



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**

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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
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**APPLICATION NO.:** HM/A-21:218

**APPLICANTS:** Owner Kevin Maynard

**SUBJECT PROPERTY:** Municipal address **16 Cloverhill Rd., Hamilton**

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

**ZONING:** "C" (Urban Protected Residential and etc.) district

**PROPOSAL:** To permit the conversion of an existing single family dwelling to a residential care facility for the accommodation of five (5) persons, notwithstanding that:

1. The tandem parking arrangement shall be permitted to obstruct parking for one of the two required parking spaces without a manoeuvring space, whereas parking for a residential care facility shall be unobstructed with the provision of manoeuvring spaces;
2. Parking shall be permitted to be located in the front yard whereas front yard parking is not permitted ;

**NOTES:**

1. The variances are written as requested by the applicant.
2. Variance #1 would require moving one of the vehicles in order to provide accessibility for the second vehicle due to the tandem parking arrangement.
3. The Zoning By-law defines a Residential Care Facility as:

Residential Care Facility means a group living arrangement, within a fully detached residential building occupied wholly by a minimum of four supervised residents and a maximum number of supervised residents as permitted by the district, exclusive of staff, residing on the premises because of social, emotional, mental or physical handicaps or problems or personal distress and that is developed for the well being of its residents through the provision of self-help, guidance, professional care and supervision not available in the resident's own family, or in an independent living situation or if:

- (i) the resident was referred to the facility by hospital, court or government agency; or
- (ii) (the facility is licensed, funded, approved or has a contract or agreement with the federal, provincial or municipal governments. A residential care facility is not considered as an emergency shelter, lodging house, corrections residence, correctional facility or retirement home.

4. The C District permits a residential care facility for the accommodation of up to 6 residents.

5. The C District requires a 300m radial separation distance between a residential care facility and another lot occupied by a residential care facility, emergency shelter, corrections residence or correctional facility. The proposed residential care facility complies with this requirement.

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

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**DATE:** Thursday, July 22nd, 2021  
**TIME:** 1:45 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:

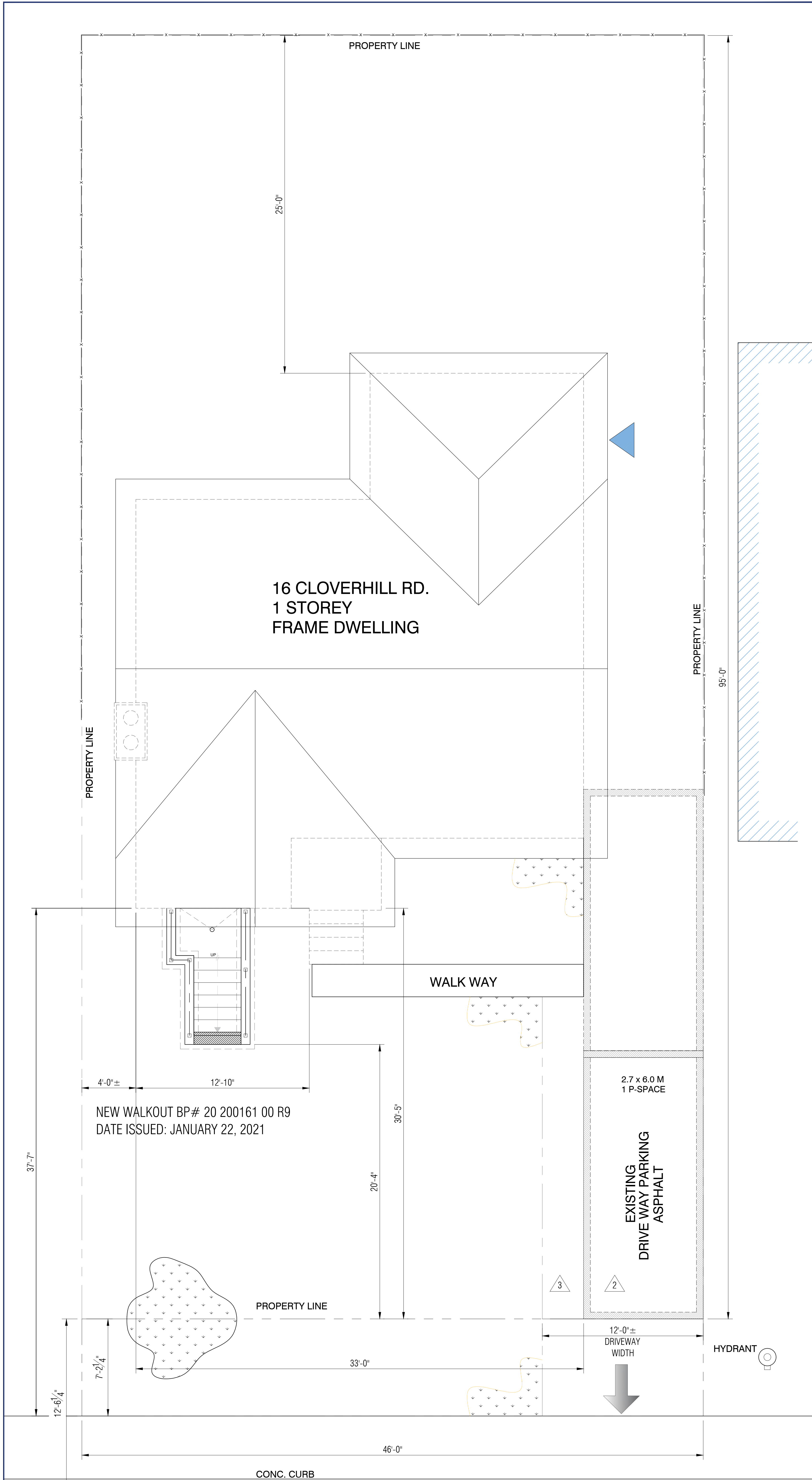
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: July 6th, 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.***



CLOVERHILL ROAD  
2 WAY ROAD  
LOW VOLUME TRAFFIC





**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

<b>FOR OFFICE USE ONLY.</b>	
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.

	NAME	ADDRESS	
1, 2 <b>Registered Owners(s)</b>	Kevin Maynard Jemelle Maynard		
<b>Applicant(s)*</b>	Kevin Maynard Jemelle Maynard		
<b>Agent or Solicitor</b>			<b>Phone:</b> <b>E-mail:</b>

**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:  
 First National Bank

**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:  
Please see Appendix A for the basis of the variance as summarized by Sebastian Cuming from the Zoning Department.

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

The property has the required number of parking spaces (2 spaces) for 5 residents; however, the maneuvering space is not currently available.  
The residents of the home will be the vulnerable elderly who will not be able to drive. Parking will be used by staff only. We are requesting a variance in order to start the care facility because maneuvering space will not be an issue.

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**):

LT 85, PL 768 ; Hamilton  
16 Cloverhill Rd, Hamilton, L9C 3L5

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?

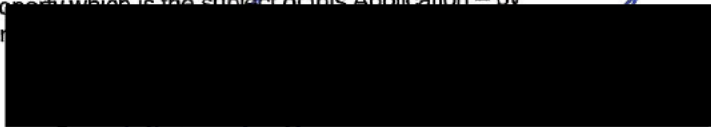
8.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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

20 MAY 2021  
Date

  
Kevin & Jemelle Maynard  
Print Name of Owner

10. Dimensions of lands affected:

Frontage 45ft  
Depth 95ft  
Area 4,275 sq.ft  
Width of street 24ft

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:           
Gross Floor Area: 180.76 sq.m  
Net Floor Area: 148 sq.m

Proposed  
N/A. No change to structure.

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

Existing:  
Please see attached site plan.

Proposed:  
N/A. No property modifications in this application.

13. Date of acquisition of subject lands:  
27-Nov-2020
- 
14. Date of construction of all buildings and structures on subject lands:  
N/A
- 
15. Existing uses of the subject property:  
 Single Detached Dwelling
16. Existing uses of abutting properties:  
 Single Detached Dwelling
17. Length of time the existing uses of the subject property have continued:  
 71 years
18. Municipal services available: (check the appropriate space or spaces)
- |                |            |           |            |
|----------------|------------|-----------|------------|
| Water          | <u>Yes</u> | Connected | <u>Yes</u> |
| Sanitary Sewer | <u>Yes</u> | Connected | <u>Yes</u> |
| Storm Sewers   | <u>Yes</u> |           |            |
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.