

## **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.:** HM/A-21:116

**APPLICANTS:** Owner Alexio Nikolaou  
Agent Christine Brown

**SUBJECT PROPERTY:** Municipal address **9 Clonmore Ave., Hamilton**

**ZONING BY-LAW:** Zoning By-law 6593, as Amended

**ZONING:** C district (Urban Protected Residential)

**PROPOSAL:** To permit the construction of a 4.49m (14'8<sup>3</sup>/<sub>4</sub>" ) x 7.63m (25'0<sup>1</sup>/<sub>4</sub>" ) one storey northerly addition and a 8.21m (26'11<sup>3</sup>/<sub>8</sub>" ) x 10.66m (34'11<sup>3</sup>/<sub>4</sub>" ) second storey northerly addition onto the existing single family dwelling notwithstanding that:

1. A minimum rear yard of 4.4m shall be provided instead of the minimum required rear yard depth of 7.5m.
2. The parking spaces in the attached garage shall be permitted to be obstructed by the parking spaces in the driveway in order to allow tandem parking instead of the requirement that sufficient space additional to required parking space shall be provided and maintained on the same lot on which the parking space is located, in such a manner as to enable each and every parking space to be unobstructed and freely and readily accessible from within the lot, without moving any vehicle on the lot or encroaching on any designated parking space.
3. The manoeuvring spaces for the parking spaces in the attached garage shall be permitted to be obstructed by the parking spaces in the driveway in order to allow tandem parking instead of the requirement that all manoeuvring spaces shall be maintained free and clear of all obstructions to permit unobstructed access to and egress from required parking spaces.

**NOTE:**

- i) The rooms within the second floor addition are not considered a dwelling unit as it does not contain a kitchen.
- ii) This is a corner lot. The lot line along Fieldway Drive was previously considered the front lot line. As such, the following are the lot line determinations:

Front Lot Line: Lot line along Fieldway Drive

Rear Lot Line: Northerly lot line

Side Lot Lines: 26.52m lot line along Clonmore Avenue

5.60m lot line at the hypotenuse of the daylight triangle  
at the corner of Clonmore Avenue and Fieldway Drive

Easterly lot line

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

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**DATE:** Thursday, May 27<sup>th</sup>, 2021  
**TIME:** 2:25 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:

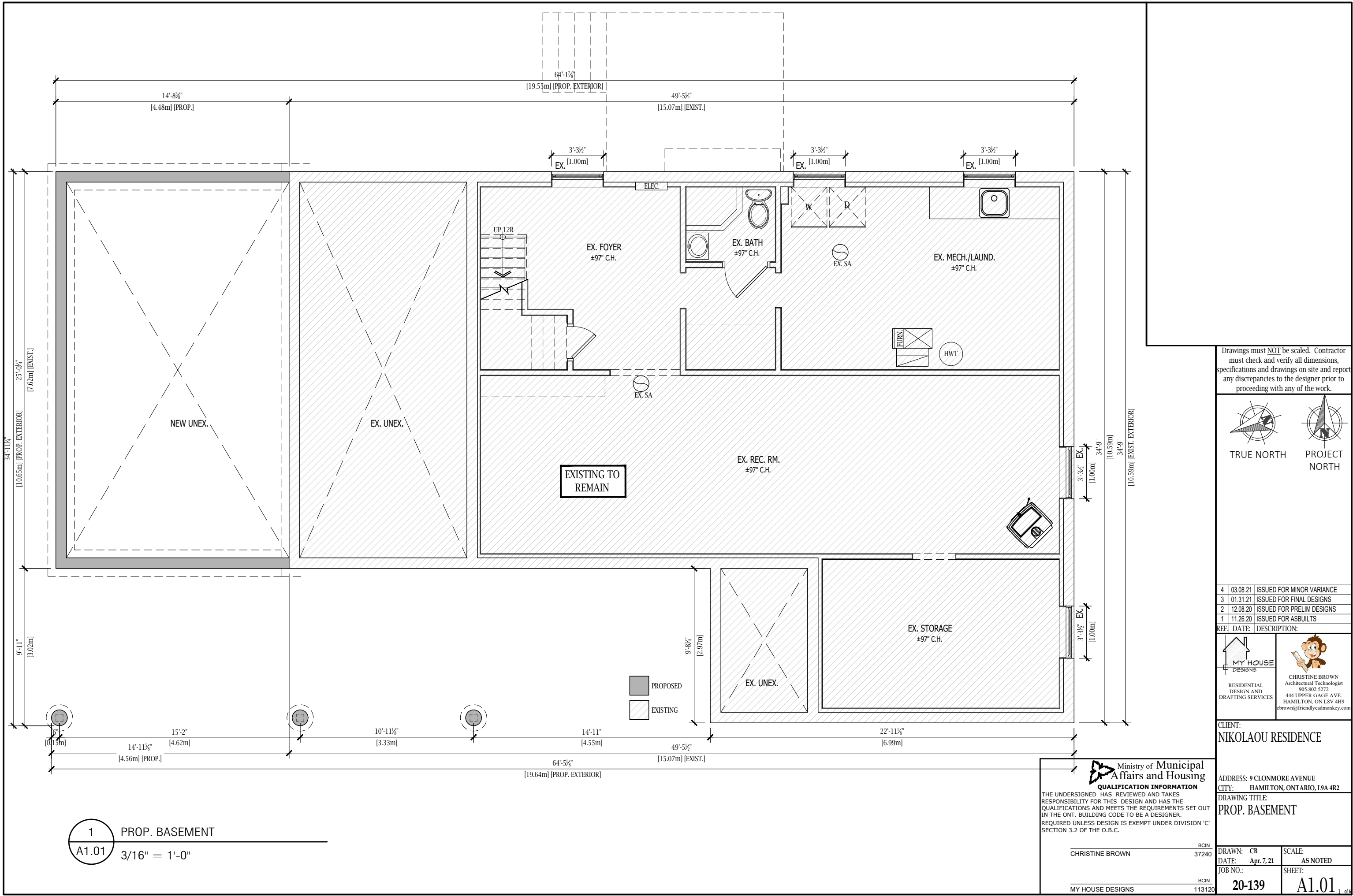
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: May 11<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.***



Drawings must NOT be scaled. Contractor must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the designer prior to proceeding with any of the work.




TRUE NORTH




PROJECT NORTH

4	03.08.21	ISSUED FOR MINOR VARIANCE
3	01.31.21	ISSUED FOR FINAL DESIGNS
2	12.08.20	ISSUED FOR PRELIM DESIGNS
1	11.26.20	ISSUED FOR ASBUILTS
REF.	DATE:	DESCRIPTION:



MY HOUSE  
DESIGNS


RESIDENTIAL  
DESIGN AND  
DRAFTING SERVICES



CHRISTINE BROWN  
Architectural Technologist  
905.802.5272  
444 UPPER GAGE AVE.  
HAMILTON, ON L8V 4H9  
cbrown@friendlycadmonkey.com

CLIENT:  
**NIKOLAOU RESIDENCE**

ADDRESS: 9 CLONMORE AVENUE  
CITY: HAMILTON, ONTARIO, L9A 4R2  
DRAWING TITLE:  
**PROP. BASEMENT**

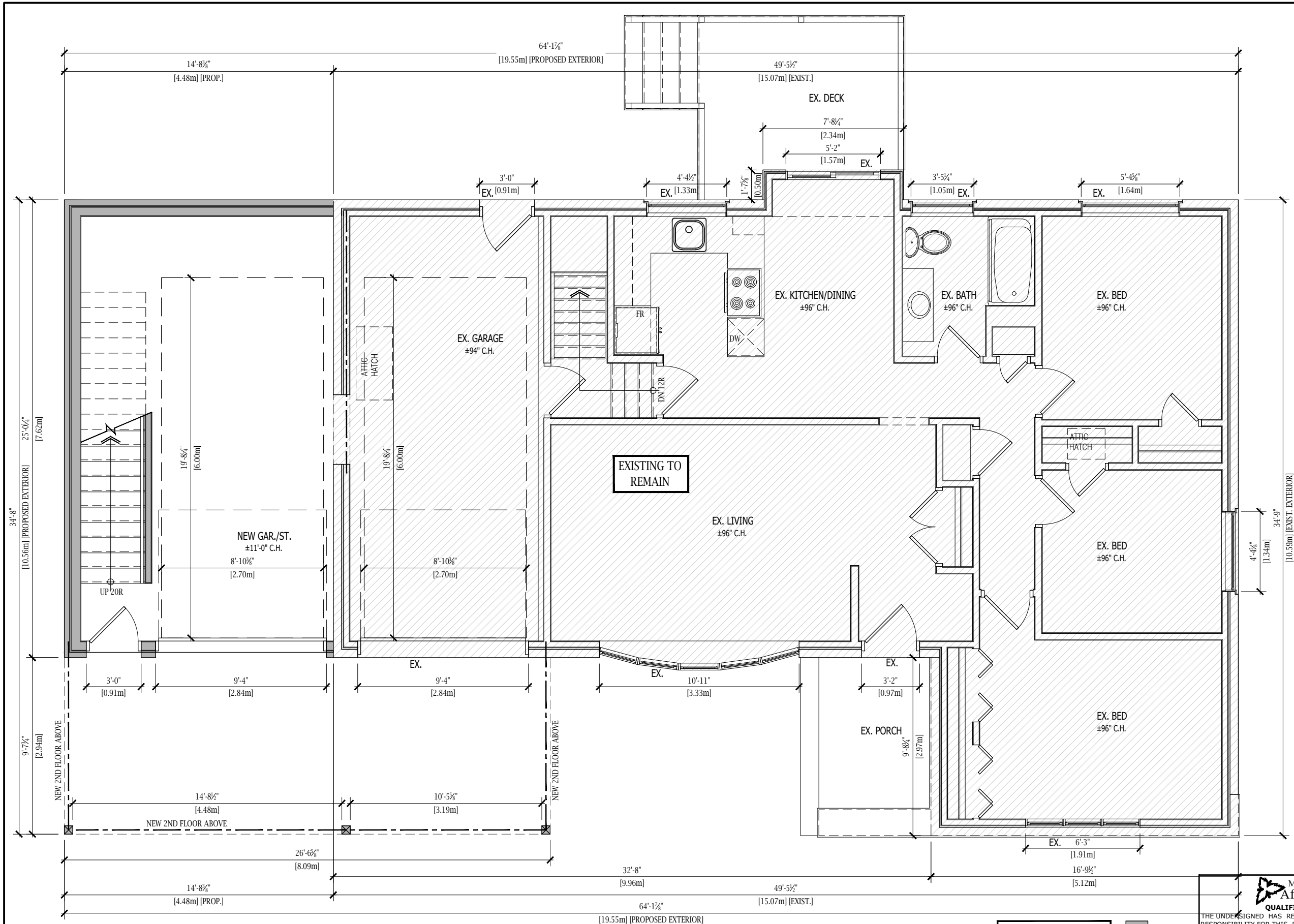
 Ministry of Municipal  
Affairs and Housing  
**QUALIFICATION INFORMATION**  
THE UNDERSIGNED HAS REVIEWED AND TAKES  
RESPONSIBILITY FOR THIS DESIGN AND HAS THE  
QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT  
IN THE ONT. BUILDING CODE TO BE A DESIGNER.  
REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 'C'  
SECTION 3.2 OF THE O.B.C.

CHRISTINE BROWN BCIN 37240

MY HOUSE DESIGNS BCIN 113120

DRAWN: CB  
DATE: Apr. 7, 21  
JOB NO.:  
SCALE: AS NOTED  
SHEET:

**20-139**  
**A1.01** of 6



1 PROP. 1ST FLOOR PLAN  
A1.02 3/16" = 1'-0"

EXISTING 1ST FLOOR AREA:  
1125.16ft<sup>2</sup> (104.53m<sup>2</sup>)  
EXISTING GARAGE AREA:  
288.06ft<sup>2</sup> (26.76m<sup>2</sup>)  
PROP. GARAGE AREA:  
367.68ft<sup>2</sup> (34.16m<sup>2</sup>)

PROPOSED  
EXISTING



Ministry of Municipal  
Affairs and Housing

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TRUE NORTH



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NORTH


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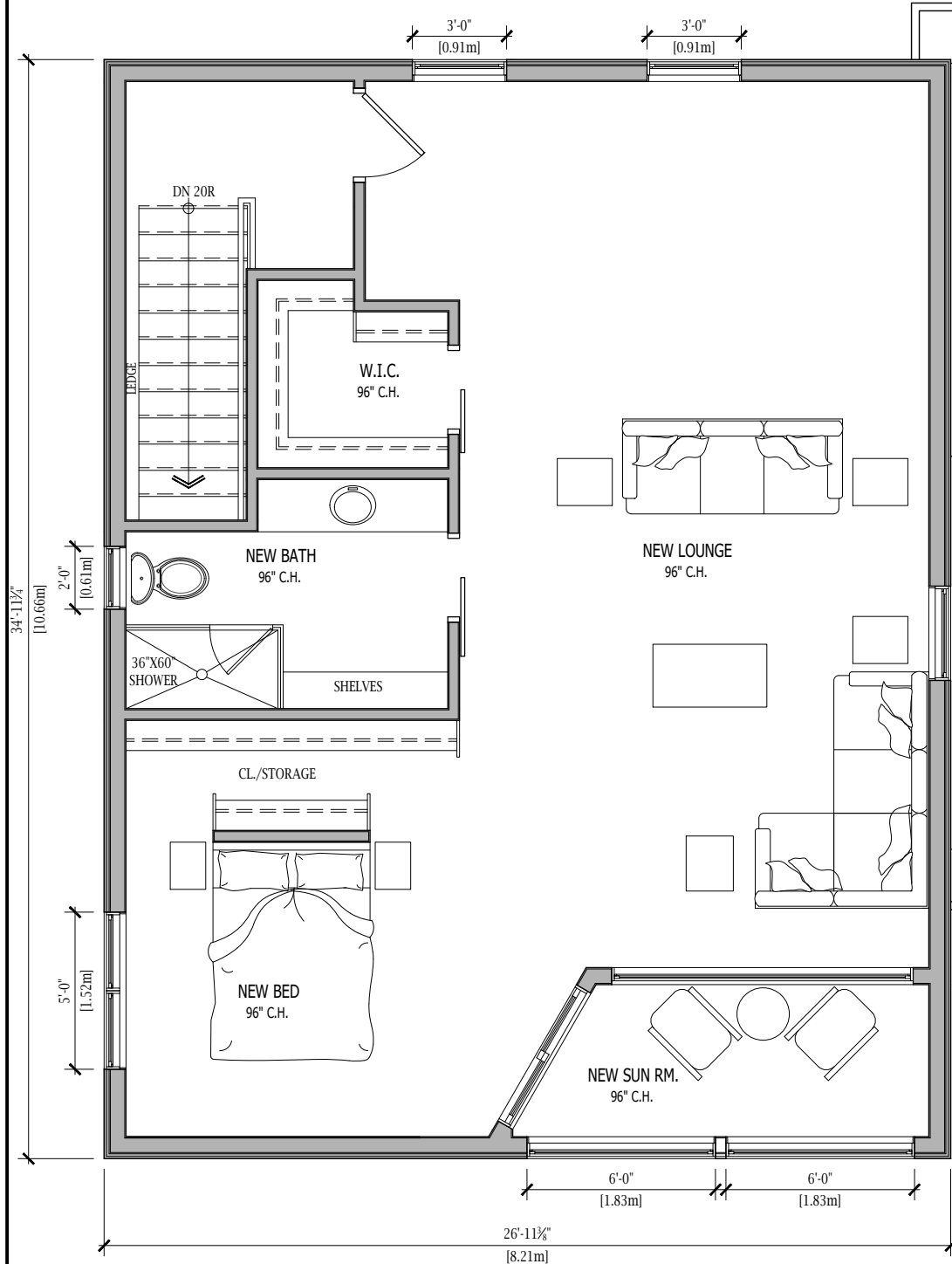
DRAWING TITLE:  
PROP. 1ST FLOOR PLAN

DRAWN: CB  
DATE: Apr. 7, 21  
JOB NO.:

SCALE:  
AS NOTED  
SHEET:

20-139


A1.02



NEW 2ND FLOOR AREA:  
942.48ft² (87.56m²)

PROPOSED  
EXISTING

1 PROP. 2ND FL.  
A1.03 3/16" = 1'-0"



Ministry of Municipal  
Affairs and Housing

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CHRISTINE BROWN

BCIN  
37240

MY HOUSE  
DESIGNS

BCIN  
113120

DRAWN: CB

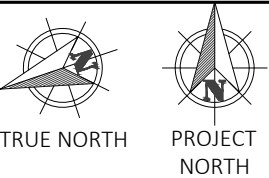
DATE: Apr. 7, 21

JOB NO.: 20-139


SCALE:  
AS NOTED

SHEET:  
A1.03


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RESIDENTIAL  
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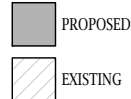
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CITY: HAMILTON, ONTARIO, L9A 4R2  
DRAWING TITLE:  
PROP. 2ND FL.

DRAWN: CB	SCALE:
DATE: Apr. 7, 21	AS NOTED
JOB NO.: 20-139	SHEET:

A1.03



±3:12 EXIST. 

±3:12 EXIST.

±3:12 EXIST.

±3:12 PROP.

±3:12 PROP.

±3:12 PROP.



LINE OF ST  
FRAMING

LINE OF  
CLADDING

MY HOUSE DESIGNS	113120
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PROJECT  
NORTH

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 <p><b>MY HOUSE DESIGNS</b></p> <p>RESIDENTIAL DESIGN AND DRAFTING SERVICES</p>	 <p><b>CHRISTINE BROWN</b> Architectural Technologist 905.802.5272 444 UPPER GAGE AVE. HAMILTON, ON L8V 4H9 <a href="mailto:cbrown@friendlycadmonkey.com">cbrown@friendlycadmonkey.com</a></p>
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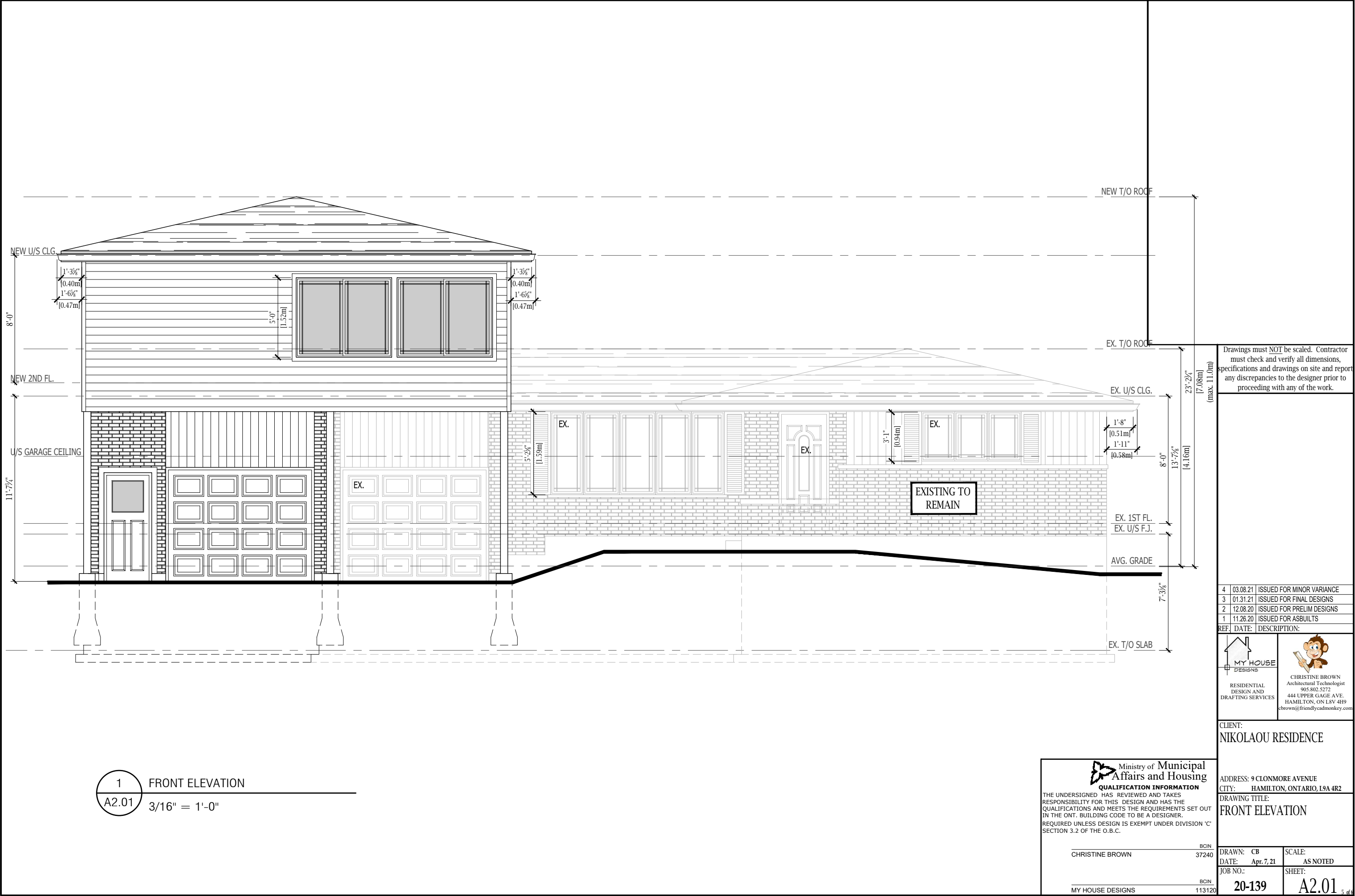
CLIENT:  
NIKOLAOU RESIDENCE

ADDRESS: 9 CLONMORE AVENUE  
CITY: HAMILTON, ONTARIO, L9A 4R2  
DRAWING TITLE:  
**PROP. ROOF PLAN**

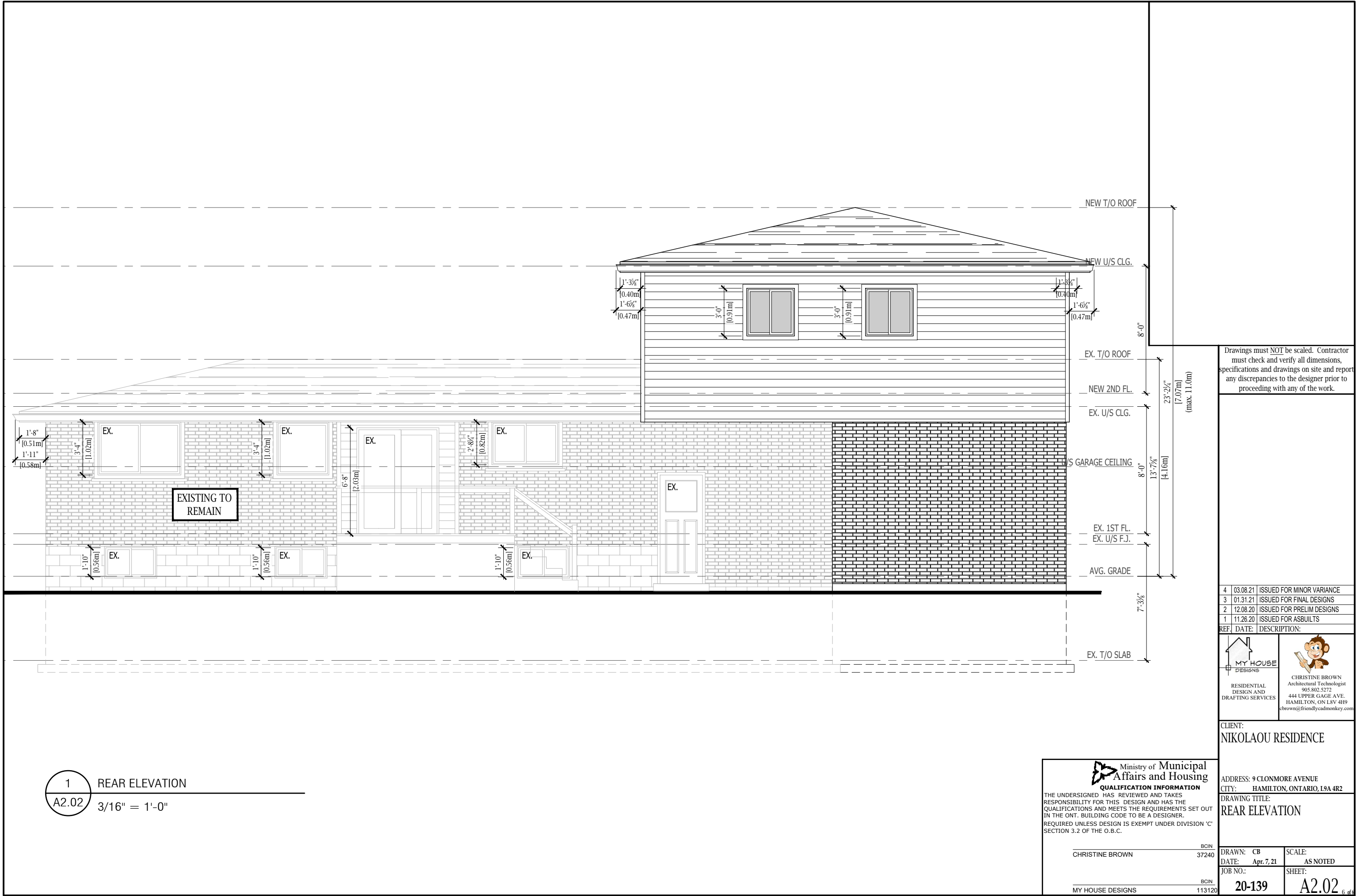
DRAWN: CB	SCALE:
DATE: Apr. 7, 21	AS NOTED
JOB NO.:	SHEET:

20-139	A1.04
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## A1.04







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CLIENT:  
NIKOLAOU RESIDENCE

ADDRESS: 9 CLONMORE AVENUE  
CITY: HAMILTON, ONTARIO, L9A 4R2  
DRAWING TITLE:  
REAR ELEVATION

DRAWN: CB	SCALE:
DATE: Apr. 7, 21	AS NOTED
JOB NO.:	SHEET:
20-139	A2.02



Ministry of Municipal  
Affairs and Housing

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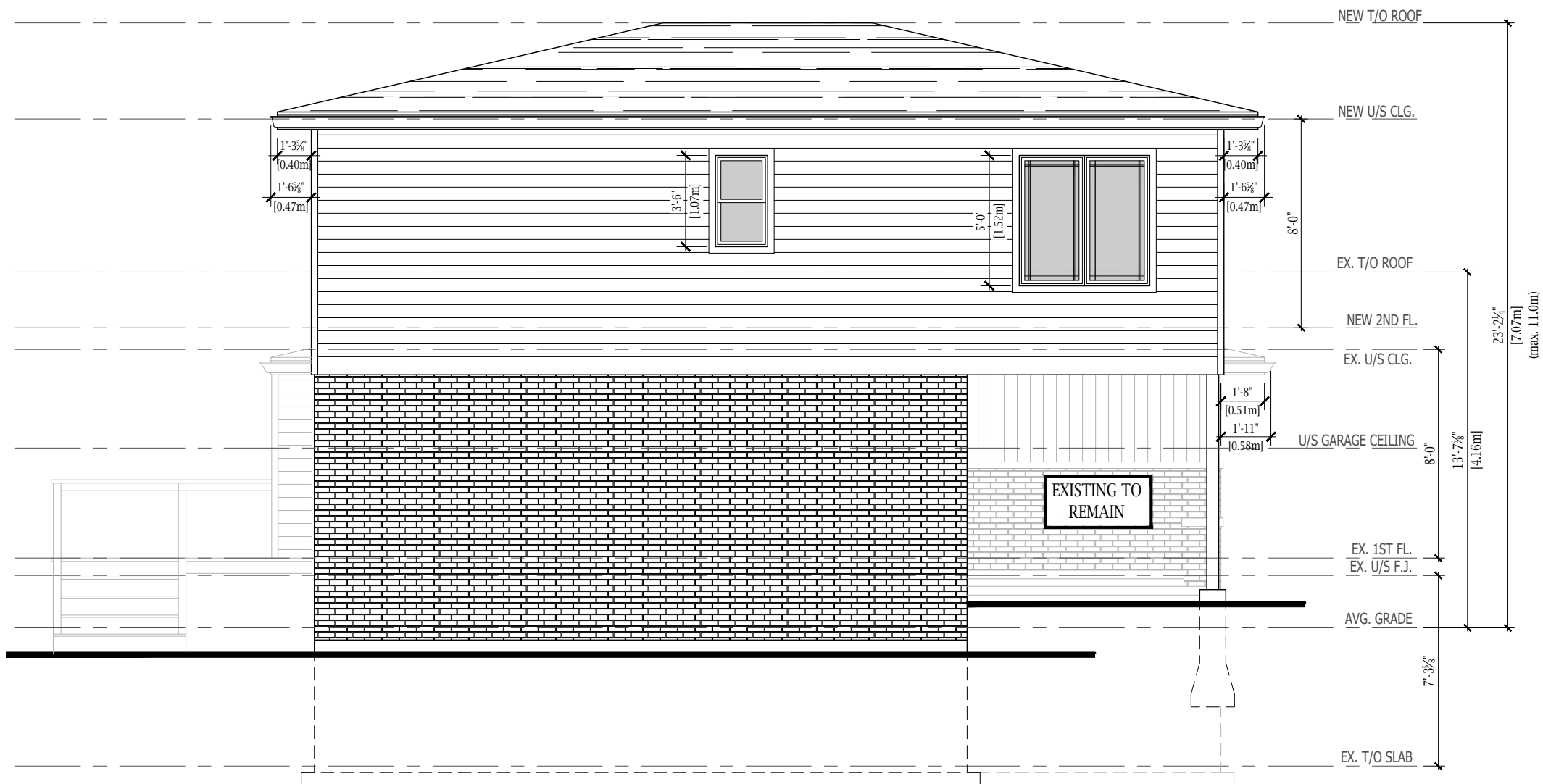
BCIN  
37240

CHRISTINE BROWN

BCIN  
113120

MY HOUSE DESIGNS






1 LEFT ELEVATION  
A2.03 3/16" = 1'-0"


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MY HOUSE  
DESIGNS


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DESIGN AND  
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CLIENT:  
NIKOLAOU RESIDENCE

ADDRESS: 9 CLONMORE AVENUE  
CITY: HAMILTON, ONTARIO, L9A 4R2  
DRAWING TITLE:  
LEFT ELEVATION



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BCIN 37240  
CHRISTINE BROWN

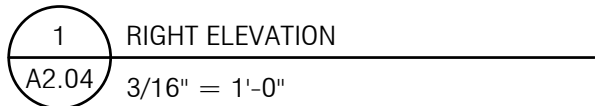
BCIN 113120  
MY HOUSE DESIGNS

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JOB NO.:  
20-139

SCALE:  
AS NOTED

SHEET:  
A2.03 7 of 6




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CLIENT:  
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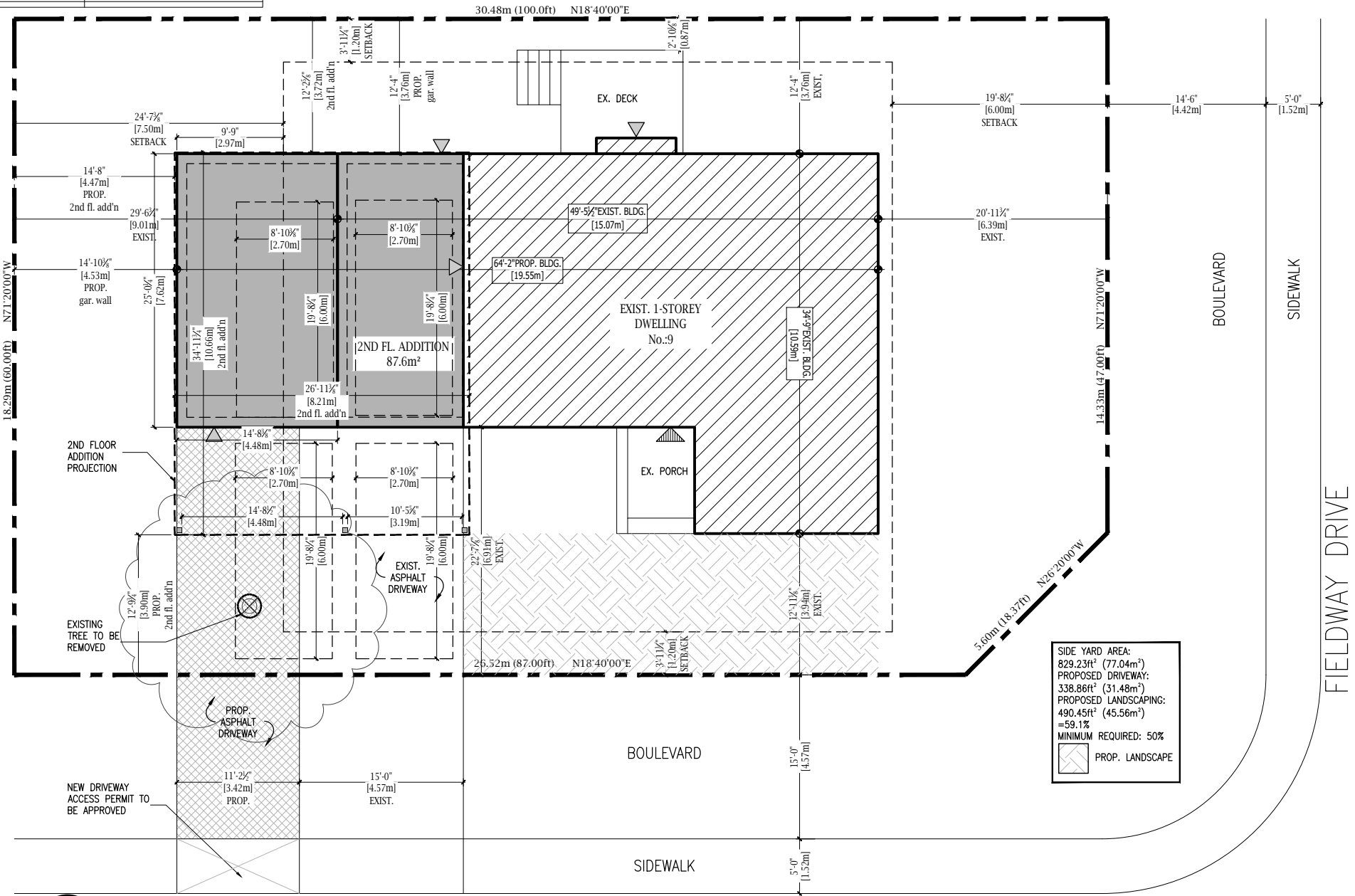
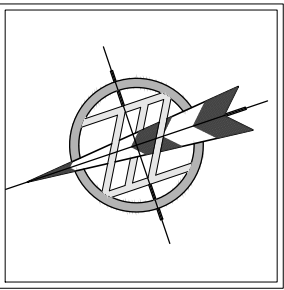
ADDRESS: 9 CLONMORE AVENUE  
CITY: HAMILTON, ONTARIO, L9A 4R2

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DRAWING TITLE:  
**RIGHT ELEVATION**

 <div style="text-align: center;"> <b>Ministry of Municipal Affairs and Housing</b> </div> <div style="text-align: center; margin-top: 10px;"> <b>QUALIFICATION INFORMATION</b> </div> <p>THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONT. BUILDING CODE TO BE A DESIGNER.</p> <p>REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 'C' SECTION 3.2 OF THE O.B.C.</p>  <div style="text-align: right; margin-right: 50px;">BCIN:</div> <div style="border-top: 1px solid black; margin-top: 10px; padding-top: 5px;">CHRISTINE BROWN</div> <div style="text-align: right; margin-right: 50px;">37240</div>  <div style="text-align: right; margin-right: 50px;">BCIN:</div> <div style="border-top: 1px solid black; margin-top: 10px; padding-top: 5px;">MY HOUSE DESIGNS</div> <div style="text-align: right; margin-right: 50px;">113320</div>	<div style="margin-bottom: 10px;"> <b>ADDRESS:</b> 9 CLONMORE AVENUE  <b>CITY:</b> HAMILTON, ONTARIO, L9A 4R2         </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <b>DRAWING TITLE:</b>  <div style="text-align: center; font-size: 1.5em; font-weight: bold; margin-top: 10px;">RIGHT ELEVATION</div> </div> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;"> <b>DRAWN:</b> CB  <b>DATE:</b> Apr. 7, 21         </td> <td style="width: 50%; padding: 5px;"> <b>SCALE:</b>  AS NOTED         </td> </tr> <tr> <td style="width: 50%; padding: 5px;"> <b>JOB NO.:</b>  <div style="text-align: center; font-size: 1.5em; font-weight: bold; margin-top: 10px;">20-139</div> </td> <td style="width: 50%; padding: 5px;"> <b>SHEET:</b>  <div style="text-align: center; font-size: 2em; font-weight: bold; margin-top: 10px;">A2.04</div> <div style="text-align: right; font-size: 0.8em;">8 of 8</div> </td> </tr> </table>	<b>DRAWN:</b> CB <b>DATE:</b> Apr. 7, 21	<b>SCALE:</b> AS NOTED	<b>JOB NO.:</b> <div style="text-align: center; font-size: 1.5em; font-weight: bold; margin-top: 10px;">20-139</div>	<b>SHEET:</b> <div style="text-align: center; font-size: 2em; font-weight: bold; margin-top: 10px;">A2.04</div> <div style="text-align: right; font-size: 0.8em;">8 of 8</div>
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SITE PLAN LEGEND:	
	PROPERTY LINE
	BUILDING ENVELOPE
	EXISTING TO BE REMOVED
	PROPOSED SOLID HOARDING
	PROPOSED FRAMED HOARDING
	NEW WATER LINE
	NEW SANITARY LINE
	NEW NATURAL GAS LINE
	NEW BURIED HYDRO VAULT
	NEW SUMP LINE TO GRADE
	CONSTRUCTION ACCESS
	EXISTING GRADE
	PROPOSED FINISHED GRADE
	MAIN ENTRY, FRONT DOOR
	SECONDARY ENTRANCE
	EXISTING BUILDING TO REMAIN
	PROPOSED NEW CONSTRUCTION
	PROPOSED NEW DRIVEWAY
	EXISTING TREE TO REMAIN
	EXISTING TREE TO BE REMOVED
	RAIN WATER LEADERS



SIDE YARD AREA: 829.23ft <sup>2</sup> (77.04m <sup>2</sup> ) PROPOSED DRIVEWAY: 338.86ft <sup>2</sup> (31.48m <sup>2</sup> ) PROPOSED LANDSCAPING: 490.45ft <sup>2</sup> (45.56m <sup>2</sup> ) =59.1% MINIMUM REQUIRED: 50%
PROP. LANDSCAPE

PROJECT ADDRESS/OWNER:		DESIGNER/APPLICANT:	
Nikolaos Alexios Nikolaou		Christine Brown	
9 Clonmore Avenue		My House Designs	
Hamilton, Ontario, L9A 4R2		444 Upper Gage Avenue	
PH: (905) 379-8360		Hamilton, Ontario, L8V 4H9	
		PH: (905) 802-5272	
SITE STATISTICS:			
ZONING (FORMER HAMILTON): 6593		C	
LOT INFORMATION:			
		METRIC	IMPERIAL
MIN. LOT AREA:		360.00	3874.98
ACTUAL LOT AREA:		549.57	5915.50
MIN. LOT FRONTAGE:		12.00	39.37
ACTUAL LOT FRONTAGE:		18.29	60.01
LOT DEPTH		30.48	100.00
SETBACK INFORMATION:			
MINIMUM FRONT YARD SETBACK:		6.00	19.69
EXISTING:		6.39	20.96
MINIMUM REAR YARD SETBACK:		7.50	24.61
EXISTING:		9.01	29.56
PROPOSED TO ADDITION (1st FL.):		*COA*	4.53
PROPOSED TO ADDITION (2nd FL.):		*COA*	4.47
MIN. R SIDE YARD SETBACK:		1.20	3.94
EXIST. R SIDE YARD SETBACK:		3.76	12.34
PROP. R SIDE YARD SETBACK TO ADDITION (1st FL.):		3.76	12.34
PROP. R SIDE YARD SETBACK TO ADDITION (2nd FL.):		3.72	12.20
MIN. L SIDE YARD SETBACK:		1.20	3.94
EXIST. L SIDE YARD SETBACK:		3.94	12.93
PROP. L SIDE YARD SETBACK TO ADDITION (1st FL.):		6.91	22.67
PROP. L SIDE YARD SETBACK TO ADDITION (2nd FL.):		3.90	12.80
GROSS FLOOR AREA:		METRIC	IMPERIAL
EXISTING 1st FLOOR AREA:		104.53	1125.16
NEW 2nd FLOOR AREA:		87.56	942.48
PROPOSED GROSS FLOOR AREA:		192.09	2067.64
COVERAGE CALCULATIONS:		METRIC	IMPERIAL
GROUND FLOOR AREA:		104.53	1125.16
EXIST. GARAGE AREA:		26.76	288.06
NEW GARAGE AREA:		34.16	367.68
NEW 2ND FL. OVERHANG AREA:		23.79	256.12
PROPOSED COVERAGE:		34.45%	189.31
			2037.02
HEIGHT CALCULATIONS		METRIC	IMPERIAL
MAX. ALLOWABLE HEIGHT		11.00	36.09
EXISTING HEIGHT:		4.16	13.65
PROPOSED HEIGHT:		7.08	23.23

2	SITE STATS
SP1.01	N.T.S.

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CHRISTINE BROWN  
BCIN 37240

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DATE: Apr. 7, 21  
JOB NO.: 20-139

SCALE: AS NOTED  
SHEET: SP1.01

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cbrown@friendlycadmonkey.com

CLIENT:  
NIKOLAOU RESIDENCE

ADDRESS: 9 CLONMORE AVENUE  
CITY: HAMILTON, ONTARIO, L9A 4R2  
DRAWING TITLE:  
SITE PLAN & SITE STATS



Hamilton

Committee of Adjustment

City Hall, 5<sup>th</sup> Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: [cofa@hamilton.ca](mailto: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)	Alexio Nikolaou		Phone: _____ E-mail: _____
Applicant(s)*	Christine Brown		Phone: _____ E-mail: _____
Agent or Solicitor			Phone: _____ E-mail: _____

**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:

to permit a rear yard setback of 4.74m instead of the minimum allowable 7.5m

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

Due to the orientation of the lot, the front yard is actually at the side of the house (on Fieldway Drive). We would like to increase the garage for parking and storage and build a semi separated living space for in-laws.

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**):

9 Clonmore Avenue, Hamilton, Ontario, L9A 4R2

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?

This is a long standing residential neighbourhood and although the answers are probably "no", I cannot confirm.

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 1

Date

Signature

Owner

Nikolaos Nikolaou

Print Name of Owner

10. Dimensions of lands affected:

Frontage	18.29m
Depth	30.48m
Area	549.57s.m.
Width of street	8.4m (clonmore) 8.2m(fieldway)

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: 1-storey  
1st floor area: 104.53m<sup>2</sup>  
garage area: 26.74m<sup>2</sup>  
length: 15.07m  
width: 10.59m  
height: 4.16m

Proposed

2-storey  
1st floor area: no change  
2nd floor area: 87.56m<sup>2</sup>  
new garage area addition: 34.16m<sup>2</sup>  
length: 19.55m width: no change height: 7.08m

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: 6.39m  
Rear Yard: 9.01m  
L side yard: 3.94m  
R side yard: 3.76m

Proposed:

Front Yard: no change  
Rear Yard: 4.53m  
L side yard: no change  
R side yard: no change



13. Date of acquisition of subject lands:  
SEPT. 2013
14. Date of construction of all buildings and structures on subject lands:  
1960'S
15. Existing uses of the subject property:  
single family residential
16. Existing uses of abutting properties:  
single family residential
17. Length of time the existing uses of the subject property have continued:
18. Municipal services available: (check the appropriate space or spaces)  
Water Y Connected Y  
Sanitary Sewer Y Connected Y  
Storm Sewers Y
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.