



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-21:371

APPLICANTS: Owner Matej Hrotka

SUBJECT PROPERTY: Municipal address **28 Oak 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 an accessory building that will comprise 37.5 square metres of gross floor area for a an existing single detached dwelling, notwithstanding that:

1. The accessory building shall be located within the front yard and 10.7 metres from the front lot line, whereas, the zoning by-law does not permit accessory buildings to be located within the front yard or flankage yard.
2. The accessory building shall have a maximum height of 7.1 metres instead of the maximum height of 4.5 metres.

NOTES:

1. The variance was written as requested by the applicant and an additional variance was included to address the maximum building height.
2. The existing 0.2 hectare lot area is recognized as legally established non-complying within the S1 Zone of Zoning By-law 05-200.
3. The drawings did not identify the required parking for the existing dwelling. The owner shall ensure that the parking space shall not be located within the required 7.5 metre front yard and that the parking space meets the minimum required dimensions of 2.8m x 5.8m or an additional variance shall be required.

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

DATE: Thursday, November 25th, 2021
TIME: 1:30 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:

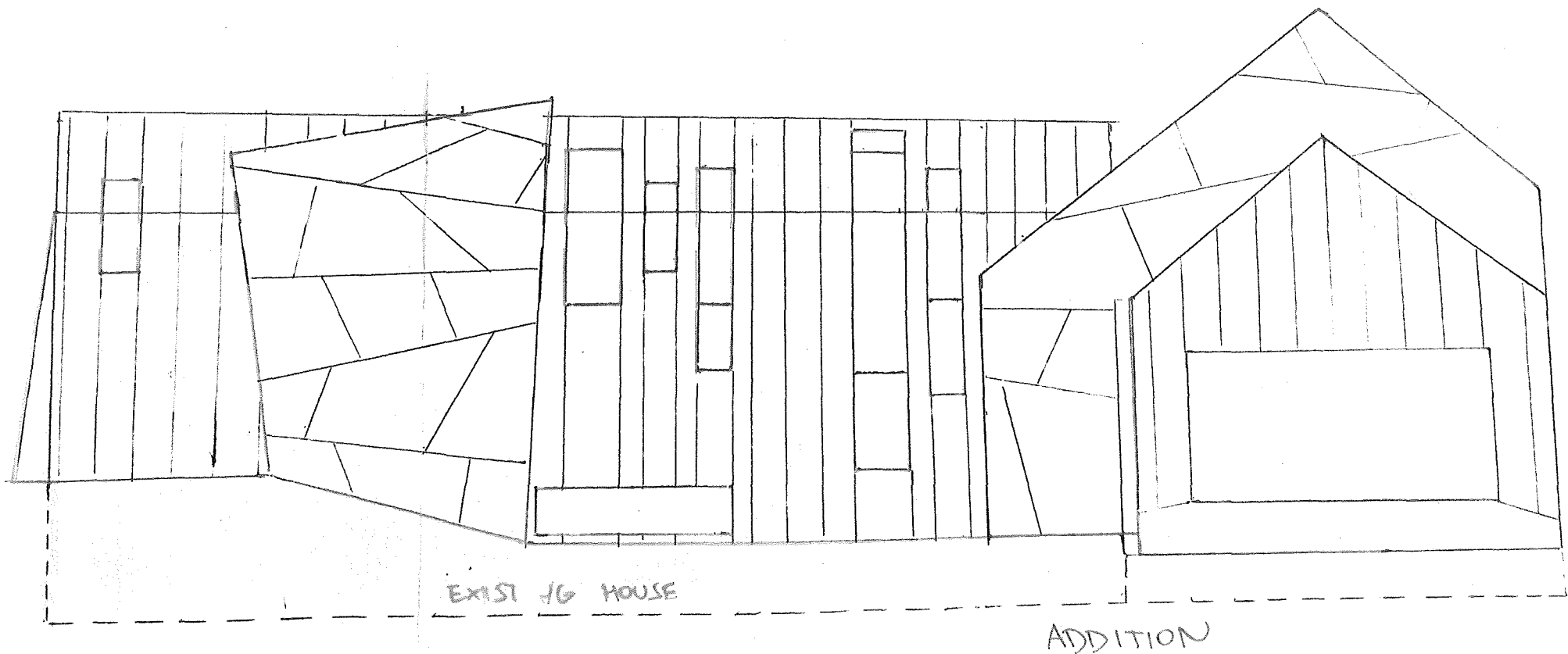
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

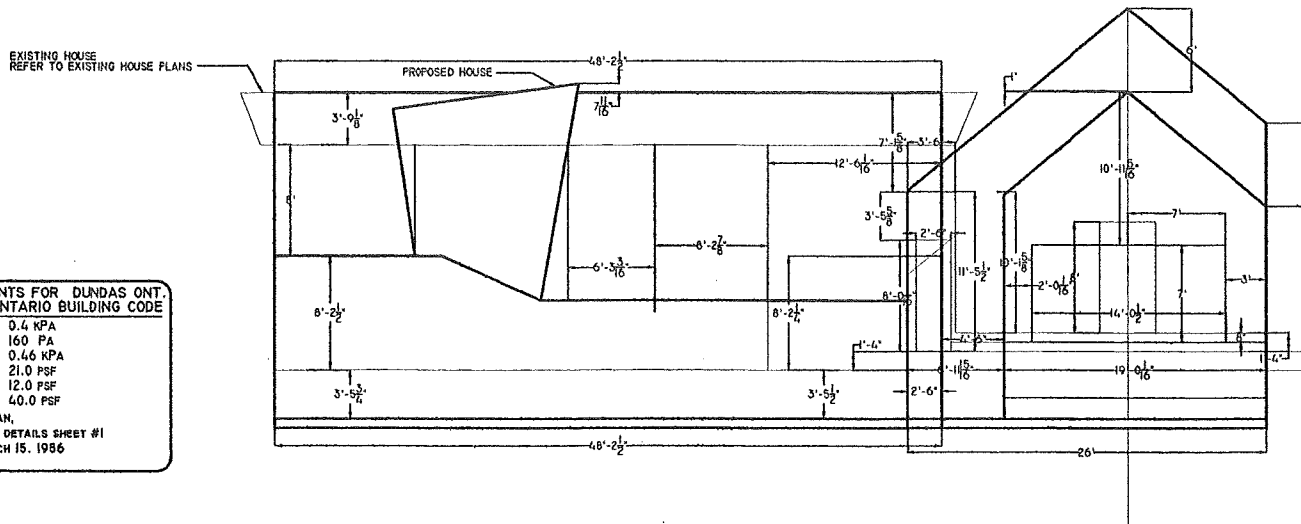
DATED: November 9th, 2021.

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.

view from





LOADING REQUIREMENTS FOR DUNDAS ONT. AS PER TABLE 1.2 ONTARIO BUILDING CODE

GROUND SNOW LOAD(1/50)	0.4 KPA
DRIVING RAIN (1/5)	160 PA
WIND LOAD L 1/50	0.46 KPA
ROOF LIVE LOAD	21.0 PSF
ROOF DEAD LOAD	12.0 PSF
FLOOR LIVE LOAD	40.0 PSF

PLEASE REFER TO PLOT PLAN,
FOUNDATION PLAN, WINDOW DETAILS SHEET #1
NEWCOHBE RESIDENCE MARCH 15, 1986

Mike Kenel

michaelkenel@gmail.com
1-289-339-2005

238 Wel's Lane, Dundas ON L9H 5E1
bcin 107241 chief building official (CBO) independent design firm

MIKE KENEL REVIEW AND TAKE RESPONSIBILITY FOR THE DESIGN WORK CONTAINED IN THESE DRAWINGS, FURTHERMORE I AM QUALIFIED AND REGISTERED IN THE APPROPRIATE CLASSES AND CATEGORIES AS SET OUT UNDER THE ONTARIO BUILDING CODE

Mike Kenel

SIGNATURE/DATE
02/10/2021

verified by design
certified landscape designer



NOTES COMMENTS

3	
2	
1	02/10/2021 NORTH ELEVATION
REF. DATE	DESCRIPTION

CLIENT
MR. MATTHEW

HROTKA

28 OAK AVENUE, DUNDAS ONT.
LOT 17 GRAND VISTA GARDENS REGISTERED NO. 773
TOWNSHIP OF WEST FLAMBORO
MCKAY AND MCKAY SURVEY PLAN Y-9786
JUNE 28, 1956

SCALE
0 5 10 IMPERIAL
0 1 2 3 METRES
UNLESS OTHERWISE NOTED

DRAWING NO.

2.

**NORTH ELEVATION
EXISTING-PROPOSED**



I, MICHAEL A. KENEL, REVIEW AND TAKE RESPONSIBILITY FOR THE DESIGN WORK CONTAINED IN THESE DRAWINGS. I AM QUALIFIED AND REGISTERED IN THE APPROPRIATE CLASS AND CATEGORY AS SET OUT UNDER THE ONTARIO BUILDING CODE.

SIGNATURE: Mike Kenel DATE:

DRAWN BY :

Mike Kenel

michaelkenel@gmail.com
1-289-339-2005

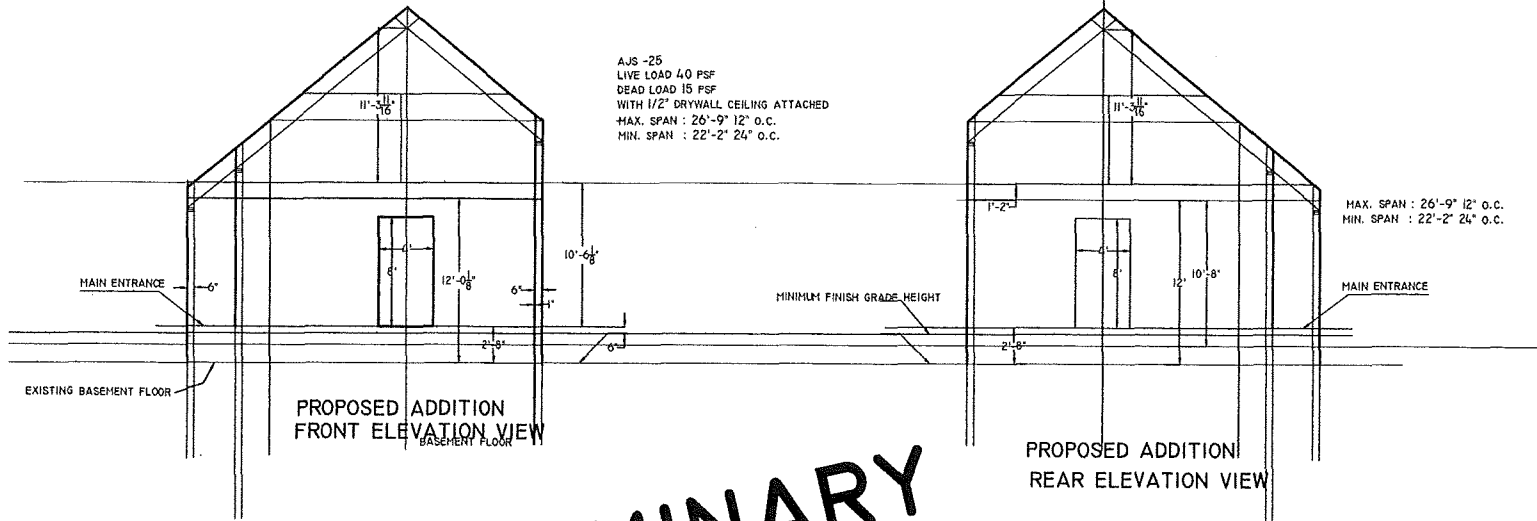
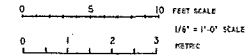
238 Weir's Lane, Dundas ON L9H 5E1
bcma 107241 chief building official (CBO) independent design firm

3

2 JAN 16 2021

1 JAN 4 2021 M.K. PRELIMINARY

REF. DATE: DESCRIPTION



CONCEPTUAL

PROPOSED ELEVATION VIEW

PRELIMINARY

CLIENT:

MATTHEW HROTKA
28 OAK. AVENUE DUNDAS ONT.



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)		
Applicant(s)*		
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:

RBC Royal Bank
70 King St. W, Dundas, ON, L9H 1T8

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:

Accessory garage in front yard

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

It does not comply with zoning bylaw because zoning does not allow for an accessory building in front of the main residence

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):

28 OAK AVENUE, DUNDAS, ON, L9H 4Y9
LOT 17 GRAND VISTA GARDENS
REGISTERED NO. 773 TOWNSHIP OF WEST FLAMBORO

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?

I purchased the house from original owner / builder from 1956


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.

Oct. 05 / 2021
Date


Signature Property Owner(s)
MATEJ HROTKA
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	100' - 3 1/2"	(30.6m)
Depth	215' - 7 1/2"	(65.7m)
Area	21,520 sq.ft.	
Width of street	22' - 0"	

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:

multi-level 1335 sq.ft.
25' - 8" x 48' - 3"

Proposed

one and half storey 1280 sq.ft.
detached garage 402 sq.ft.

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

Existing:

side	20' - 4"	rear	70' - 10 1/2"
	31' - 1 3/8"	front	114' - 0"

Proposed: garage:

side	70' - 8 7/8"	rear	146' - 1 3/8"
	10' - 1 3/8"	front	35' - 0"

Proposed : house

side: 63' - 4 3/4"

10' - 4"

rear: 71' - 1 5/8"

front: 53' - 6 5/8"

13. Date of acquisition of subject lands:
Aug 17 / 2017
14. Date of construction of all buildings and structures on subject lands:
June 28 / 1956
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
17. Length of time the existing uses of the subject property have continued:
1956
18. Municipal services available: (check the appropriate space or spaces)
- | | | | | |
|----------------|--------------------------|-----|-----------|--------------------------|
| Water | <input type="checkbox"/> | N/A | 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:
Single family
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Single family
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.