



## **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.:** DN/A-21:408

**APPLICANTS:** Owners K. Livingston & S. Roblin  
Agent Terrell Wong

**SUBJECT PROPERTY:** Municipal address **40 Cayley St., Dundas**

**ZONING BY-LAW:** Zoning By-law 3581-86, as Amended

**ZONING:** R2 district (Single Detached Residential)

**PROPOSAL:** To permit the reconstruction of the covered unenclosed front porch, and to construct a two-and-a half storey addition to the east side of the existing single detached dwelling notwithstanding:

1. A minimum front yard setback of 5.38 m will be provided, whereas the Zoning By-law requires a minimum front yard setback of 6.0 m.
2. A minimum of 44% of the front yard will be landscaping, whereas the Zoning By-law requires a minimum of 50% of the front yard to be landscaping.
3. The re-constructed roofed over unenclosed front porch will be located 2.55 m from the front lot line, whereas the Zoning By-law requires a roofed over unenclosed front porch to be located 4.0 m from the front lot line.

Notes:

1. The front lot line is considered to be the northerly lot line abutting Cayley Street.
2. Additional variances may be required if the roofed-over unenclosed porch does not comply with Section 6.6.9 i), ii), iii), & iv) as the submitted elevations were deficient of such required details.

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

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**DATE:** Thursday, January 20<sup>th</sup>, 2022  
**TIME:** 3:25 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:

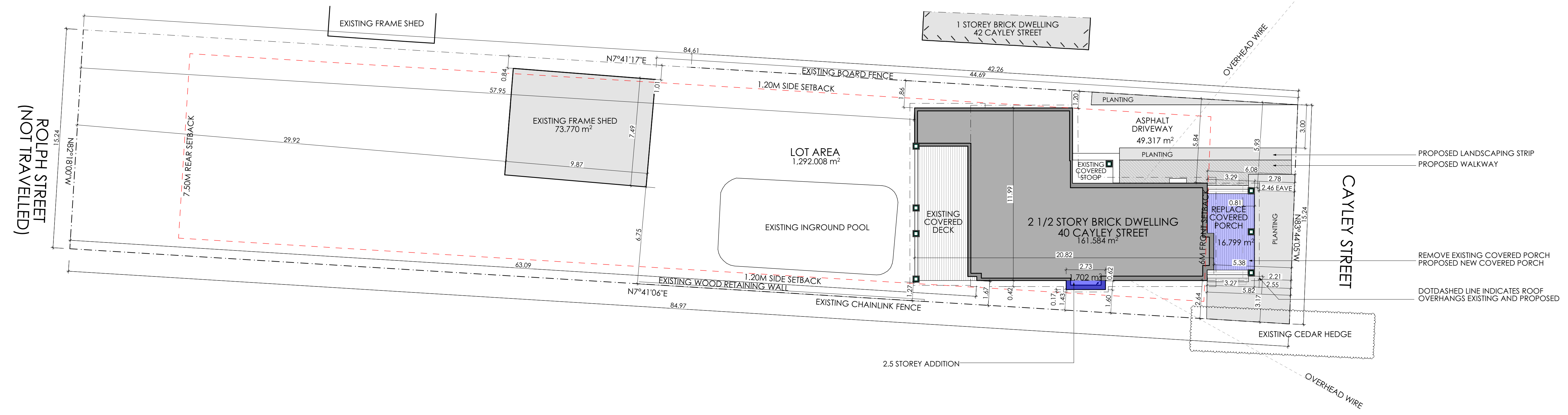
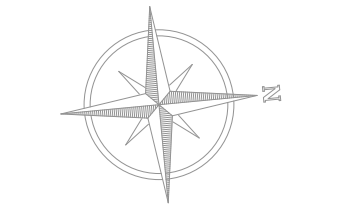
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: January 4<sup>th</sup>, 2022.

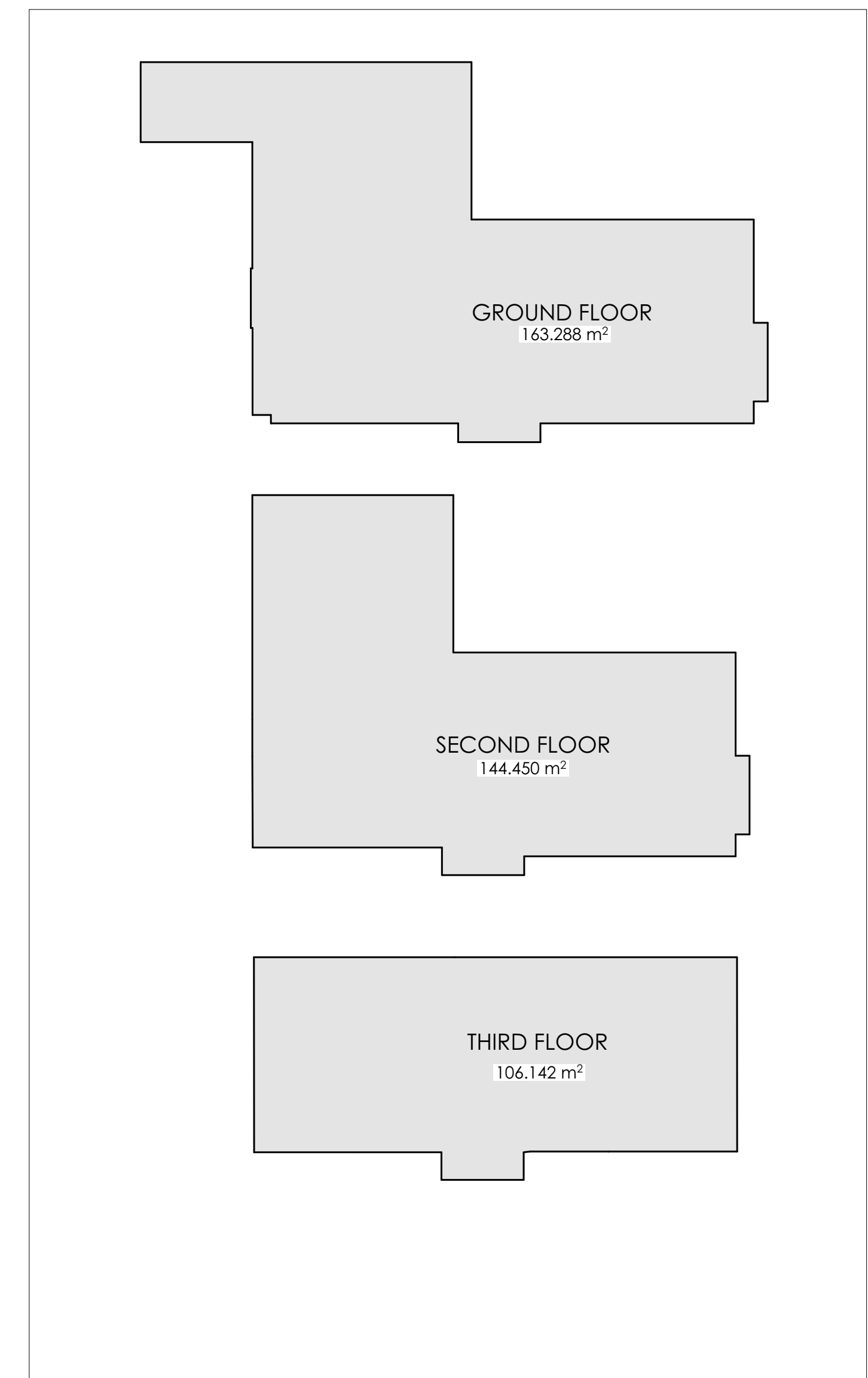
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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

***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



AREA CALCULATIONS



FRONT YARD LANDSCAPE AREA CALCULATIONS

Roblin/Livingston Residence		ZONING ANALYSIS				
40 Cayley Street Dundas, Ontario R2 November 5, 2021						
REQUIREMENT	ALLOWABLE		EXISTING		PROPOSED	
	metric	imperial	metric	imperial	metric	imperial
Lot Area - Min	450.00 m2±	4843.80 sf±	1292.01 m2±	13907.20 sf±	1292.01 m2±	13907.20 sf±
Frontage	15.00 m	49.22 ft	15.24 m	50.00 ft	15.24 m	50.00 ft
Front Yard	6.00 m	19.69 ft	5.38 m	17.65 ft	5.38 m	17.65 ft
Rear Yard	7.50 m	24.61 ft	57.95 m	190.13 ft	57.95 m	190.13 ft
Side Yard West	1.20 m	0.00 ft	1.20 m	0.00 ft	1.20 m	0.00 ft
Side Yard East	1.20 m	3.94 ft	1.67 m	5.48 ft	1.67 m	5.48 ft
Height of Building	10.50 m	34.45 ft	9.57 m	31.40 ft	9.57 m	31.40 ft
Accessory Coverage (existing Backyard Shed)	5.00 %		5.71%		5.71%	
Front Covered Porch Front Yard	4.00 m	13.12 ft	3.11 m	10.20 ft	2.55 m	8.37 ft
Ground Floor Area			161.58 m2±	1739.25 sf±	163.29 m2±	1757.65 sf±
Second Floor Area			143.57 m2±	1545.39 sf±	144.45 m2±	1554.86 sf±
Attic Floor Area			0.00 m2±	0.00 sf±	106.14 m2±	1142.49 sf±
Gross Floor Area			305.15 m2±	3284.64 sf±	413.88 m2±	4455.00 sf±
Total proposed addition					108.73 m2±	1170.36 sf±
Total Lot Coverage			18.2%		18.3%	
"Shall mean that percentage of the lot covered by all buildings, but shall not include swimming pools and decks."						
Front Yard Area			124.50 m2±	1340.12 sf±	121.30 m2±	1305.67 sf±
Driveway area			65.40 m2±	703.97 sf±	49.37 m2±	531.42 sf±
Landscaped area			40.30 m2±	433.79 sf±	54.36 m2±	585.13 sf±
%Landscaped area	50.00%		32.37%		44.81%	

RED INDICATES POTENTIAL EXISTING OR PROPOSED MINOR VARIANCES

ROBLIN RESIDENCE

40 Cayley St, Dundas, Ontario

DESIGN DEVELOPMENT

SITE PLAN ZONING

1:150

A1.2



1 NORTH ELEVATION  
SCALE: 1/4" = 1'-0"



2 SOUTH ELEVATION  
SCALE: 1/4" = 1'-0"

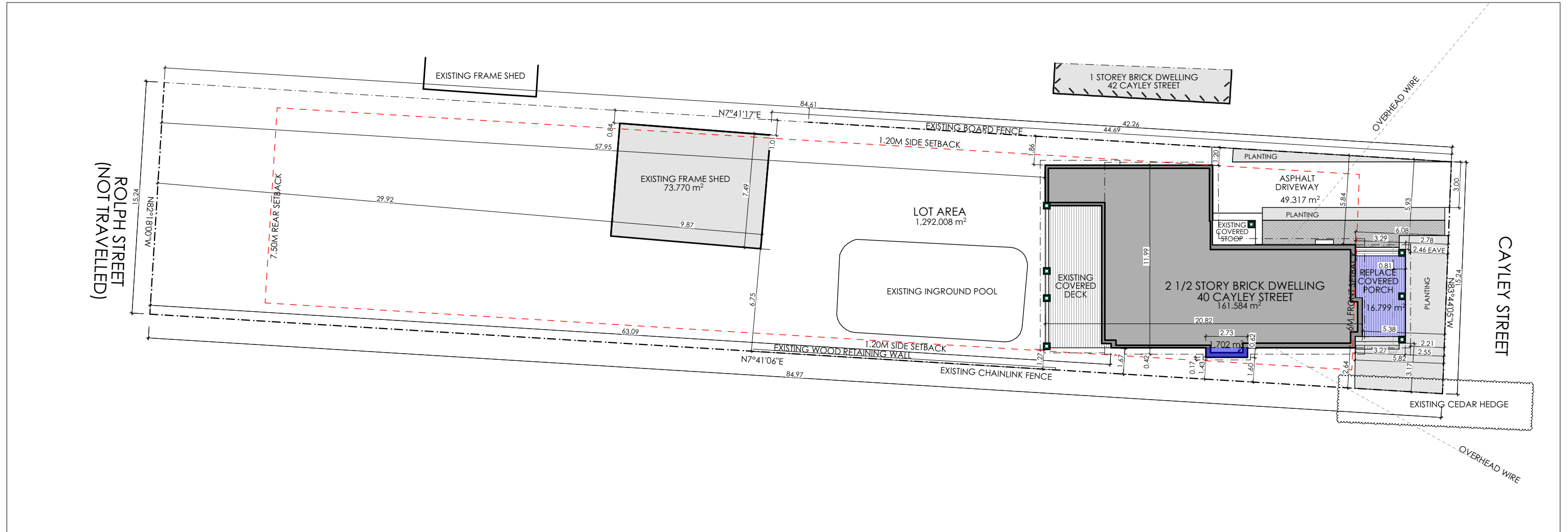
ROBLIN RESIDENCE  
40 Cayley St, Dundas, Ontario

DESIGN DEVELOPMENT

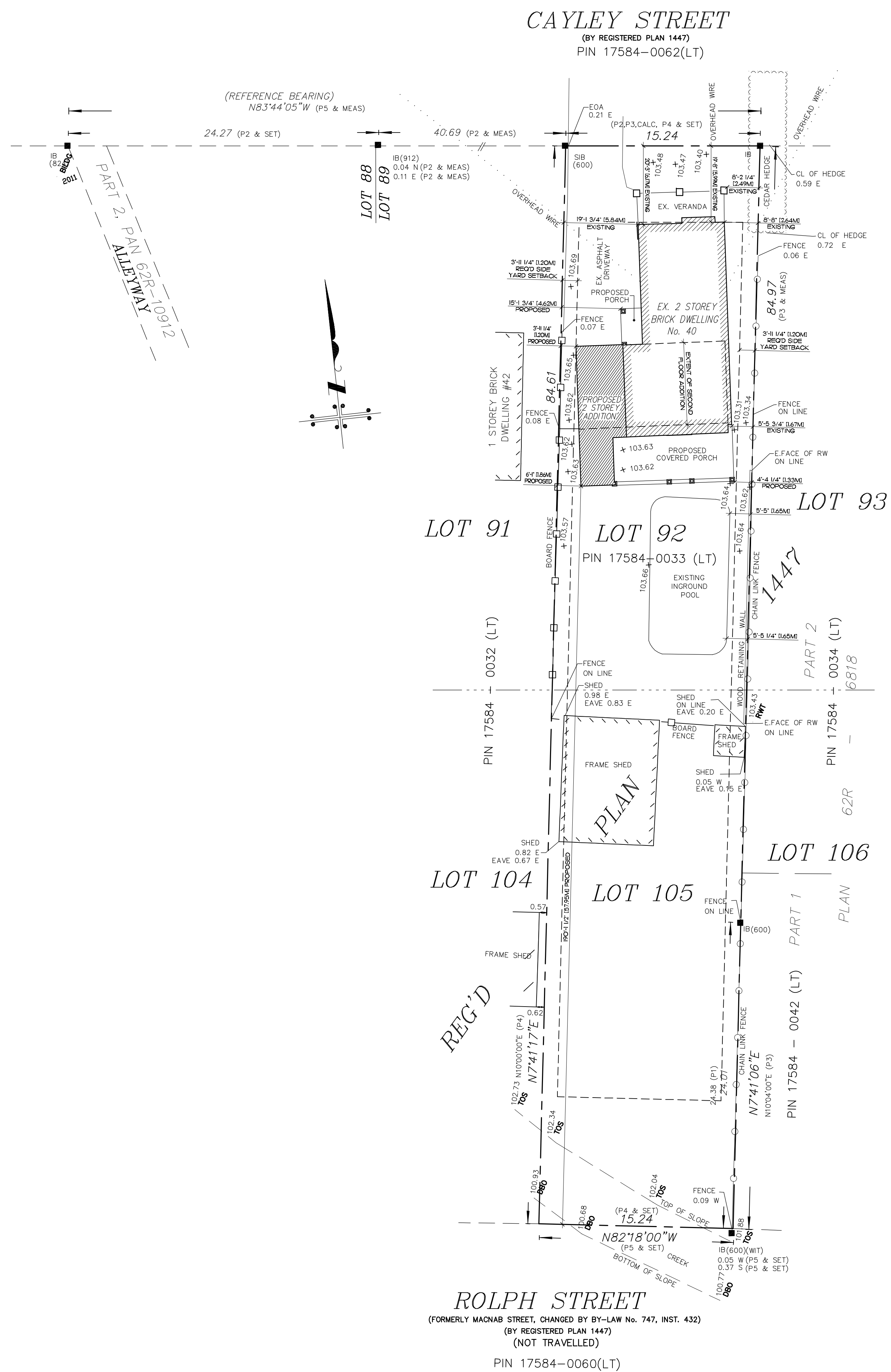
NORTH AND SOUTH  
ELEVATIONS

1/4" = 1'-0"

A3.1



SITE SKETCH



**ROLPH STREET**  
 (FORMERLY MACNAB STREET, CHANGED BY BY-LAW No. 747, INST. 432)  
 (BY REGISTERED PLAN 1447)  
 (NOT TRAVELLED)  
 PIN 17584-0060(LT)

**SURVEYOR'S REAL PROPERTY REPORT**  
 PLAN OF  
**LOTS 92 AND 105**  
**REGISTERED PLAN 1447**  
 BEING IN THE  
**CITY OF HAMILTON**  
 (FORMERLY TOWN OF DUNDAS)

**MacKAY, MacKAY & PETERS LIMITED - ONTARIO LAND SURVEYORS**  
 © 2014

KNOWN AS MUNICIPAL No. 40 CAYLEY STREET

**SURVEY REPORT (BEING PART 2)** (to be read in conjunction with plan being Part 1)  
 LAND REGISTRY OFFICE TITLE INFORMATION ON SUBJECT PROPERTY INCLUDING  
 BOUNDARIES, EASEMENTS AND RIGHT OF WAYS - FEBRUARY 25, 2014

**REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY:**  
 NONE

**ADDITIONAL REMARKS:**  
 REFER TO PART 1 OF PROPERTY REPORT FOR LOCATION OF BUILDINGS AND OTHER SETBACKS

*Note:*  
 MacKAY, MacKAY & PETERS LIMITED grants STRUCTURED CREATIONS INC. ("The Client(s)"), their solicitor and other related parties permission to use "Original Copies" of the Surveyor's Real Property Report in transactions involving "The Client(s)".

- Legend:**
- DENOTES A SURVEY MONUMENT FOUND
  - DENOTES A SURVEY MONUMENT PLANTED
  - SIB DENOTES STANDARD IRON BAR
  - SSB DENOTES SHORT STANDARD IRON BAR
  - IB DENOTES IRON BAR
  - CL DENOTES CENTRE LINE
  - DENOTES ROUND
  - WT DENOTES WITNESS MONUMENT
  - CC DENOTES CUT CROSS
  - CP DENOTES CONCRETE PIN
  - PIN DENOTES PROPERTY IDENTIFICATION NUMBER
  - (OU) DENOTES ORIGIN UNKNOWN
  - P1 DENOTES PLAN BY SIDNEY W. WOODS, DATED AUGUST 14, 1980
  - P2 DENOTES PLAN 62R-10912
  - P3 DENOTES PLAN 62R-6818
  - P4 DENOTES REG'D PLAN 1447
  - P5 DENOTES PLAN 62R-13410
  - CL DENOTES CENTRELINE
  - RW DENOTES RETAINING WALL
  - EOA DENOTES EDGE OF ASPHALT

**PLAN BEING PART 1**  
 MUST BE READ IN CONJUNCTION WITH  
 SURVEY REPORT (BEING PART 2)

**NOTE**  
 PLANS YES SHOWN HEREON ARE TO  
 OUTSIDE FACE OF STRUCTURES UNLESS  
 OTHERWISE NOTED.

**Bearing Reference:**  
 BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHERLY LIMIT OF  
 CAYLEY STREET, AS SHOWN ON PLAN 62R-10912,  
 HAVING A BEARING OF N83°44'05"W.

**Surveyor's Certificate:**  
 I CERTIFY THAT:  
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE  
 WITH THE SURVEYORS ACT, THE SURVEYORS REG. AND THE LAND TILES ACT  
 AND THE REGULATIONS MADE UNDER THEM.  
 2. THE SURVEY WAS COMPLETED ON THE 27TH DAY OF FEBRUARY, 2014.

MARCH 24, 2014  
 DATE  
 ROSS A. CLARKE  
 ONTARIO LAND SURVEYOR  
 FOR: MACKAY, MACKAY & PETERS LIMITED

**OBC REGISTRATION**

I, DARREN SANGER-SMITH, DECLARE THAT I HAVE REVIEWED AND TAKE RESPONSIBILITY FOR THE DESIGN ON BEHALF OF A FIRM REGISTERED UNDER SUBSECTION 32.4 OF THE ONTARIO BUILDING CODE. I AM REGISTERED AND THE FIRM IS REGISTERED IN THE APPROPRIATE CLASSIFICATION CATEGORIES.

01/09/14  
 DATE  
 D. Sanger-Smith, B.Arch BCIN26286  
 Structured Creations Inc. BCIN29617

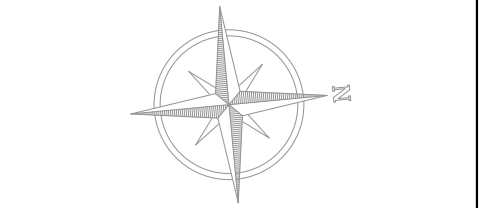
ASSOCIATION OF ONTARIO  
 LAND SURVEYORS  
 PLAN SUBMISSION FORM  
 1902522

THIS PLAN IS NOT VALID  
 UNLESS IT IS AN EMBOSSED  
 ORIGINAL COPY  
 ISSUED BY THE SURVEYOR  
 In accordance with  
 Regulation 1026, Section 29(3)

**MACKAY  
 MACKAY  
 & PETERS  
 LIMITED**  
 Established 1906

ONTARIO LAND SURVEYORS  
 3380 SOUTH SERVICE ROAD  
 BURLINGTON, ONTARIO L7N 3J5  
 PHONE: (905) 639-1375  
 FAX: (905) 333-9544  
 e-mail: halton@mmplimited.com  
 Records of Sewell & Sewell  
 and Yates & Yates LTD.

<b>DRAWN BY:</b>	A.B.
<b>PARTY CHIEF:</b>	J.M.
<b>CHECKED BY:</b>	K.J.D.
<b>PROJECT NO.:</b>	14-020



ROBLIN RESIDENCE

40 Cayley St, Dundas, Ontario

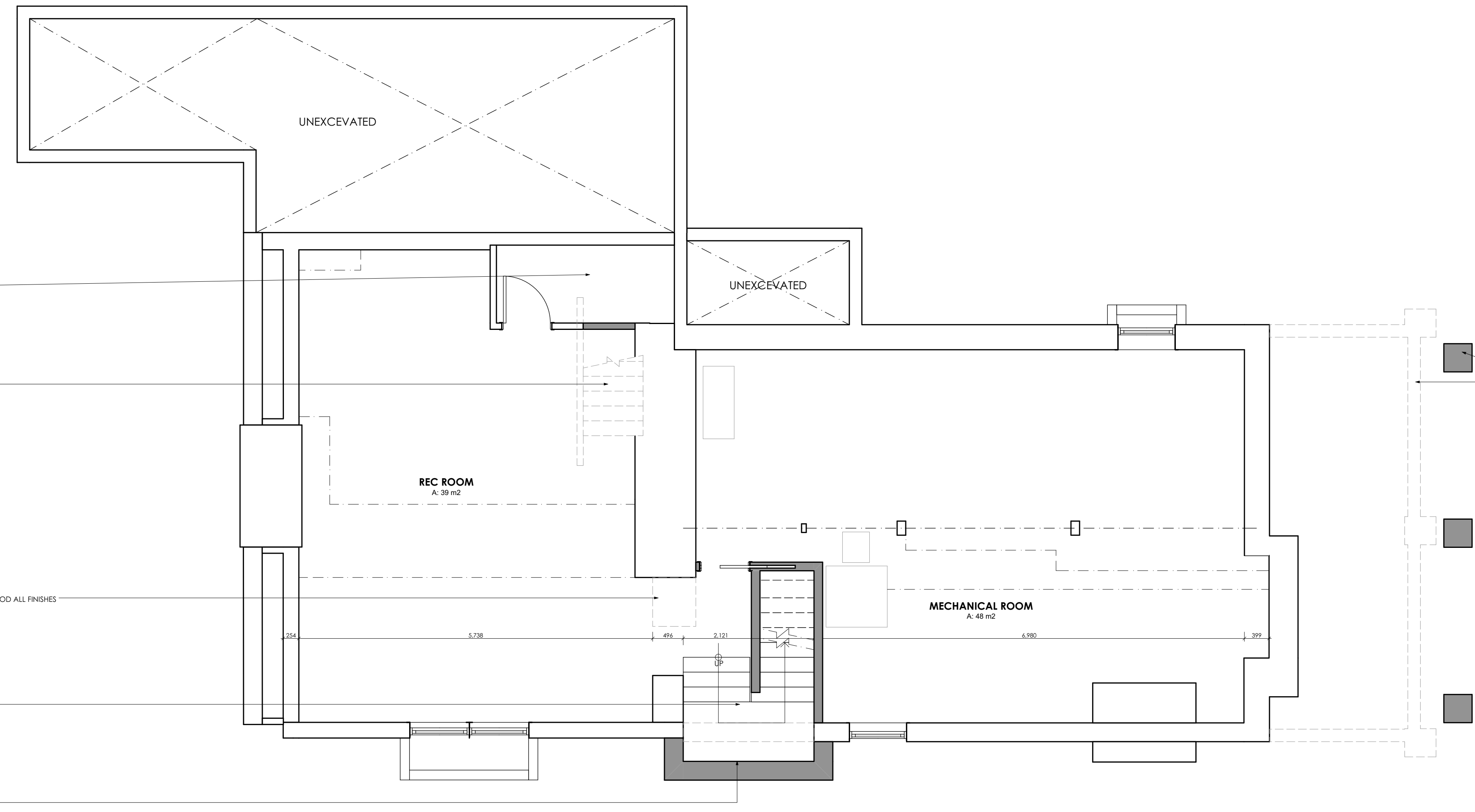
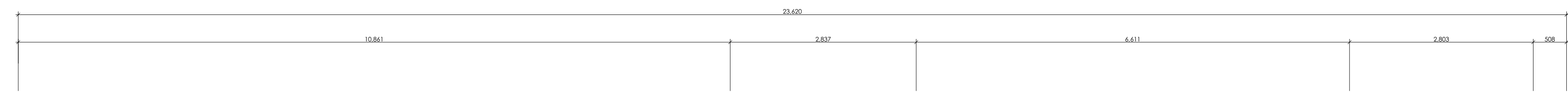
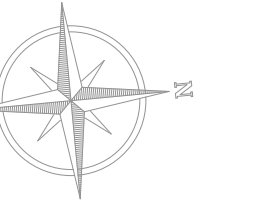
DESIGN DEVELOPMENT

SURVEY

1:200

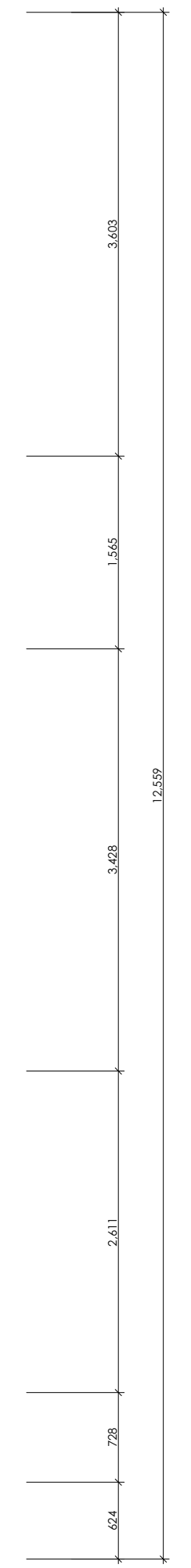
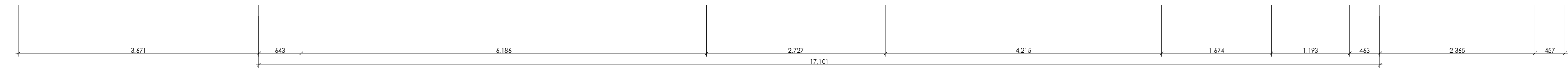
A1.3

Friday, November 5, 2021



- LOCATION OF EXISTING SUMP PUMP
- REMOVE STAIRS AND RECONFIGURE SUMP PUMP STORAGE ROOM
- OPEN UP WALL BETWEEN OLD AND NEW MAKE GOOD ALL FINISHES
- NEW SWITCHBACK STAIRS INTO BASEMENT
- NEW FOUNDATION WALL AT BASE OF STAIRS

DEMOLISH EXISTING CONCRETE FOUNDATION AND DECK PIERS  
NEW FOUNDATION FOR PIERS AS SHOWN



ROBLIN RESIDENCE  
40 Cayley St, Dundas, Ontario

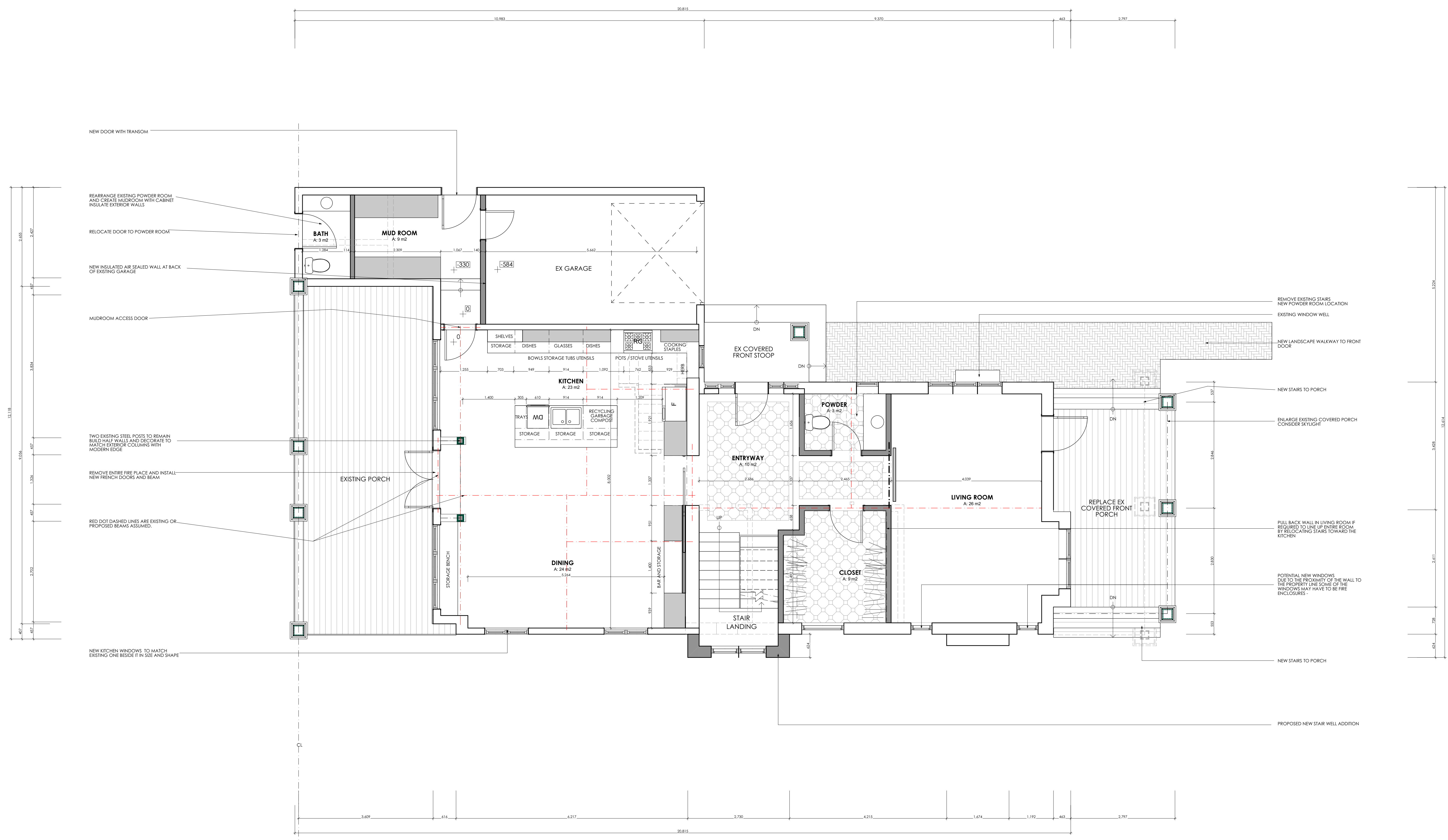
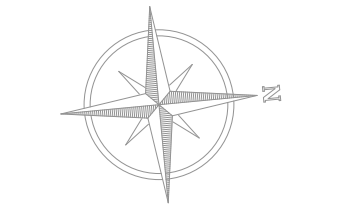
DESIGN DEVELOPMENT

BASEMENT PLAN

1/4" = 1'-0"

A2.1

Friday, November 5, 2021



ROBLIN RESIDENCE  
40 Cayley St, Dundas, Ontario

DESIGN DEVELOPMENT

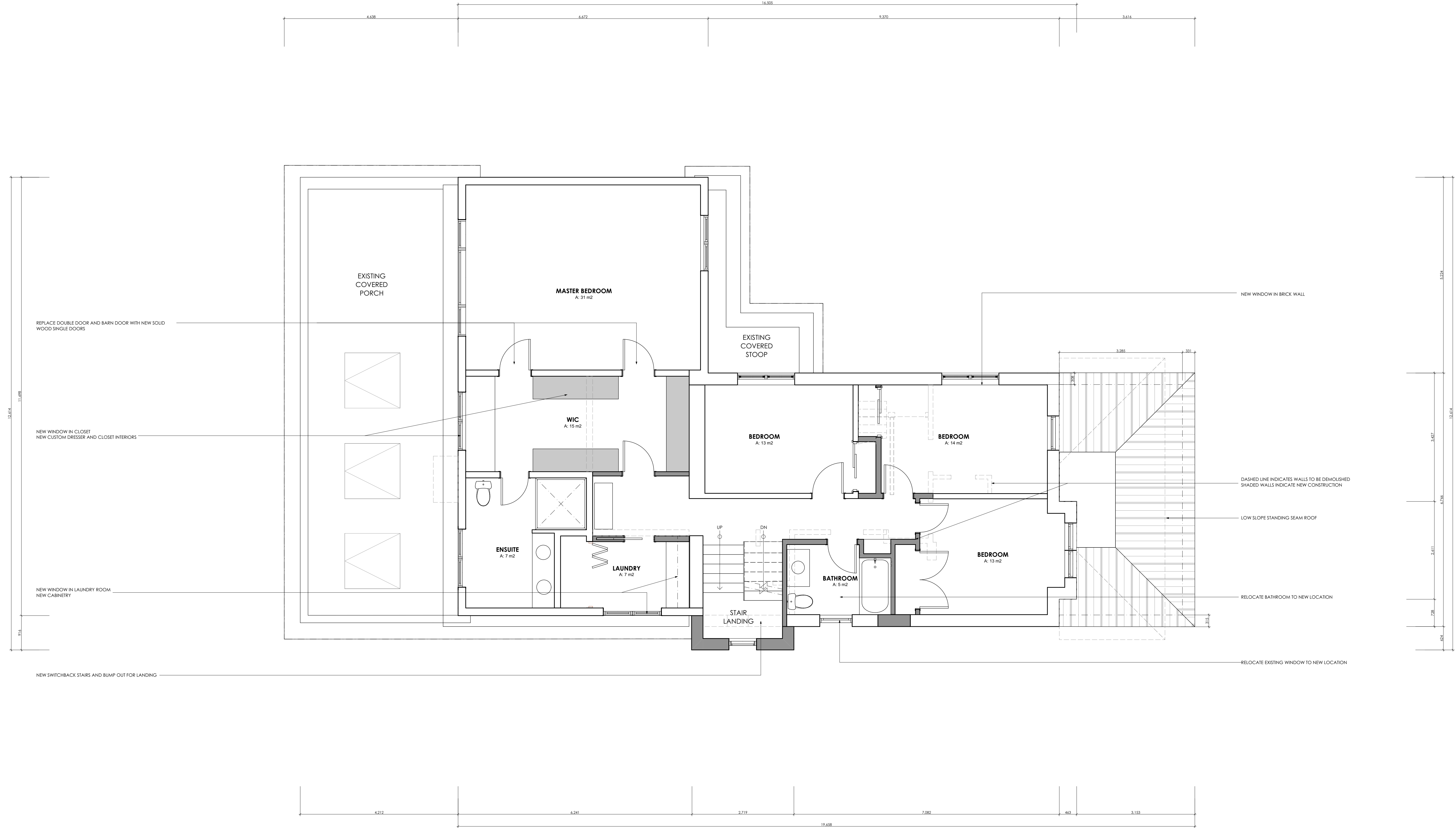
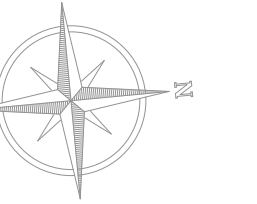
GROUND FLOOR PLAN

1/4" = 1'-0"

A2.2

Friday, November 5, 2021





ROBLIN RESIDENCE

40 Cayley St, Dundas, Ontario

DESIGN DEVELOPMENT

SECOND FLOOR PLAN

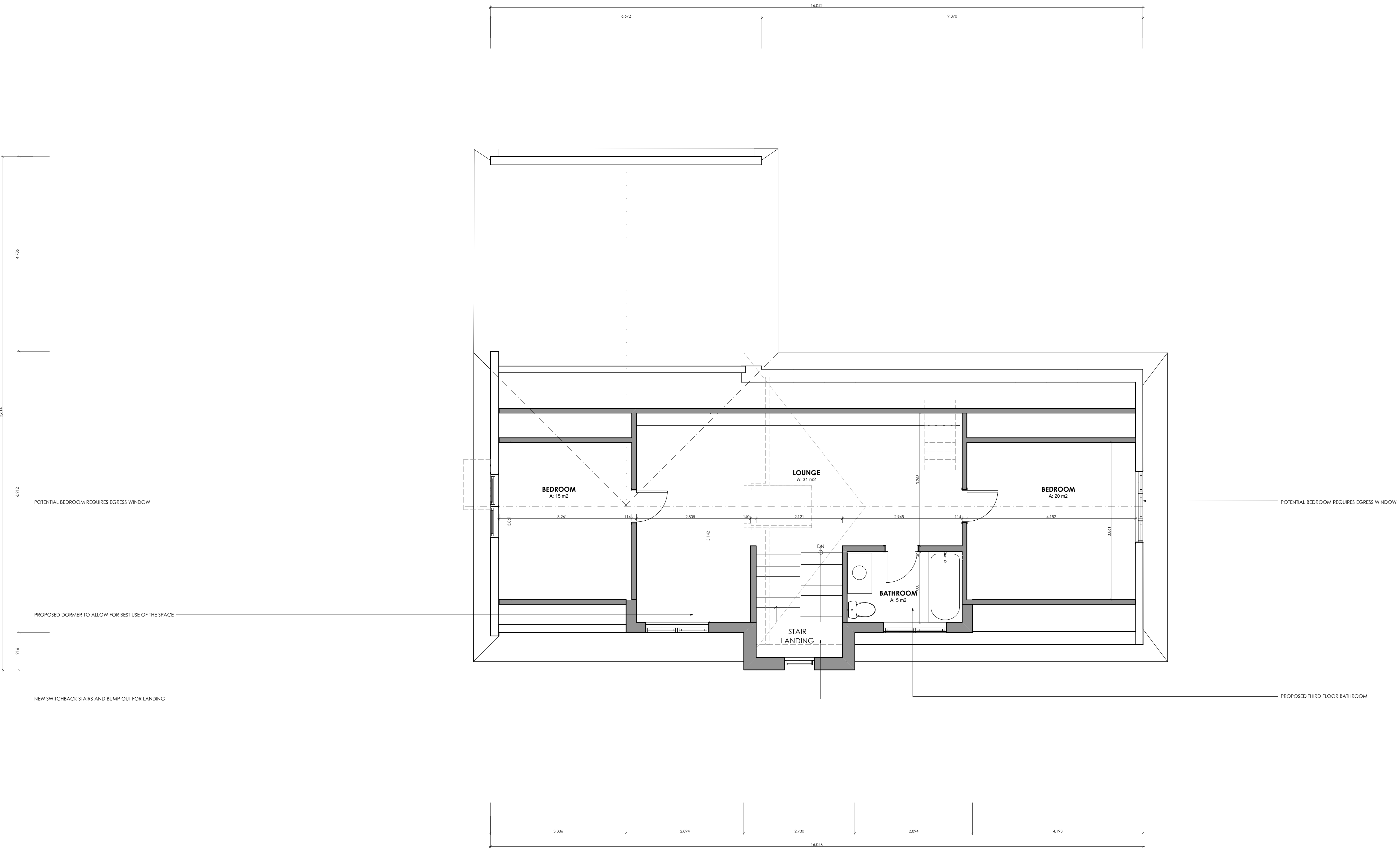
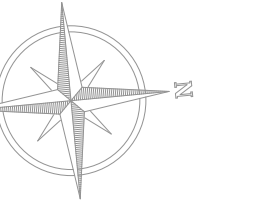
1/4" = 1'-0"

A2.3



STONE'S THROW DESIGN INC.

Terrell Wong BArch, OAA  
ARCHITECT FOR THE ENVIRONMENT  
12 St Andrews Gardens, Toronto, Ontario M4W 2E1  
416-898-8089



ROBLIN RESIDENCE

40 Cayley St, Dundas, Ontario

DESIGN DEVELOPMENT

THIRD FLOOR PLAN

1/4" = 1'-0"

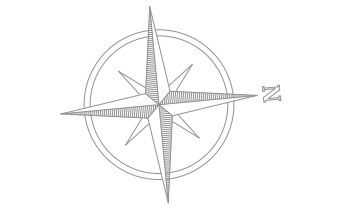
A2.4

Friday, November 5, 2021



STONE'S THROW DESIGN INC.

Terrell Wong BArch, OAA  
ARCHITECT FOR THE ENVIRONMENT  
12 St Andrews Gardens, Toronto, Ontario M4W 2E1  
416-898-8089



ROBLIN RESIDENCE  
40 Cayley St, Dundas, Ontario

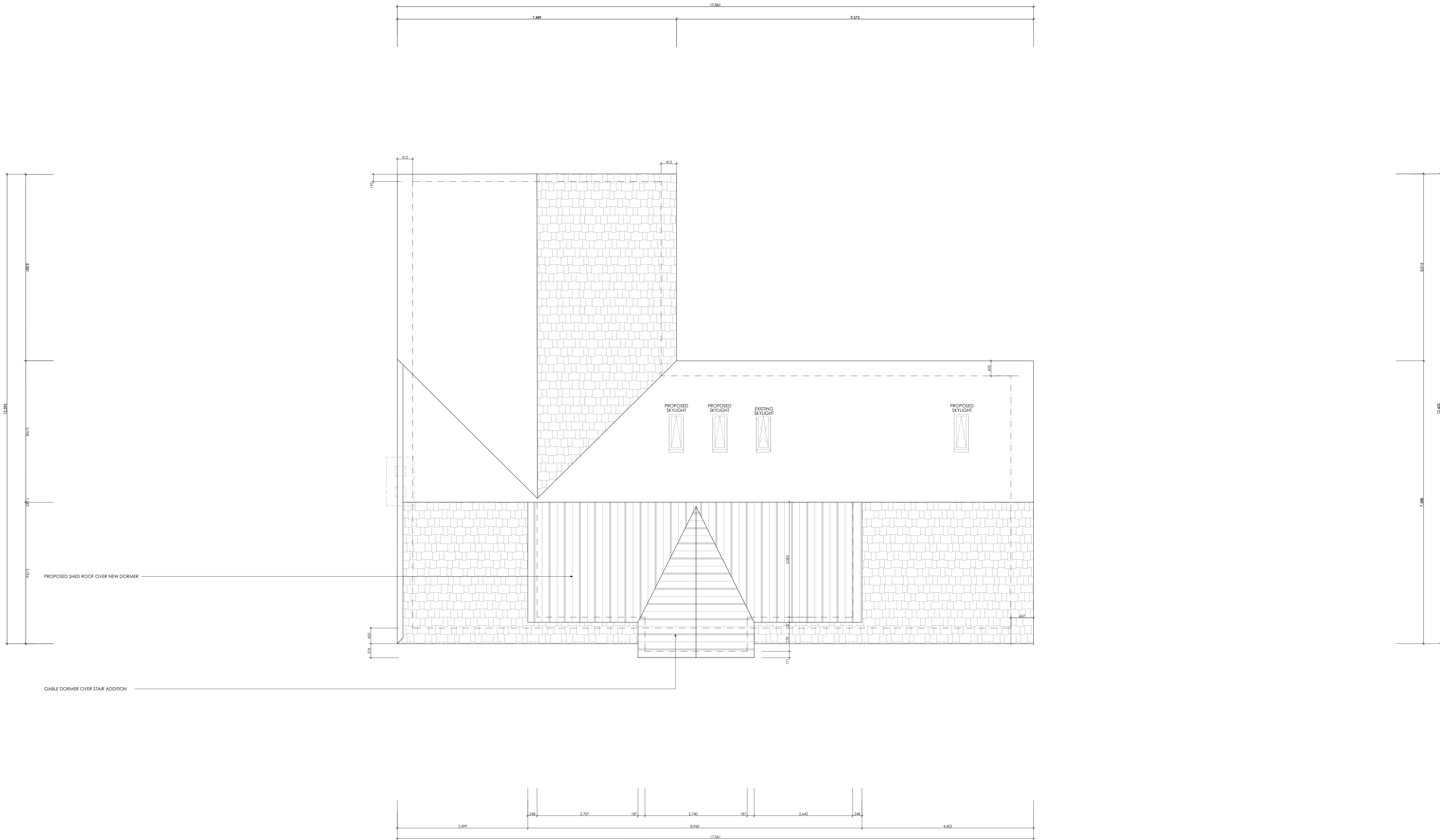
DESIGN DEVELOPMENT

ROOF PLAN

1/4" = 1'-0"

A2.5

Friday, November 5, 2021





1 EAST ELEVATION  
SCALE: 1/4" = 1'-0"



2 WEST ELEVATION  
SCALE: 1/4" = 1'-0"

ROBLIN RESIDENCE

40 Cayley St, Dundas, Ontario

DESIGN DEVELOPMENT

EAST AND WEST ELEVATIONS

1/4" = 1'-0"

A3.2



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

**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

**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:

**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:

PROPOSED REBUILDING OF AN EXISTING PORCH 3.11M FRONT YARD SETBACK  
THE PROPOSED COVERED PORCH HAS A FRONT YARD SETBACK OF 2.55M  
LANDSCAPE OPEN AREA OF 44.81%

Secondary Dwelling Unit       Reconstruction of Existing Dwelling

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

THE ORIGINAL PORCH DOES NOT COMPLY WITH THE CURRENT BYLAWS AND IS IN DISREPAIR. THE OWNERS WANT TO REBUILD - WE PROPOSE TO INCREASE THE EXISTING LANDSCAPE AREA BY REDUCING THE EXISTING DRIVEWAY BUT THE EXISTING LANDSCAPE AREA IS 32.4%

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**):

LOTS 92 AND 105 REGISTERED PLAN 1447 CITY OF HAMILTON FORMERLY DUNDAS

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?

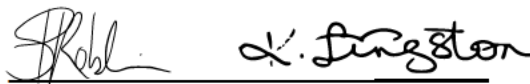
8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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.

11/5/2021  
Date

  
Signature Property Owner(s)

STEVE ROBLIN KASEY LIVINGSTON  
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 15.24M  
Depth 84.97M  
Area 1292M2  
Width of street 8m according to zoning interactive map

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: \_

SFD 2.5 STORIES BRICK HOME 161.58M2 FOOTPRINT 305M2 (WITHOUT ATTIC STORAGE AREA INCLUDED) 20.82M BUILDING LENGTH 9.57HEIGHT TO TOP OF ROOF, 11.99M WIDE, STORAGE SHED 73M2 AREA, 9.87M LONG 7.40M WIDE HEIGHT 5.5M EXISTING FRONT YARD LANDSCAPE IS Proposed

ADD 2.5 STOREY ADDITION ON THE EAST SIDE .62MX2.7M OR 1.7M2 IN FOOTPRINT AND A TOTAL OF 5.1M2 INCREASE IN AREA. FINISH A PORTION OF THE ATTIC INTO LIVING SPACE AND ADD A DORMER ON THE EAST SIDE OF THE ROOF. TOTAL INCREASE IN LIVING AREA ON ATTIC FLOOR IS 106M2 PROPOSED FRONT YARD LANDSCAPING TO BE

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

Existing:

MAIN HOUSE FRONT YARD 5.38M, EAST SIDE 1.67M, WEST SIDE 1.2M, REAR 57.95M - FRONT PORCH, FRONT YARD 3.11M, EAST SIDE 2.5M, WEST SIDE 5.65M, HEIGHT 4.2M - STORAGE SHED, FRONT 44.69M, EAST SIDE 6.75M, WEST SIDE .84M, REAR 29.92M

Proposed:

MAIN HOUSE FRONT YARD 5.38M EAST SIDE 1.43M WEST SIDE 1.2M REAR 57.95M FRONT PORCH FRONT YARD 2.55M, EAST SIDE 3.1M WEST SIDE 5.93M HEIGHT 4.2M NO CHANGE TO SHED

13. Date of acquisition of subject lands:  
2019
- 
14. Date of construction of all buildings and structures on subject lands:  
1890 WITH ADDITION IN 2010
- 
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:
18. Municipal services available: (check the appropriate space or spaces)
- |                |                                     |           |                                     |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water          | <input type="checkbox"/>            | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input type="checkbox"/>            | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers   | <input checked="" 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:
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.