

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-21:289

APPLICANTS: Owners M. & D. Mella

SUBJECT PROPERTY: Municipal address **302 Carlisle Rd., Flamborough**

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

ZONING: S1, P7 district (Settlement Residential, Conservation/hazard Land)

PROPOSAL: To permit the conversion of an existing single detached dwelling to be used as an accessory building in the front yard, and to facilitate the construction of a new single detached dwelling, notwithstanding that:

1. An accessory building shall be permitted within a front yard, instead of the requirement that an accessory building shall not be permitted within a front or flankage yard.
2. An accessory building shall be permitted to be erected prior to the erection of the principal building or structure on the lot, instead of the requirement that an accessory building shall not be erected prior to the erection of the principal building or structure on the lot.
3. A maximum height of 6.40 metres shall be permitted for an accessory building, instead of the requirement that all accessory buildings shall have a maximum height of 4.5 metres.
4. A maximum gross floor area of 364 square metres shall be permitted for all buildings accessory to a single detached dwelling, instead of the requirement that all buildings accessory to a single detached dwelling shall not exceed an aggregate gross floor area of 45 square metres.

NOTE:

1. Subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setback and construction types.
2. Specific details regarding the projection of eaves/gutters for the proposed accessory building were not indicated on the submitted site plan. As per Section 4.8(h) of Hamilton Zoning By-law No. 05-200, an eave or gutter of any accessory building may encroach into any required yard to a maximum of 0.45 metres. Additional variances may be required if compliance with Section 4.8(h) is not possible.

3. Please note that a full zoning compliance review was completed for the structure indicated as building “A” on the submitted plans only, and which is proposed to be converted to an accessory building to be used for storage purposes associated with the new proposed single detached dwelling.

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

DATE: Thursday, September 9th, 2021
TIME: 1:25 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: August 24th, 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.

METRIC NOTE
ALL DISTANCES SHOWN HEREON ARE IN METRES AND
CAN BE CONVERTED INTO FEET BY DIVIDING BY 0.3048.

DISTANCE NOTE

DISTANCE NOTE
ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES
AND CAN BE CONVERTED INTO GRID DISTANCES BY
MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.99969.

LEGEND:

AW	DENOTES ANCHOR WIRE(S)
BB	DENOTES BELL BOX
BN	DENOTES U/G BELL CABLE
—C—0.20	DENOTES CONCRETE TRENCH 0.20 DIA
DEC—0.20	DENOTES DEODUCIOUS TRENCH 0.20 DIA
—F—	DENOTES FIRE HYDRANT
GM	DENOTES GAS METER
GV	DENOTES GAS VALVE
—H—	DENOTES U/G GAS MAIN
—H—	DENOTES U/G HYDRO CABLE
LS	DENOTES LIGHT STANDARD (LAMP)
—M—	DENOTES MANHOLE
—OW—	DENOTES OVER HEAD WIRE(S)
—SAN—	DENOTES SANITARY SEWER
—STM—	DENOTES STORM SEWER
—UT—	DENOTES UTILITY POLE
UPLS	DENOTES UTILITY POLE/LIGHT STANDARD
WV	DENOTES WATER VALVE (KEY)
—WT—	DENOTES U/G WATER MAIN
	DENOTES SURVEY MONUMENT FOUND
	DENOTES SURVEY MONUMENT SET
SIB	DENOTES STANDARD IRON BAR
SIBB	DENOTES SHORT STANDARD IRON BAR
IB	DENOTES IRON BAR
IBS	DENOTES IRON PIPE
P.I.N.L	DENOTES PROPERTY IDENTIFICATION NUMBER
(E)	DENOTES ENCROACHMENT REFERENCE
(N)	DENOTES NO IDENTIFICATION
(650)	DENOTES J.T. PETERS, O.L.S.
(650)	DENOTES J.C. MCLEAREN, O.L.S.
(350)	DENOTES CUNNINGHAM MCNEEL LIMITED
(1135)	DENOTES L.G. WOODS, O.L.S.
(Y)	DENOTES YATES & YATES, O.L.S.
(P)	DENOTES ROUND
WT	DENOTES WITNESS
R.W.L	DENOTES RAIN WATER LEADERS
←	DIRECTION & SPLASH PADS
	
	ENTRY POINTS INTO BUILDING
F.F.	FINISHED MAIN FLOOR
T.B.S.	FINISHED BASEMENT SLAB
U.S.F.	UNDERSIDE OF FOOTING
F.W.L	TOP OF FOUNDATION WALL
T.G.S.	FINISHED GRADE SLAB FRONT AREA
	DENOTES EXISTING SPOUT ELEVATION TO ROAD
0 00.00	DENOTES PROPOSED ELEVATION

FILL MATERIAL & TOPSOIL TO BE REMOVED
OFF SITE CLEAN BACKFILL MATERIAL TO BE
RETURNED TO SITE FOR BACKFILL

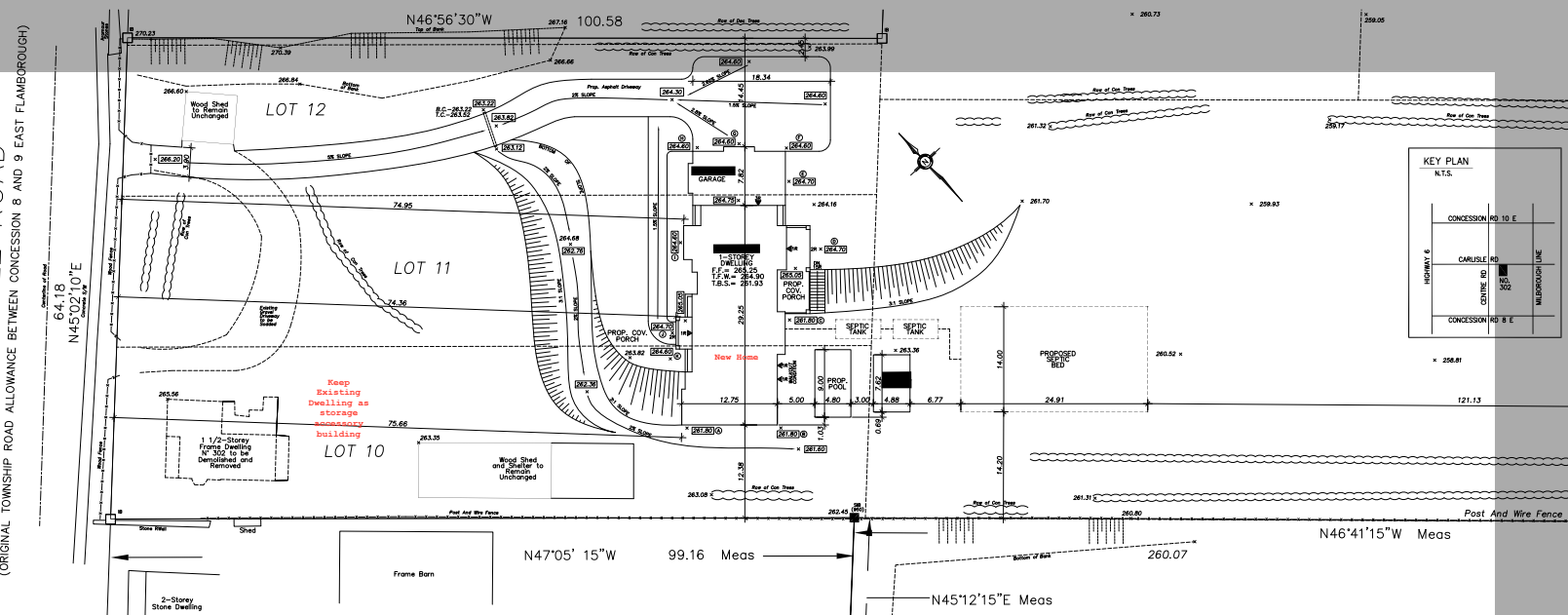
BEFORE DIGGING, UNDERGROUND SERVICES SHOULD BE LOCATED ON SITE BY THE RESPECTIVE AGENCIES.

- ALL EXCESS FILL TO BE REMOVED FROM SITE
- STREET TO BE KEPT CLEAN AT ALL TIMES FROM DIRT AND DEBRIS.
- ALL DISTURBED AREAS TO BE RE SOODED AFTER COMPLETION OF CONSTRUCTION
- INSTALL CONSTRUCTION FENCE W/ T-BAR POSTS PRIOR TO EXCAVATION FOR SAFETY PURPOSES
- INSTALL PLYWOOD HOARDING W/ T-BAR POSTS PRIOR TO EXCAVATION FOR TREE PROTECTION
- PLYWOOD TO 1.2 M HIGH W/ T-BAR POSTS AT 2.4M O.C.
- PLYWOOD TO BE NAIL SECURED TO POSTS ON BACK SIDE OF PLYWOOD FACING TREES
- ALL LOCATES TO BE DONE UNDER AND ABOVE GROUND PRIOR TO STARTING CONSTRUCTION

NOTE: ALL LOCATES WILL BE OBTAINED PRIOR TO THE INSTALLATION OF ANY HOARDING WITHIN MUNICIPAL RIGHT OF WAY

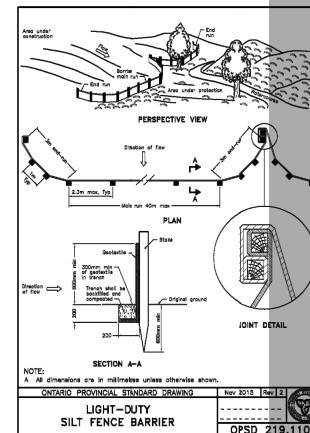
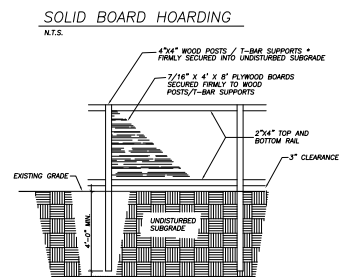
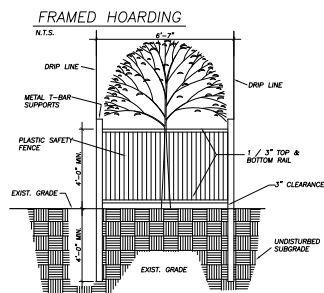
FILL MATERIAL & TOPSOIL
TO BE REMOVED OFF SITE
CLEAN BACKFILL MATERIAL
TO BE RETURNED TO SITE
FOR BACKFILL

EXISTING GRADES TO
REMAIN UNLESS NOTED
EXISTING DRAINAGE
PATTERN TO REMAIN




ITEM		ZONING BY-LAW REQUIREMENTS	PROPOSED
A	ZONING CATEGORY	S1 – SETTLEMENT RESIDENTIAL	S1 – SETTLEMENT RESIDENTIAL
B	LOT AREA	0.4 HECTARES	4.98 HECTARES
C	LOT COVERAGE	N/A	N/A
D	LOT WIDTH	30 m	64.18 m
E	MAXIMUM BUILDING HEIGHT FROM AVERAGE GRADE	10.5 m	m
F	SIDE YARD SETBACKS	INTERIOR 3 m	1.17 m
G	REAR SETBACK	3 m	1.21 m
H	FRONT SETBACK	7.5 m	13.99 m
I	FRONT SETBACK	4.9 m	6.19 m

AVERAGE GRADE CALCULATION	
GRADES	
A	261.80
B	261.80
C	261.80
D	264.70
E	264.70
F	264.60
G	264.60
H	264.60
I	264.60
J	264.70
K	264.60
AVERAGE ESTABLISHED GRADE = 263.87	



I, JEFF JAKSEN DECLARE THAT I HAVE REVIEWED AND TAKE DESIGN RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF JAKSEN CONSULTING UNDER DIVISION C, SUBSECTION 3.2.5 AND 3.2.4 OF THE BUILDING CODE. I AM QUALIFIED AND THE FIRM IS REGISTERED SET OUT BY THE O.B.C. QUALIFIED DESIGNER BCIN - 30272 FIRM BCIN - 35075

DATE: AUG 28/2019 SIGNATURE: 

DATE: AUG 29/2019 SIGNATURE:



36 Main Street, Unit 4, P.O. Box 36
Campbellville, On., L0P 1E0
Ph. 905-854-8696
Fax 905-854-9559
Call 905-875-3438
EMAIL: info@www2colornet.com

TYPE H-O2O
PROJECT
NELLA
LOCATION
HAMILTON

OWNERS INFORMATION
MR. & MRS. NELLA
302 CARLISLE ROAD,
HAMILTON (CARLISLE)

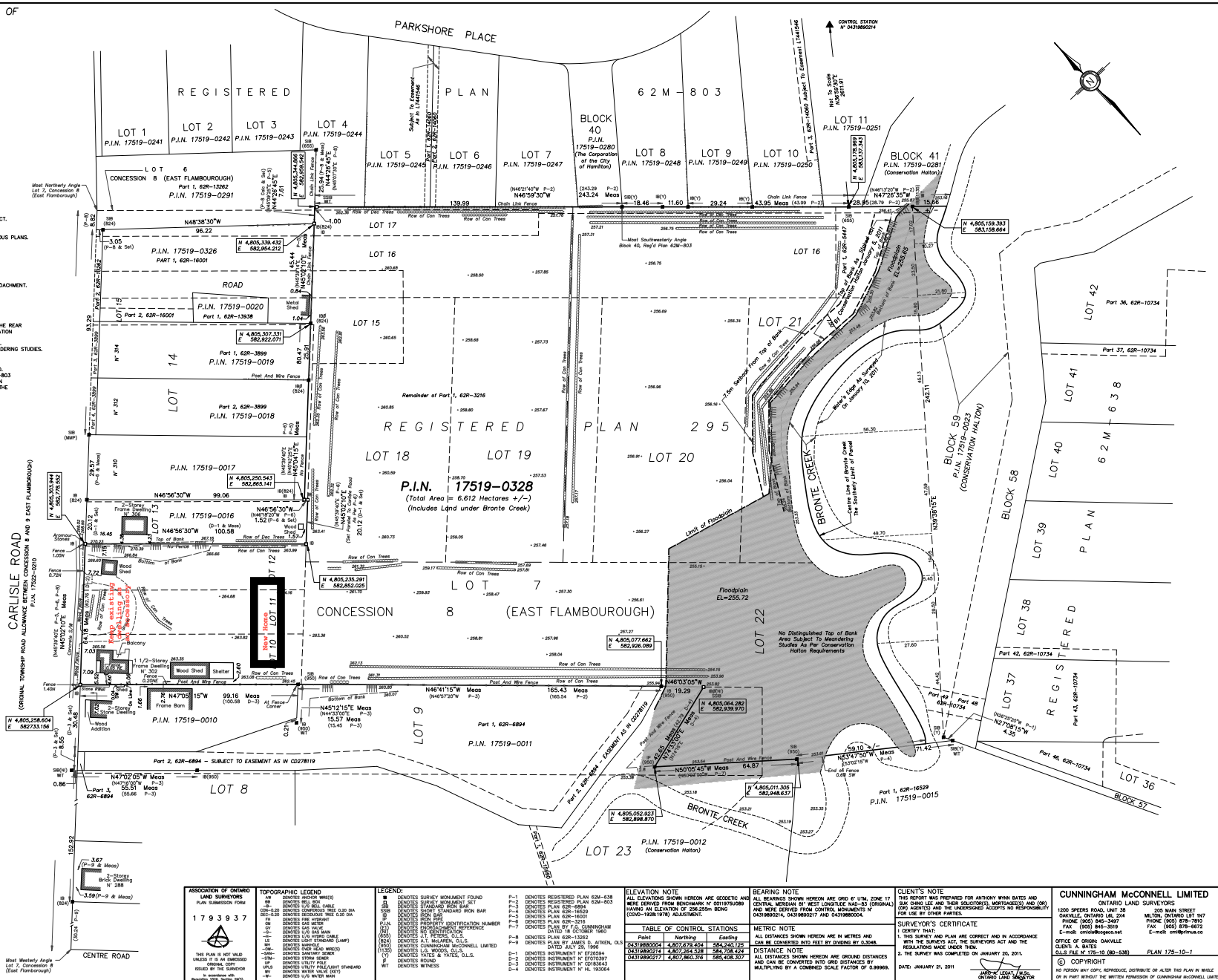
| SITE PLAN

L		SCALE		DATE		PROJECT NO.	
		1000		AUG 29/2009		2019-020	
L		DRAWN BY		CHECKED BY			
000		C.A.		J.A.			
NO. DATE		FILE NAME				DRAWING NO.	
DESCRIPTION		2019-0208				S1	
REVISIONS							

(GEOGRAPHIC TOWNSHIP OF EAST FLAMBOROUGH)
CITY OF HAMILTON
(FORMERLY THE TOWN OF FLAMBOROUGH)
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
SCALE: 1 : 750

GRAPHIC SCALE - METRES

1. **MONUMENTATION:**
IN ACCORDANCE WITH THE ONTARIO REGULATION N° 525/91 UNDER THE SURVEYORS ACT.
2. **COMPARISONS:**
SOME DISCREPANCIES BETWEEN FIELD MEASUREMENTS AND THOSE DEPICTED ON PREVIOUS PLANS.
3. **COMPASS ON THE FACE OF THE PLAN.**
4. **FENCES:**
AS INDICATED ON A FACE OF THE PLAN.
5. **ENCROACHMENT:**
ASIDE FROM FENCING, WE FOUND NO EVIDENCE (ITEMS) THAT MAY CONSTITUTE AN ENCROACHMENT.
6. **EASEMENTS/RIGHTS-OF-WAY:**
NONE REGISTERED ON TITLE AND AFFECTING THE SUBJECT LANDS.
7. **FLOODPLAIN - TOP OF BANK:**
THE SUBJECT LANDS ABUT BRONTÉ CREEK AS LOCATED AS TWELVE MILE CREEK AT THE REAR AND ARE SUBJECT TO FLOODPLAIN AND TOP OF BANK RESTRICTIONS AS PER CONSERVATION HALTAR REGULATIONS.
THE TOP OF BANK HAS BEEN ESTABLISHED BY CONSERVATION HALTAR ON JANUARY 5, 2011.
PORTION OF THE SOUTHWEST CORNER OF THE SUBJECT LANDS ARE SUBJECT TO MEADOWING STUDIES.
8. **ROAD ACCESS:**
THE SUBJECT LANDS FRONT ONTO THE PUBLIC ROAD KNOWN AS CARUSLE ROAD.
THERE IS AN IMPLIED ACCESS TO PARKSHORE PLACE THROUGH BLOCK 40, PLAN 62M-803
WHICH IS OWNED BY THE CITY OF HAMILTON BUT HAS NOT BEEN DEDICATED AS A PUBLIC HIGHWAY. THE CITY OF HAMILTON SHALL BE CONSULTED ON THE POSSIBILITY FOR RE-DEVELOPMENT OF THIS BLOCK FOR THE FUTURE ROAD ACCESS.
9. **ZONING:**
TO BE DETERMINED BY THE ZONING DEPARTMENT OF THE CITY OF HAMILTON.





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)	Dennis & Maryline Mella	
Applicant(s)*	Maryline Mella Dennis Mella	
Agent or Solicitor		

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:
None

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: *Front yard & a storage*
Converting existing single family home to accessory building.
Front yard & height & size
- ☐ Secondary Dwelling Unit ☒ Reconstruction of Existing Dwelling

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

Front yard, height & size.

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**):

CON8 PT LOTS 6 THE FLM AND RP62R5447 PART 1 AND RP62R3216 PART 1

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?

This is a residential property

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.

July 27, 2021
Date

[Signature]
Signature Property Owner(s)

Marilyn Mella & Dennis Mella
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 64.18 meters
Depth 165 meters
Area 16.5 acres
Width of street 64.18 meters

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:

- Old farmhouse. (we would like to convert to a ^{Storage} accessory building.
- New home
- Shop

Proposed

Convert old farmhouse to a ^{Storage} accessory building.

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

Existing:

Proposed:

- Old farmhouse is 7.03 meters from Rd.

13. Date of acquisition of subject lands:

March, 2019

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

15. Existing uses of the subject property (single family, duplex, retail, factory etc.):

Single Family

16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):

Single Family & Honey Store

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

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

Water

☐

Connected

☐

Sanitary Sewer

☐

Connected

☐

Storm Sewers

☐

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

Zoned S1

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.