#### **COMMITTEE OF ADJUSTMENT**



City Hall, 5<sup>th</sup> 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.: FL/A-21:435

**APPLICANTS:** Agent JB Drafting J. Bognar

Owners Alison & Tyler Boehme

SUBJECT PROPERTY: Municipal address 29 Oak Ave., Flamborough

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

**ZONING:** "S1" (Settlement Residential (S1) Zone

**PROPOSAL:** To permit construction of a 5.18m (17'0") x 9.144m (30'0") detached

building (proposed garage) accessory to the existing single detached

dwelling notwithstanding that:

- 1. A maximum accessory building height of 6.4m shall be provided for the proposed accessory building (proposed garage) instead of the maximum required accessory building height of 4.5m.
- 2. A maximum aggregate gross floor area of 100m2 shall be provided for all accessory buildings instead of the requirement that the aggregate gross floor area of all accessory buildings shall not exceed 45m2.
- 3. Eaves and gutters for the proposed accessory building (proposed garage) shall be permitted to encroach into any required yard to a maximum of 0.6m instead of the requirement that an eave or gutter of any accessory building may encroach into any required yard to a maximum of 0.45 metres.

#### NOTE:

i) The Agent has confirmed that the workshop on the 2nd floor is a personal workshop intended for a single family residential hobby use only and not for commercial or industrial uses.

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

DATE: Thursday, February 3rd, 2022

TIME: 3:00 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

FL/A-21: 435 Page 2

### **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**

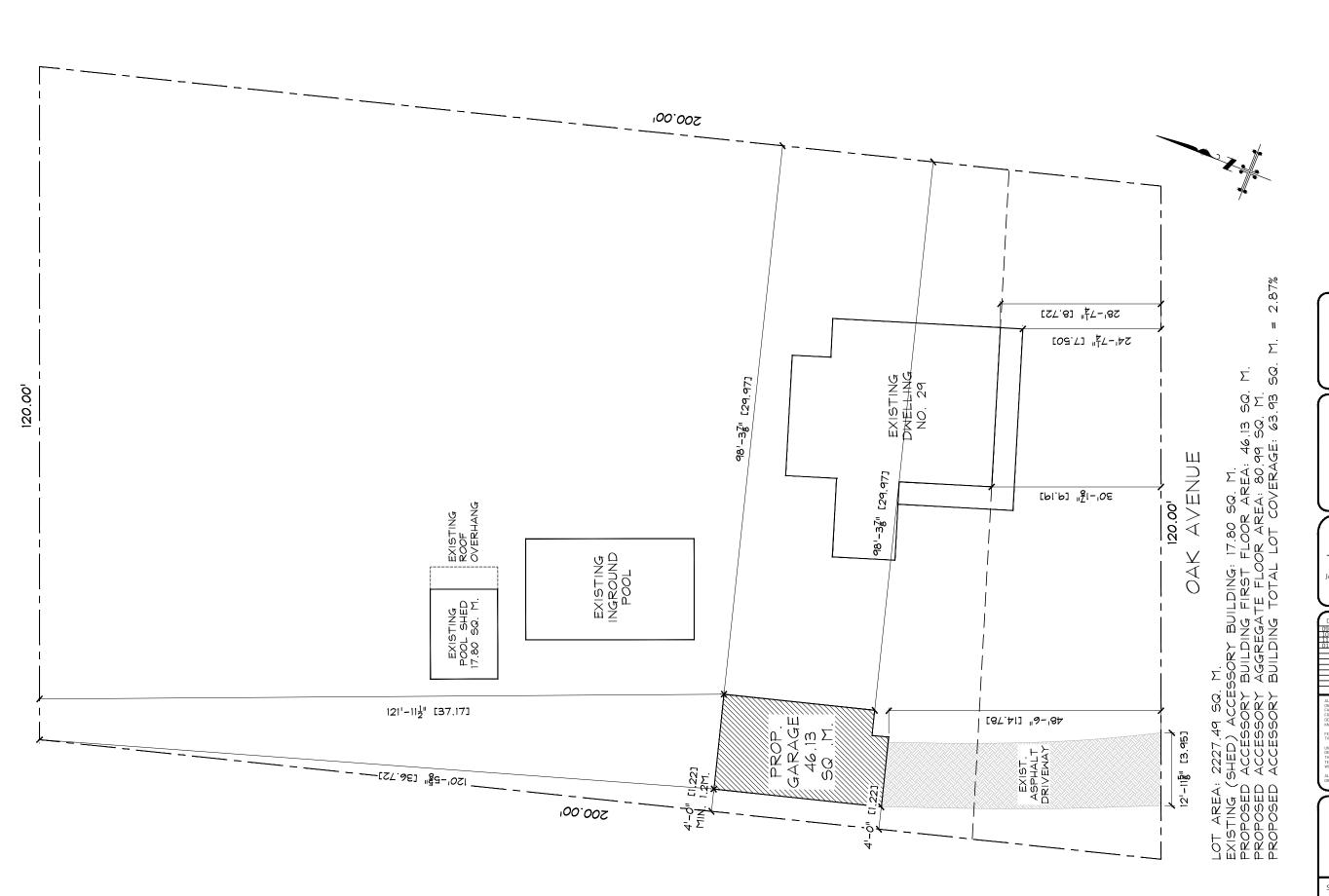
For more information on this matter, including access to drawings illustrating this request:

- 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 <a href="mailto:cofa@hamilton.ca">cofa@hamilton.ca</a>

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.



29 OAK AVENUE GREENSVILLE, ON L9H 4Z1



## **PRELIMINARY**

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Jennifer Bognar reviews and takes responsibility for the design work described in this document firm bcin 103416 ■ individual bcin 33001

DATE	ISSUE DESCRIPTION
09.19.21	ISSUED FOR REVIEW
10.29.21	ISSUED FOR REVIEW
11.01.21	ISSUED FOR C. OF A.
01.11.22	RE-ISSUED FOR C. OF A.
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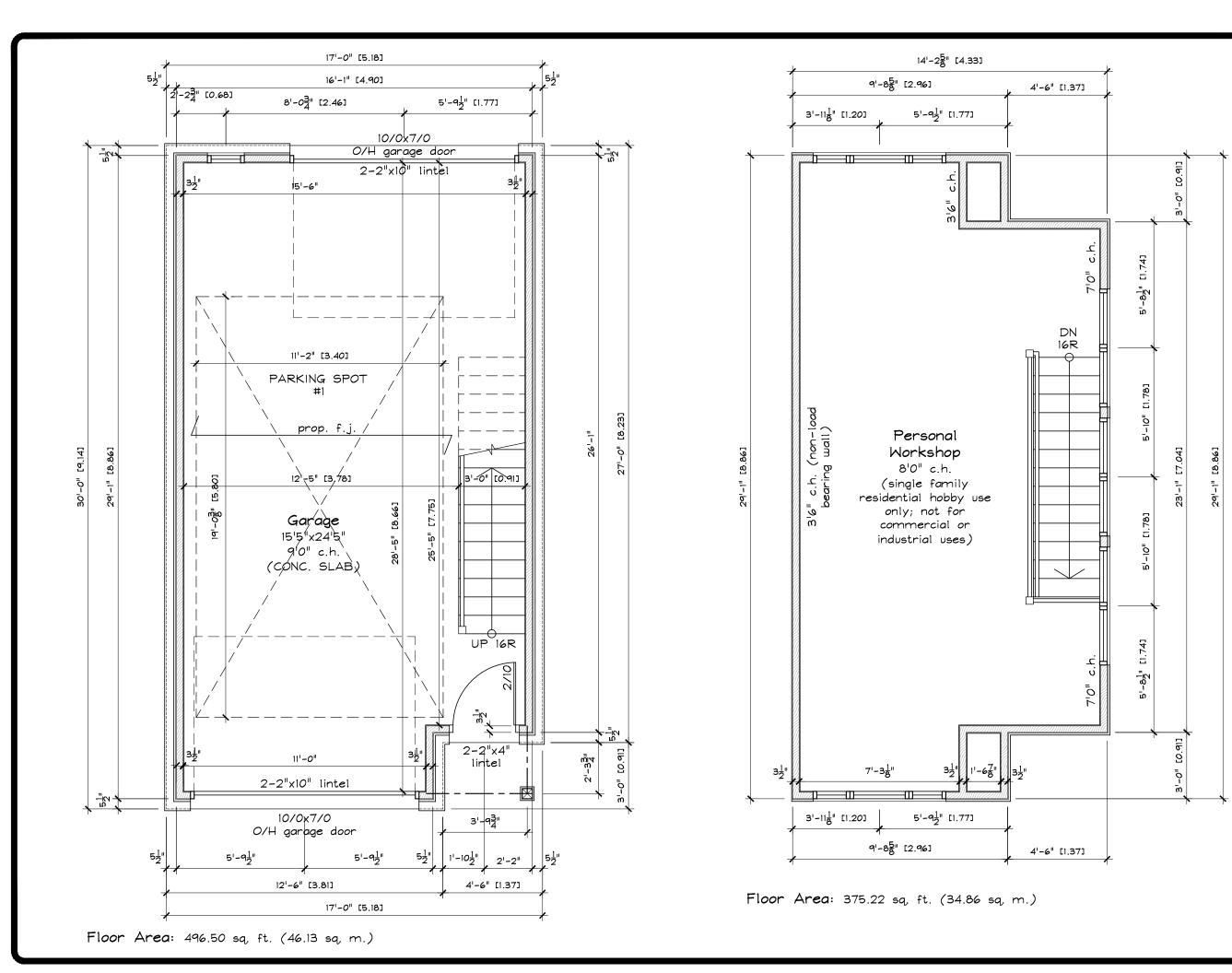
ALL DRAWINGS AND RELATED DOCUMENTS SHALL REMAIN THE PROPERTY AND COPYRIGHT OF DRAFTING AND DESIGN. USE LATEST REVISED DRAWINGS. DO NOT SCALE DRAWINGS.

SITE PLAN 1:200

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29 OAK AVENUE GREENSVILLE, ON L9H 4Z1

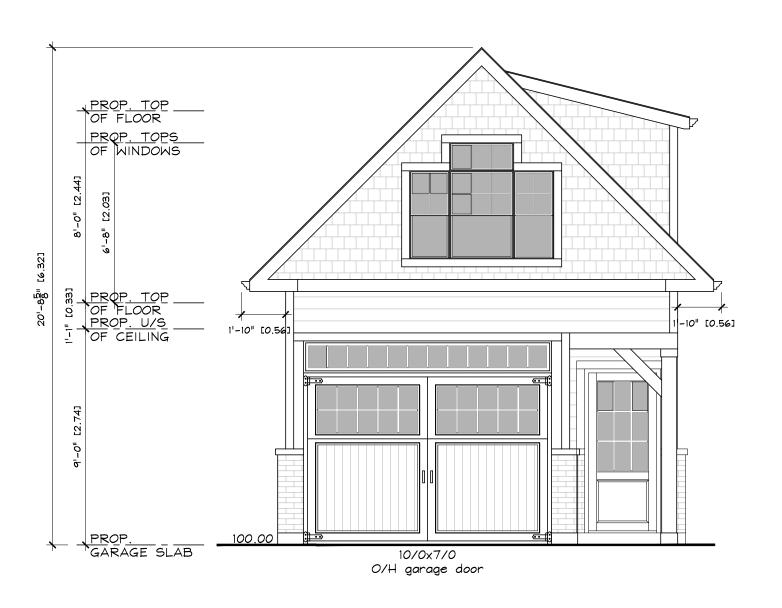


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**FLOOR PLANS** 1/4" = 1'-0"



29 OAK AVENUE GREENSVILLE, ON L9H 4Z1



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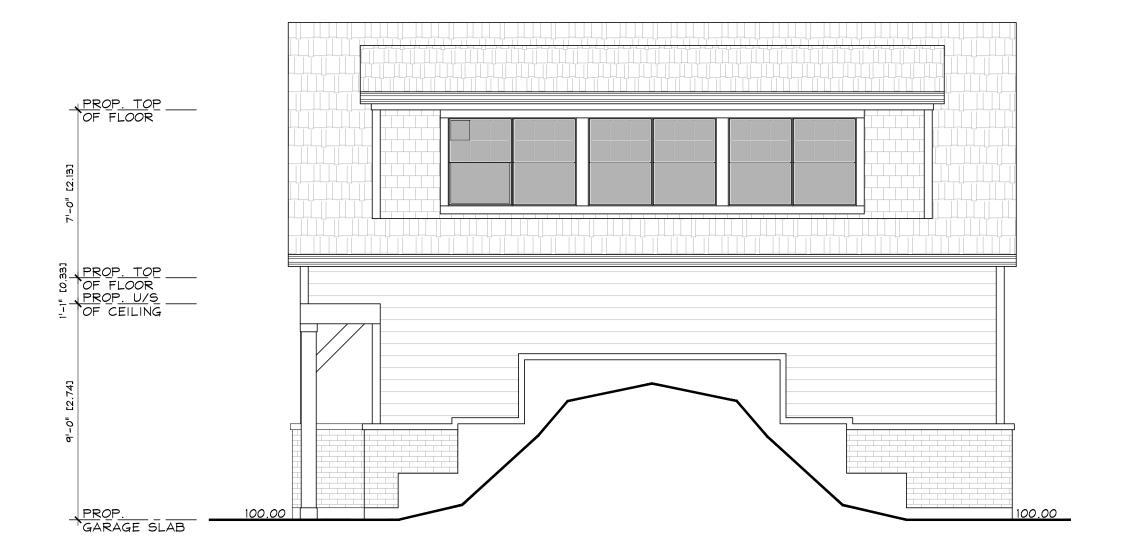
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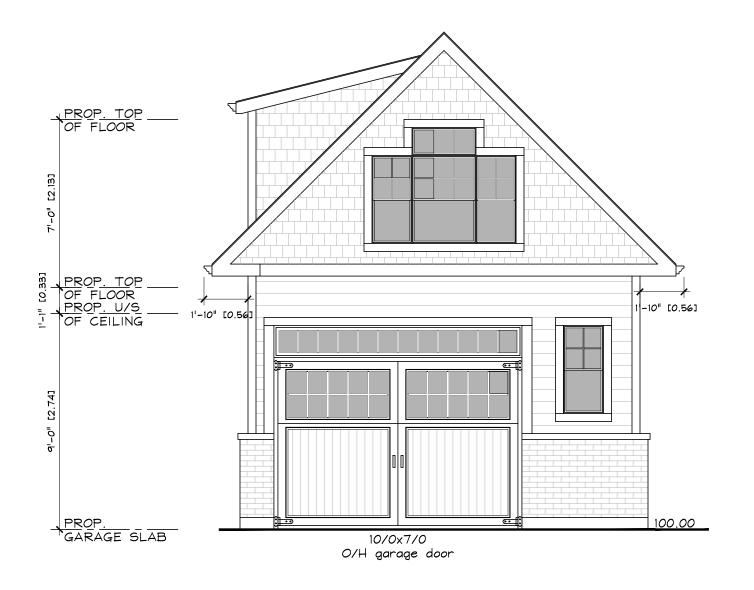
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ALL DRAWINGS AND RELATED DOCUMENTS SHALL REMAIN THE PROPERTY AND COPYRIGHT OF

RIGHT
SIDE ELEVATION
1/4" = 1'-0"

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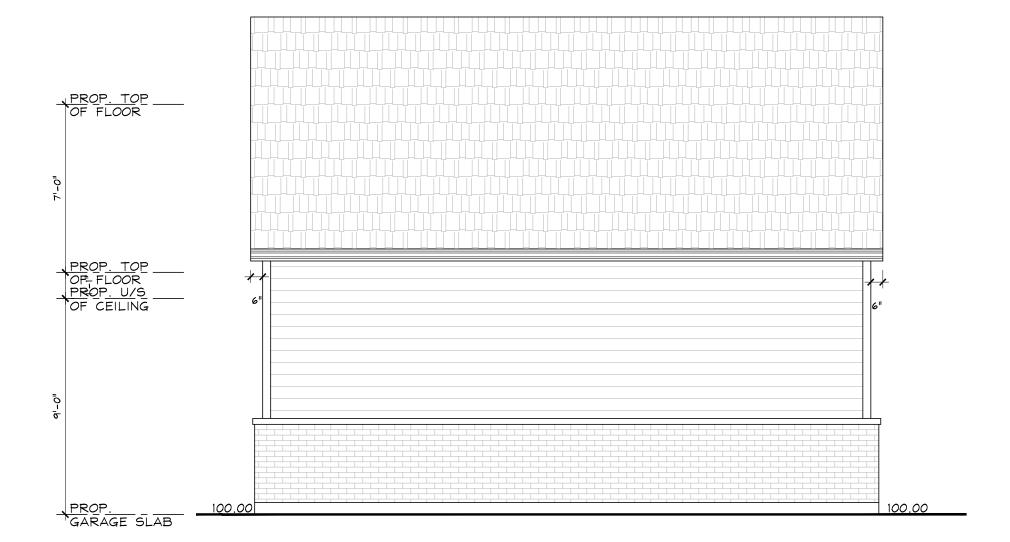
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LEFT SIDE ELEVATION 1/4" = 1'-0"

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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 ONL	Υ.			
APPLICATION NO	DATE	APPLICATION RECEIVED	)	
PAID	DATE APPLICATION	ON DEEMED COMPLETE		
SECRETARY'S SIGNATURE				
	The	Planning Act		
	Application for Mind	or Variance or for Permiss	ion	
The undersigned hereby Section 45 of the <i>Planni</i> application, from the Zo	ing Act, R.S.O. 1990, Cl	tee of Adjustment for the Cit hapter P.13 for relief, as des	y of Hamilton under scribed in this	
1, 2	NAME	MAILING ADDRESS		8
Registered Owners(s)  Applicant(s)*				
Agent or Solicitor				
any.	Please including resses of any mortgage	I communications will be a le Alison Boeles, holders of charges or others.	home (email at	on all commication
			÷	

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:  *Variance for height of 5.96 m. instead of req'd 4.5m.  *Variance for overhang encroachment of 0.56 m. instead of max. 0.45 m.  *Variance for Gross Floor Area of 99.57 sq. m. (of all floors of all accessory buildings on lot) instead req'd 45 sq. m.  Secondary Dwelling Unit Reconstruction of Existing Dwelling	of
5.	Why it is not possible to comply with the provisions of the By-law?	
	See attached	
	occ attached	
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):	
	29 Oak Avenue, Dundas ON	
7.	PREVIOUS USE OF PROPERTY	
	Residential X 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 O No O Unknown O	
8.3	Has a gas station been located on the subject land or adjacent lands at any time?  Yes O No X Unknown O	25
8.4	Has there been petroleum or other fuel stored on the subject land or adjacent lands?  Yes O No X Unknown O	,
8.5	Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  Yes No X Unknown O	
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 X Unknown O	*
8.7	Have the lands or adjacent lands ever been used as a weapon firing range?  Yes No X Unknown O	
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   O	
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   O	

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 X Unknown O
8.11	What information did you use to determine the answers to 8.1 to 8.10 above?
	known history of area
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. 12/2021 V4- Ba/Mut + / Paher
	Date Signature Property Owner(s)
80	Alison + Tyler Bochow( Print Name of Owner(s)
10.	Dimensions of lands affected:
10.	Frontage 36.58 m.
	Depth 60.96 m.
	Area 2227.49 sq. m.
	Width of street 20.0 m.
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:_
	Existing dwelling: 2 stories, 12.93 m. x 11.21 m., 107.20 sq. m. ground floor area
	Proposed
	Proposed 2 story detached garage, 46.13 sq. m. ground floor area, 80.99 sq. m. gross floor area, 5.96 m. high
12.	Location of all buildings and structures on or proposed for the subject lands; (Specify distance from side, rear and front lot lines)
	Existing:
	Existing dwelling: 7.74 m. front, 8.51 m. right side
5	
	Proposed:
	Proposed Garage: 9.73 m. front, 1.22 m. left side, 41.80 m. rear
v	

3.	Date of acquisition of subject lands:  August, 2018
4.	Date of construction of all buildings and structures on subject lands:  House-1956 Shed-2017
5.	Existing uses of the subject property (single family, duplex, retail, factory etc.):
	Single family dwelling
3.	Existing uses of abutting properties (single family, duplex, retail, factory etc.):
	Single family dwelling
7.	Length of time the existing uses of the subject property have continued:
	Always
8. 9.	Municipal services available: (check the appropriate space or spaces)  Water
	Rural Settlement Area
0.	Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
	Zone S1
1.	Has the owner previously applied for relief in respect of the subject property?  Yes No X  If the answer is yes, describe briefly.
2.	Is the subject property the subject of a current application for consent under Section 53 of the Planning Act?
	Yes O
3.	Additional Information
4.	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.