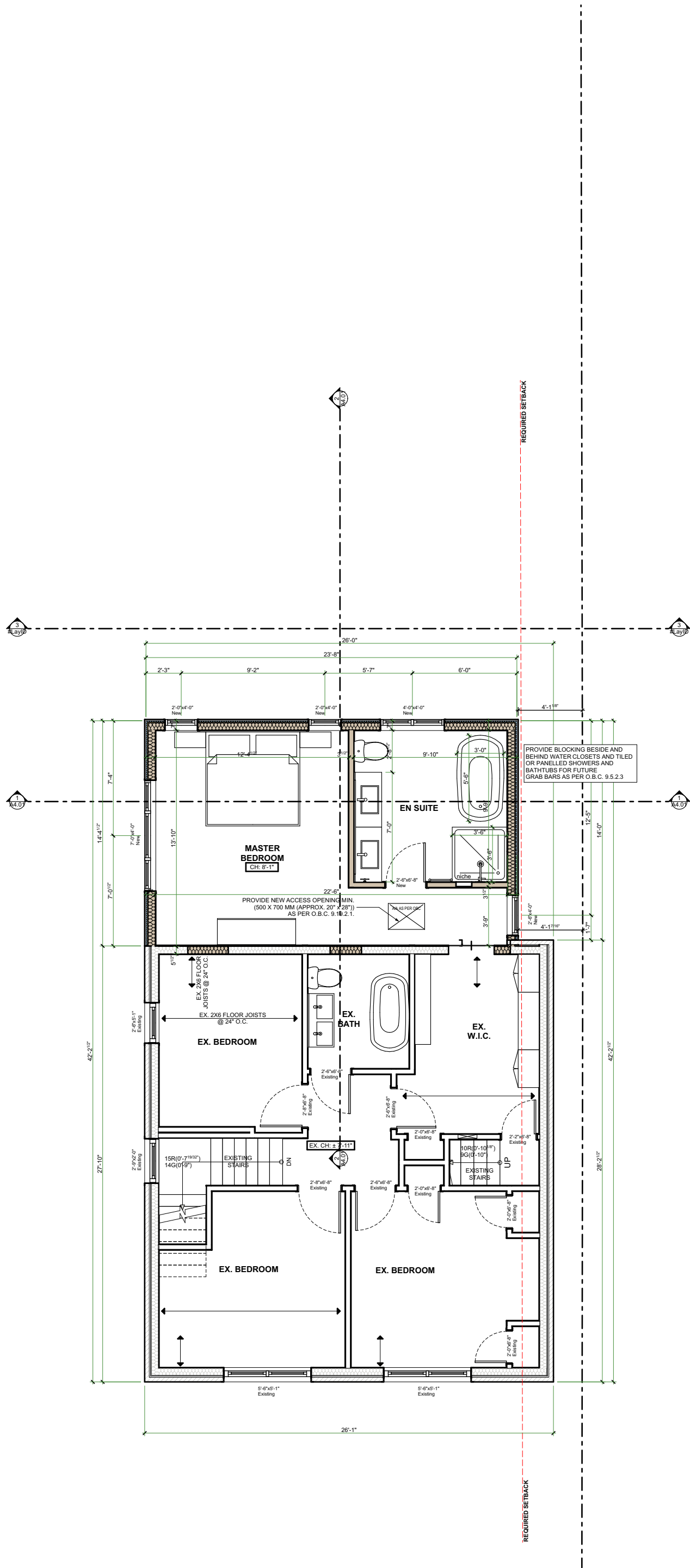


1

PROPOSED LEFT ELEVATION

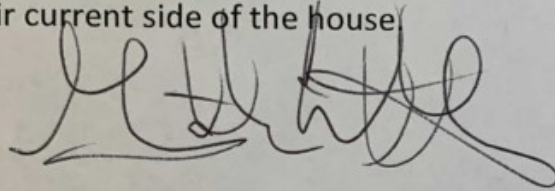
SCALE: 1:80





October 20, 2020

I have reviewed the plans for the proposed variance to my neighbour's property and they have my full support in pursuing their addition and including the portion in questions that brings the addition in line with their current side of the house.



Garth Wetherall
221 Mill St. N
P.O. Box 777
Waterdown, Ontario
L0R 2H0

ve3yc@outlook.com

905-689-4752

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)	Matt Markowiak	[REDACTED]	Phone: [REDACTED] E-mail: [REDACTED]
Applicant(s)*	Jeff Markowiak	[REDACTED]	Phone: [REDACTED] E-mail: [REDACTED]
Agent or Solicitor	Jeff Markowiak	[REDACTED]	Phone: [REDACTED] [REDACTED]

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:

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:

Seeking relief from Interim Control By-law 20-101 to allow an expansion (rear addition) that represents a 24% increase of the gross floor area of a legally existing building (single detached dwelling) whereas a maximum of 10% of the existing gross floor area is permitted.

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

In December 2020 City staff and the Committee of Adjustment supported and approved minor variances to permit the construction of the proposed addition (File No. FL/A-20:238). However, through the Building Permit review it was identified that relief from ICBL 20-101 was not obtained. The 10% maximum gfa expansion permitted under the ICBL will not allow for construction of the previously supported addition.

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**):

PCL 35-1, SEC M7; LT 35, PL M7, Flamborough City of Hamilton

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 dwelling is approximately 100 years old and exists in the middle of a mature residential neighbourhood

- 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.

March 24, 2021

Date

Signature Property Owner

Matt Markowiak

Print Name of Owner

10. Dimensions of lands affected:

Frontage	13.81 m
Depth	80.47 m
Area	1,111.2 m ²
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: _

2-Storey Dwelling: gfa - 286.97 m²

Detached Garage: gfa - 43.77 m²

Proposed

2-Storey Addition: gfa - 67.85 m²

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

Existing:

2-Storey Dwelling: gfa - 286.97 m²

Detached Garage: gfa - 43.77 m²

Proposed:

2-Storey Addition: gfa - 67.85 m²

13. Date of acquisition of subject lands:
2014
-
14. Date of construction of all buildings and structures on subject lands:
Dwelling was constructed in 1921
-
15. Existing uses of the subject property:
Single detached dwelling (residential)
16. Existing uses of abutting properties:
Single detached residential and institutional (Mary Hopkins Public School)
17. Length of time the existing uses of the subject property have continued:
100 years
18. Municipal services available: (check the appropriate space or spaces)
 Water Yes Connected Yes
 Sanitary Sewer Yes Connected Yes
 Storm Sewers Yes
19. Present Official Plan/Secondary Plan provisions applying to the land:
Neighbourhoods
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Urban Residential (Single Detached)(R1-2) By-law 90-145-Z-Flamborough
21. Has the owner previously applied for relief in respect of the subject property?
☒ Yes ☐ No
 If the answer is yes, describe briefly.
 Minor Variances were granted for a reduced interior side yard setback (0.63 m) and the projection of eaves into the side yard (0.02 m to the property line) to apply to the same proposed addition (File No FL/A-20:238).
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
 Hamilton Planning staff previously confirmed the addition is consistent with the City's Heritage Conservation District Plan. Additionally, the Planner handling the Waterdown Secondary Plan (Melanie Phan) suggested the size of the addition would not appear to conflict with the intent of ICBL 20-101.
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.