



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
- 

**APPLICATION NO.:** FL/A-21:367

**APPLICANTS:** Agent Len Radomski  
Owner Ruth Victor

**SUBJECT PROPERTY:** Municipal address **191 Main St. S., Flamborough**

**ZONING BY-LAW:** Zoning By-law 90-145-Z, as Amended

**ZONING:** "R1-6" (Residential) district

**PROPOSAL:** To permit the construction of a new 50.0m<sup>2</sup> one storey addition and covered deck in the side yard of the existing single detached dwelling notwithstanding that:

1. A northerly side yard setback of 1.6m shall be provided instead of the minimum required 3.0m interior side yard setback.

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

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**DATE:** Thursday, November 25th, 2021  
**TIME:** 1:15 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)

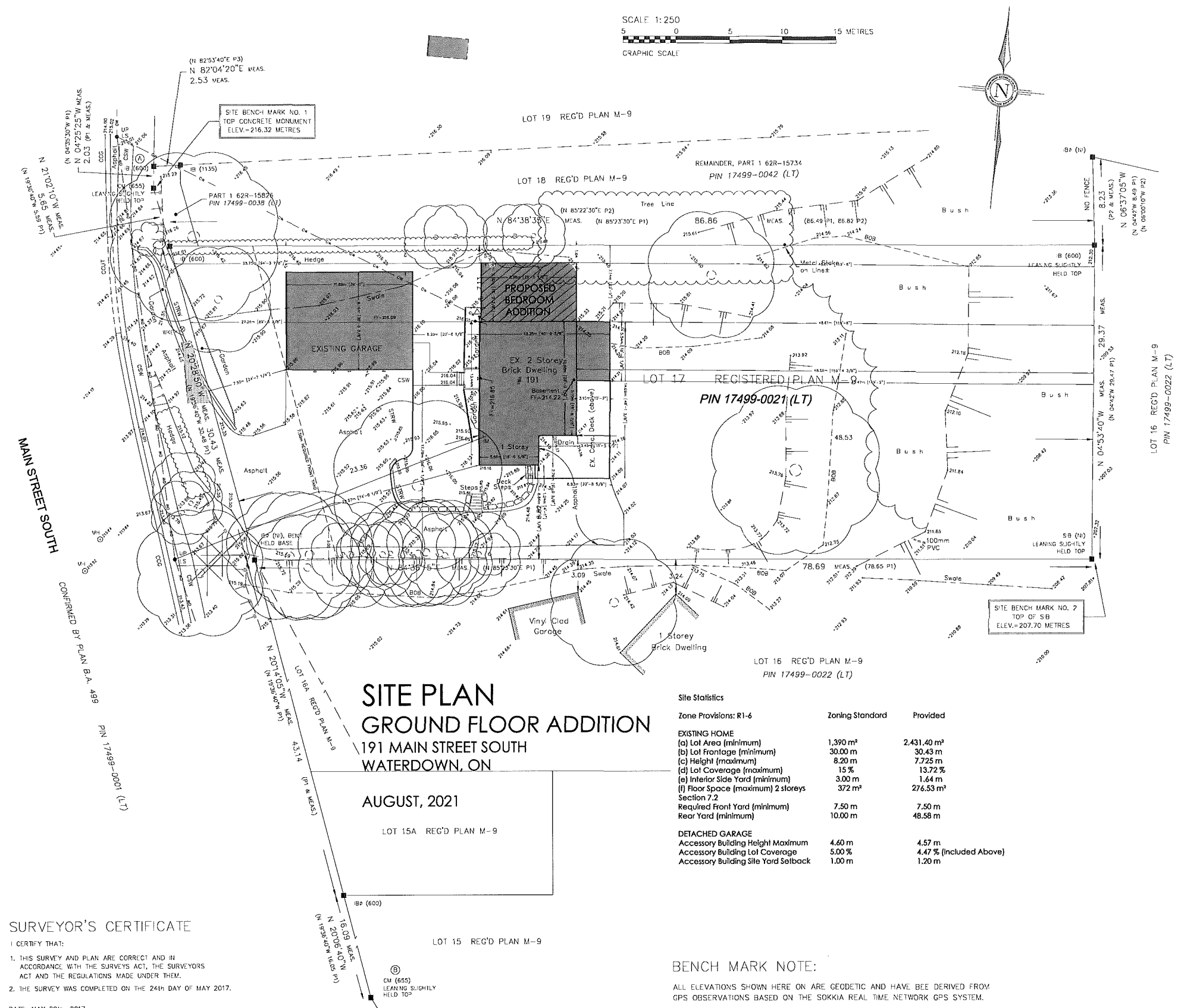
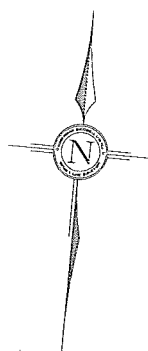
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: November 9th, 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.***



# SITE PLAN GROUND FLOOR ADDITION 191 MAIN STREET SOUTH WATERDOWN, ON

AUGUST, 2021

Zone Provisions: R1-6	Zoning Standard	Provided
EXISTING HOME		
(a) Lot Area (minimum)	1,390 m <sup>2</sup>	2,431.40 m <sup>2</sup>
(b) Lot Frontage (minimum)	30.00 m	30.43 m
(c) Height (maximum)	8.20 m	7.725 m
(d) Lot Coverage (maximum)	15 %	13.72 %
(e) Interior Side Yard (minimum)	3.00 m	1.64 m
(f) Floor Space (maximum) 2 storeys Section 7.2	372 m <sup>2</sup>	276.53 m <sup>2</sup>
Required Front Yard (minimum)	7.50 m	7.50 m
Rear Yard (minimum)	10.00 m	48.58 m
DETACHED GARAGE		
Accessory Building Height Maximum	4.60 m	4.57 m
Accessory Building Lot Coverage	5.00 %	4.47 % (Included Above)
Accessory Building Site Yard Setback	1.00 m	1.20 m

### BENCH MARK NOTE:

ALL ELEVATIONS SHOWN HERE ON ARE GEODETIC AND HAVE BEEN DERIVED FROM GPS OBSERVATIONS BASED ON THE SOKKIA REAL TIME NETWORK GPS SYSTEM.

### UTILITY NOTE:

ALL BURIED SERVICES HAVE NOT BEEN SHOWN. ALL SERVICES INCLUDING, BUT NOT LIMITED TO, NATURAL GAS, CABLE, BELL, HYDRO, STORM AND SANITARY SEWERS MUST BE LOCATED BY THE RESPECTIVE UTILITY COMPANY PRIOR TO CONSTRUCTION OR EXCAVATION OF ANY KIND.

### LEGEND

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT SET
- SIB DENOTES STANDARD IRON BAR
- SSIB DENOTES SHORT STANDARD IRON BAR
- IB DENOTES IRON BAR
- IP DENOTES IRON PIPE
- NI DENOTES NO IDENTIFICATION
- 950 DENOTES CUNNINGHAM McCONNELL LIMITED
- PIN DENOTES PROPERTY IDENTIFIER NUMBER
- 600 DENOTES S.W. WOODS O.L.S.
- 1135 DENOTES L.G. WOODS O.L.S.
- CM DENOTES CONCRETE MONUMENT
- 9 DENOTES ROUND
- P1 DENOTES REGISTERED PLAN M-9
- P2 DENOTES PLAN 62R-15734
- P3 DENOTES PLAN 62R-15826
- BOB DENOTES BOTTOM OF BANK
- CCG DENOTES CONCRETE CURB & GUTTER
- CCUT DENOTES CURB CUT
- CSW DENOTES CONCRETE SIDEWALK
- GM DENOTES GAS METER
- HM DENOTES HYDRO METER
- LS DENOTES LIGHT STANDARD
- MH DENOTES MANHOLE
- BRW DENOTES BRICK RETAINING WALL
- STRW DENOTES STONE RETAINING WALL
- DENOTES ARMOUR STONE
- UP DENOTES UTILITY POLE
- WKEY DENOTES WATER KEY OR CURB BOX
- REG'D DENOTES REGISTERED
- △ DENOTES ANTENNA
- DENOTES DECIDUOUS TREE
- \* DENOTES CONIFEROUS TREE
- ⊕ DENOTES SHRUB
- ||| DENOTES TOP OF BANK
- DENOTES OVERHEAD WIRE

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS (ORP'S) A AND B BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD 83 CSRS (1997).

COORDINATES ARE UTM ZONE 17, NAD 83 CSRS (1997), TO URBAN ACCURACY PER SEC. 14 (2) OF O. REG. 216/10, AND CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

ORP	NORTHING	EASTING
A	4797944.587	580016.484
B	4797853.218	580049.761

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9996657.

### 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 REGULATIONS MADE UNDER THEM.  
 2. THE SURVEY WAS COMPLETED ON THE 24th DAY OF MAY 2017.  
 DATE: MAY 29th, 2017.

THOMAS J. PAKOWSKI  
 ONTARIO LAND SURVEYOR

ASSOCIATION OF ONTARIO  
 LAND SURVEYORS  
 PLAN SUBMISSION FORM  
 2009228

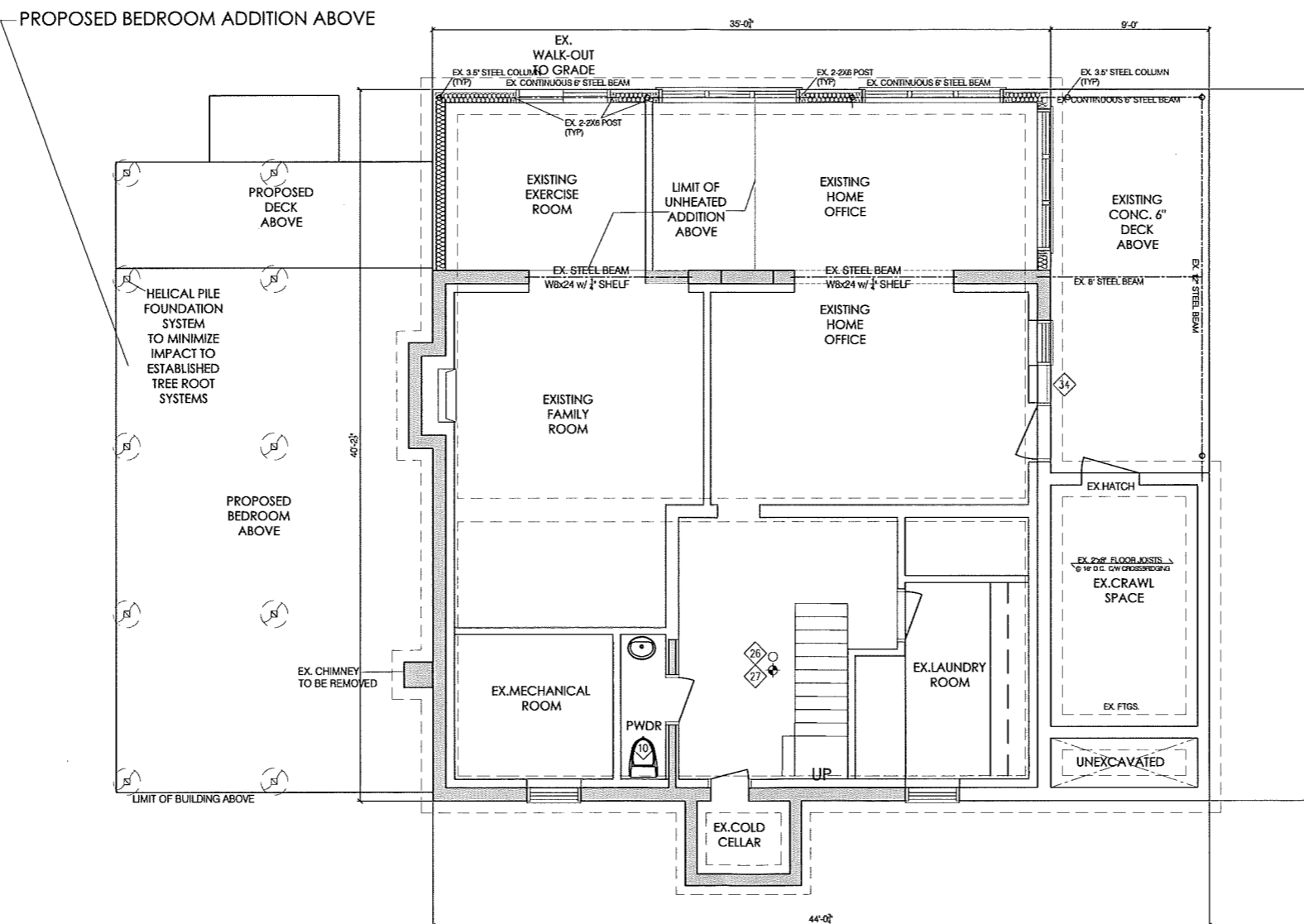
THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR

## CUNNINGHAM McCONNELL LIMITED ONTARIO LAND SURVEYORS

205 MAIN STREET MILTON, ONTARIO L9T 1N7  
 PHONE (905) 878-6672  
 FAX (905) 878-6672  
 EMAIL ADDRESS: cml@primus.co  
 O.L.S. FILE # 17-49

1200 SPEERS ROAD, UNIT 38  
 OAKVILLE, ONTARIO L6L 2X4  
 PHONE (905) 845-3497  
 FAX (905) 845-3519  
 EMAIL ADDRESS: cmlols@cogeco.net  
 CLIENT: RUTH VICTOR

DRAWINGS MUST NOT BE SCALED.  
 CONTRACTOR MUST CHECK AND VERIFY  
 ALL DIMENSIONS, SPECIFICATIONS AND  
 DRAWINGS ON SITE AND REPORT ANY  
 DISCREPANCIES TO THE ARCHITECT PRIOR  
 TO PROCEEDING WITH ANY OF THE WORK.



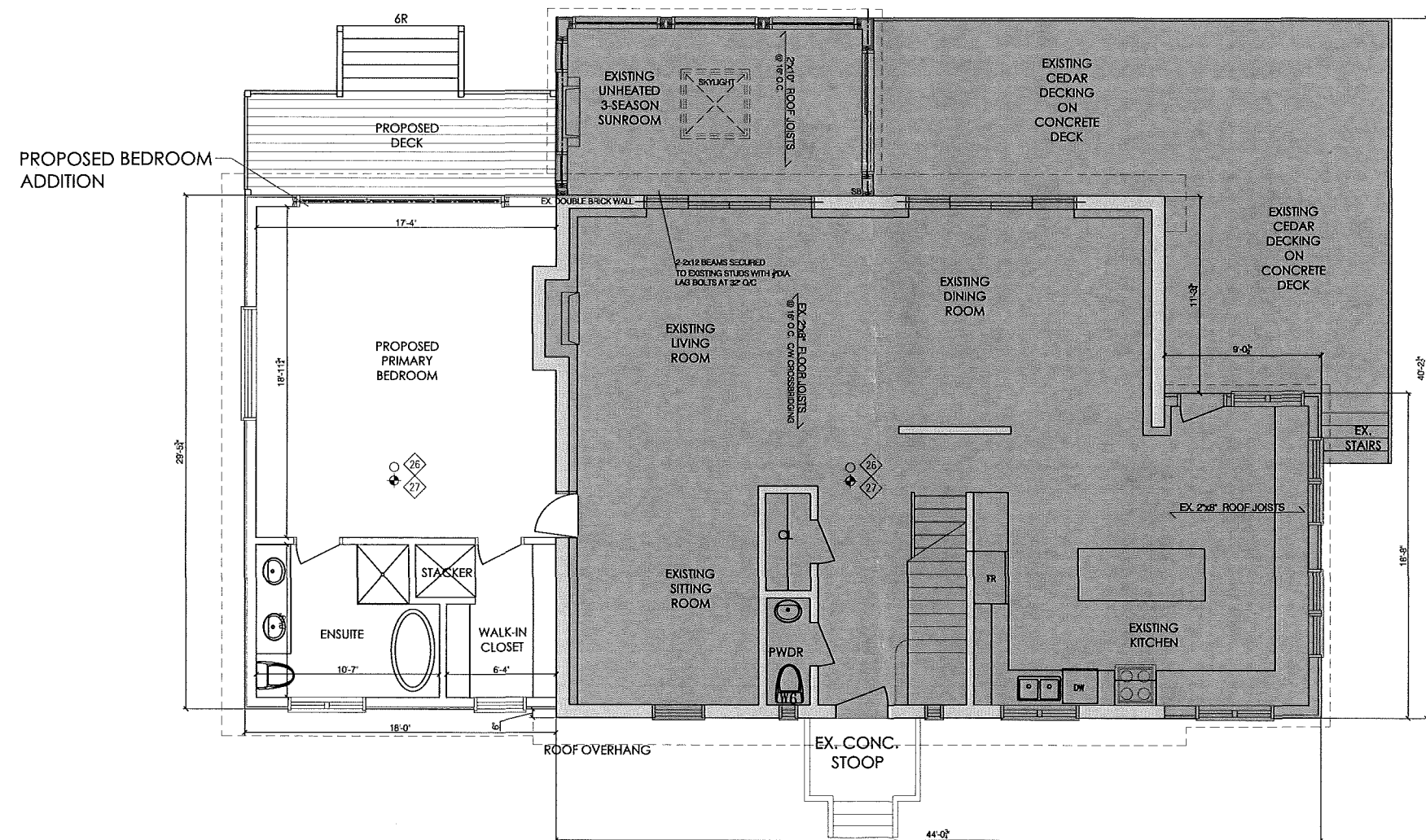
1 EXISTING BASEMENT LAYOUT & PROPOSED HELICAL PILE LAYOUT FOR BEDROOM ADDITION  
 A-1.3 / SCALE 1/4"=1'-0"

8.	JUL.21	BEDROOM ADDITION VARIANCE
7.	JUL.20	SUNROOM BP RE-SUBMISSION
6.	JUN.20	SUNROOM BP RE-SUBMISSION
5.	APR.20	SUNROOM ADDITION
4.	AUG.17.	REDESIGN - R2
3.	AUG.17.	BP RESUBMISSION - R1
2.	JUL.17.	BP SUBMISSION
1.	JUN.17.	CLIENT REVIEW
REF.	DATE:	DESCRIPTION:
REVISIONS / ISSUANCE:		

VICTOR RESIDENCE  
 DRAWING TITLE:  
 191 MAIN STREET SOUTH  
 WATERDOWN, ON  
 BASEMENT FLOOR PLAN

SCALE:  
 1/4"=1'-0"  
 JOB NO. WD1 SHEET NO. A1.3

DRAWINGS MUST NOT BE SCALED.  
 CONTRACTOR MUST CHECK AND VERIFY  
 ALL DIMENSIONS, SPECIFICATIONS AND  
 DRAWINGS ON SITE AND REPORT ANY  
 DISCREPANCIES TO THE ARCHITECT PRIOR  
 TO PROCEEDING WITH ANY OF THE WORK.



1 PROPOSED GROUND FLOOR LAYOUT  
 A-1.1 SCALE 1/4"=1'-0"

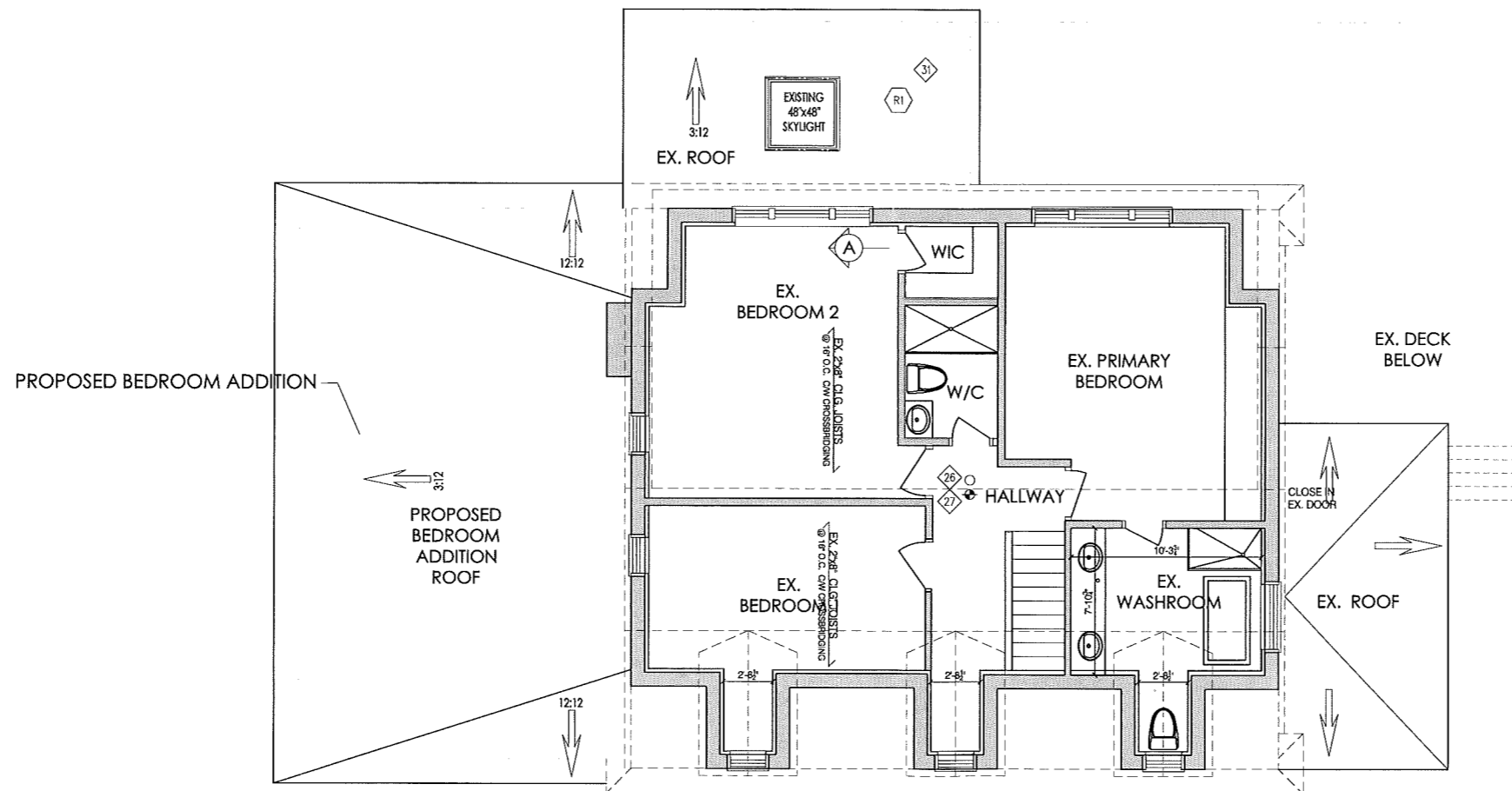
□ PROPOSED BEDROOM ADDITION  
 ■ EXISTING HOME

8.	JUL.21	BEDROOM ADDITION VARIANCE
7.	JUL.20	SUNROOM BP RE-SUBMISSION
6.	JUN.20	SUNROOM BP RE-SUBMISSION
5.	APR.20	SUNROOM ADDITION
4.	AUG.17.	REDESIGN - R2
3.	AUG.17.	BP RESUBMISSION - R1
2.	JUL.17.	BP SUBMISSION
1.	JUN.17.	CLIENT REVIEW
REF.	DATE:	DESCRIPTION:
REVISIONS / ISSUANCE:		

VICTOR RESIDENCE

DRAWING TITLE:  
 191 MAIN STREET SOUTH  
 WATERDOWN, ON  
 GROUND FLOOR PLAN

JOB NO.	SCALE: 1/4"=1'-0"
WD1	SHEET NO. A1.1



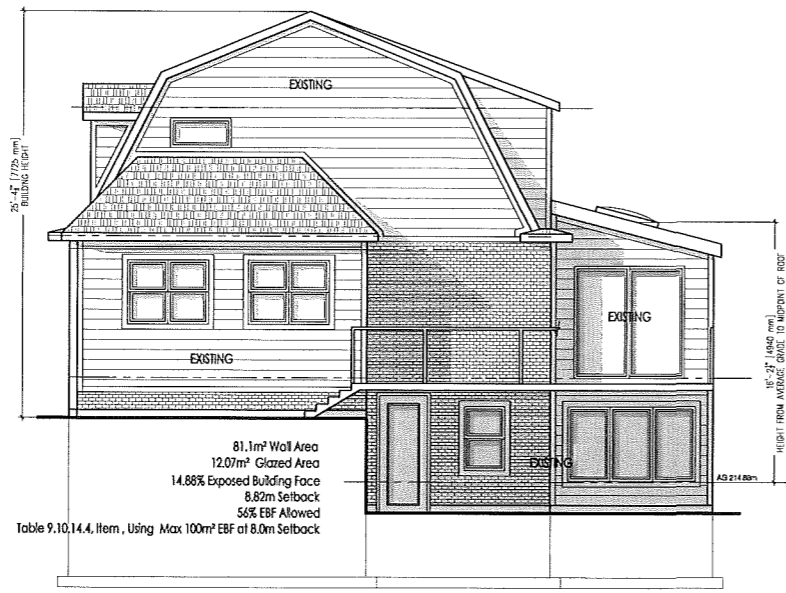
1 SECOND FLOOR LAYOUT & PROPOSED BEDROOM ADDITION ROOF  
A-1.2 SCALE 1/4"=1'-0"

DRAWINGS MUST NOT BE SCALED. CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS, SPECIFICATIONS AND DRAWINGS ON SITE AND REPORT ANY DISCREPANCIES TO THE ARCHITECT PRIOR TO PROCEEDING WITH ANY OF THE WORK.

8.	JUL.21	BEDROOM ADDITION VARIANCE
7.	JUL.20	SUNROOM BP RE-SUBMISSION
6.	JUN.20	SUNROOM BP RE-SUBMISSION
5.	APR.20	SUNROOM ADDITION
4.	AUG.17.	REDESIGN - R2
3.	AUG.17.	BP RESUBMISSION - R1
2.	JUL.17.	BP SUBMISSION
1.	JUN.17.	CLIENT REVIEW
REF.	DATE:	DESCRIPTION:
REVISIONS / ISSUANCE:		

VICTOR RESIDENCE  
DRAWING TITLE:  
191 MAIN STREET SOUTH  
WATERDOWN, ON  
SECOND FLOOR PLAN

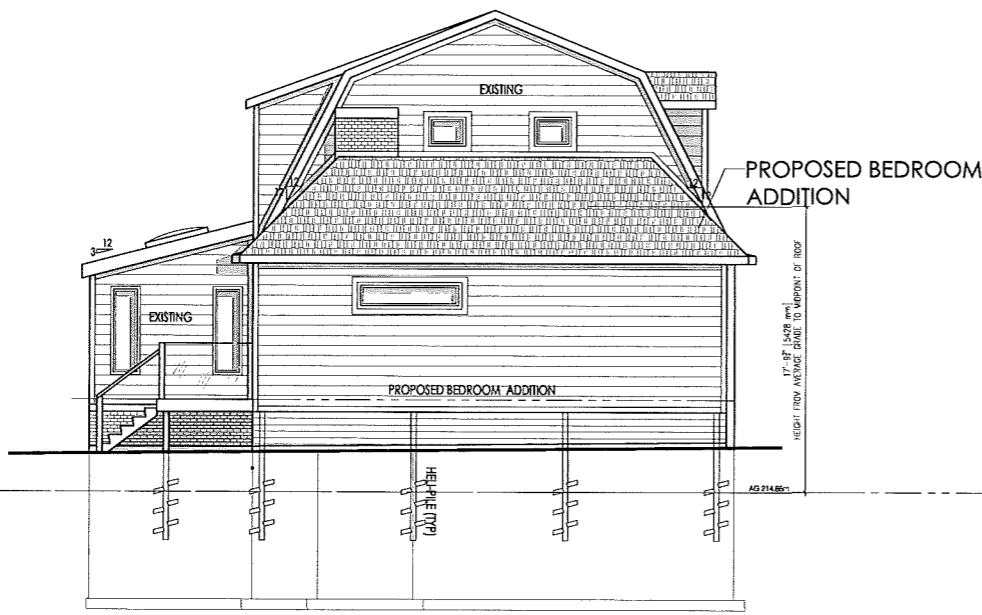
JOB NO. WD1  
SCALE: 1/4"=1'-0"  
SHEET NO. A1.2



1 SOUTH ELEVATION - NO PROPOSED CHANGED  
A-2 SCALE  $\frac{3}{16}''=1'-0''$



2 WEST ELEVATION - WITH PROPOSED ADDITION  
A-2 SCALE  $\frac{3}{16}''=1'-0''$



3 NORTH ELEVATION - WITH PROPOSED ADDITION  
A-2 SCALE  $\frac{3}{16}''=1'-0''$



4 EAST ELEVATION WITH PROPOSED ADDITION  
A-2 SCALE  $\frac{3}{16}''=1'-0''$

DRAWINGS MUST NOT BE SCALED. CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS, SPECIFICATIONS AND DRAWINGS ON SITE AND REPORT ANY DISCREPANCIES TO THE ARCHITECT PRIOR TO PROCEEDING WITH ANY OF THE WORK.

8.	JUL.21	BEDROOM ADDITION VARIANCE
7.	JUL.20	SUNROOM BP RE-SUBMISSION
6.	JUN.20	SUNROOM BP RE-SUBMISSION
5.	APR.20	SUN ROOM ADDITION
4.	AUG.17.	REDESIGN - R2
3.	AUG.17.	BP RESUBMISSION - R1
2.	JUL.17.	BP SUBMISSION
1.	JUN.17.	CLIENT REVIEW
REF.	DATE:	DESCRIPTION:
REVISIONS /		ISSUANCE:

VICTOR RESIDENCE  
DRAWING TITLE:  
191 MAIN STREET SOUTH  
WATERDOWN, ON  
ELEVATIONS

JOB NO.	SCALE: $\frac{3}{16}''=1'-0''$
WD1	SHEET NO. A2



September 27, 2021

Secretary Treasurer Committee of Adjustment City of Hamilton

Re: 191 Main Street South Waterdown, Minor Variance Application for Main floor Addition.

Please find attached the application for a Minor Variance to permit the construction of a main floor bedroom and full bathroom. The proposal complies with all current zoning requirements except the side yard setback where a setback of 1.64m is proposed and 3m is required.

The proposed location for the addition has been carefully selected to avoid the areas regulated by Conservation Halton and the required setbacks and has been placed on the property in a location which is screened from the road by the current garage located in the front yard, is screened from the neighbours to the north by the existing hedgerow and is not visible to the neighbours to the south. Our property is wooded to the rear.

We are proposing construction of the addition on helical piles without a foundation to ensure protection of the trees along the common property line and minimize any visual impact of the addition to the neighbours property. The design of the addition matches the roof lines of the other one storey portion of the house and has been designed to blend into the existing architecture of the home.

Sufficient room is provided to allow for drainage along the property line. There is no potential for overview or impact on the privacy of the addition on the adjacent property or adjacent homes. The addition is well screened from the public realm and the reduction in the side yard setback will not be readily visible from the street. The addition has been sensitively designed to blend with the existing home and respect the regulatory constraints on this property

We love living and working in this beautiful part of Waterdown. Due to health issues within the family, we need a home with a main floor bedroom, bath and laundry. This addition will allow us to remain in this home and in our neighbourhood.

The application for minor variance meets the four tests under the Planning Act as it meets the general purpose and intent of the Official Plan and Zoning By-law, is appropriate or desirable for the use of this property and is minor in nature.

Thank you for your consideration of this application

Regards,



Ruth Victor MCIP, RPP, MRTPI





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**

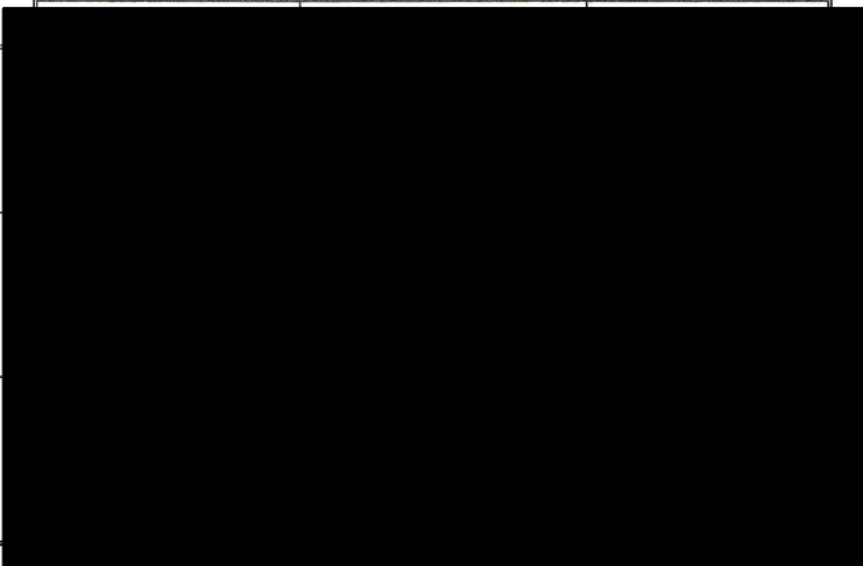
<b>FOR OFFICE USE ONLY.</b>	
APPLICATION NO. _____	DATE APPLICATION RECEIVED _____
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

**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.

1, 2

<b>Registered Owners(s)</b>	
<b>Applicant(s)*</b>	
<b>Agent or Solicitor</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:  
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:  
Sideyard Setback reduction from 3.0m to 1.6m

Secondary Dwelling Unit       Reconstruction of Existing Dwelling

5. Why it is not possible to comply with the provisions of the By-law?  
The back yard is regulated under Conservation Halton. Conservation Halton precludes Development within the regulated area. See attached Letter.

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**):  
Lot 17, Plan M-9. 191 Main Street South, Waterdown ON

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?  
History of site as owner.

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.

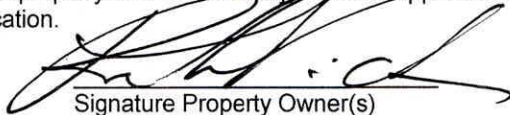
Is the previous use inventory attached? Yes  No

### 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.

September 27, 2021

Date



Signature Property Owner(s)

Ruth Victor

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	30.43m
Depth	86.86m
Area	2431.40m <sup>2</sup>
Width of street	Minimum 16.0m Right of Way

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-13.44m wide by 12.25m deep 7.9m to Midpoint of roof,  
113.46m<sup>2</sup> Ground floor area, 235.11m<sup>2</sup> GFA  
Existing 1 Storey Detached Garage - 11.89m wide by 9.16m deep

Proposed

Ground Floor addition of 5.5m wide by 8.98m deep - 49.33m<sup>2</sup>

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

Existing:

Garage - 2.43 m from North Property Boundary, 7.5m from West Property Boundary, 63.2m from East Property Boundary, 17.78m from South Property Boundary

House 7.14m From North, 28.75m From West, 45.47m from East, 8.84m fr. South

Proposed:

1.64m from North Property Boundary  
28.75m from West Property Boundary  
48.67m from East Property Boundary  
22.23m from South Property Boundary

13. Date of acquisition of subject lands:  
2017
- 
14. Date of construction of all buildings and structures on subject lands:  
1950's for House, 2018 for Garage
- 
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
Single Family Home
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
Single Family homes to North, South and West. Conservation Lands to East
17. Length of time the existing uses of the subject property have continued:  
Since the 1950's
18. Municipal services available: (check the appropriate space or spaces)
- |                |                                     |           |                                     |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water          | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers   | <input checked="" type="checkbox"/> |           |                                     |
19. Present Official Plan/Secondary Plan provisions applying to the land:  
Neighbourhood Residential
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
R1-6
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  
See attached letter.
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.