

## **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-21:329

**APPLICANTS:** Agent Gordon Griffiths  
Owner Paul & Kerry Johnson

**SUBJECT PROPERTY:** Municipal address **1314 Concession Rd. 6 W., Flamborough**

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

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

**PROPOSAL:** To permit the construction of a new 90m<sup>2</sup> accessory building in the rear yard of the existing Single Detached Dwelling notwithstanding that:

1. A total gross floor area of 100.0m<sup>2</sup> shall be provided for all accessory buildings instead of the maximum permitted aggregate gross floor area of 45.0m<sup>2</sup>.

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

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**DATE:** Thursday, February 3rd, 2022  
**TIME:** 3:05 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 18th, 2021.

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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.***

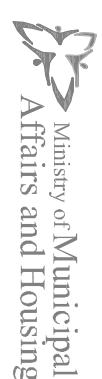


designer



G. GRIFFITHS + ASSOCIATES LTD.  
development • design • management

551 North Avenue, Suite C, Burlington, ON L7R 2G6  
T: 905.653.0755 F: 905.653.0755  
www.ggagroup.com



QUALIFICATION INFORMATION  
BRIAN GRIFFITHS, P. ENG. (1998)  
DIVISION 3, SECTION 3.2 OF THE O.A.C.

*Paul A. Griffiths*  
Gordon Griffiths  
BCIN  
THE ASSOCIATION OF PROFESSIONAL ENGINEERS AND ARCHITECTS OF ONTARIO (AIAO) HAS REVIEWED THIS DESIGN AND CONFIRMS THAT THE DESIGNER HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS OF THE O.A.C. BUILDING CODE TO BE A DESIGNER.

REGISTRATION INFORMATION  
REQUIRED UNDER DESIGN IS EXEMPT UNDER  
THE REGISTRATION ACT AND REGULATION  
G. Griffiths & Associates Ltd. 115901  
FIRM NAME BCIN/BCON

client

client name  
street • city • province • postal code

Do not scale drawings. Use only drawings marked  
with a scale bar. All dimensions are in meters  
unless otherwise specified. All dimensions on the site plan  
to be confirmed by the architect and/or designer  
before construction. All dimensions on the site plan  
are approximate and subject to change without  
notice. All dimensions are in meters unless  
otherwise specified.

Issued for

1 minor variance

08.23.2021

revised



project d m y

JOHNSON  
RESIDENCE

address  
1314 concession road 6 west  
hamilton, ontario L0R 1Y0  
issued for permit / tender / const.

drawing title  
site plan

date drawn 16.10.2020  
drawn by WJ  
checked by 99  
file name GG+A\_24x36  
project no. 21032  
scale as noted

drawing no.

SP00

PROPERTY STATISTICS:

LEGAL DESCRIPTION:

LOT 10  
CITY OF HAMILTON

MUNICIPAL ADDRESS:

1314 CONCESSION ROAD 6 WEST  
HAMILTON, ONTARIO  
L0R 1Y0

REGISTERED OWNERS:

PAUL & KERRY JOHNSON

BUILDING CODE ANALYSIS:

FLOOR AREA:

287.43 m<sup>2</sup> (3,094 ft<sup>2</sup>) First Floor  
130.18 m<sup>2</sup> (1,401 ft<sup>2</sup>) Second Floor  
TOTAL: 417.61 m<sup>2</sup> (4,495 ft<sup>2</sup>)

NUMBER OF STORES:

2 STOREY

MAJOR OCCUPANCY:

GROUP C

FACING STREETS:

1 STREET

O.B.C. SECTION:

PART 9 Housing and Small Buildings

CONSTRUCTION TYPE:

COMBUSTIBLE

ZONING STATISTICS:

EXISTING

ZONING:

S1

PERMITTED

-

PROPOSED

S1

SITE AREA:

1.47ha

0.4ha MIN.

1.47ha

BUILDING AREA:

287.43 m<sup>2</sup>

-

287.43 m<sup>2</sup>

LOT COVERAGE:

1.94%

-

2.78%

LOT FRONTAGE:

30.48m

30m

30.48m

FRONT YARD:

22.8m

7.5m

22.8m

SIDE YARD:

3.9m

3.0m ONE SIDE

3.9m

REAR YARD:

439m

7.5m

439m

ACCESSORY BUILDING: (4.8.1.1) (BYLAW 05-200)

-

1.2m

0.60m\*

SIDE YARD:

-

1.2m

382m

REAR YARD:

-

1.2m

137.24m<sup>2</sup>

FLOOR AREA:

14.04

14.04

137.24m<sup>2</sup>

(Area breakdown)

14.04m<sup>2</sup>

14.04m<sup>2</sup>

Pool House

Proposed Accessory

Building

Building

14.04m<sup>2</sup>

14.04m<sup>2</sup>

123.2m<sup>2</sup>

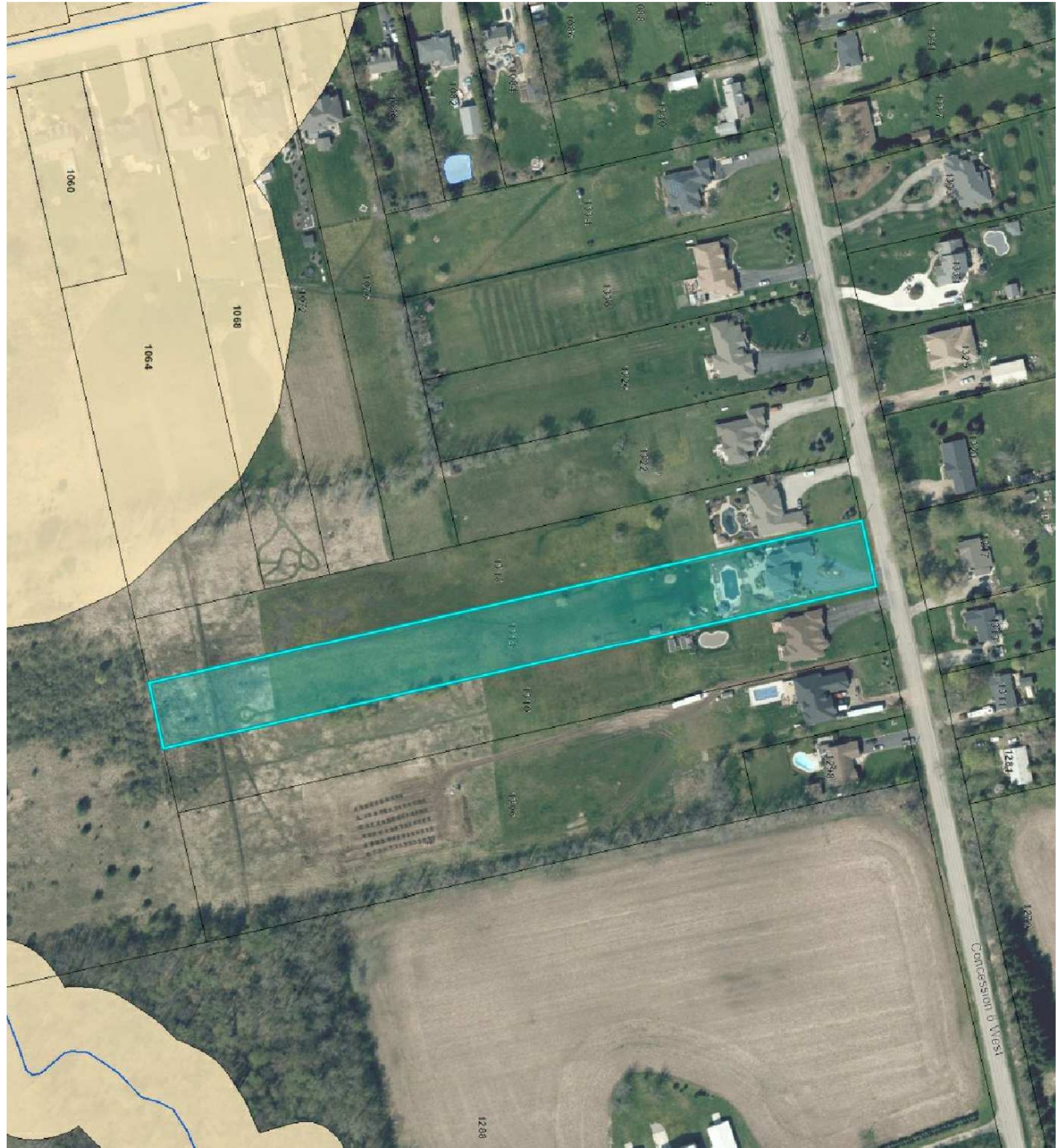
HEIGHT:

-

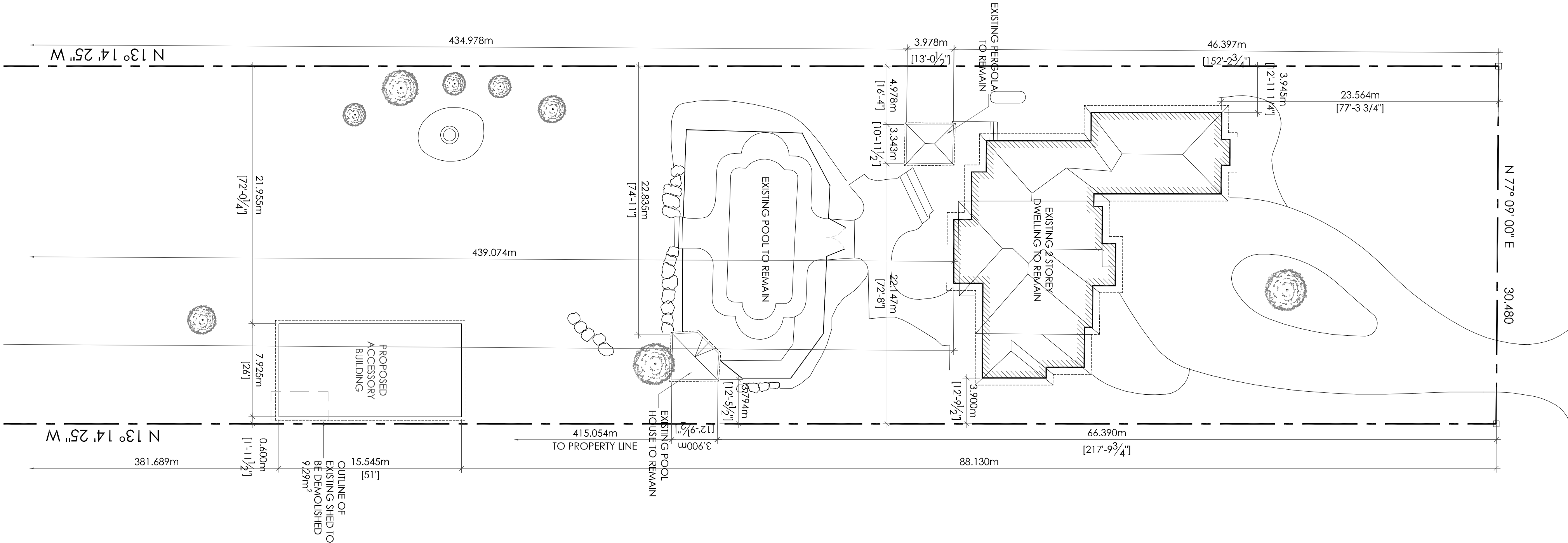
4.5m

3.89m

\* REQUIRES MINOR VARIANCE\*



CONCESSION ROAD 6 W



1 SURVEY SKETCH

SP00 SCALE: 1:1000

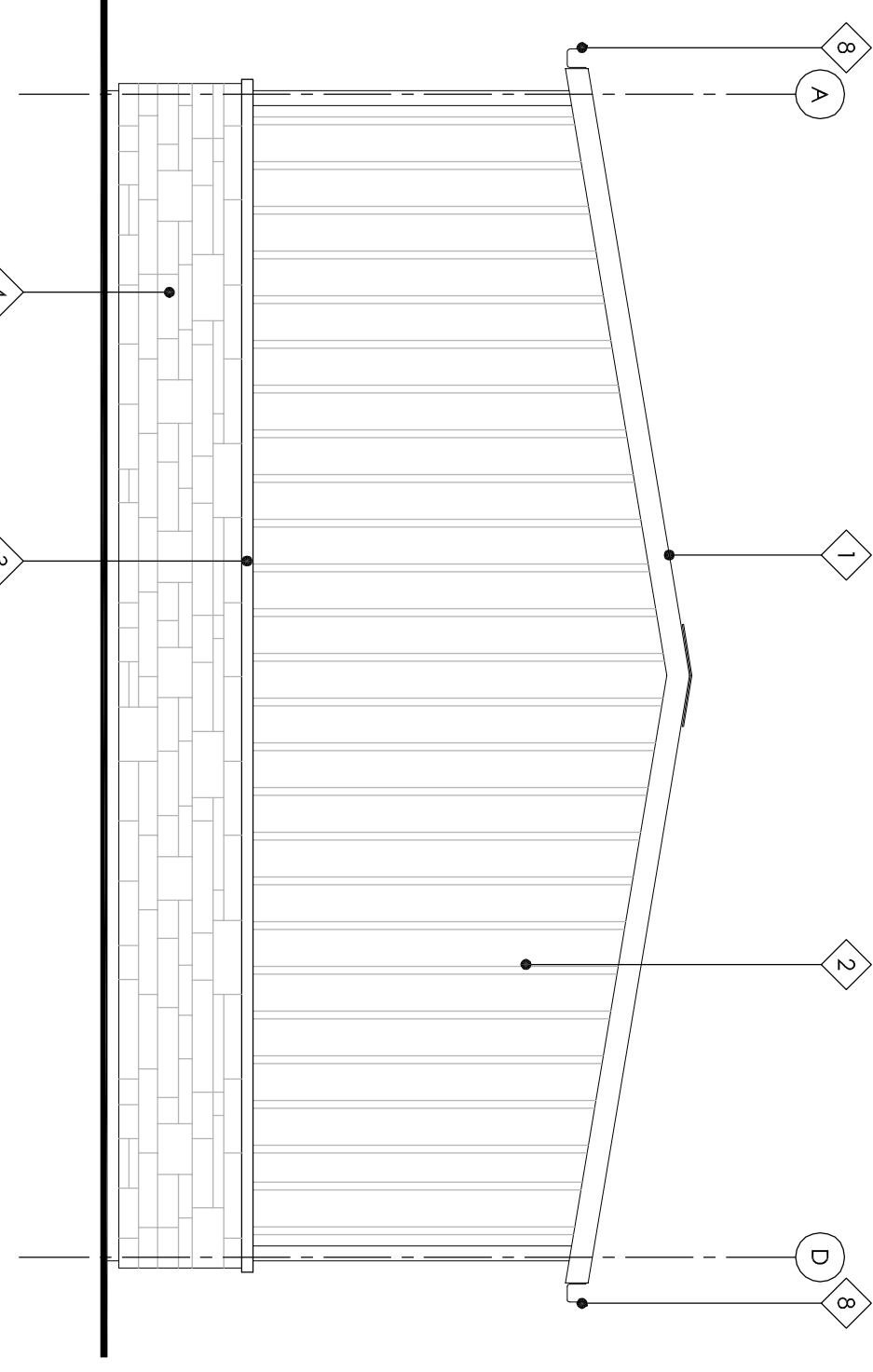
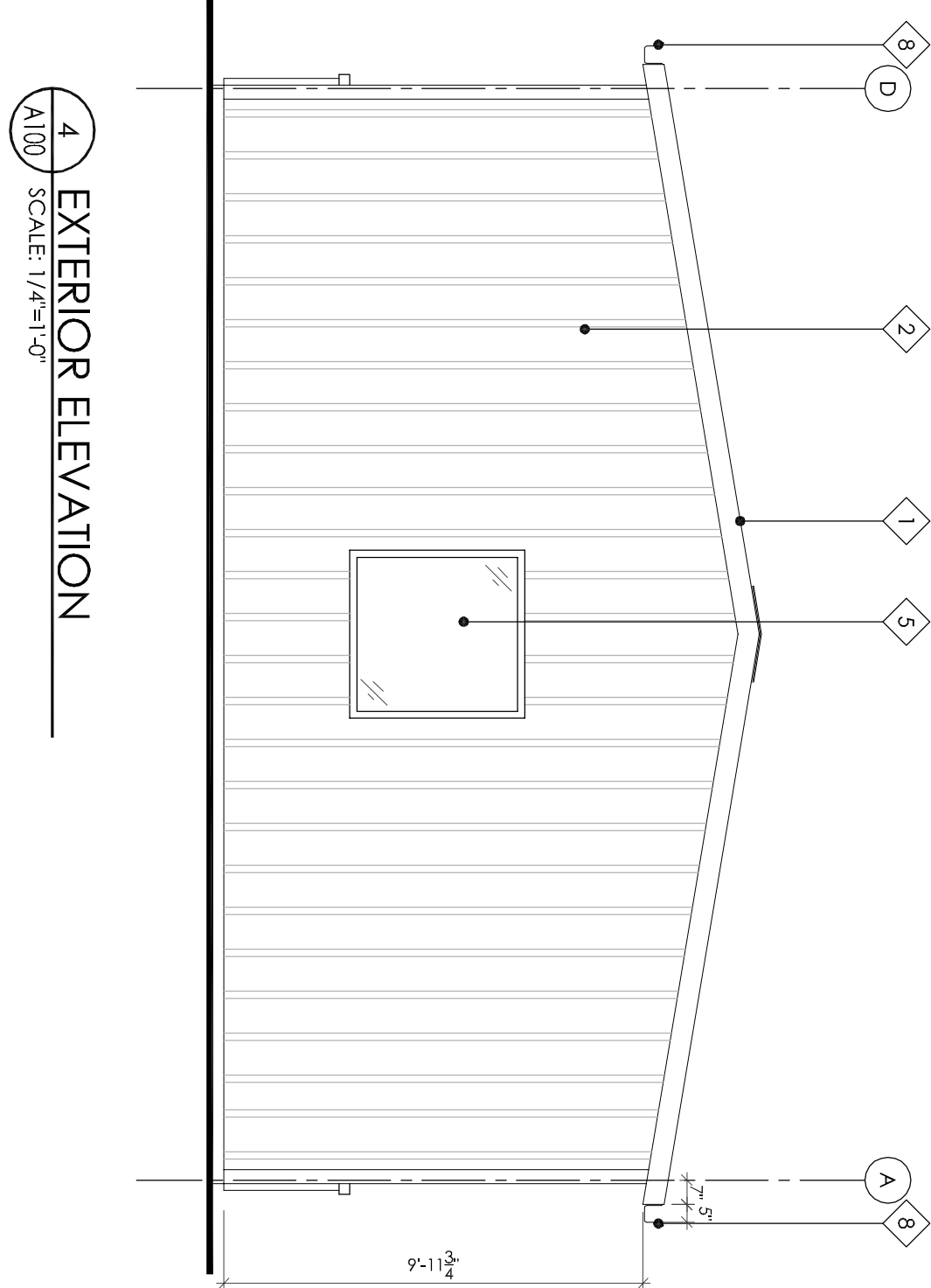
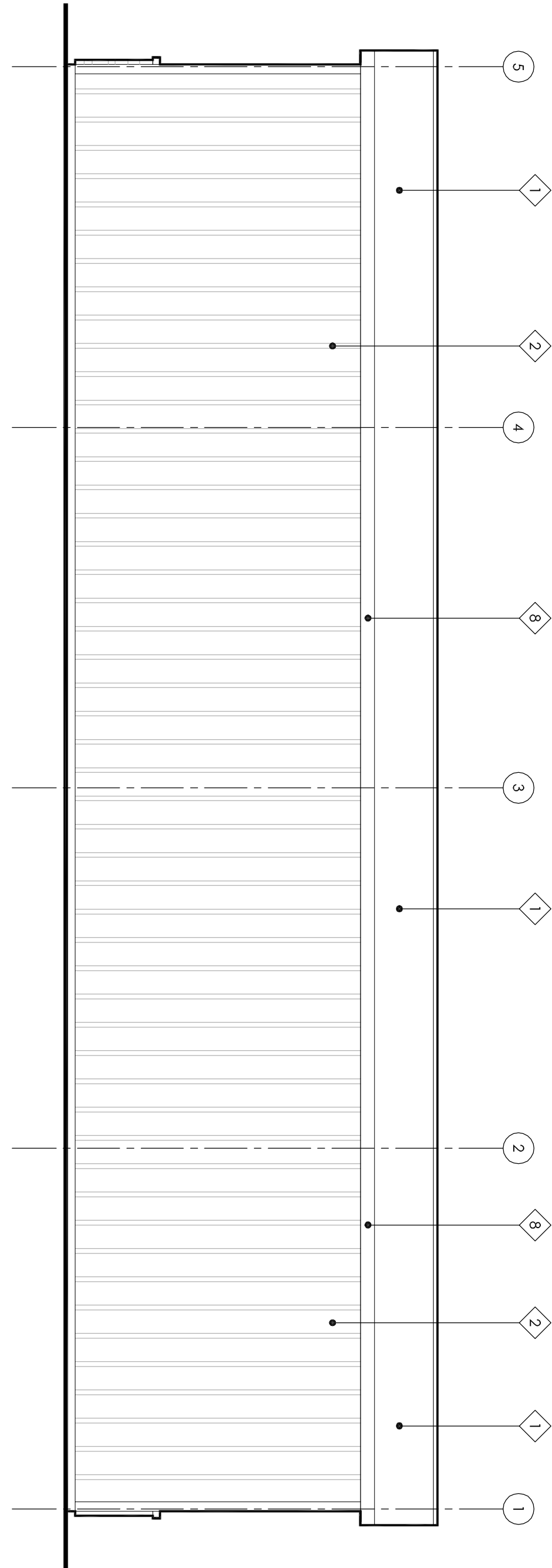
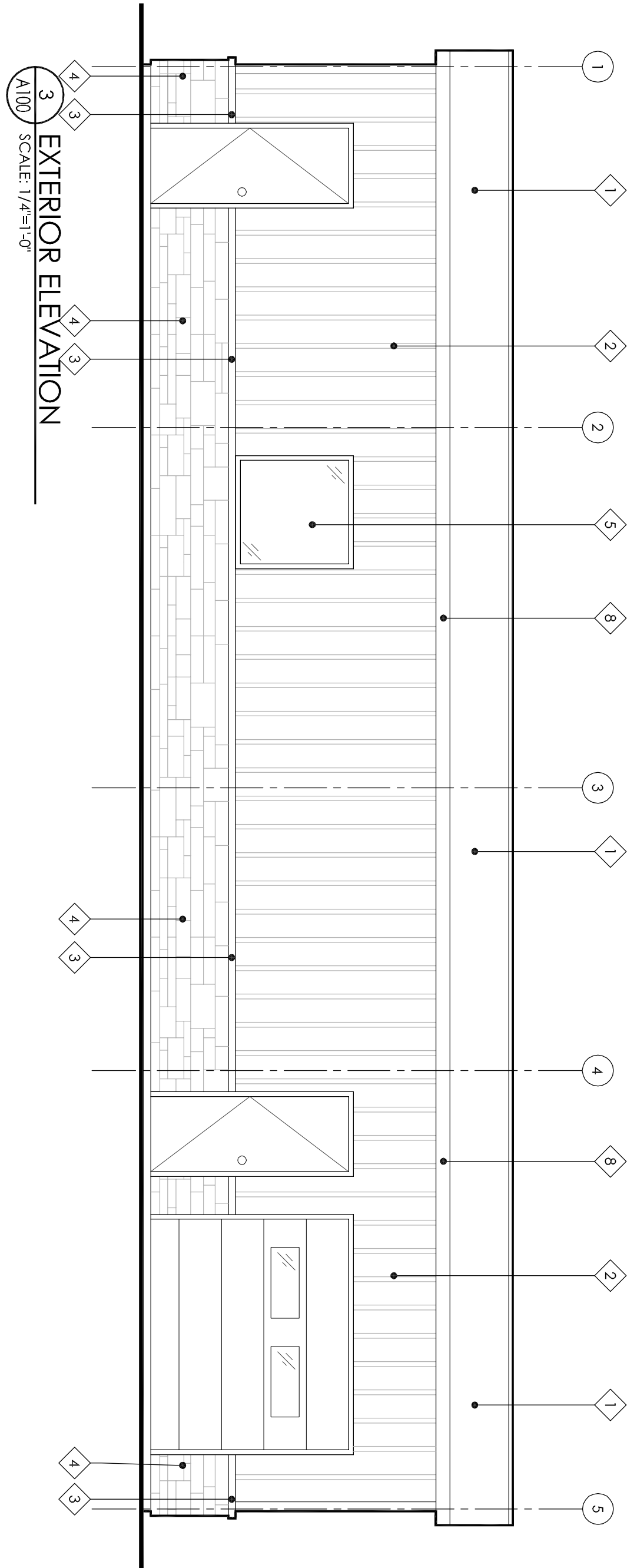
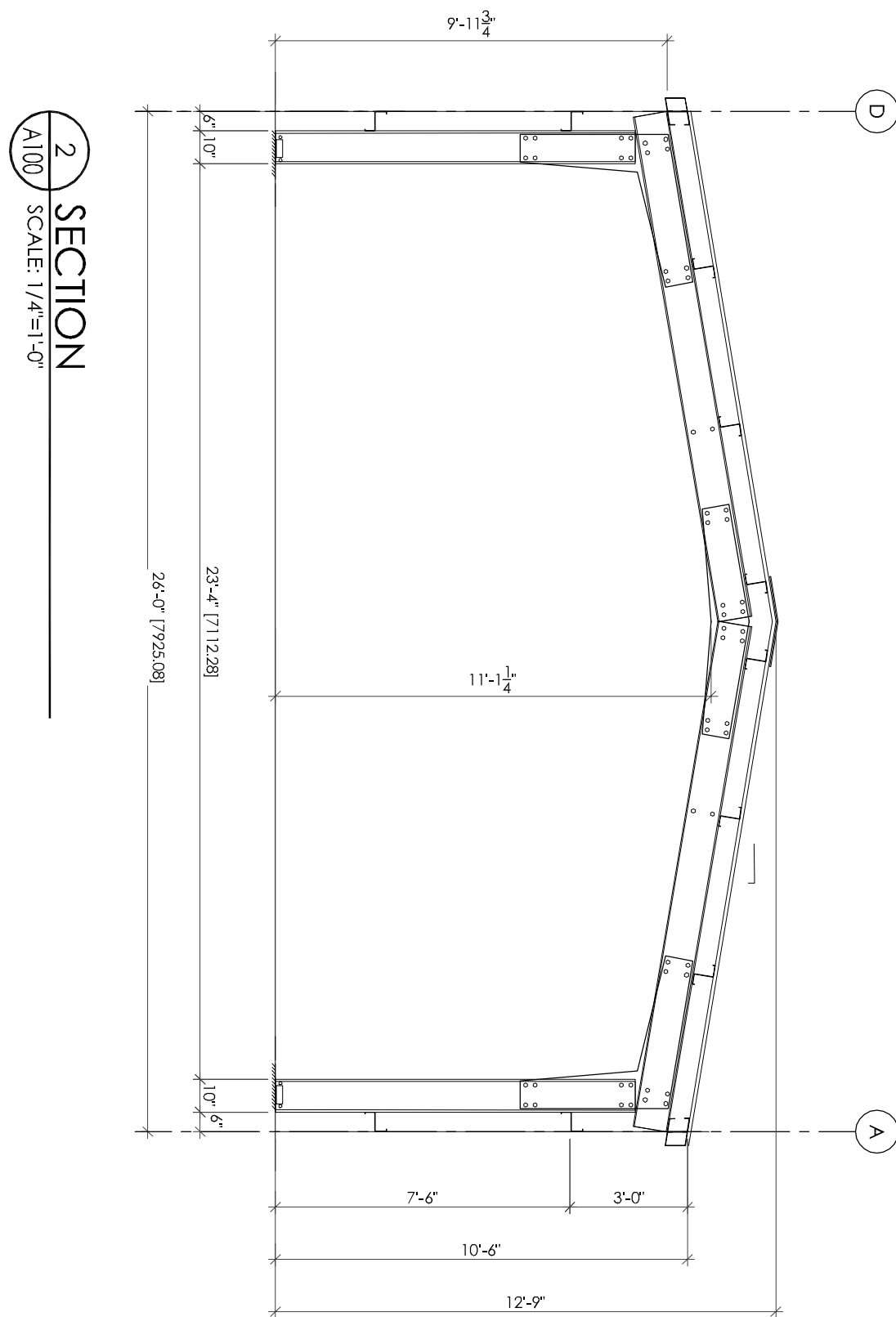
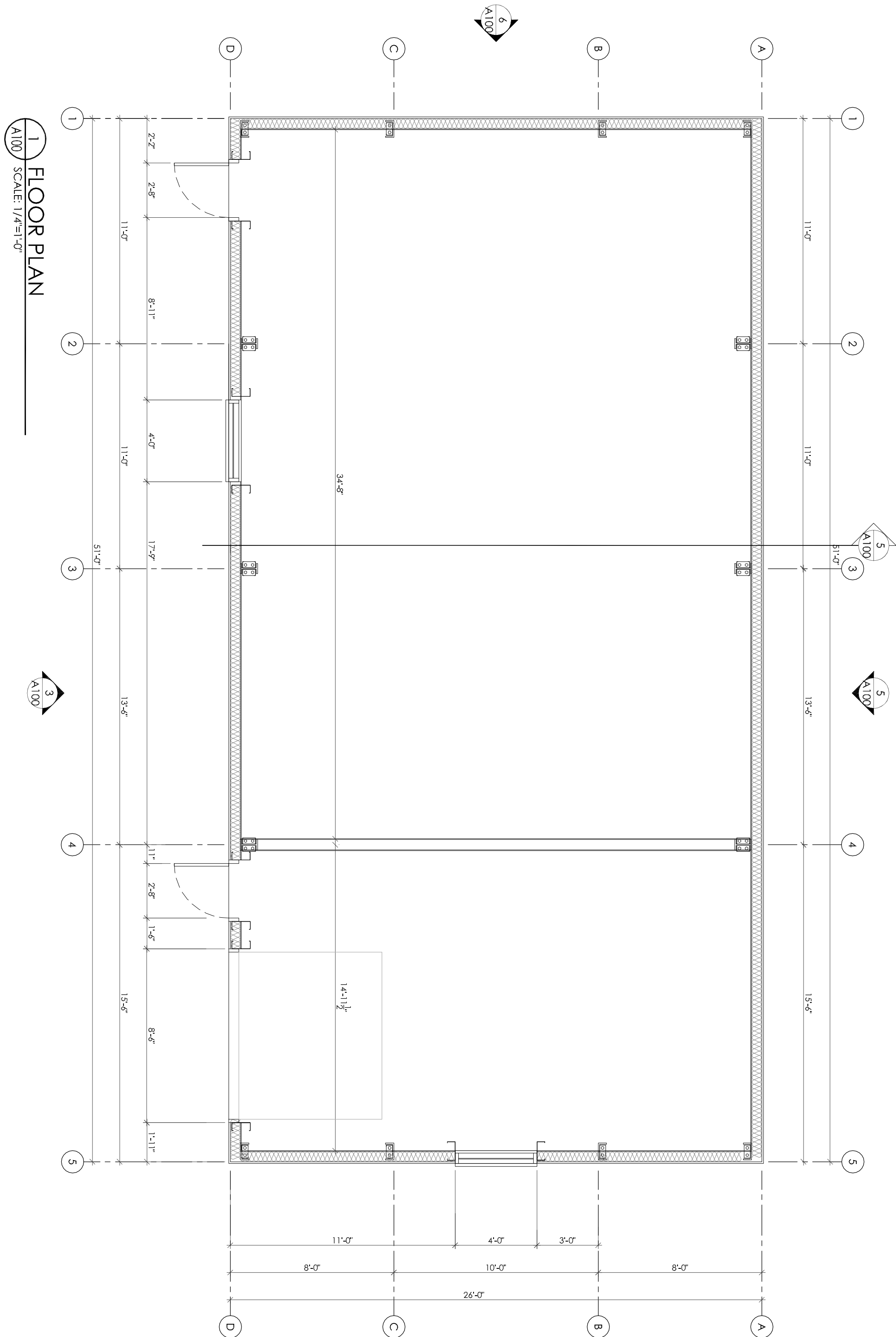
2 SITE PLAN DETAIL

SP00 SCALE: 1:250

3 AERIAL PHOTO

SP00 SCALE: NIS





- 1 26 GAUGE PULTRIN BEARING 18"R. ROOF PANELS. COLOUR: TBD.
- 2 SWIRL POLYESTER COATED RIBBED WALL PANELS. COLOUR: TBD.
- 3 WATER TIGHT STONE CAR. COLOUR: TBD.
- 4 FAUX STONE EXTERIOR VENEER (3"x7" HCH-1). COLOUR: TBD.
- 5 NEW ANODIZED ALUMINUM WINDOW & FRAMES.
- 6 NEW 2"x7" x 7'-0" METAL DOOR & HOLLOW METAL DOOR FRAME. COLOUR: TBD.
- 7 NEW 7'-0" x 8'-0" INSULATED ROLL-UP OVERHEAD DOOR & FRAME. COLOUR: TBD.
- 8 PREPENNISHED METAL CAP FLASHING. COLOUR: TBD.

## EXTERIOR ELEVATION NOTES



**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	NAME	MAILING ADDRESS	
Registered Owners(s)	Paul and Kerry Johnson		
Applicant(s)*	Paul and Kerry Johnson		
Agent or Solicitor	Gordon Griffiths		

**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**  
10 York Mills Road, 3rd Floor  
Toronto, Ontario  
M2P 0A2

**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:

New Accessory Building (S1 - Settlement Zone) (bylaw 05-200):

4.8.1.(a) Max. Total Accessory Building footprint- 45 sq.m - request 137.24 sq.m.

4.8.1 (d)(ii) Side Yard Setback - 1.2 m min. - request 0.600m.

☐

Secondary Dwelling Unit

☐

Reconstruction of Existing Dwelling

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

In order to maintain maximum site lines and visibility of the entire lot from the dwelling, the proposed building is requested to be positioned as close to the property line as the existing smaller accessory building which is to be demolished. The proposed accessory building is being constructed for general storage with a separate area for storage of lawn and garden equipment. In order for the proposed building to serve it's designed use, it needs to be larger than the permitted 45m<sup>2</sup>

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**):

1314 Concession 6 West, Hamilton, Ontario, L8B 1N1  
PLAN 62M -1120 - Lot 10

7. PREVIOUS USE OF PROPERTY

Residential ☒

Industrial ☐

Commercial ☐

Agricultural ☐

Vacant ☐

Other ☐

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 \_\_\_\_\_

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 \_\_\_\_\_

8.11 What information did you use to determine the answers to 8.1 to 8.10 above?

Request to Develop the site was submitted to the City of Hamilton and approved in 2009/2010.  
It is assumed the original developer submitted required information to the City of Hamilton and was subsequently approved. The approved Residential use has not changed since approved.

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 X

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.

August 23, 2021  
Date

  
Signature Property Owner(s)

Paul Johnson / Kerry Johnson  
Print Name of Owner(s)

10. **Dimensions of lands affected:**

Frontage	<u>30.480 m</u>
Depth	<u>335.364 m</u>
Area	<u>10,221.89 m<sup>2</sup></u>
Width of street	<u>33.53 m</u>

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:

	<u>Floor Area</u>	<u>Storeys</u>	
<b>Main Dwelling</b> (to remain)		<b>2</b>	
Ground Floor	287.43 m <sup>2</sup>		
Second Floor	116.61 m <sup>2</sup>		
<b>Pergolla</b> (to remain)	13.13 m <sup>2</sup>	1	
<b>Pool House</b> (to remain)	14.04 m <sup>2</sup>	1	
<b>Storage Shed</b> (to be demolished)	9.29 m <sup>2</sup>	1	1

Proposed:

	<u>Floor Area</u>	<u>Storeys</u>	<u>Height</u>
<b>New Accessory Building</b>	123.2 m <sup>2</sup>	1	3.886 m

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

Existing:

	<u>Front Yard</u>	<u>Side Yard (East)</u>	<u>Side Yard (West)</u>	<u>Height</u>
<b>Main Dwelling</b> (to remain)	22.835	3.896	3.850	2 Storey
<b>Pergolla</b> (to remain)	46.397	22.147	4.978	1 Storey
<b>Pool House</b> (to remain)	66.390	3.794	22.835	1 Storey
<b>Storage Shed</b> (to be demolished)	99.509	0.600	27.73	1 Storey

Proposed:

	<u>Front Yard</u>	<u>Side Yard (East)</u>	<u>Side Yard (West)</u>	<u>Height</u>
<b>New Accessory Building</b>	88.130	0.600	22.835	3.886

13. Date of acquisition of subject lands:  
Building and lands purchased by current owners on 2014/08/29
14. Date of construction of all buildings and structures on subject lands:  
Construction of the existing 2 storey dwelling took place between 2009 and 2010, by previous owners.
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
Residential - Single Family Dwelling
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
Residential use to the east and west of the property.  
A1 - Agricultural zone to the south of the property (30.48 m of Frontage)
17. Length of time the existing uses of the subject property have continued:  
Property was developed for residential used 2009/2010.  
Property has been used for continual residential occupancy from inception.
18. Municipal services available: (check the appropriate space or spaces)
- |                |                          |           |                          |
|----------------|--------------------------|-----------|--------------------------|
| Water          | <input type="checkbox"/> | Connected | <input type="checkbox"/> |
| Sanitary Sewer | <input type="checkbox"/> | Connected | <input type="checkbox"/> |
| Storm Sewers   | <input 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.