

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-21:188

APPLICANTS: Owner C & L Stewart
Agent Shane Wilson

SUBJECT PROPERTY: Municipal address **346 Main Street N., Flamborough**

ZONING BY-LAW: Zoning By-law 90-145-Z , as Amended by By-law 94-65-Z

ZONING: R1-14 district (Urban Residential (Single Detached))

PROPOSAL: To permit the construction of a new 2 storey single detached dwelling notwithstanding that;

1. A maximum of 9.0 m in height shall be permitted instead of the maximum permitted 8.2 m in height; and

2. A maximum floor space of 325.2 m² shall be permitted, whereas the By-Law states that for a 2 storey a maximum floor space of 250.8 m² shall be permitted.

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

DATE: Thursday, June 17th, 2021
TIME: 3:25 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

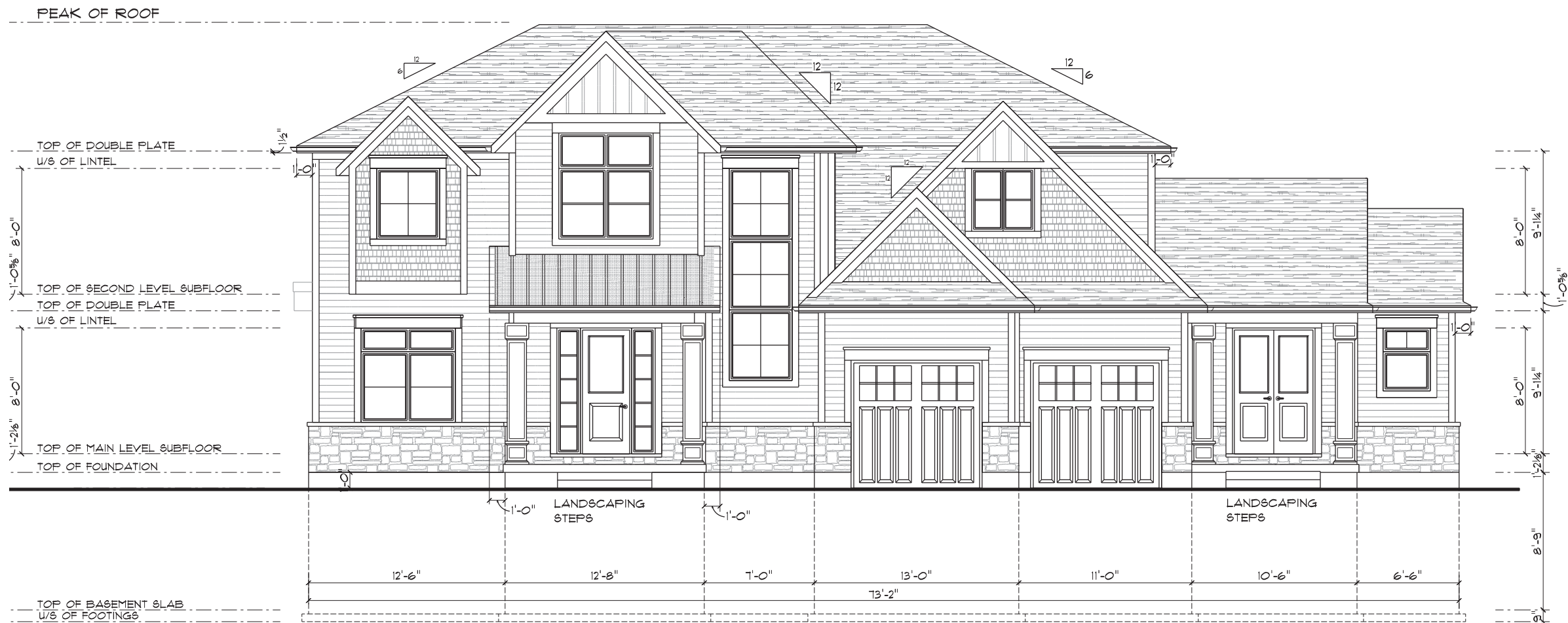
For more information on this matter, including access to drawings illustrating this request:

- 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

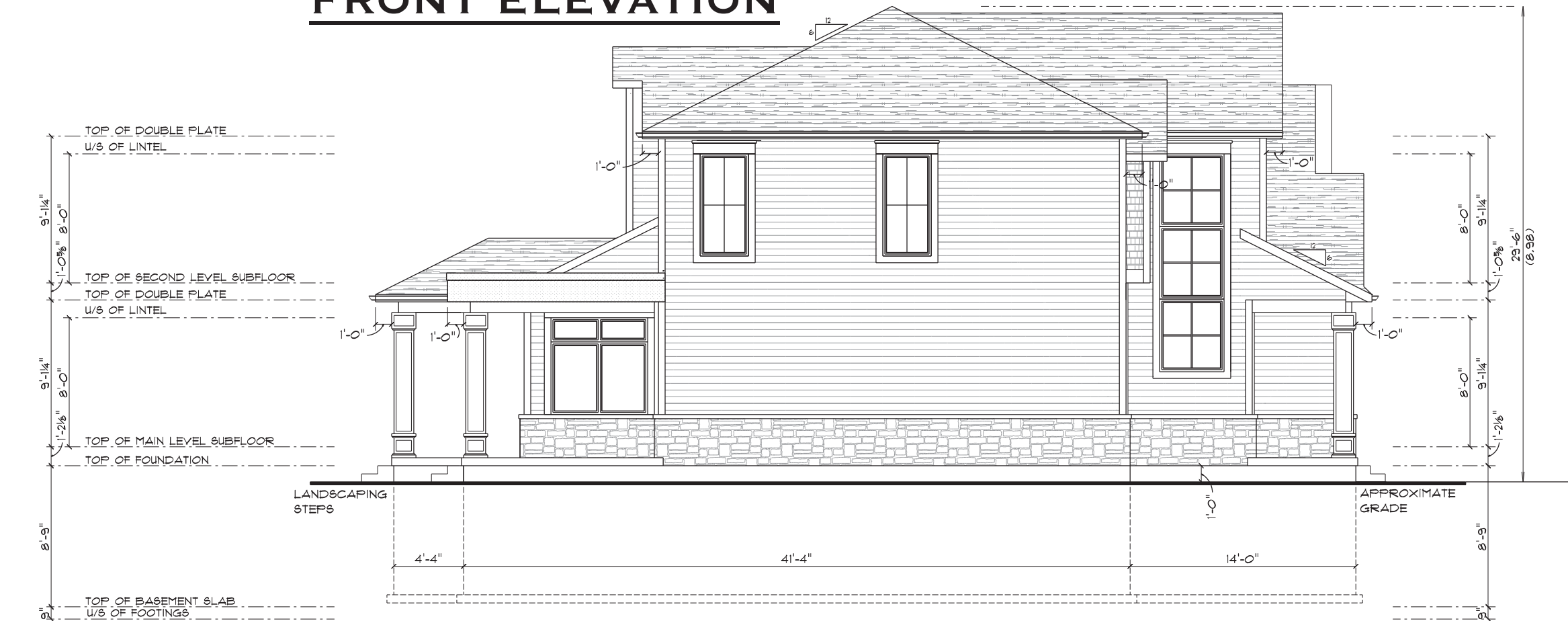
DATED: June 1st, 2021.

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.



FRONT ELEVATION



LEFT ELEVATION

NO.	DATE:	ISSUE / REVISION
1	04-26-21	FOR C.O.A.
2		
3		
4		
5		

GENERAL NOTES:

THE CONTRACTOR IS TO VERIFY ALL DIMENSIONS AND INFORMATION SHOWN ON THESE DRAWINGS WITH CONDITIONS ON SITE AND ANY DISCREPANCIES ARE TO BE REPORTED TO THE DESIGNER PRIOR TO CONSTRUCTION AND FABRICATION OF ITS COMPONENTS. SHOULD EXISTING CONDITIONS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED ON THE DRAWINGS, THE DESIGNER MUST BE NOTIFIED IMMEDIATELY.

ALL DRAWINGS AND RELATED DOCUMENTS SHALL REMAIN THE PROPERTY AND COPYRIGHT OF DETAILS MATTER.

USE LATEST REVISED DRAWINGS.

MAKE GOOD ALL AREAS OF WORK AND SURFACES DISTURBED BY CONSTRUCTION WHETHER SHOWN ON THE DRAWINGS OR NOT.

DO NOT SCALE DRAWINGS.

THESE DRAWINGS ARE IN ACCORDANCE TO THE 2012 OBC.

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.

SHANE K WILSON
FIRM NAME: DETAILS MATTER 39141

M. 905.870.8445
SHANE@DETAILSMATTER.CA WWW.DETAILSMATTER.CA



FACEBOOK.COM/DETAILSMATTER2007
@DETAILSMATTER07

PROJECT:
346 MAIN STREET ,NORTH
WATERDOWN, ONTARIO

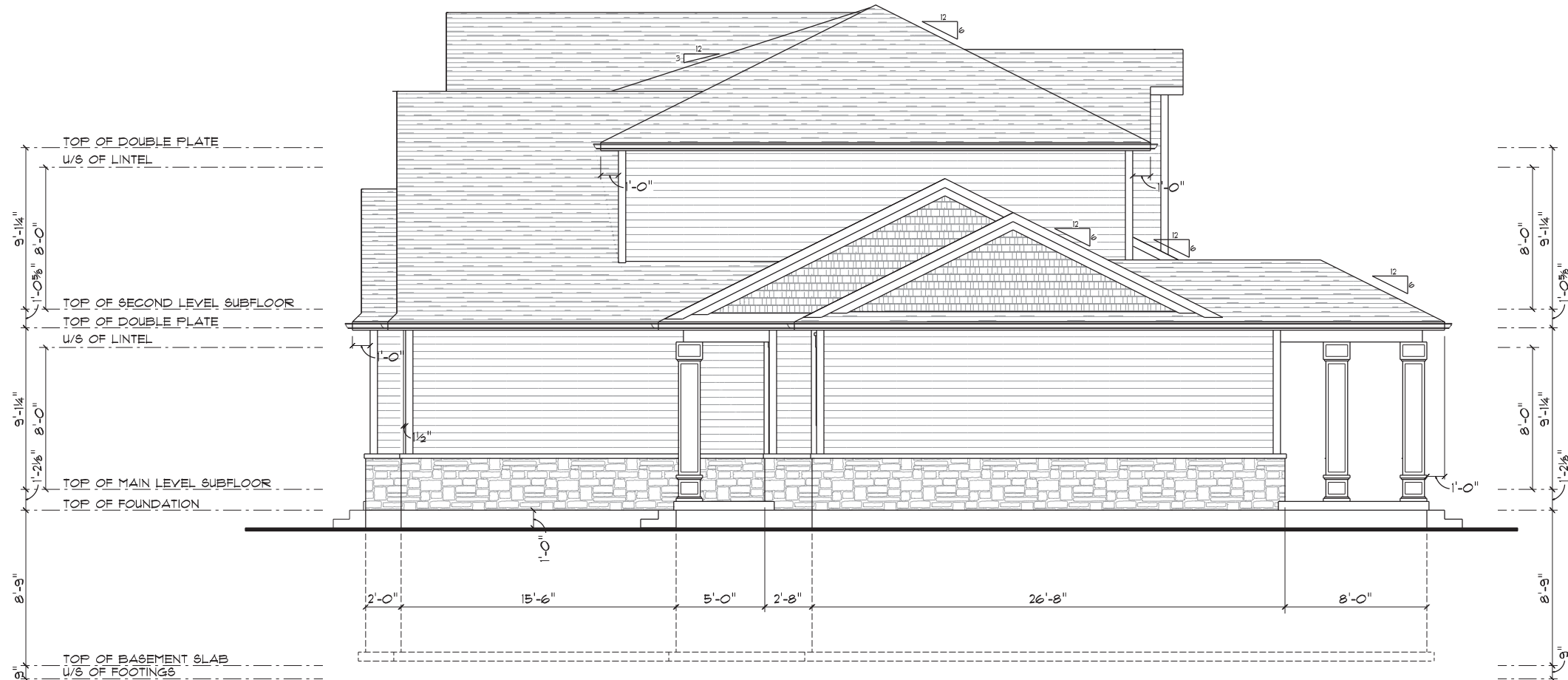
SHEET TITLE:
**FRONT AND LEFT
ELEVATIONS**

DRAWN BY: S.K.W.	CHECKED BY: S.K.W.	
SCALE: 1/8" = 1'-0"	DATE: MAR 2021	PROJECT NO: DM21-018

DRAWING NO:
A1



REAR ELEVATION



RIGHT ELEVATION

NO.	DATE:	ISSUE / REVISION
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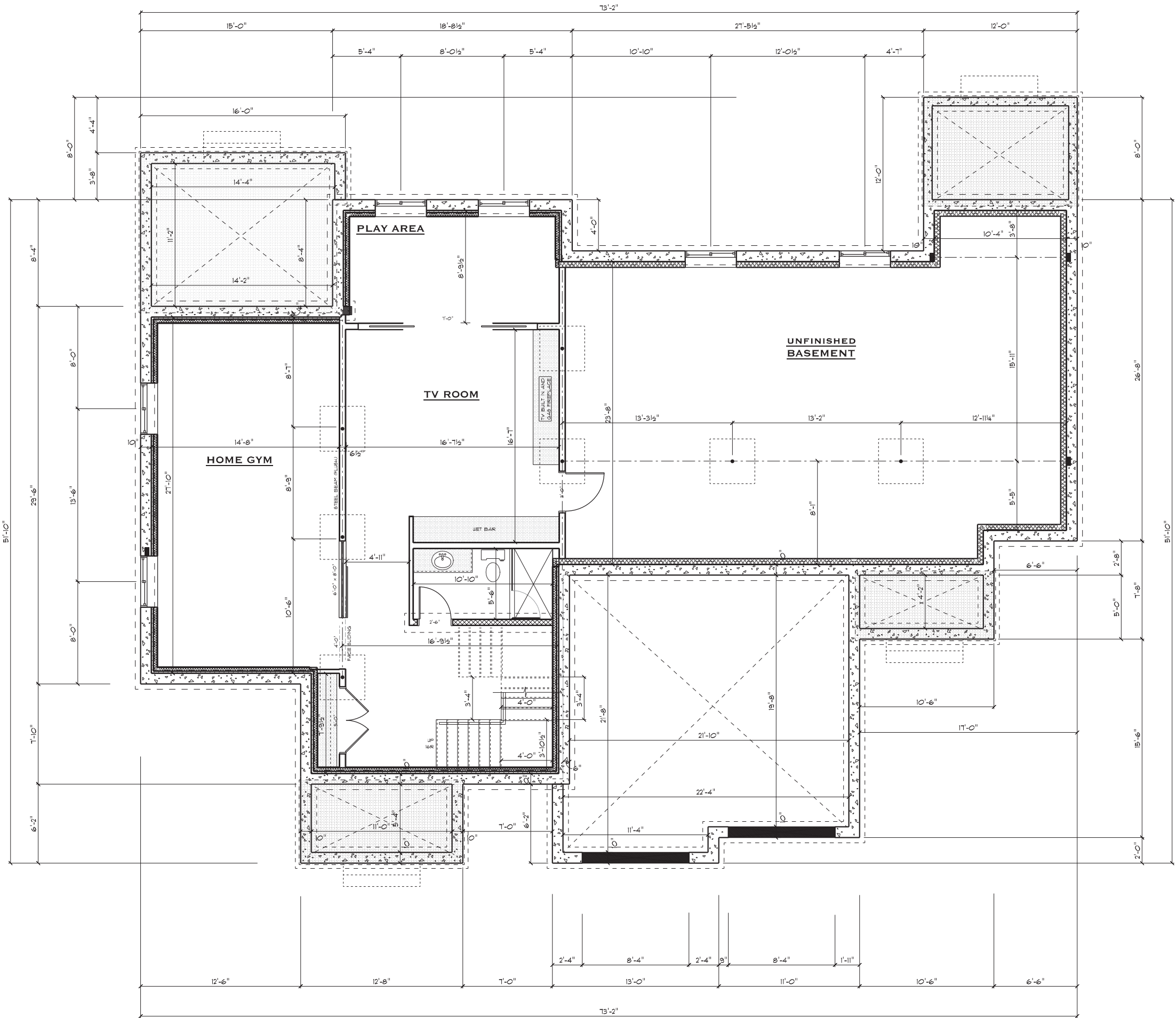
FACEBOOK.COM/DETAILSMATTER2007
@DETAILSMATTER07

PROJECT:
346 MAIN STREET,NORTH
WATERDOWN, ONTARIO

SHEET TITLE:
**REAR AND RIGHT
ELEVATIONS**

DRAWN BY: S.K.W.	CHECKED BY: S.K.W.	
SCALE: 1/8" = 1'-0"	DATE: MAR 2021	PROJECT NO: DM21-018

DRAWING NO:
A2



NO.	DATE:	ISSUE / REVISION
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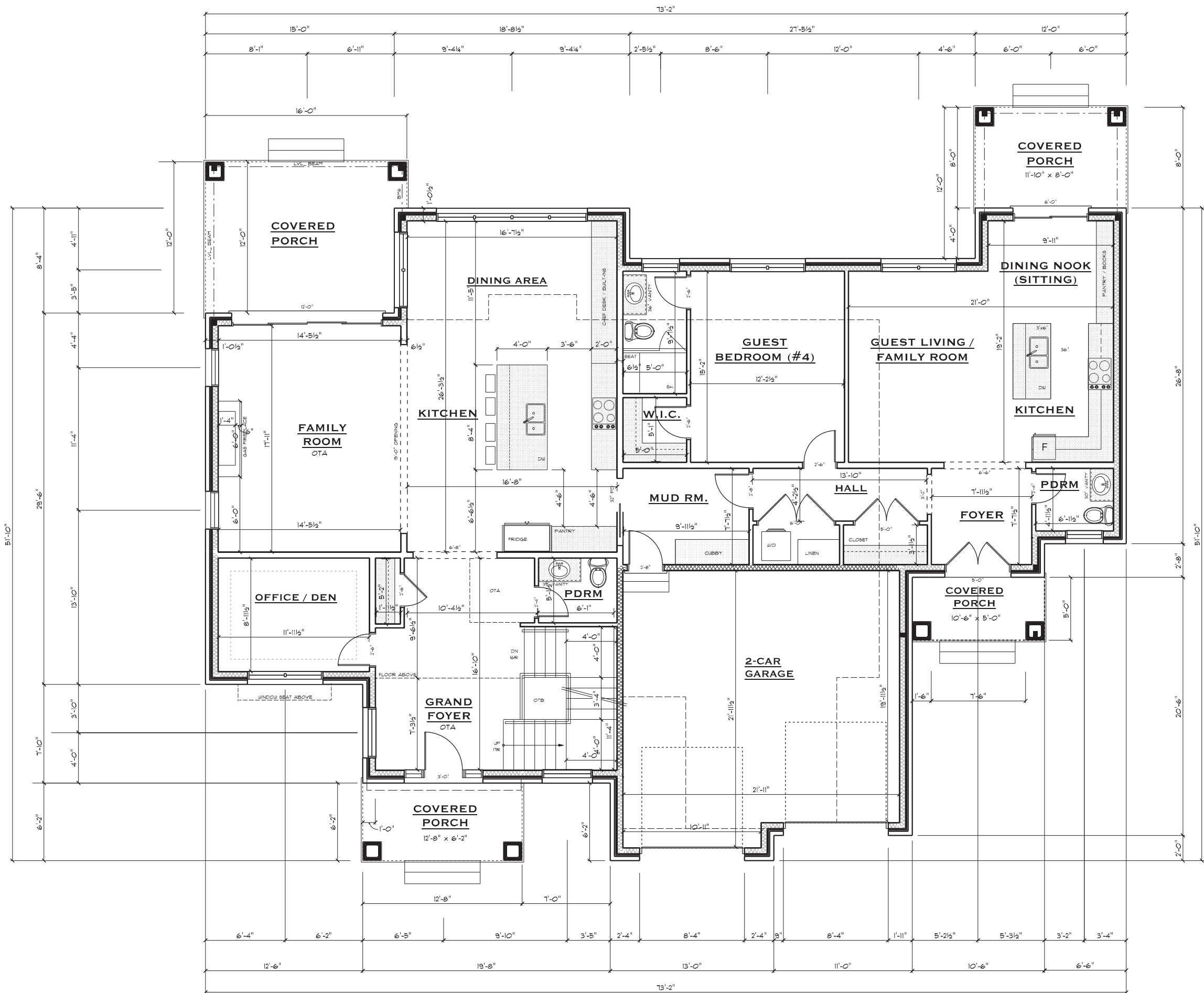
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@DETAILSMATTER07

PROJECT:
346 MAIN STREET, NORTH
WATERDOWN, ONTARIO

SHEET TITLE:
**BASEMENT
PLAN**
1,116.3 SF (FIN. AREA)

DRAWN BY: S.K.W.	CHECKED BY: S.K.W.	
SCALE: 1/8" = 1'-0"	DATE: MAR 2021	PROJECT NO: DM21-018

DRAWING NO:
A3



NO.	DATE:	ISSUE / REVISION
1	04-26-21	FOR C.O.A.
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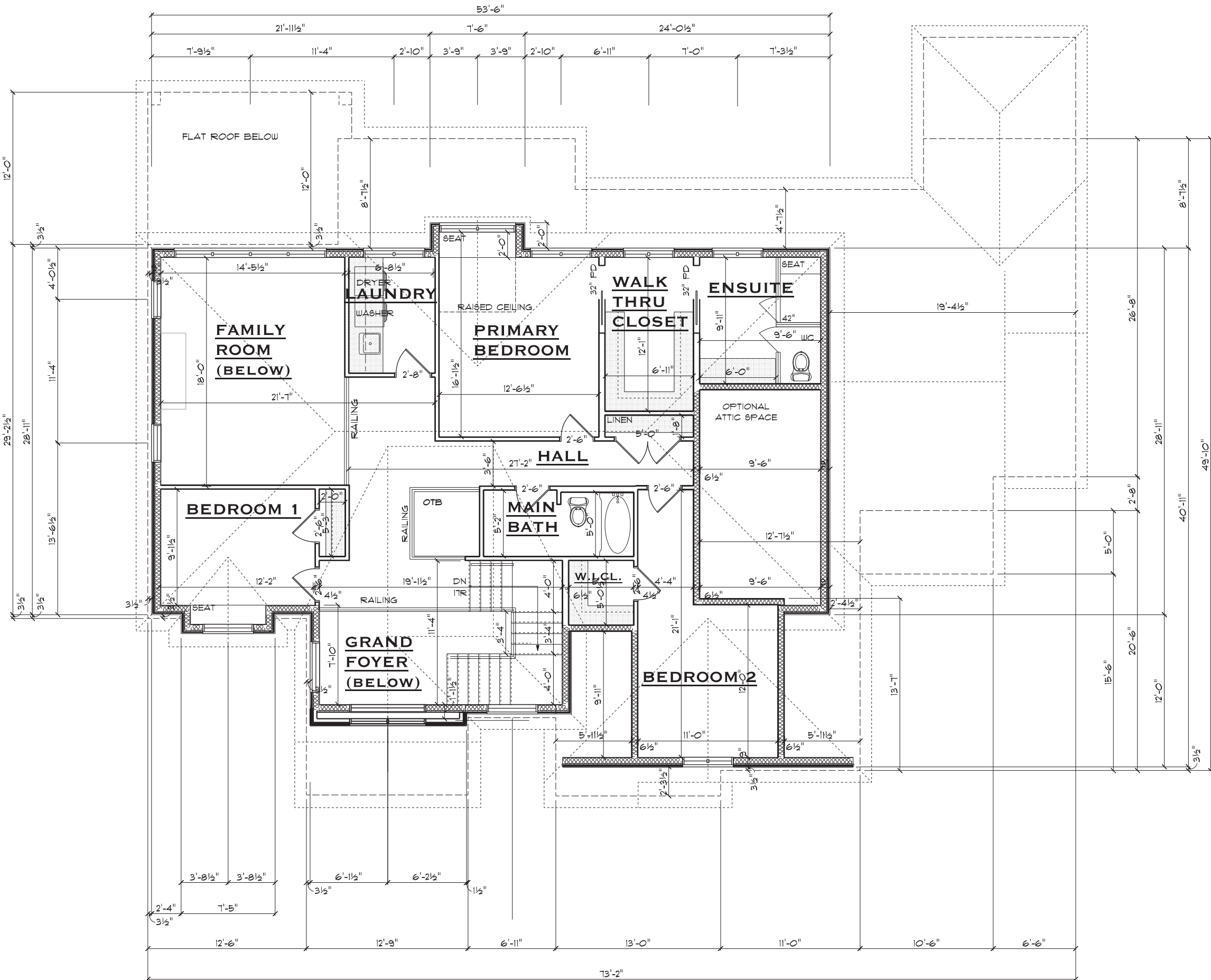
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PROJECT:
346 MAIN STREET, NORTH
WATERDOWN, ONTARIO

SHEET TITLE:
**MAIN FLOOR
PLAN**
2,332.4 SF (216.69 SQ. M)

DRAWN BY: S.K.W.	CHECKED BY: S.K.W.	
SCALE: 1/8" = 1'-0"	DATE: MAR 2021	PROJECT NO: DM21-018

DRAWING NO:
A4



NO.	DATE:	ISSUE / REVISION
1	04-26-21	FOR C.O.A.
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PROJECT:
346 MAIN STREET ,NORTH
WATERDOWN, ONTARIO

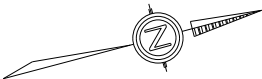
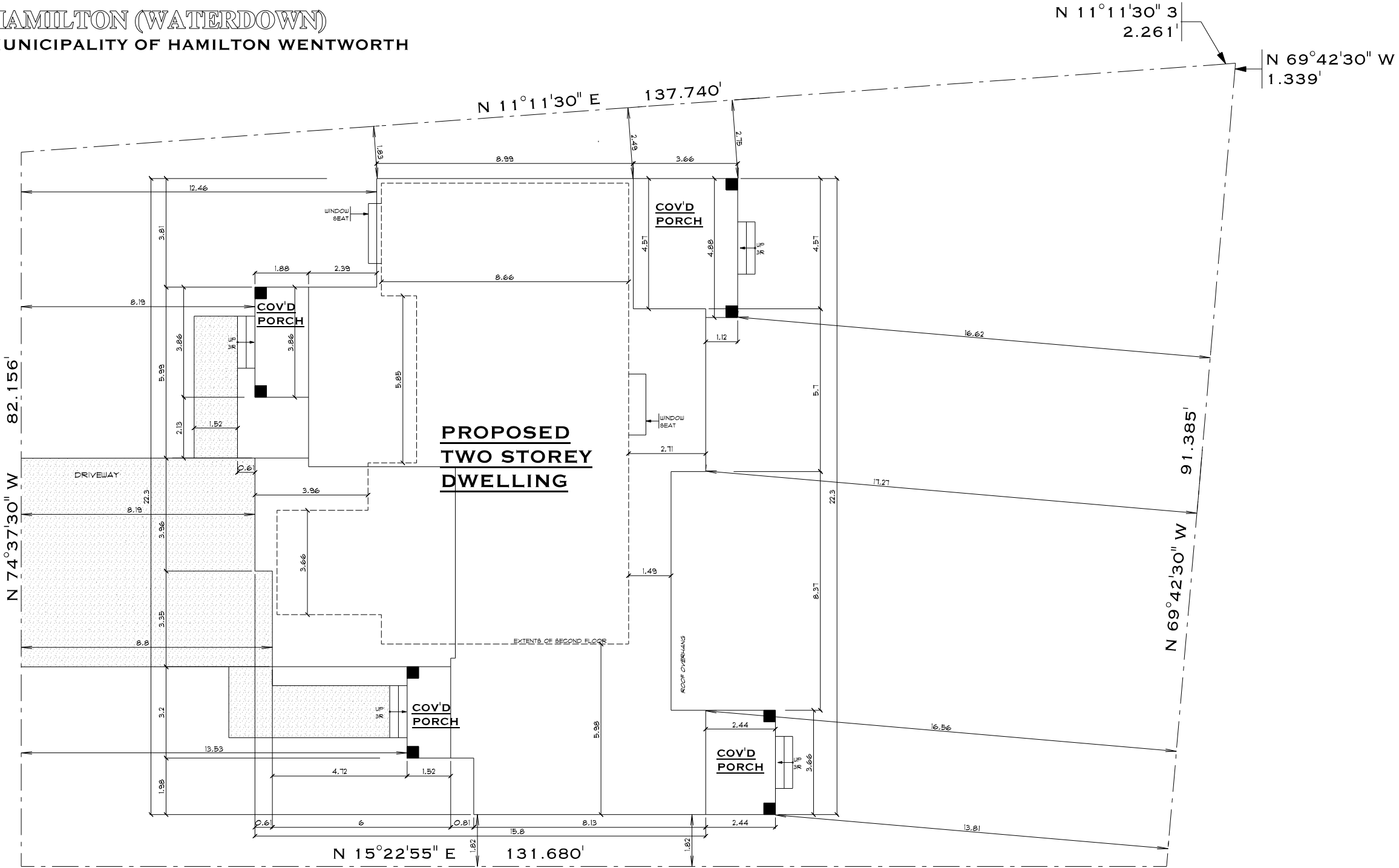
SHEET TITLE:
**SECOND FLOOR
PLAN**
1,167.6 SF (108.47 SQ. M)

DRAWN BY: S.K.W.	CHECKED BY: S.K.W.	
SCALE: 1/8" = 1'-0"	DATE: MAR 2021	PROJECT NO: DM21-018

DRAWING NO:
A5

#346 MAIN STREET NORTH
IN THE
CITY OF HAMILTON (WATERDOWN)
REGIONAL MUNICIPALITY OF HAMILTON WENTWORTH

MAIN STREET



ZONING R1-14 REQUIREMENTS

FRONT SETBACK	7.5 M	24.6 FT
REAR SETBACK	7.5 M	24.6 FT
SIDE YARD	1.8 M	5.9 FT
BUILDING HEIGHT	8.2 M	26.9 FT
LOT COVERAGE	35%	

LOT AREA	1,097.95 SQ M	ALLOWABLE
MAIN FLOOR AREA	216.69 SQ M	19.74 %
SECOND FLOOR AREA	108.47 SQ M	9.88 %
TOTAL FLOOR AREA	325.16 SQ M	29.62 % 250.83 SQ M
COVERED PORCHES	37.54 SQ M	3.42 %
TOTAL LOT COVERAGE	301.94 SQ M	27.50 % 35.00 %

NO.	DATE:	ISSUE / REVISION
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PROJECT:
346 MAIN STREET
WATERDOWN, ONTARIO

SHEET TITLE:
SITE SKETCH

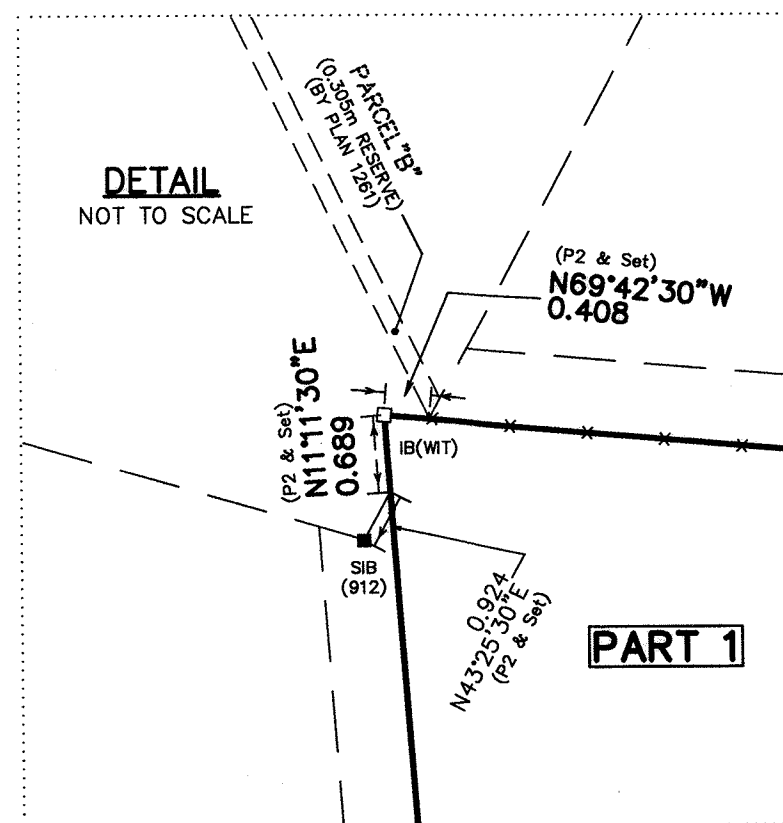
DRAWN BY:	CHECKED BY:	
S.K.W.	S.K.W.	
SCALE:	DATE:	PROJECT NO:
N.T.S.	MAR 2021	DM21-018

DRAWING NO:
AO

PLAN OF SURVEY
OF PART OF
LOT 7
CONCESSION 4
GEOGRAPHIC
TOWNSHIP OF EAST FLAMBOROUGH
IN THE
CITY OF HAMILTON

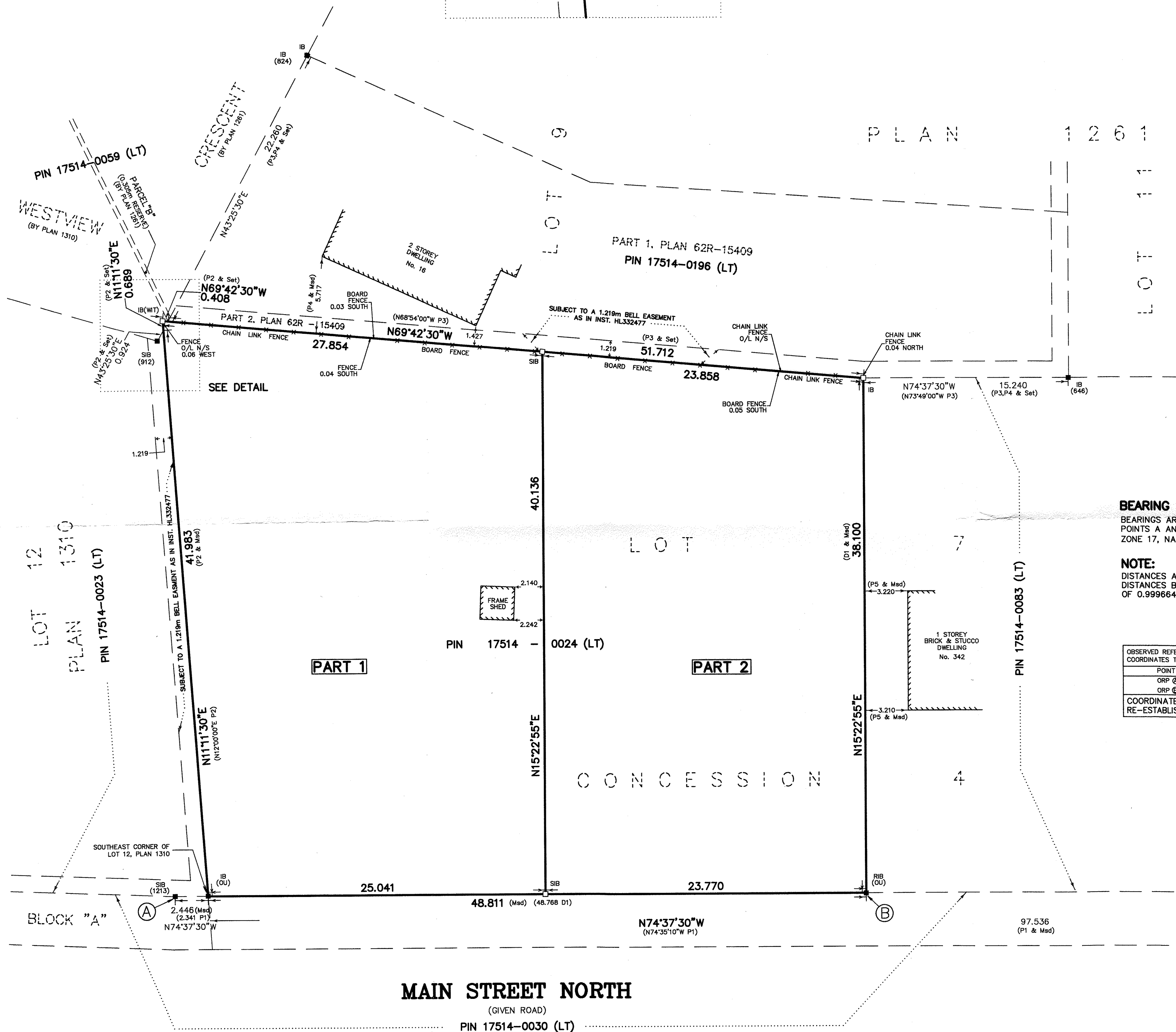
SCALE 1:200 METRIC
4 2 0 4 8 12 metres

S.D. McLAREN, O.L.S. - 2015



SCHEDULE			
PART	LOT	CON	PIN
1	PART OF LOT 7	CONCESSION 4	ALL OF 17514-0024 (LT)
2			

PLAN 62 R-20074
RECEIVED AND DEPOSITED
Date May 21, 2015
"A. Sarker"
REPRESENTATIVE FOR
LAND REGISTRAR FOR THE LAND
TITLES DIVISION OF WENTWORTH (No. 62)
I REQUIRE THIS PLAN TO BE
DEPOSITED UNDER THE LAND
TITLES ACT.
Date MAY 20, 2015
S. DAN McLAREN, O.L.S.



BEARING NOTE:
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE
POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM
ZONE 17, NAD83 (CSRS) (1997.0)

NOTE:
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID
DISTANCES BY MULTIPLYING BY THE COMBINED SCALE FACTOR
OF 0.999664227

INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORP's): UTM ZONE 17, NAD83 (CSRS) (1997.0). COORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O.REG. 216/10		
POINT ID	NORTHING	EASTING
ORP A	4799054.268	588732.293
ORP B	4799040.687	588781.682
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		

- LEGEND:
- DENOTES MONUMENT SET
 - MONUMENT FOUND
 - IB IRON BAR
 - SIB STANDARD IRON BAR
 - 646 R.G. SEWELL, O.L.S.
 - 824 A.T. McLAREN, O.L.S.
 - 912 A.J. CLARKE, O.L.S.
 - 1213 J.D. PETERS, O.L.S.
 - P1 PLAN 62R-18789
 - P2 PLAN 1310
 - P3 PLAN 62R-15409
 - P4 PLAN BY A.T. McLAREN, O.L.S.
DATED OCTOBER 30, 2000
 - P5 PLAN BY A.J. CLARKE, O.L.S.
DATED JUNE 20, 1995
 - D1 INSTRUMENT VM146958
 - Med MEASURED

METRIC NOTE
DISTANCES AND COORDINATES
SHOWN ON THIS PLAN ARE IN
METRES AND CAN BE
CONVERTED TO FEET BY
DIVIDING BY 0.3048

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH
THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT
AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 19th DAY OF FEBRUARY, 2015
DATE MAY 20, 2015
S. DAN McLAREN, O.L.S.



A.T. McLaren Limited
LEGAL AND ENGINEERING SURVEYS
69 JOHN STREET SOUTH, SUITE 230
HAMILTON, ONTARIO, L8N 2B9
PHONE (905) 527-8559 FAX (905) 527-0032

Drawn J.B. Checked R.B.M. Scale 1:200 Dwg.No. 34268-R



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)	Cara Stewart Leon Stewart	
Applicant(s)*	Cara Stewart Leon Stewart	
Agent or Solicitor	Shane K. Wilson	

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:

~~ID~~ THE Toronto Dominion Bank
4720 Tahoe Blvd. Building 1
Mississauga, ON L4W 5P2

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:

MAXIMUM FLOOR AREA

REQUIRED : 250.8 SQ M

PROPOSED : 325.16 SQ M

MAXIMUM HEIGHT

8.2 M REQUIRED, 8.98 M PROPOSED

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

WE ARE DESIGNING A FOREVER HOME FOR A FAMILY WITH A SPACE FOR MOM. WE NEED THE ADDITIONAL FLOOR AREA TO PROVIDE A COMFORTABLE SPACE FOR EVERYONE AND THE ADDITIONAL HEIGHT IS SO WE CAN HAVE 9'-0" CEILINGS ON BOTH FLOOR LEVELS. THE LOT THAT WE'RE PROPOSING TO BUILD THIS HOME ON IS LARGE, SO WHILE THE 3500 SF SEEMS HIGH, WE'RE ONLY ASKING FOR 27.50 % IN LOT COVERAGE, INCLUDING OUR PROPOSED PORCHES AND WE'RE ALLOWED UP TO 35.0%

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):

PART OF LOT 1, CONCESSION 4, 346 MAIN STREET, WATERDOWN

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 EXISTING LOT CURRENTLY HAS A SINGLE FAMILY DWELLING ON IT.

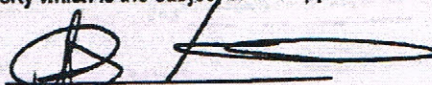
8.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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.

04/27/21
Date


Signature Property Owner

Cara Stewart / Leon Stewart
Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>25.04 M</u>
Depth	<u>41.98 M</u>
Area	<u>1097.95 SQ M</u>
Width of street	<u>7.0 M</u>

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:

EXISTING 2 STOREY HOME, TO BE DEMOLISHED
APPROX : 7.39 M X 11.36 M 83.95 SQ M GROUND FLOOR, 167.90 GROSS

Proposed

2 STOREY HOME
2332.4 SF MAIN FLOOR AREA, 1167.6 SF SECOND FLOOR.
22.3 M X 15.8 M, 8.98 M TO PEAK

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

Existing:

LEFT : 6.02 M
FRONT : 14.95 M
RIGHT : 8.67 M

Proposed:

LEFT : 1.83 M
FRONT : 8.19 M
RIGHT : 1.82 M
REAR : 13.81 M

13. Date of acquisition of subject lands:

May 3 2021

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

NEW BUILD TO START OCTOBER 2021 - EXISTING BUILDING (TO BE DEMOLISHED) ~ 1970

15. Existing uses of the subject property:

SINGLE FAMILY DWELLING

16. Existing uses of abutting properties:

SINGLE FAMILY DWELLING

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

ALWAYS

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

Water <u>X</u>	Connected <u>X</u>
Sanitary Sewer <u>X</u>	Connected <u>X</u>
Storm Sewers <u>X</u>	

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

URBAN RESIDENTIAL

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

R1-14

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.

PART 25 AFFIDAVIT OR SWORN DECLARATION

This declaration to be sworn by a Commissioner of Oaths.

I, Shane K. Wilson of the Town of Grimsby
in the Regional Municipality of Niagara solemnly declare that:

All of the above statements are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Declared before me at the

at the Town of Grimsby)

in the Regional Municipality)

of Niagara)

this 28th day of April A.D. 2021)

Commissioner, etc.

Shane K. Wilson)
Applicant

PART 26 OWNERS AUTHORIZATION

As of the date of this application, WE, CARA AND LEON STEWART, ARE THE registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize:

Shane K. Wilson of Details Matter

to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application.

DATE 04/27/21

SIGNED [Signature]

PART 27 CONSENT OF THE OWNER

Complete the consent of the owner concerning personal information set out below.

Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

I, Leon & Cara Stewart, the Owner, hereby agree and acknowledge
(Print name of Owner)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

04/27/21
Date

[Signature]
Signature of Owner