

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-21:432

APPLICANTS: Owner Albert Hordyk

SUBJECT PROPERTY: Municipal address **1205 Centre Rd., Flamborough**

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

ZONING: "A1" (Agricultural) district

PROPOSAL: To permit the construction of a new two (2) storey addition in the side yard of the existing Single Detached Dwelling notwithstanding that:

1. A rear yard setback of 7.5m shall be provided instead of the minimum required rear yard setback of 10.0m.

NOTES:

- i. Please be advised that a maximum building height of 10.5m is permitted. Elevation plans have not been provided in order to confirm zoning compliance. Further variances may be required if zoning compliance cannot be achieved.
- ii. Eaves and gutters associated with the proposed addition are permitted to project into a required yard not more than 0.6m. Details have not been provided to determine zoning compliance.

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

DATE: Thursday, February 3rd, 2022
TIME: 2:55 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 18th, 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.

RECEIVED
CONSERVATION

JUN 22 2021

SURVEYOR'S REAL PROPERTY REPORT
PLAN OF OF SURVEY SHOWING TOPOGRAPHY OF
PART OF LOT 8
CONCESSION 7
IN THE
GEOGRAPHIC TOWNSHIP OF EAST FLAMBOROUGH
CITY OF HAMILTON

SCALE 1 : 300



MackAY, MacKAY & PETERS LIMITED – ONTARIO LAND SURVEYORS
© 2021

KNOWN AS MUNICIPAL No. 1205 CENTRE ROAD

REPORT SUMMARY (PART 2) (to be read in conjunction with Part 1)
LAND REGISTRY OFFICE TITLE INFORMATION ON SUBJECT PROPERTY INCLUDING
BOUNDARIES, EASEMENTS AND RIGHT OF WAYS -- MARCH 24, 2021

REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY:

SUBJECT TO EASEMENT AS IN INST. No. A826310

ADDITIONAL REMARKS:
REFER TO PART 1 OF SURVEY FOR THE LOCATION OF BUILDINGS, STRUCTURES, FENCES AND UTILITIES.

Note

McKAY, McKAY & PETERS LIMITED grants BARRY HORDYK ["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)".

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

Benchmark Note

CITY OF HAMILTON BENCHMARK No. 0011975J102
ELEVATION = 258.107 METRES COVD 1928.1878 ADJUSTMENT

HAMILTON-WENTWORTH FLAMBOROUGH CENTRE SENIOR SCHOOL, ALONG CENTRE ROAD, 4.3 KM NORTHWEST OF INTERSECTION WITH HIGHWAY NO. 8, 0.3 KM SOUTHEAST OF EAST FLAMBOROUGH CONCESSION V4, TABLET IN NORTHWEST CONCRETE FOUNDATION 1.81 M FROM WEST CORNER BESIDE DOOR, 9 CM BELOW BRICKWORK.

Legend

III	DO NOTES	A SURVEY MONUMENT FOUND
CI	DO NOTES	A SURVEY MONUMENT PLANNED
STW	DO NOTES	STANDARD POB BAH
8	DO NOTES	POB BAH
4	DO NOTES	POB BAH
WT	DO NOTES	WITNESS MONUMENT
PM	DO NOTES	PROPERTY IDENTIFICATION NUMBER
1	DO NOTES	COTTON LINE
P1	DO NOTES	PLAN 1SR - 1954
P2	DO NOTES	PLAN 2SR-1950
P3	DO NOTES	PLAN 3SR-1905
UP	DO NOTES	UTILITY POLES
MB	DO NOTES	MAIL BOX
TS	DO NOTES	TRAFFIC SIGN
GR	DO NOTES	GRASS SOIL
PHF	DO NOTES	POST AND WIRE FENCE
AC	DO NOTES	AIR CONDITIONER
BP	DO NOTES	BILL POSTER
UWH	DO NOTES	UTILITY GUY WIRE
SRV	DO NOTES	STONE REPAIRING WALL
○	DO NOTES	DECOUPE TREE SCALED TO CANOPY, TRUNK SIZE SHOWN IN METRES
△	DO NOTES	CONIFEROUS TREE SCALED TO CANOPY, TRUNK SIZE SHOWN IN METRES

BUILDING TIES ARE TO THE FOUNDATION UNLESS OTHERWISE NOTED.

Bearing Reference

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTH WESTERLY LIMIT OF CENTRE ROAD AS SHOWN ON PLAN 62R-12954, HAVING A BEARING OF N45°34'45"W

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 1st DAY OF APRIL, 2021

MAY 17, 2021
DATE


AISAR BHERI
 CHITAGO LAND SURVEYOR
 FOR MACKAY, MACKAY & PETERS LIMITED

AD FILE: E:\(82) Hamlin-Wentworth\THP) FLAMBOROUGH EAST\CON 7\LOT 8\21-099\21-099.dwg

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

3380 South Service Road Unit 101 Burlington, OH L7M 3J5 (905) 639-1375	DRAWN BY: S.S./S.S. PARTY CHECKED: C.M. CHECKED BY: A.B. PROJECT NO.: 21-099
haiton@mmlimited.com mmpsurveyors.ca mmplocation.ca	



Hamilton

Planning and Economic Development Department
Planning Division

Committee of Adjustment
City Hall
5th floor 71 Main Street West
Hamilton, Ontario L8P 4Y5

Phone (905) 546-2424 ext.4221
Fax (905) 546-4202

**PLEASE FILL OUT THE FOLLOWING PAGES AND
RETURN TO THE CITY OF HAMILTON PLANNING
DEPARTMENT.**

FOR OFFICE USE ONLY.

APPLICATION NO. _____ DATE APPLICATION RECEIVED _____

PAID _____ DATE APPLICATION DEEMED COMPLETE _____

SECRETARY'S
SIGNATURE _____

**CITY OF HAMILTON
COMMITTEE OF ADJUSTMENT
HAMILTON, ONTARIO**

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.

3.

4.

Note: Unless otherwise requested all communications will be sent to the agent, if any.

5. Names and addresses of any mortgagees, holders of charges or other encumbrances:

NONE

_____ Postal Code _____

_____ Postal Code _____

6. Nature and extent of relief applied for:

ADDITION SETBACK 7.5m FROM BACK
PROPERTY LINE, INSTEAD OF 10m AS PER
AI ZONING.

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

IF SETBACK IS 10M WE WOULD HAVE
TO REMOVE A MATURE NATIVE RED MAPLE.
AT 7.5M WE CAN SAVE THE MAPLE
AT THE FRONT OF THE ADDITION

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):

1205 CENTRE RD
PART OF LOT 8, CONVESSION 7
PLAN 62R 12954

9. PREVIOUS USE OF PROPERTY

Residential ☒ Industrial ☐ Commercial ☐

Agricultural ☐ Vacant ☐

Other

- 9.1 If Industrial or Commercial, specify use

- 9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes ☐ No ☒ Unknown ☐

- 9.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes ☐ No ☒ Unknown ☐

- 9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes ☐ No ☒ Unknown ☐

- 9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes ☐ No ☒ Unknown ☐

- 9.6 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 ☐

- 9.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes ☐ No ☒ Unknown ☐

- 9.8 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 ☐

- 9.9 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 ☐

9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes _____ No X Unknown _____

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?

HAS BEEN PRIVATE RESIDENCE SINCE 1994

9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, 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 X

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. 5, 2021
Date


Signature Property Owner

ALBERT (BARRY) HORDYK
Print Name of Owner

10. Dimensions of lands affected:

Frontage

45.72 meters

Depth

122.00 meters

Area

5577.84 m²

Width of street

13 meters

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: _____

Proposed: 2 CAR GARAGE WITH HOME OFFICE ABOVE;
INDOOR POOL BEHIND GARAGE

TOTAL AREA: 24.33 m x 9.14 m = 222.38 m² 234.24
ROOF HEIGHT: 7.85 m BREEZEWAY 11.86 m²

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: 8.56 m + 15.15 m

BACK: 15.68 m

FRONT: 87 m

Proposed: SIDE: 3.10 m

BACK: 7.5 m

FRONT: 92 m

13. Date of acquisition of subject lands:
OCTOBER 30, 2020
14. Date of construction of all buildings and structures on subject lands:
OCTOBER 1994
15. Existing uses of the subject property: RESIDENTIAL
16. Existing uses of abutting properties: ORCHARD / AGRICULTURAL
+ RESIDENTIAL
17. Length of time the existing uses of the subject property have continued:
27 YEARS
18. Municipal services available: (check the appropriate space or spaces) NONE
Water _____ Connected _____
Sanitary Sewer _____ Connected _____
Storm Sewers _____
19. Present Official Plan/Secondary Plan provisions applying to the land:
RESIDENTIAL
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
N/A
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. 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.

NOTE: It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.