

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-21:261

APPLICANTS: Agent Graham Day
Owner Ingrid Thistle

SUBJECT PROPERTY: Municipal address **12 Marshboro Ave., Flamborough**

ZONING BY-LAW: Zoning By-law 05-200, as Amended 15-173

ZONING: "S1" (Settlement Residential) district

PROPOSAL: To permit the construction of a one-storey addition and new covered porch to the front of the existing single family dwelling on a residential parcel of land, notwithstanding:

1. A minimum southerly side yard of 1.80 metres shall be permitted, instead of the required minimum side yard width of 3.0 metres.
2. Eaves and gutters shall be permitted to project a maximum of 1.75 metres into the southerly required side yard instead of the maximum 0.6 metre projection permitted.

NOTE:

1. Construction of the proposed addition is subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setbacks and construction types.
2. Please note that should the variance be granted to Section 12.3.3(d) to permit a minimum southerly side yard of 1.80 metres instead of the required minimum side yard width of 3.0 metres, the proposed eave/gutters as indicated on the submitted site plan will project 0.55 metres into the southerly side yard, and will therefore comply with Section 4.6(a).

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

DATE: Thursday, August 26th, 2021
TIME: 3:45 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: August 10th, 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.

DRAWINGS FOR AN ADDITION
TO A SINGLE FAMILY DWELLING

12 MARSHBORO AVENUE
HAMILTON ONTARIO

1
AO

GENERAL NOTES

1. ALL CONSTRUCTION TO COMPLY WITH THE 2012 ONTARIO BUILDING CODE [AS AMENDED] AND ALL APPLICABLE LOCAL AND MUNICIPAL BY-LAWS AND REGULATIONS.
2. THESE DRAWINGS DO NOT INCLUDE ANY ELECTRICAL OR MECHANICAL WORK THAT MAY BE REQUIRED.
3. PRIOR TO THE START OF THE WORK [THE CONTRACTOR IS RESPONSIBLE FOR MAKING ARRANGEMENTS WITH THE CONSULTANT FOR THEIR REVIEW AS PER THE CONSULTANTS REQUIREMENTS.
4. THE CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS AND NOTIFY THE DESIGNER OF ANY CONTEMPLATED DEVIATIONS FROM THESE DRAWINGS TO SUIT SITE CONDITIONS PRIOR TO MAKING CHANGES.
5. ANY PROPOSED DEVIATION FROM THESE DRAWINGS THAT WOULD BE CONSIDERED A MATERIAL CHANGE SHALL BE SUBMITTED TO THE DESIGNER FOR REVIEW AND APPROVAL [AND THEN TO THE AUTHORITY HAVING JURISDICTION FOR REVIEW AND APPROVAL] PRIOR TO THE CHANGES BEING CARRIED OUT.
6. REQUIRED INSPECTIONS BY THE AUTHORITIES HAVING JURISDICTION TO BE ARRANGED BY THE CONTRACTOR. ALL INSPECTIONS TO BE CARRIED OUT [AND THE CONSTRUCTION APPROVED] BEFORE PROCEEDING TO THE NEXT STAGE.
7. ACCESS TO EXITS AND STAIRWAYS SHALL BE MAINTAINED FREE OF DEBRIS AND ACCESSIBLE AT ALL TIMES.
8. ALL DEBRIS SHALL BE REMOVED FROM THE SITE AND LEGALLY DISPOSED OF.

2
AO

CONSTRUCTION NOTES

1. IT IS THE CONTRACTORS RESPONSIBILITY TO INSURE THAT ANY NECESSARY SHORING OR TEMPORARY SUPPORTS THAT MAY BE REQUIRED ARE INSTALLED PRIOR TO THE START OF ANY WORK.
2. NEW FOOTINGS TO BEAR ON UNDISTURBED SOILS WITH A MINIMUM BEARING CAPACITY OF 100 [PSI].
3. CONCRETE TO BE DESIGNED [MIXED] PLACED [CURED] AND TESTED IN ACCORDANCE WITH THE REQUIREMENTS FOR "R" CLASS CONCRETE STATED IN CLAUSE 8.13 OF CSA A23.1 [CONCRETE MATERIALS AND METHODS OF CONCRETE CONSTRUCTION].
4. CONCRETE TO HAVE MINIMUM 20MPa 28 DAY COMPRESSIVE STRENGTH.
5. ALL CONCRETE TO HAVE A SLUMP OF 100 MM (4") MAX.
6. SAWN LUMBER TO BE S-P-F No. 2 OR BETTER.
7. ANY WOOD THAT WILL BE IN CONTACT WITH CONCRETE OR MASONRY TO BE PRESSURE TREATED OR SEPARATED WITH 6mm POLY [OR EQUIV].
8. SHEATHING TO MEET THE REQUIREMENTS OF CSA O151 [CANADIAN SOFTWOOD PLYWOOD].
9. FASTENING AS PER OBC ARTICLE 9.23.3.4 [9.23.3.5. U.N.O.
10. BUILT-UP WOOD MEMBERS TO BE FASTENED TOGETHER WITH A DOUBLE ROW OF 3 1/2" NAILS SPACED [1 7/8" WITH END NAILS LOCATED 4" AND 5 7/8" FROM EACH END.
11. STRUCTURAL STEEL ROLLED SHAPES [HSS] TO MEET THE REQUIREMENTS OF CAN/CSA G40.21-04 [GRADE 350W. STEEL PLATES TO BE GRADE 300W.
12. STEEL COLUMNS TO BE AS NOTED ON DRAWINGS [MINIMUM 3/16" WALL THICKNESS] / MINIMUM 1/4" THICK END PLATES.
13. FABRICATION AND ERECTION SHALL BE IN COMPLIANCE WITH CSA S16. WELDING TO BE PERFORMED BY A COMPANY CERTIFIED TO CSA W47.1 IN EITHER DIVISION 1 OR DIVISION 2. ALL WELDING TO CSA W59-03.
14. STRUCTURAL STEEL TO BE PRIMED [PAINTED] OR OTHERWISE PROTECTED FROM CORROSION.
15. ALL GYPSUM BOARD TO MEET THE REQUIREMENTS OF CAN/CSA-A82.27-M91 [GYPSUM BOARD].
16. PROVIDE INTERCONNECTED SMOKE ALARMS AS NOTED ON PLANS IN ACCORDANCE WITH SUB-SECTION 9.10.19 OF THE 2012 OBC [AS AMENDED]. NEW SMOKE ALARMS TO HAVE A VISUAL SIGNALING COMPONENT CONFORMING TO THE REQUIREMENTS IN 18.5.3. (LIGHT [COLOUR] AND PULSE CHARACTERISTICS) OF NFPA 72 [NATIONAL FIRE ALARM AND SIGNALING CODE. SMOKE ALARMS TO BE HARD WIRED AND INTERCONNECTED.
17. EXCEPT WHERE A RECEPTACLE CONTROLLED BY A WALL SWITCH IS PROVIDED IN BEDROOMS OR LIVING ROOMS A LIGHTING OUTLET WITH FIXTURE CONTROLLED BY A WALL SWITCH SHALL BE PROVIDED IN KITCHENS [BEDROOMS] LIVING ROOMS [UTILITY ROOMS] LAUNDRY ROOMS [DINING ROOMS] BATHROOMS [WATER CLOSET ROOMS] VESTIBULES AND HALLWAYS.
18. SEE DRAWINGS FOR ADDITIONAL NOTES.

CHARLES LINSEY

& ASSOCIATES LIMITED

37 MAIN STREET SOUTH, TEL: (905) 548-7607
PO BOX 1479 INFO@CHARLESLINSEY.COM
WATERDOWN, ON L0R 2H0 WWW.CHARLESLINSEY.COM

THIS DRAWING IS NOT
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APPLICATION

THIS DRAWING IS FOR
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ONLY

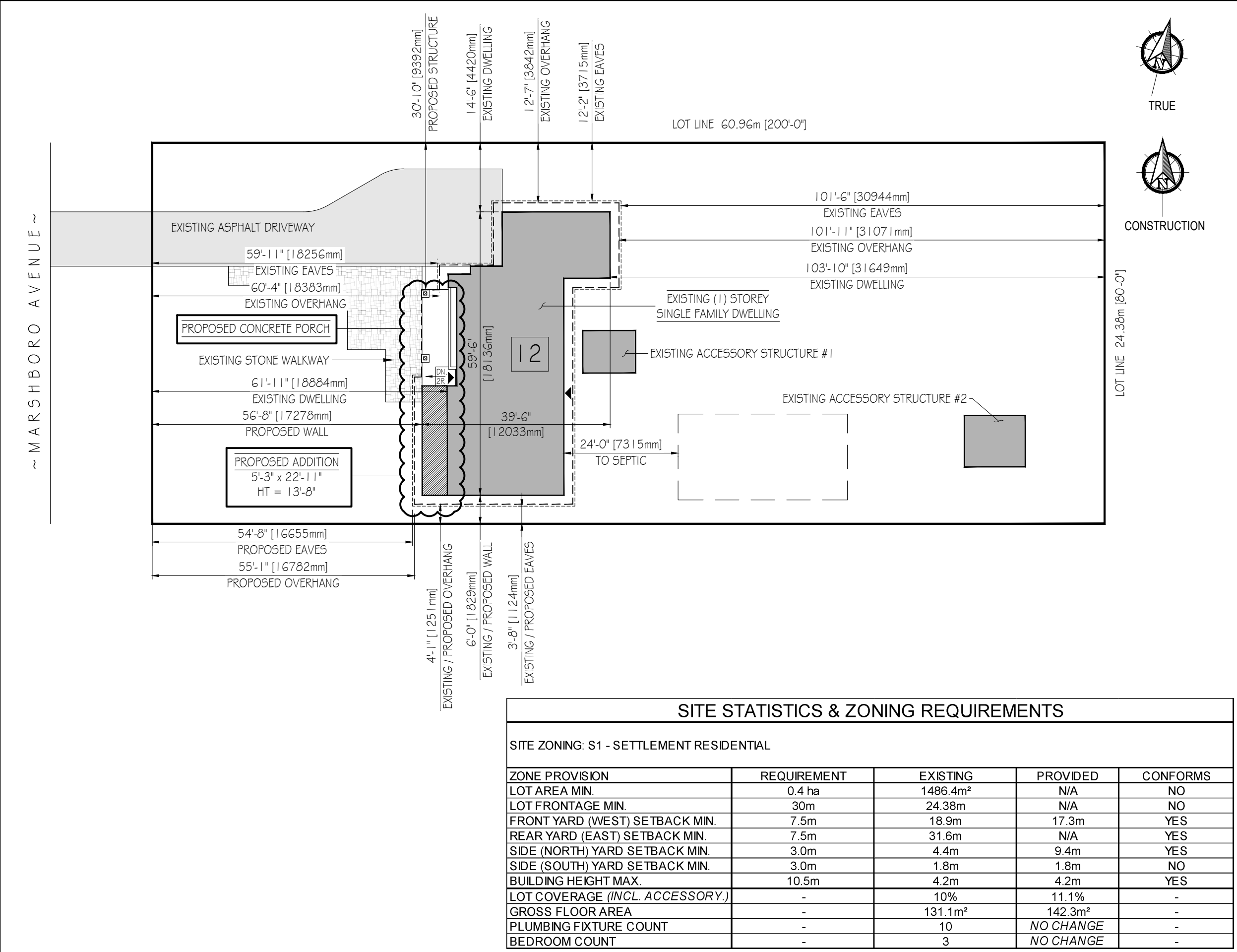
REV.	DESCRIPTION	DATE
0	FOR MINOR VARIANCE APPLICATION	JUNE 3/21

client
HOME OWNER

project
12 MARSHBORO AVENUE HAMILTON, ONTARIO
PROJECT No. 20-100

title
SCOPE OF WORK, GENERAL AND CONSTRUCTION NOTES

drawn	G.D.	checked	C.M.
date	JUNE 2021	scale	AS NOTED
revision number	0	drawing number	A0.01



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REV.	DESCRIPTION	DATE
0	FOR MINOR VARIANCE APPLICATION	JUNE 3/21
client	HOME OWNER	
project	12 MARSHBORO AVENUE HAMILTON, ONTARIO PROJECT No. 20-100	
title	SITE PLAN	
drawn	G.D.	checked C.M.
date	JUNE 2021	scale 1" = 20'-0"
revision number	0	drawing number SP0.01

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EXISTING ASSEMBLY / CONSTR. TO REMAIN

PROPOSED ASSEMBLY / CONSTR.

client			
HOMEOWNER			
project			
12 MARSHBORO HAMILTON, ONTARIO			
PROJECT No. 20-100			
title			
BASEMENT <input type="checkbox"/> LOOR PLAN			
drawn		checked	
G.D.		C.M.	
date		scale	
JUNE 2021		1" = 1'-0"	
revision number		drawing number	
0		A1.01	

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REV.	DESCRIPTION	DATE
0	FOR MINOR VARIANCE APPLICATION	JUNE 3/21

A1.02



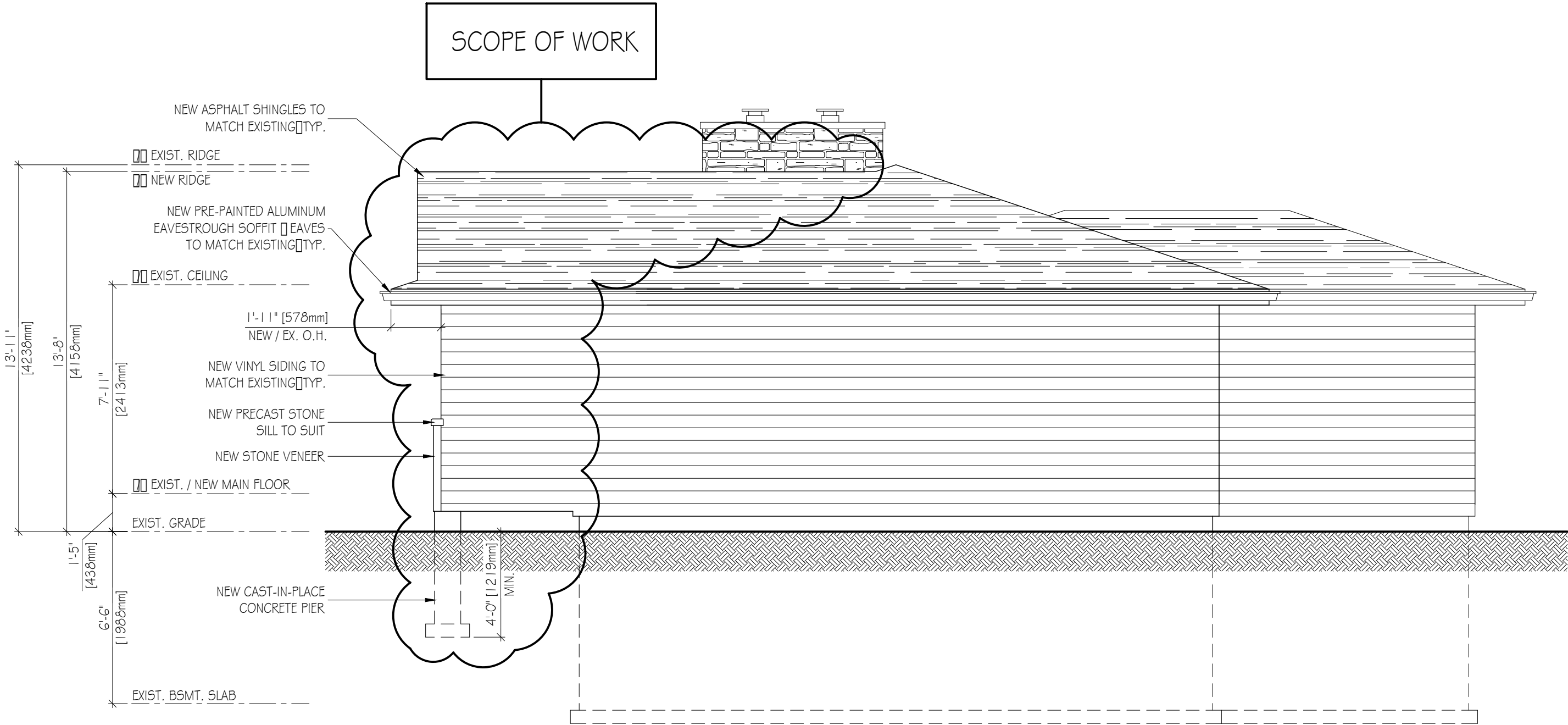
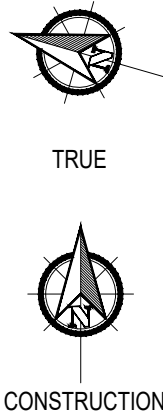
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EXISTING ASSEMBLY / CONSTR. TO REMAIN

PROPOSED ASSEMBLY / CONSTR.

client	
project	<p>HOMEOWNER</p> <p>12 MARSHBORO AVENUE HAMILTON, ONTARIO</p> <p>PROJECT No. 20-100</p>

drawn G.D.	checked C.M.
date JUNE 2021	scale 1" = 1'-0"
revision number 0	drawing number A1.0



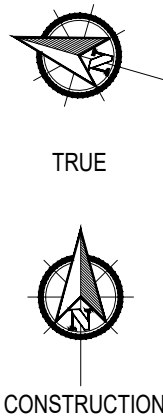
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- LEGEND
- EXISTING ASSEMBLY / CONSTR. TO REMAIN
 - PROPOSED ASSEMBLY / CONSTR.

REV.	DESCRIPTION	DATE
0	FOR MINOR VARIANCE APPLICATION	JUNE 3/21
client		
HOMEOWNER		
project		
12 MARSHBORO AVENUE HAMILTON, ONTARIO PROJECT No. 20-100		
title		
SIDE SOUTHELEVATION		
drawn	G.D.	checked C.M.
date	JUNE 2021	scale 1" = 1'-0"
revision number	0	drawing number A2.02



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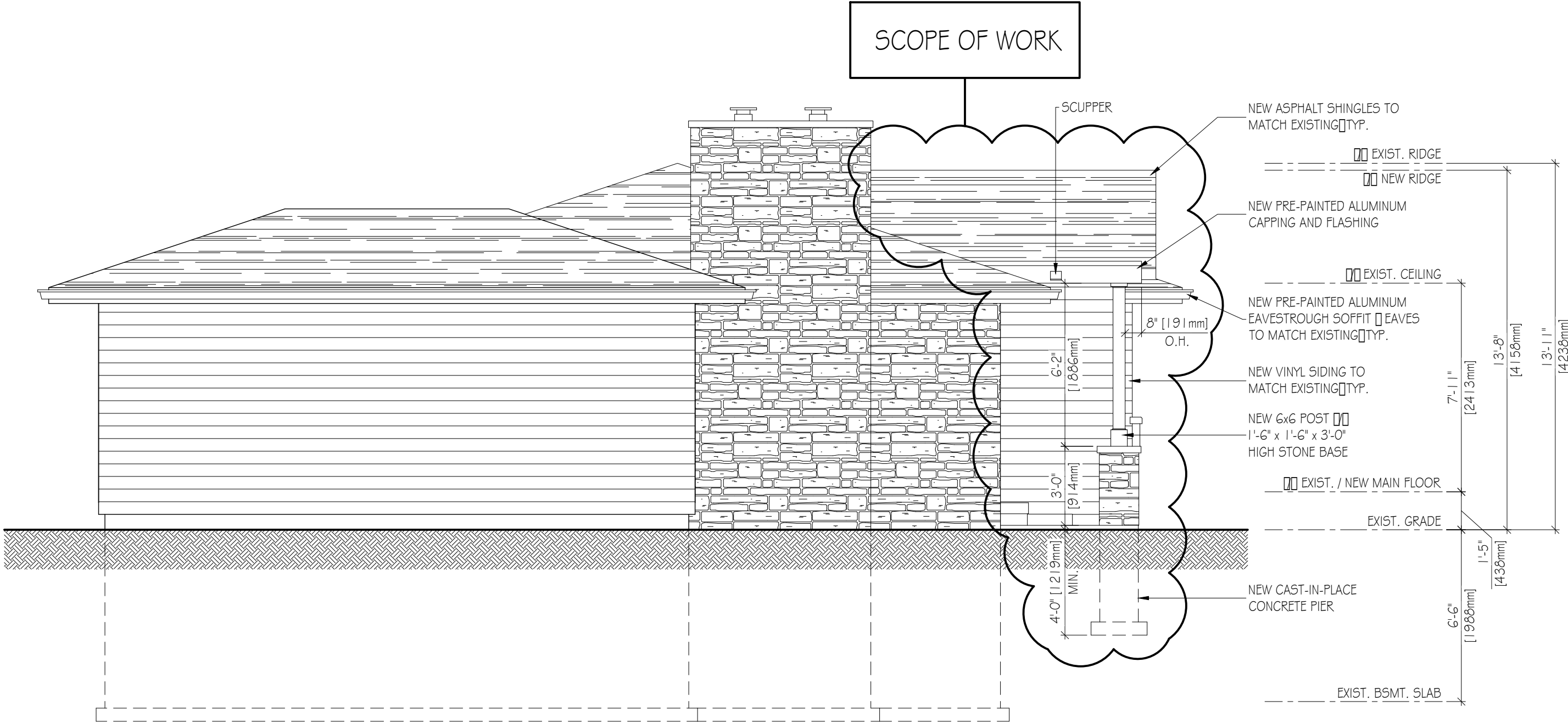
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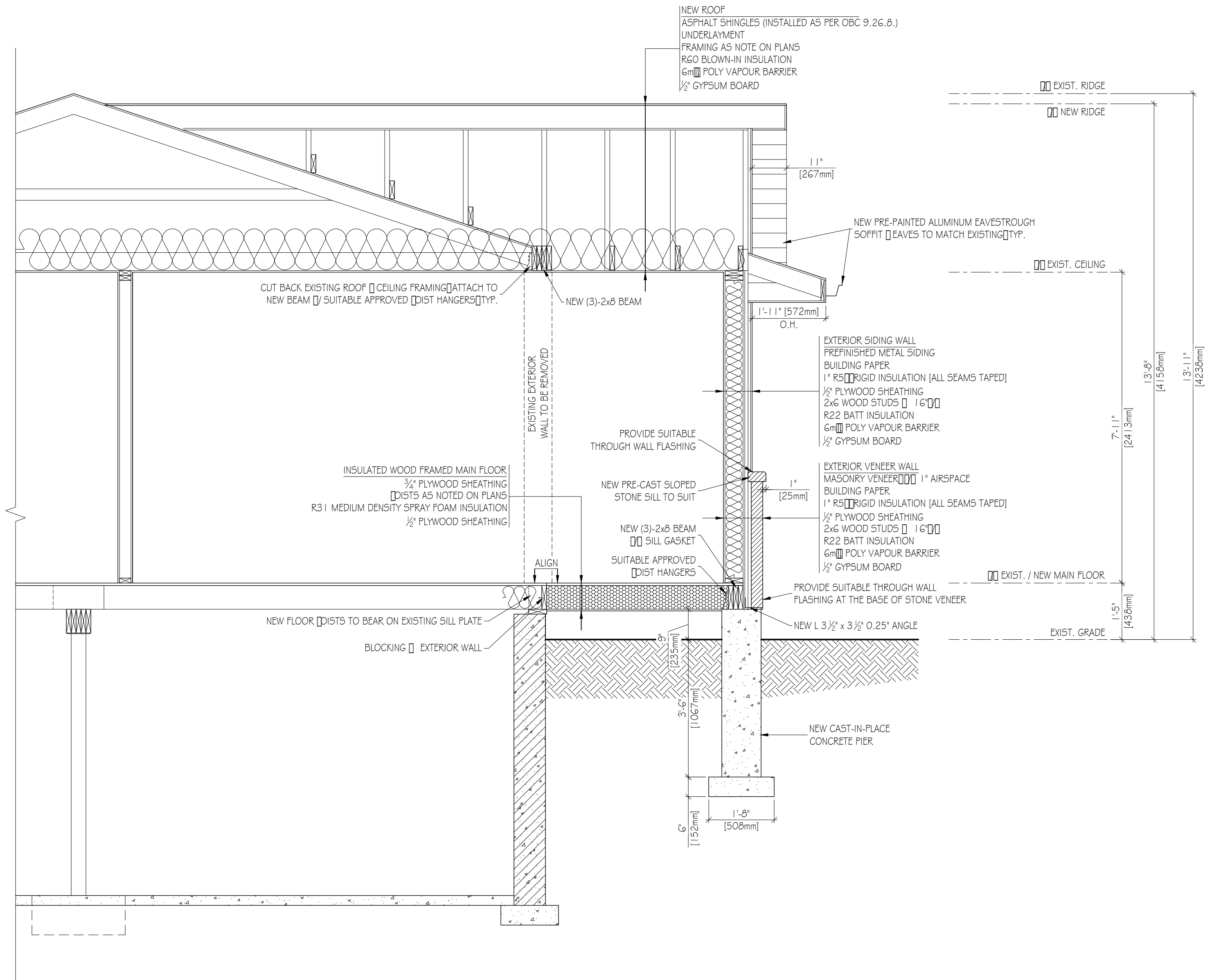
LEGEND

EXISTING ASSEMBLY / CONSTR. TO REMAIN

PROPOSED ASSEMBLY / CONSTR.



REV.	DESCRIPTION	DATE
0	FOR MINOR VARIANCE APPLICATION	JUNE 3/21
client		
HOMEOWNER		
project		
12 MARSHBORO AVENUE HAMILTON, ONTARIO PROJECT No. 20-100		
title		
SIDE NORTH ELEVATION		
drawn	G.D.	checked C.M.
date	JUNE 2021	scale 1" = 1'-0"
revision number	0	drawing number A2.0



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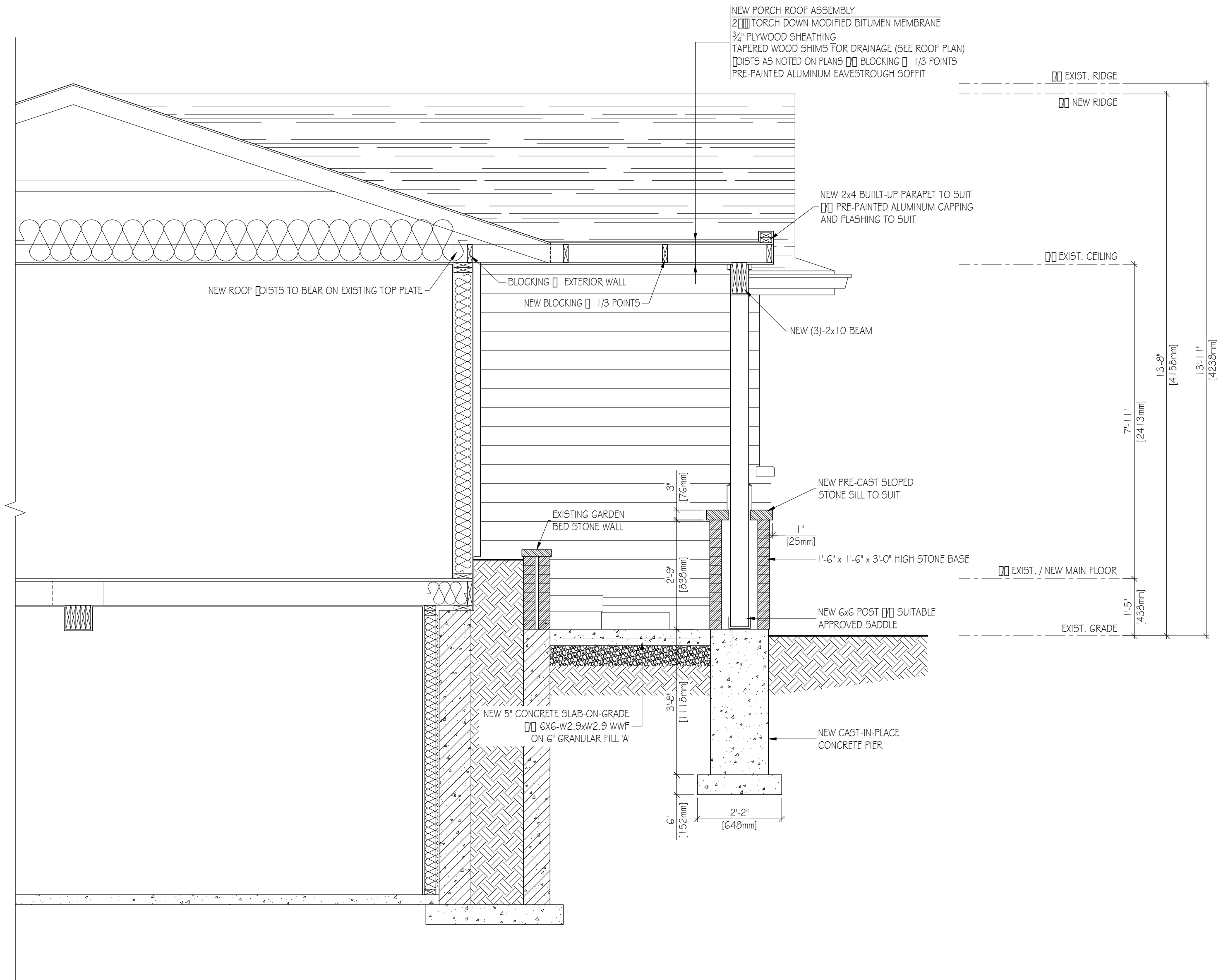
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PROPOSED ASSEMBLY / CONSTR.

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client		
HOMEOWNER		
project		
12 MARSHBORO AVENUE HAMILTON, ONTARIO PROJECT No. 20-100		
title		
CROSS SECTION - BEDROOM		
drawn		checked
G.D.		C.M.
date		scale
JUNE 2021		1/2" = 1'-0"
revision number		drawing number
0		A-01



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REV.	DESCRIPTION	DATE
0	FOR MINOR VARIANCE APPLICATION	JUNE 3/21
client		
HOMEOWNER		
project		
12 MARSHBORO AVENUE HAMILTON, ONTARIO		
PROJECT No. 20-100		
title		
CROSS SECTION PORCH		
drawn		checked
G.D.		C.M.
date		scale
JUNE 2021		1/2" = 1'-0"
revision number		drawing number
0		A02

**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	MAILING ADDRESS	
Registered Owners(s)	INGRID THISTLE		
Applicant(s)*	GRAHAM DAY		
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:

HELOC registered
TD Canada Trust
Dundas & Euclid Branch
404 Dundas Street West
Whitby, Ontario
L1N 4N7

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:

REDUCTION OF SIDE YARD (SOUTH) SETBACK FROM 3.0m TO 1.8m

☐ Secondary Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

THE EXISTING DWELLING IS 1.8m FROM THE SIDE YARD AND WE ARE MAINTAINING THIS SETBACK WITH THE PROPOSED.

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**):

12 MARSHBORO AVENUE, HAMILTON, ONTARIO

7. PREVIOUS USE OF PROPERTY

Residential ☒ Industrial ☐ Commercial ☐
Agricultural ☐ Vacant ☐ Other ☐

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 8.1 to 8.10 above?

HOME OWNERS KNOWLEDGE, ZONING GIS, GOOGLE MAPS

- 8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, 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.

JUNE 3, 2021
Date


Signature Property Owner(s)

INGRID THISTLE
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	24.83m
Depth	60.96m
Area	1486.5m ²
Width of street	20m

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: _

131.1m², (1) STOREY, W = 18.1m, L = 10.4m, H = 4.2m

Proposed

142.3m², (1) STOREY, W = 18.1m, L = 12.0m, H = 4.2m

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 = 18.9m, REAR = 31.6m, SIDE = 4.4m, SIDE 1.8m

Proposed:

FRONT = 17.3m, REAR = N/A, SIDE = 4.4m, SIDE 1.8m

13. Date of acquisition of subject lands:
JULY 15, 2019
-
14. Date of construction of all buildings and structures on subject lands:
SPRING 2021
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
SINGLE FAMILY DWELLING
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
SINGLE FAMILY DWELLING
17. Length of time the existing uses of the subject property have continued:
~50 YEARS
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|--------------------------|-----------|--------------------------|
| Water | <input type="checkbox"/> | Connected | <input type="checkbox"/> |
| Sanitary Sewer | <input type="checkbox"/> | Connected | <input type="checkbox"/> |
| Storm Sewers | <input type="checkbox"/> | | |
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:
05-200 / 15-173 (S1 SETTLEMENT RESIDENTIAL)
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.