



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th 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

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.: GL/A-21:409

APPLICANTS: Owners R. & J. Mary

SUBJECT PROPERTY: Municipal address **89 Marion St., Glanbrook**

ZONING BY-LAW: Zoning By-law 464, as Amended by By-law 464-24-96

ZONING: R3-126 district Residential

PROPOSAL: To permit the construction of a proposed 1 storey garage to be located in the rear yard of the existing single detached dwelling notwithstanding that;

1. A minimum side yard setback of 1.83 m shall be provided on the northerly side lot line measuring 12.30 m instead of the minimum side yard setback of 4.8 m,
2. A minimum rear yard setback of 1.83 m shall be provided on the easterly lot line abutting the property known as 3324 Homestead Drive instead of the minimum required rear yard setback of 9.1 m; and
3. To permit the proposed 111.5 m² (GFA) accessory building to be located within the minimum required side and rear yard notwithstanding that the By-Law states that no accessory building in excess of 12 m² in GFA, shall be located in any minimum side or rear yard; and
4. To permit a total of 2 accessory buildings to be provided on site instead of the requirement in the site-specific By-Law which states that, Notwithstanding the provisions related to accessory buildings of Section 7: General Provisions for all Zones, Subsection 7.13 Accessory Buildings, Clause (b) (iv), one (1) accessory building with a maximum gross floor area of 112 shall be permitted on the lands identifies as Part A; and
5. A maximum height of 7.7 m shall be provided instead of the maximum permitted of 4.5 m in height.

Notes:

In addition, the accessory building in excess of 40 square metres (430 square feet) shall have an exterior finish that is aesthetically pleasing and that is similar to the dwelling on the same lot in respect to design, workmanship and materials as per Site Specific "R3-126" (By-Law 464-24-96). No details provided on the exterior finish, design, workmanship and materials of the proposed accessory structure. Therefore, further variances may be required.

No details provided for the proposed eaves or gutters; therefore, further variances may be required.

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

DATE: Thursday, January 20th, 2022
TIME: 2:15 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: January 4th, 2022.

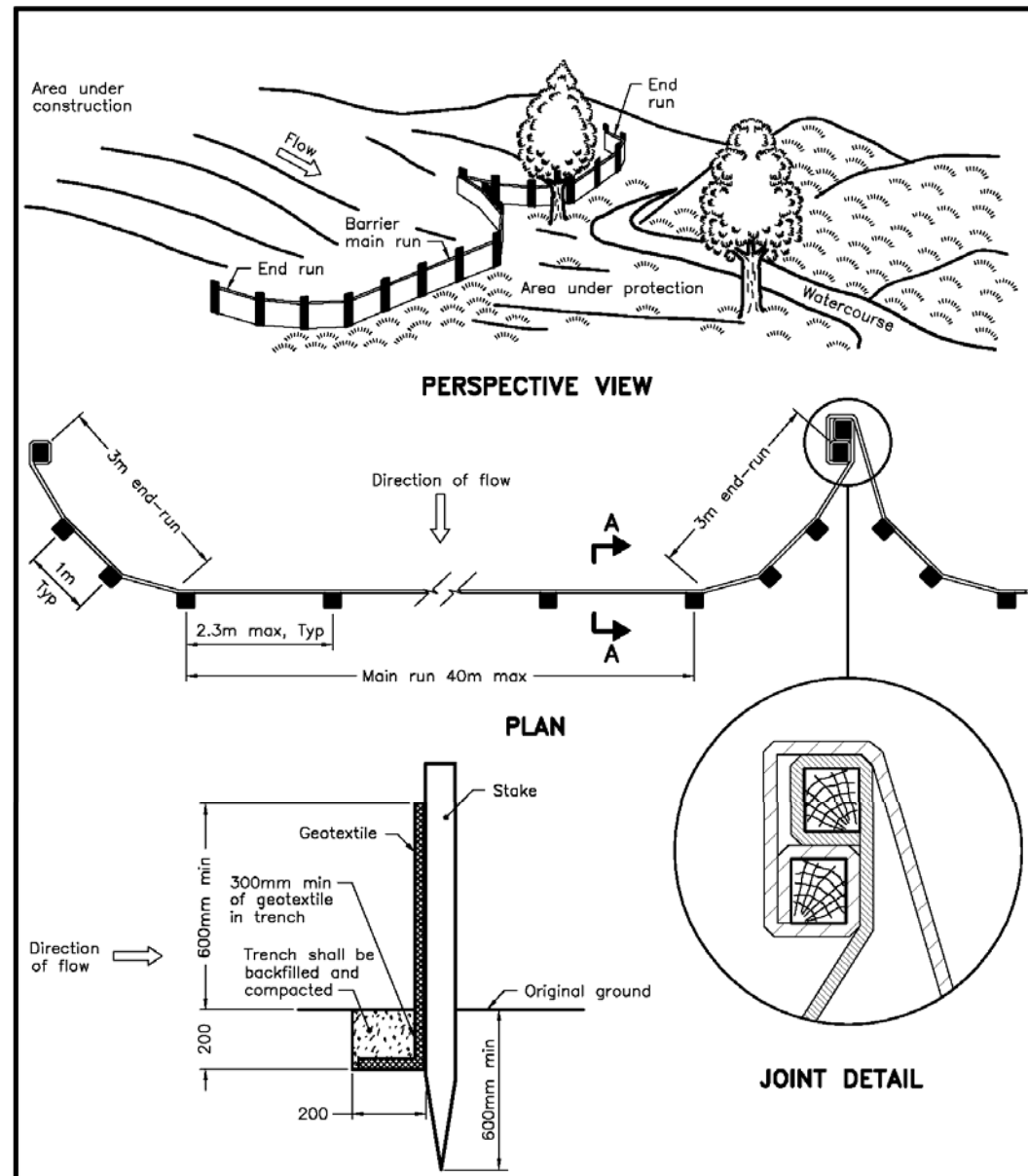
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.

CITY OF HAMILTON ZONING BY-LAW 464
ZONING REGULATION - R3-126

ZONE	REQUIRED	PROVIDED
LOT FRONTAGE	15.0m (min)	52.99m
LOT AREA	450 sq.m. (min)	2878.8 sq.m.
FRONT YARD	7.5m (min)	11.4m (EXISTING)
REAR YARD	1.0m (min)	1.83m (NORTH)
SIDE YARD	1.0 (min)	25.61m (SOUTH)
BUILDING AREA	154.3 sq.m. (EXISTING STRUCTURES)	111.49 sq.m. (PROPOSED STRUCTURES)
		265.79 sq.m. (TOTAL AREA)
LOT COVERAGE	35% (max)	9.23%

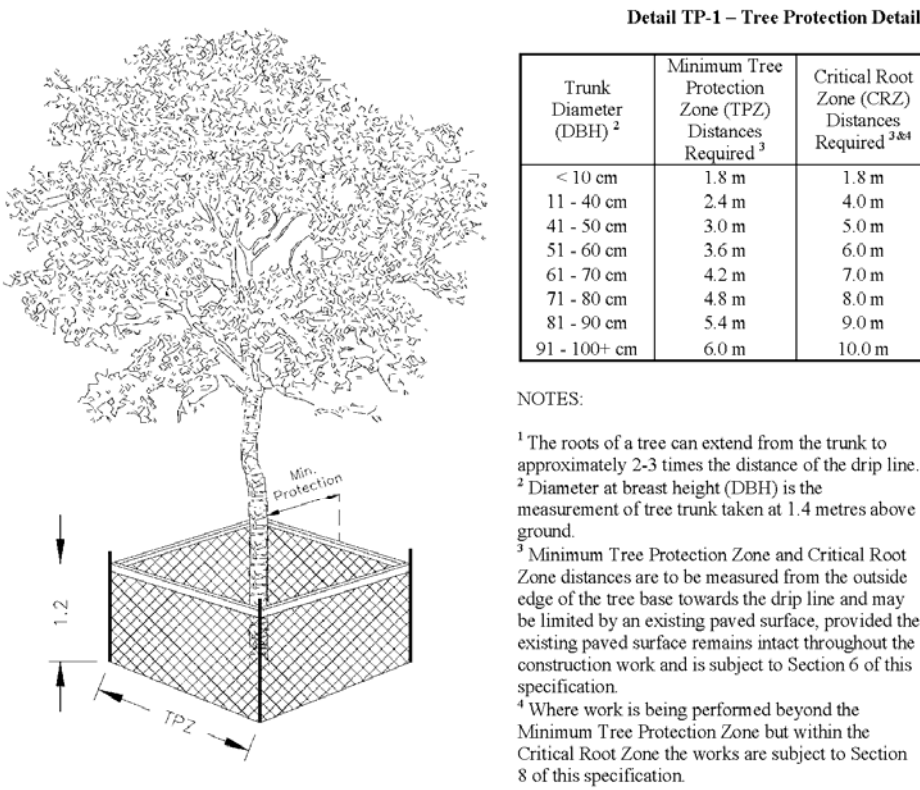
PROPOSED GARAGE = 1 STOREY



NOTE:
A All dimensions are in millimetres unless otherwise shown.

ONTARIO PROVINCIAL STANDARD DRAWING	Nov 2015	Rev 2
LIGHT-DUTY SILT FENCE BARRIER	OPSD 219.110	

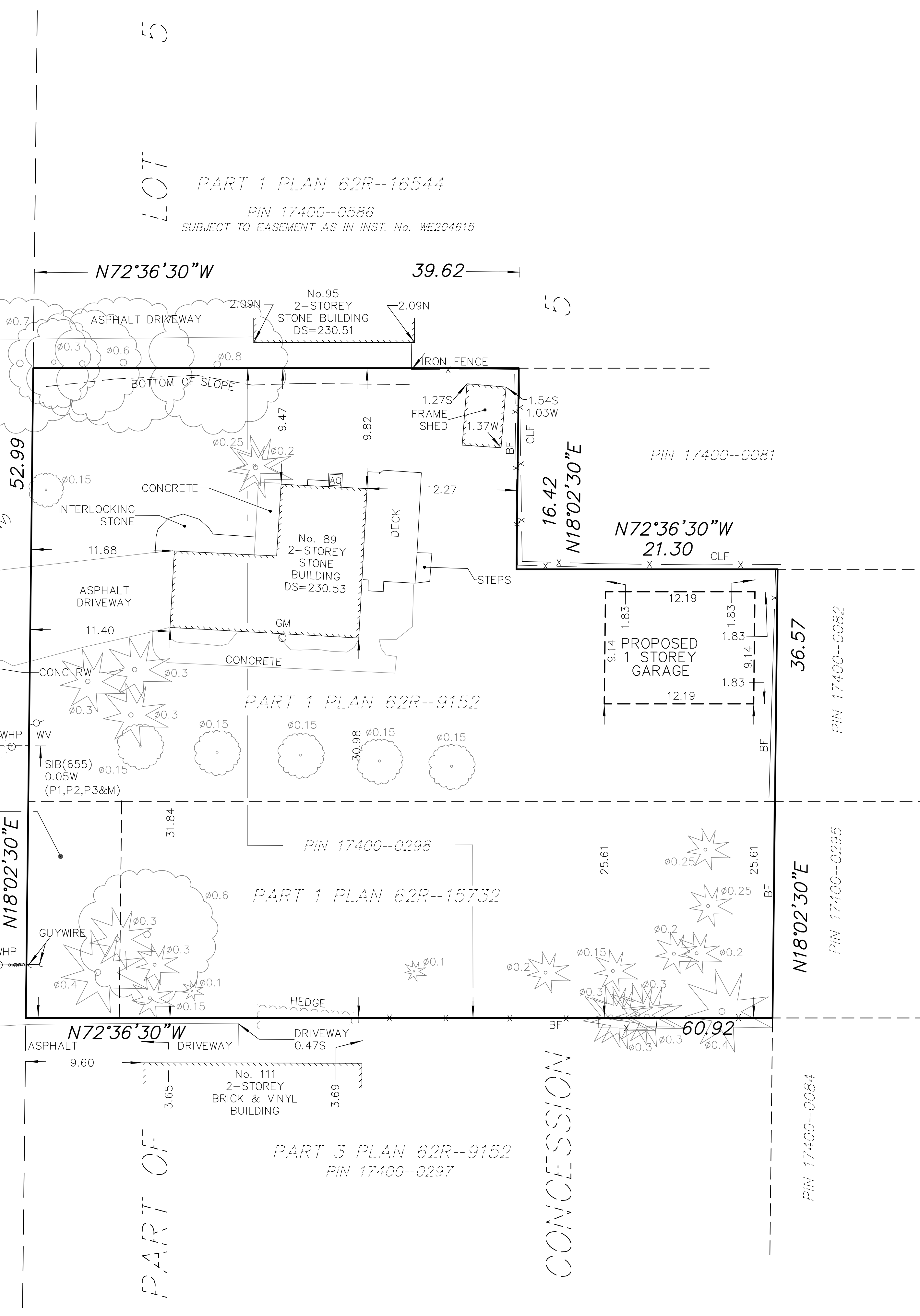
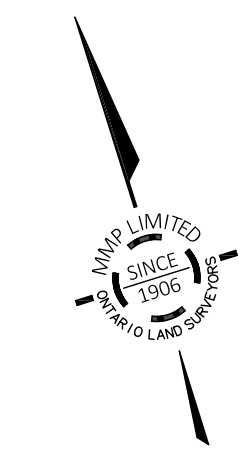
Tree Protection and Preservation
Specification No.: SS12



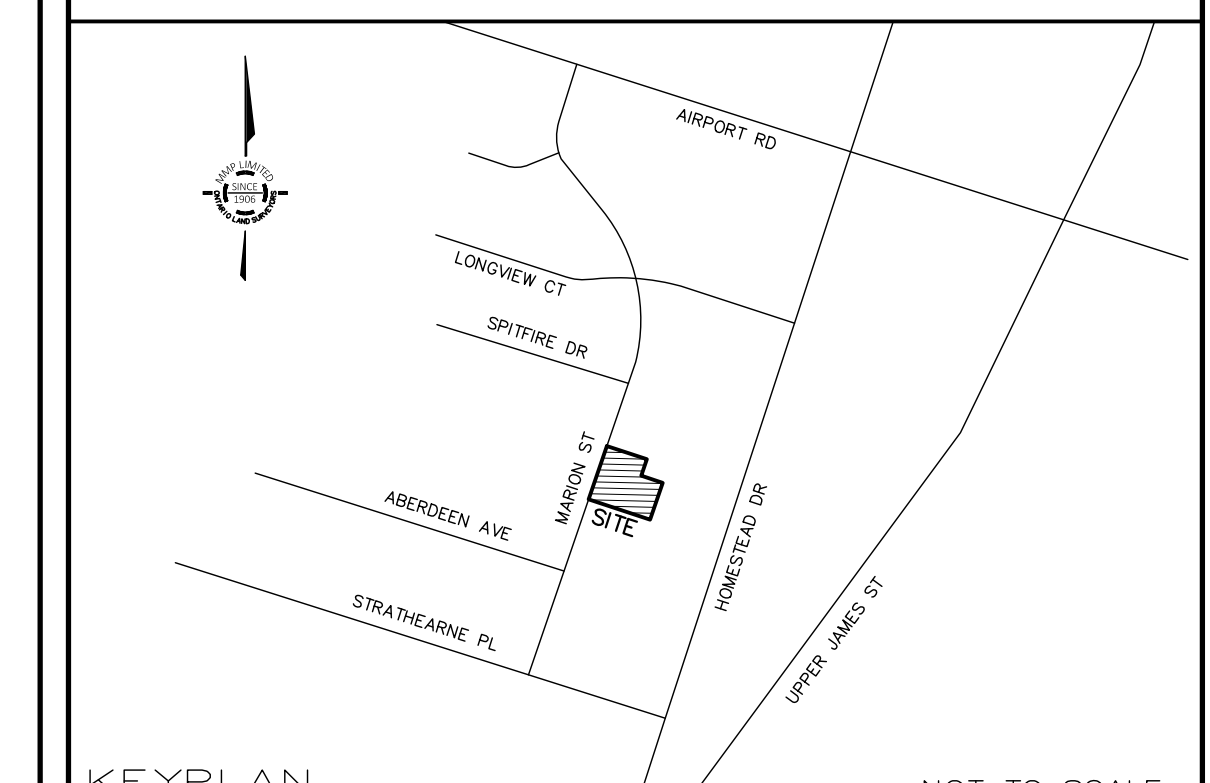
- TREE PROTECTION BARRIER**
- Tree protection barriers for trees situated on the City road allowance where visibility must be maintained can be 1.2m high and consist of orange plastic web snow fencing on a wood frame of 2"x4"s, supported on metal "T" bars, 2.0m O.C. max. Where orange plastic web snow fencing creates restriction to sightlines, orange wire fencing shall be used.
 - All supports and bracing used to safely secure the barrier should be located outside the TPZ. All supports and bracing should minimize damage to roots.
 - Where some fill or excavated material must be temporarily located near a TPZ, a wooden barrier with silt fencing must be used to ensure no material enters the TPZ.
 - No materials or fill may be stored within the TPZ.
 - Equipment or vehicles shall not be operated, parked, repaired, or refueled within the TPZ.
 - No construction activity, grade changes, surface treatment or excavations of any kind is permitted within the TPZ without written authorization from the City Arborist.

SITE PLAN
SCALE 1:200

MARION STREET
(ESTABLISHED BY BY-LAW 636 INST. NO. HL32166)



89 MARION STREET
SITE PLAN



KEYPLAN NOT TO SCALE

GEOGRAPHIC LOCATION NOTE
LOT 5
CONCESSION 5
IN THE
CITY OF HAMILTON
(ORIGINAL TOWNSHIP OF GLANFORD)
SCALE 1 : 200

THE INTENDED PLOT SIZE OF THIS SITE PLAN IS 914 mm IN WIDTH BY 610 mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1: 200
MacKAY, MacKAY & PETERS LIMITED-ONTARIO LAND SURVEYORS © 2021

METRIC DISTANCES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

BENCHMARK NOTE
GEODETIC SURVEY OF CANADA BENCHMARK No. 0011975U160
ELEVATION = 233.039 METRES (CGVD 1928:1978 ADJUSTMENT)
MOUNT HOPE SCHOOL, ALONG AIRPORT ROAD, 0.60 KILOMETRES WEST OF INTERSECTION WITH HIGHWAY No. 6, TABLET IN EAST CONCRETE FOUNDATION, 0.57 METRES NORTH OF CONCRETE STEPS FOR SIDE DOOR, 0.36 METRES BELOW BRICKWORK

LEGEND

FFE DENOTES FINISHED FLOOR ELEVATION STM MH DENOTES STORM MANHOLE
TFW DENOTES TOP OF FOUNDATION WALL UP DENOTES UTILITY POLE
TBS DENOTES TOP OF BASEMENT SLAB AC DENOTES AIR CONDITIONER
USF DENOTES UNDERSIDE OF FOOTING AC DENOTES AIR CONDITIONER
S DENOTES SUMP PUMP
R DENOTES RISER
D DENOTES DOWNSPOUT
→ DENOTES DIRECTION OF DRAINAGE
XXX.XX DENOTES EXISTING ELEVATIONS
(XXX.XX) DENOTES PROPOSED ELEVATIONS

NOTES

- PROPOSED TIES SHOWN HEREON ARE TO FOUNDATION ONLY
- BUILDING DIMENSIONS WERE TAKEN FROM PLANS SUPPLIED BY THE CLIENT
- EXISTING ELEVATIONS ARE GEODETIC AND ARE REFERRED TO THE VERTICAL BENCHMARK NOTED ABOVE
- LOT GRADING SHALL MATCH WITH THE EXISTING DRAINAGE PATTERNS
- BUILDER TO VERIFY ALL EXISTING GRADES PRIOR TO CONSTRUCTION INCLUDING ROAD AND LOT LINE GRADES
- SUMP PUMP AND DOWNSPOUTS TO DRAIN TO PERMEABLE SURFACE VIA SPLASH PADS
- CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND JOB CONDITIONS BEFORE PROCEEDING WITH WORK
- LOT DIMENSIONS ARE AS SHOWN ON SURVEYOR'S REAL PROPERTY REPORT BY MMP LIMITED, DATED AUGUST 11, 2021
- PROPOSED BUILDING IS POSITIONED BY CALCULATION, NOT BY AN ACTUAL SURVEY
- THIS PROPOSED PLAN IS PRELIMINARY UNTIL THE APPROPRIATE BUILDING DEPARTMENT'S SIGNED APPROVAL HAS BEEN OBTAINED
- ANY AMENDMENT OR ALTERATION OF THIS PLAN MUST BE REPORTED TO MMP LIMITED PRIOR TO LAYOUT OF BUILDING IN THE FIELD
- UTILITIES AND SERVICES SHOWN ON THIS SKETCH ARE APPROXIMATE AND MUST BE VERIFIED BEFORE CONSTRUCTION
- ALL UTILITIES TO BE COORDINATED ON SITE DURING CONSTRUCTION. THE INSTALLATION OF UTILITIES SHALL NOT DISRUPT TREE PROTECTION ZONES. THE BUILDER SHALL COORDINATE INSTALLATION WITH INDIVIDUAL UTILITY PROVIDERS ACCORDINGLY

CAUTION

- THIS IS NOT AN ORIGINAL COPY UNLESS EMBOSSED
- THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES
- THIS SITE PLAN IS PROTECTED BY COPYRIGHT INCLUDING ALL RELATED DIGITAL PRODUCTS

CERTIFICATION NOTE

BOUNDARY DIMENSIONS SHOWN HEREON ARE DERIVED FROM LAND REGISTRY OFFICE RECORDS AND SURVEY RECORDS OF MMP LIMITED
WE HAVE REVIEWED THE PLANS FOR CONSTRUCTION OF A 1 STOREY GARAGE LOCATED AT 89 MARION STREET AND CERTIFY THAT THE GRADING SHOWN HEREON IS COMPATIBLE WITH THE ADJACENT PROPERTIES AND EXISTING MUNICIPAL SERVICES
PROPOSED BUILDING SETBACKS AS SHOWN
PROPOSED LOT COVERAGE AS SHOWN
PROPOSED BUILDING SITE STATISTICS AS SHOWN

OCTOBER 5, 2021
DATE

[Signature]
MMP LIMITED
FOR: MacKAY, MacKAY & PETERS LIMITED

No.	DATE	REVISIONS
1	OCTOBER 5, 2021	SITE PLAN COMPLETED

MMP
MacKay, MacKay & Peters Limited
LAND SURVEYORS & MAPPERS
SINCE 1906

3380 South Service Road
Unit 101
Burlington, ON
L7N 3J5
(905) 639-1375
halton@mmplimited.com
mmplimited.com

E:\B2 Hamilton-West\89\TWP GLANFORD\CON 2\LOT 5\21-198\21-198-SP\21-198-SP.dwg
DRAWN BY: G.S./A.R. CHECKED BY: D.R. PROJECT No. 21-198-SP DWG. No. 1



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	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:

ROYAL BANK OF CANADA
RYMAL ROAD HAMILTON ONT

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:

- (1) VARIANT IN THE SET BACKS FOR 30' X 40' ACCESSORY BUILDING^{1 FT}
TO 6' (1.829 M) (9.144 M X 12.192 M)
- (2) VARIANT IN TOTAL HEIGHT OF BUILDING FROM 15' (4.572 M) TO 25' (7.62 M)

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

NOT ATTAINABLE

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**):

PT LT 5 CON 5, GLANFORD, PTS 1 & 2 ON 62R9152 & PT 1
ON 62R 15732 GLENBROOK (89 MARION STREET)

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other _____

8.1 If Industrial or Commercial, specify use N/A

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

13. Date of acquisition of subject lands:
1985
14. Date of construction of all buildings and structures on subject lands:
1997
15. Existing uses of the subject property:
RESIDENTIAL SINGLE FAMILY
16. Existing uses of abutting properties:
SINGLE FAMILY RESIDENTIAL
17. Length of time the existing uses of the subject property have continued:
24 YEARS
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:
UNKNOWN
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
UNKNOWN
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.