

## **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
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**APPLICATION NO.:** FL/A-21:424

**APPLICANTS:** Owner Greg MacPherson

**SUBJECT PROPERTY:** Municipal address **201 Lynden Rd., Flamborough**

**ZONING BY-LAW:** Zoning By-law 05-200, as Amended

**ZONING:** A1 district (Agriculture)

**PROPOSAL:** To permit the construction of an accessory building (private garage) for the existing single detached dwelling, notwithstanding that;

1. A maximum gross floor area of 133.7m<sup>2</sup> being 7.2% of the lot coverage shall be permitted whereas the zoning by-law states that the aggregate gross floor area of all accessory buildings shall not exceed 200.0m<sup>2</sup> or 5% the lot coverage, whichever is the lesser.

Notes:

The zoning By-law permits a maximum building height of 6.0m for an accessory building in an A1 zone. The applicant indicates that a maximum height of 5.48m is proposed for the accessory building; however, no elevation plans were provided from which to determine compliance. Therefore, further variances may be required.

The applicant shall ensure that a minimum parking space size of 2.8m x 5.8m is maintained for parking provided within the private garage.

The applicant shall ensure that the driveway leading to the private garage is provided and maintained with stable surfaces such as asphalt, concrete or other hard-surfaced material, crushed stone or gravel, and shall be maintained in a dust free condition.

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

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**DATE:** Thursday, January 20<sup>th</sup>, 2022  
**TIME:** 4:10 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.

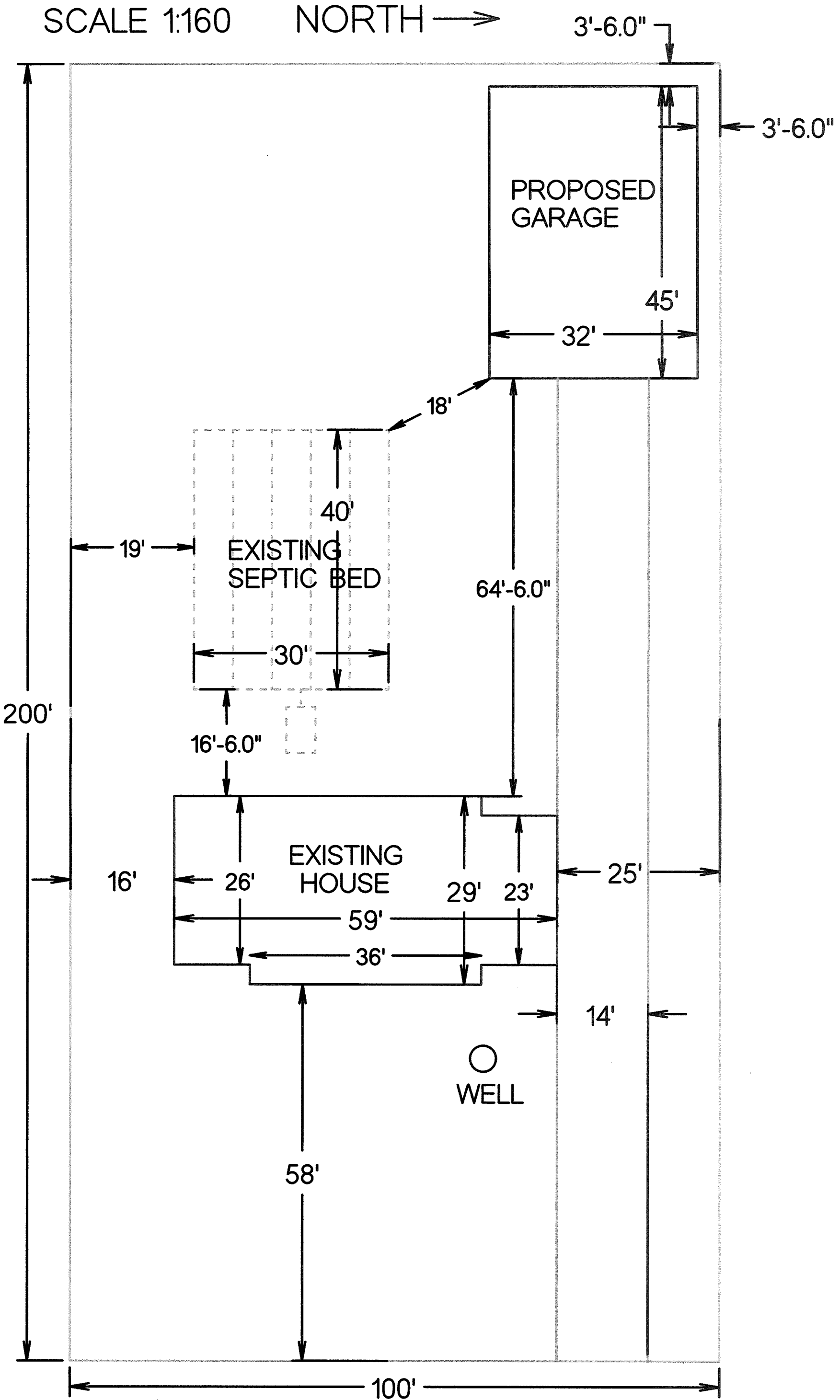
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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

***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.***

SCALE 1:160

NORTH →





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: GARAGE.

32' x 45' 7.2% LOT COVERAGE.

☒ Secondary Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

- PROPOSED OUT BUILDING 5% LOT COVERAGE

- EXISTING HOUSE HAS NO GARAGE.

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):

201 LYNBEN RD. FLAMBOROUGH, ON LOR 110  
PART LOT 12, CONCESSION 1, FLAMBOROUGH.

17557-0151

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?  
HOUSE 50-60 YRS OLD RESIDENTIAL.


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.

Nov 11/2021  
Date

  
Signature Property Owner(s)  
GREG MACPHERSON  
Print Name of Owner(s)

10. Dimensions of lands affected:  
Frontage 100'  
Depth 200'  
Area 20,000'  
Width of street 20m.

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: 59' x 28' HOUSE.  
RAISED PORCH.  
SINGLE STOREY.

Proposed 32' x 45' GARAGE.  
SINGLE STOREY.  
18' HEIGHT.

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 16' AND 25'  
REAR 113'  
FRONT 58'

Proposed: SIDE 3'-6" AND 64'-6"  
REAR 3'-6"  
FRONT 151'-6"

13. Date of acquisition of subject lands:  
MAY 25 / 2020.
14. Date of construction of all buildings and structures on subject lands:  
Approx. 1970.
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
House. 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:  
50+YRS
18. Municipal services available: (check the appropriate space or spaces)  
Water ☐ Connected ☐  
Sanitary Sewer ☐ N/A Connected ☐ N/A  
Storm Sewers ☐
19. Present Official Plan/Secondary Plan provisions applying to the land:  
N/A
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
HAMILTON BY-LAW OS-200.
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.