



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th 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 24th, 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

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: February 8th, 2022

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.



LOT AREA: 2227.49 SQ. M.
 EXISTING (SHED) ACCESSORY BUILDING: 17.80 SQ. M.
 PROPOSED ACCESSORY BUILDING FIRST FLOOR AREA: 46.13 SQ. M.
 PROPOSED ACCESSORY AGGREGATE FLOOR AREA: 80.99 SQ. M.
 PROPOSED ACCESSORY BUILDING TOTAL LOT COVERAGE: 63.93 SQ. M. = 2.87%

THE BOEHME RESIDENCE
 29 OAK AVENUE
 GREENSVILLE, ON
 L9H 4Z1

drafting + design

- 193 East 43rd Street
- Hamilton, ON L8T 3C3
- 905.517.6027
- jbdraftinganddesign@live.ca

PRELIMINARY
 01.11.22 signature required
 Jennifer Bognar reviews and takes responsibility for the design work described in this document
 firm bcjn 103416 individual bcjn 33001

DATE	ISSUE DESCRIPTION
09.19.21	ISSUED FOR REVIEW
10.29.21	ISSUED FOR REVIEW
11.01.21	ISSUED FOR C.O.F.A.
01.11.22	RE-ISSUED FOR C.O.F.A.

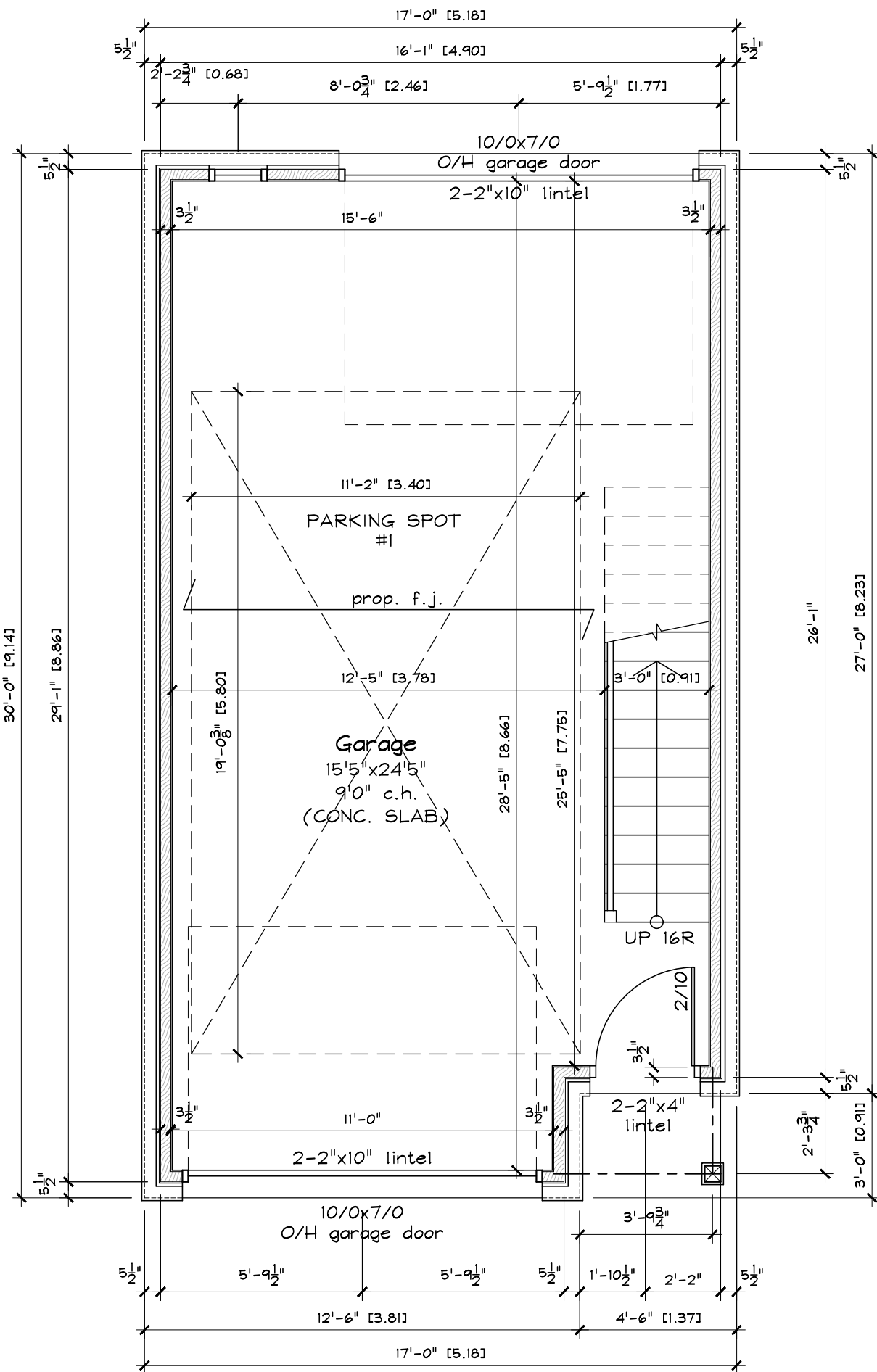
ALL DIMENSIONS AND INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE AND ANY DISCREPANCIES REPORTED TO THE DESIGNER PRIOR TO CONSTRUCTION AND FABRICATION OF ITS COMPONENTS. SHOULD EXISTING CONDITIONS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED ON THE DRAWINGS, THE DESIGNER MUST BE NOTIFIED IMMEDIATELY. THE DESIGNER IS NOT LIABLE FOR ANY CHANGES MADE BY THE CONTRACTOR WITHOUT THE DESIGNER'S KNOWLEDGE AND PERMISSION.

FEATURES OF CONSTRUCTION NOT FULLY SHOWN ARE ASSUMED TO BE THE SAME CHARACTER AS THOSE NOTED FOR SIMILAR CONDITIONS.

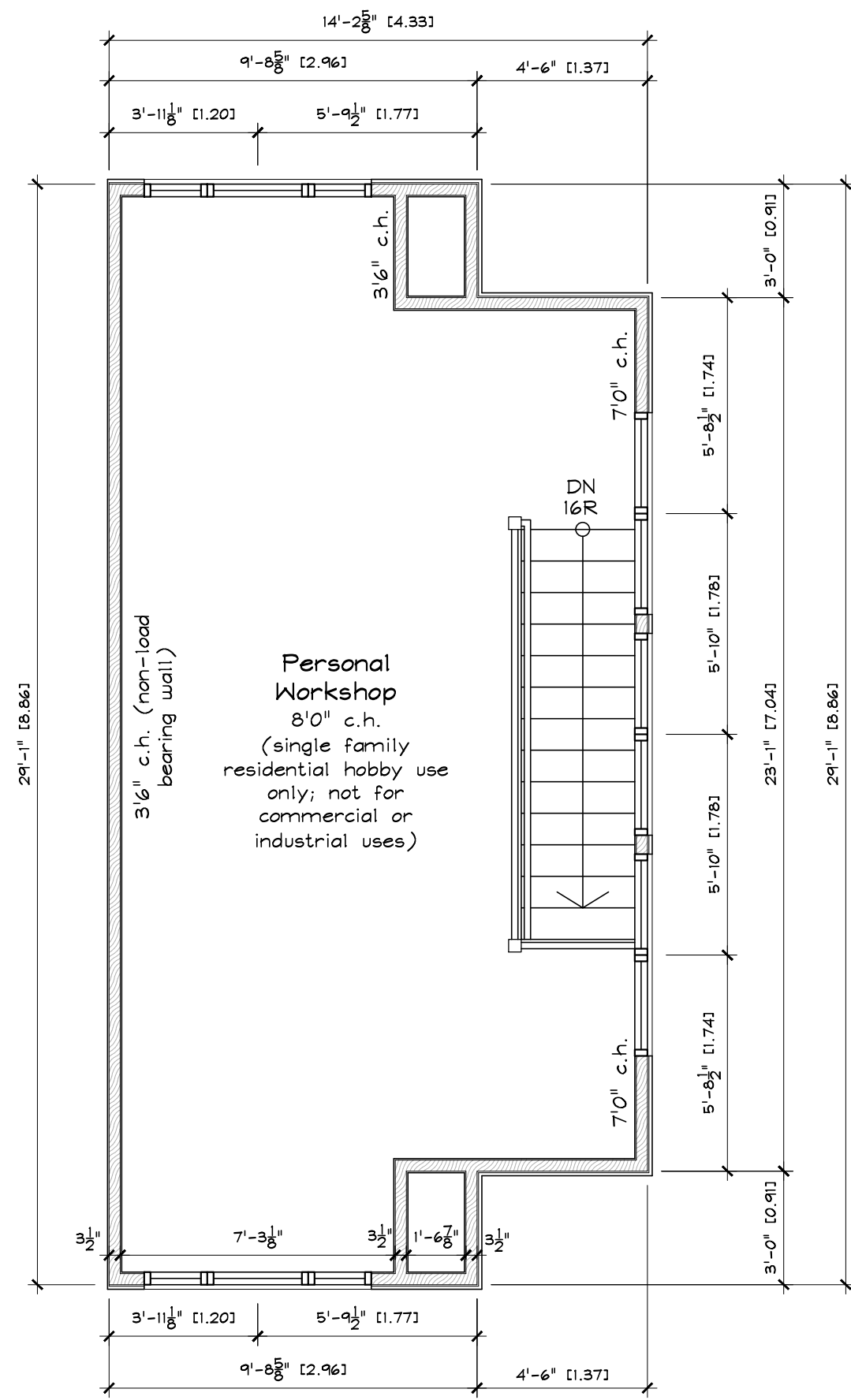
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SITE PLAN
 1:200



Floor Area: 496.50 sq. ft. (46.13 sq. m.)



Floor Area: 375.22 sq. ft. (34.86 sq. m.)

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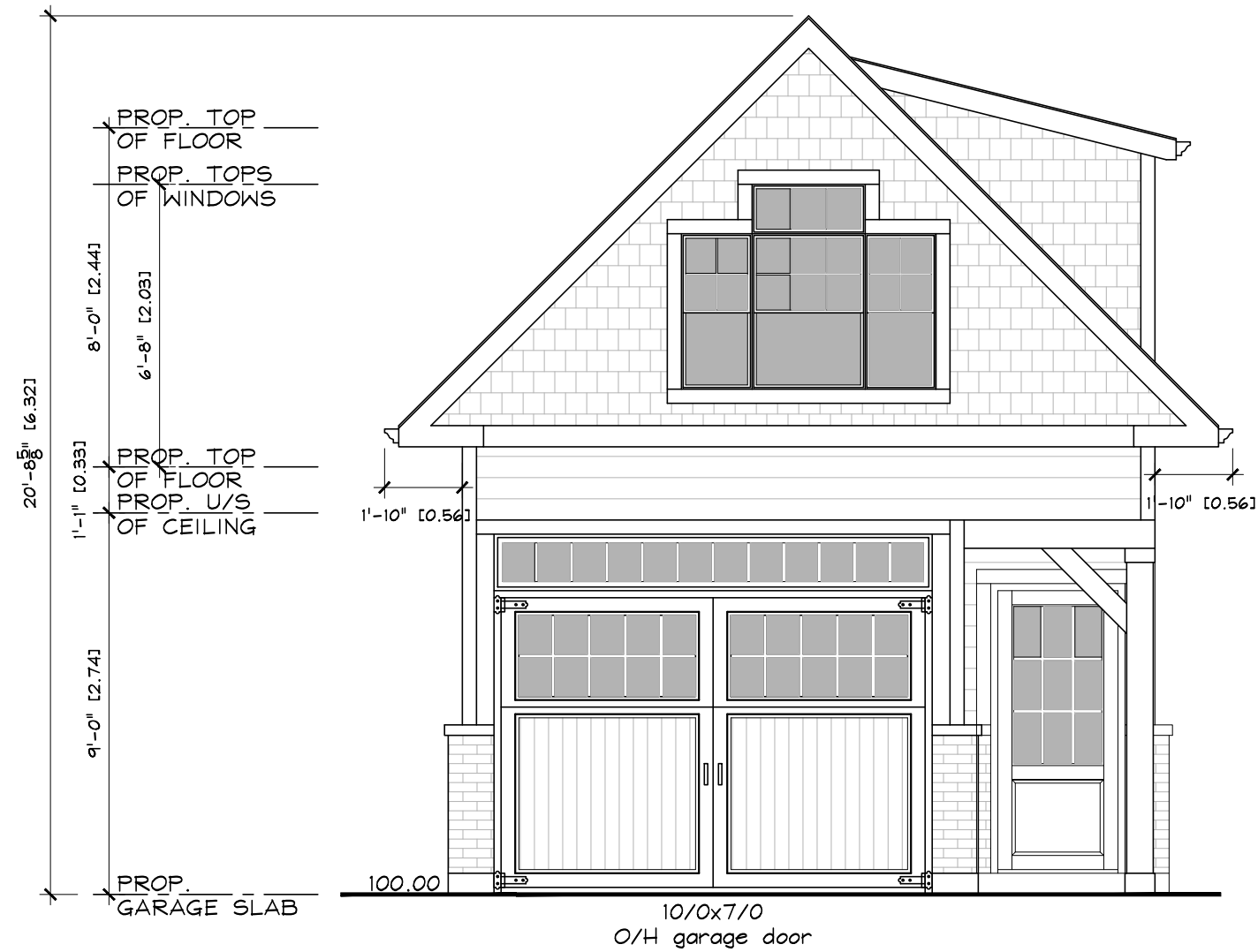
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FLOOR PLANS
1/4" = 1'-0"

SHEET
A2
OF 8



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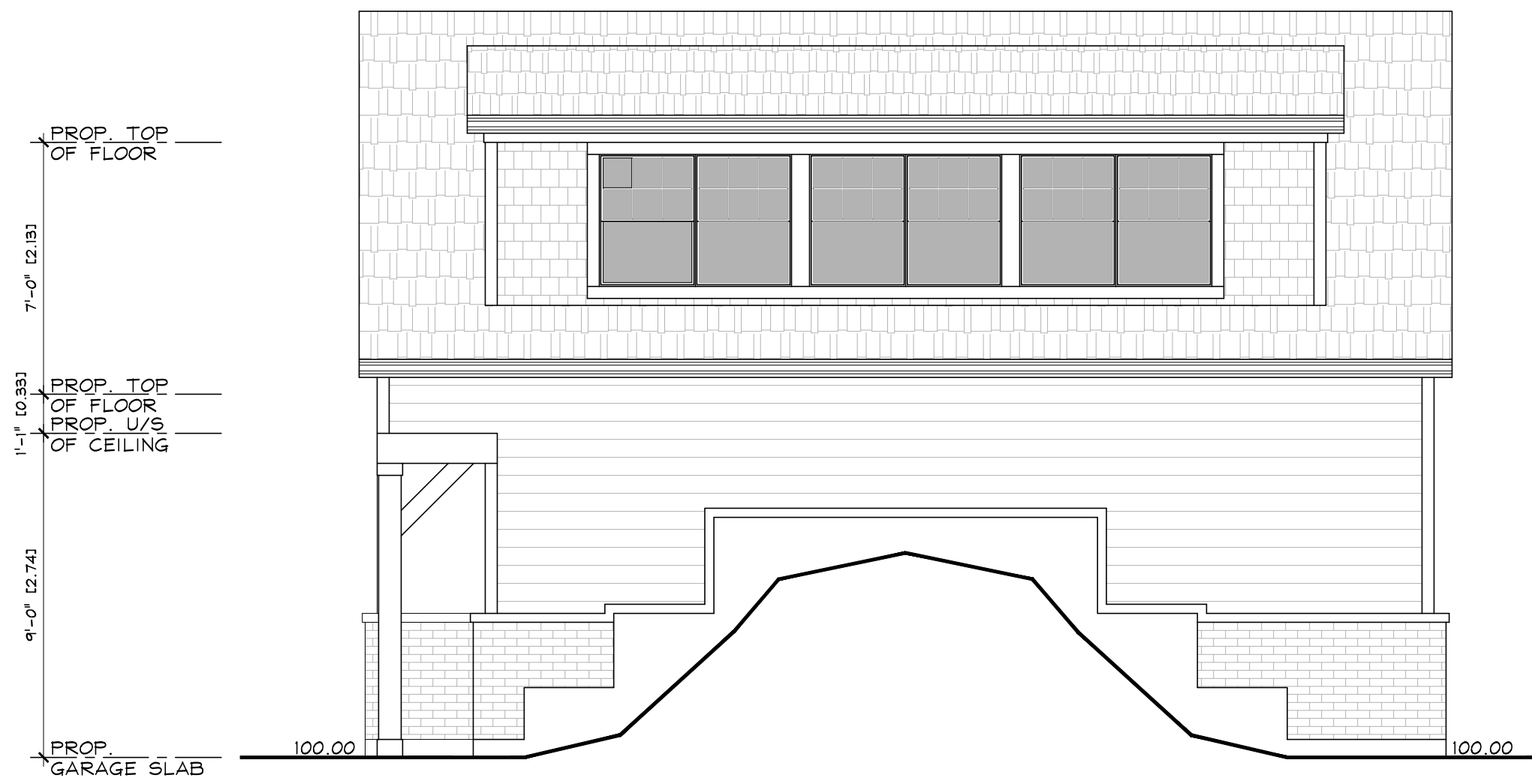
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FRONT
ELEVATION
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SHEET
A3
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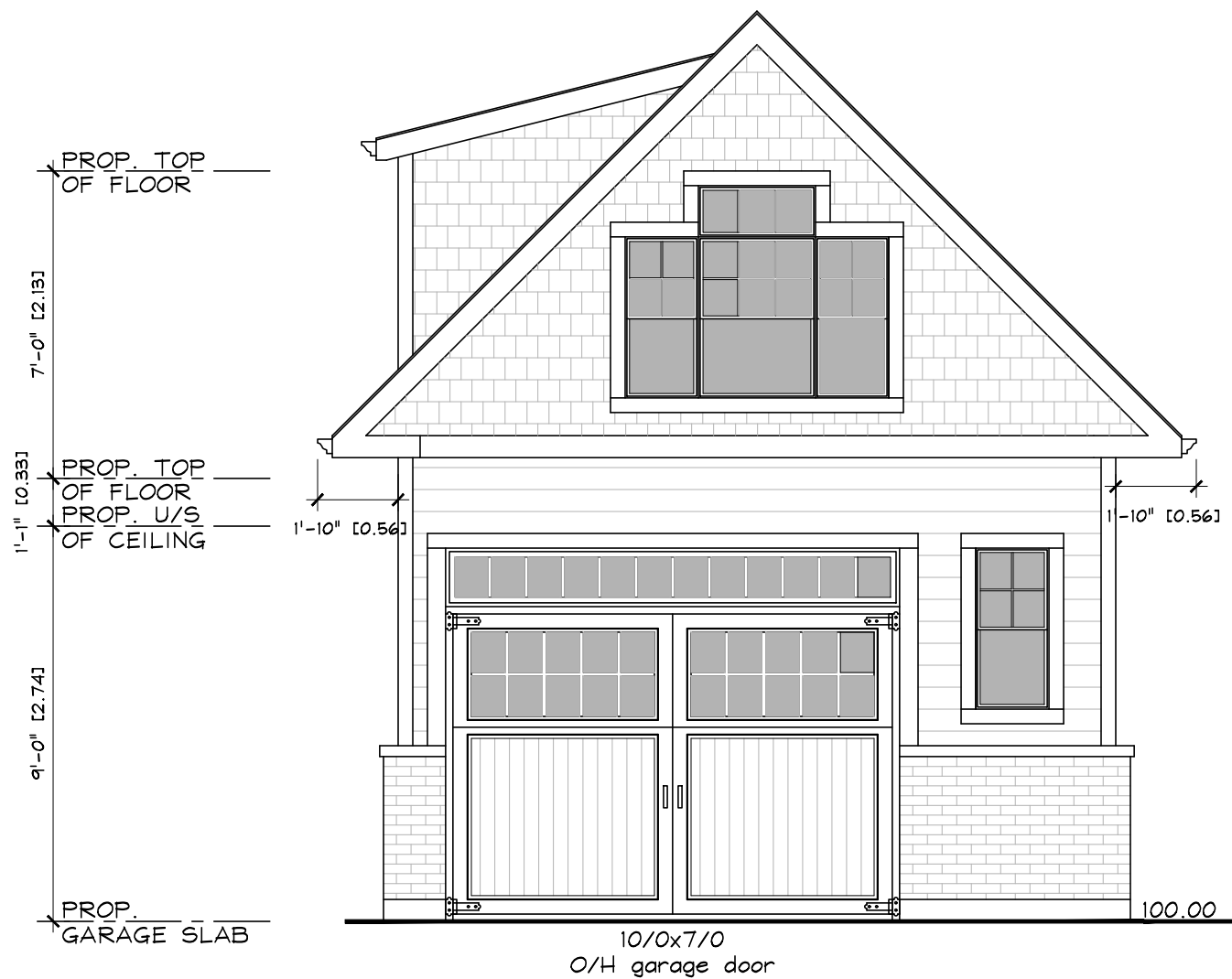
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RIGHT
SIDE ELEVATION
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SHEET
A4
OF 8



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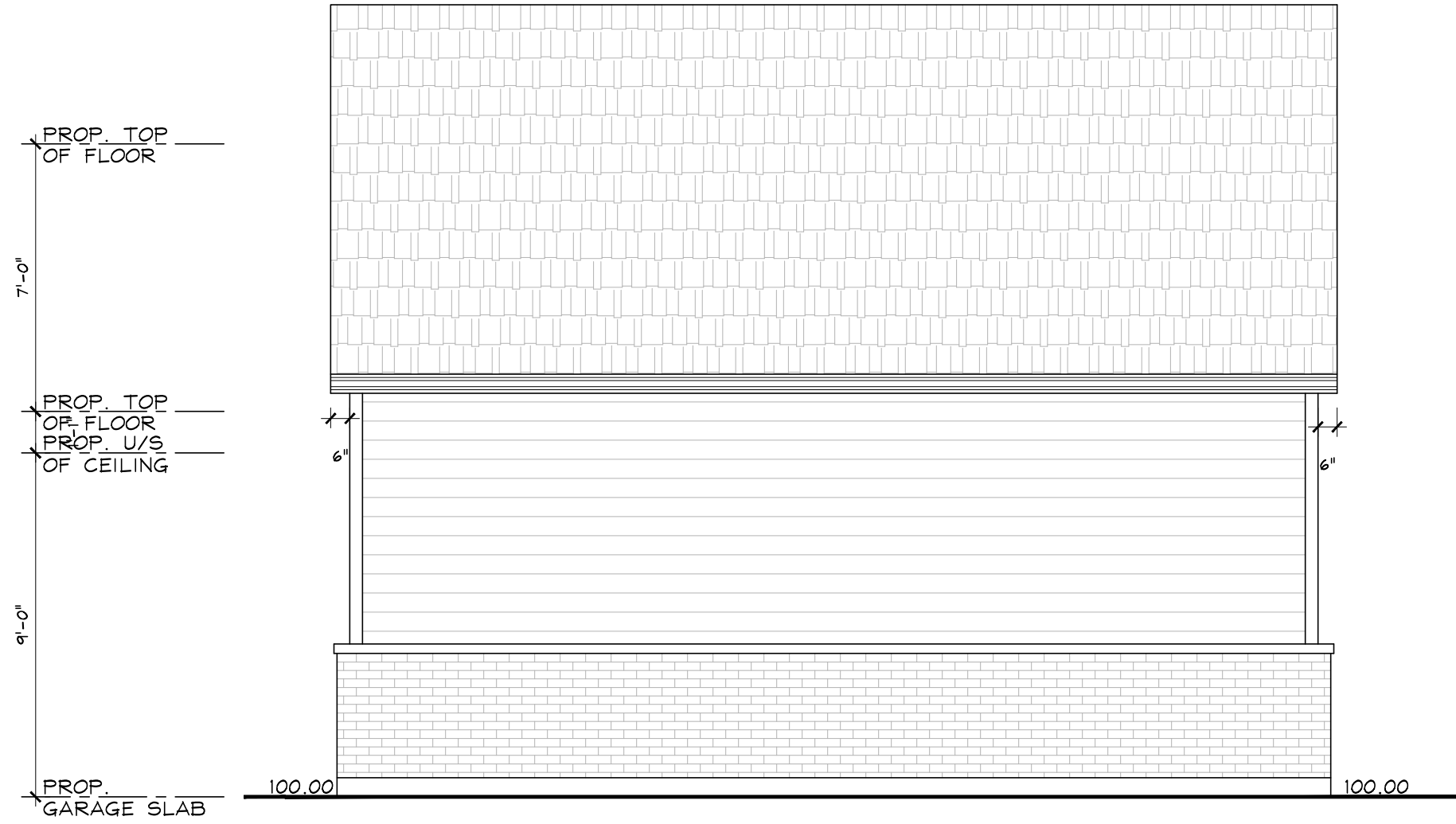
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**REAR
ELEVATION**
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SHEET **A5** OF 8



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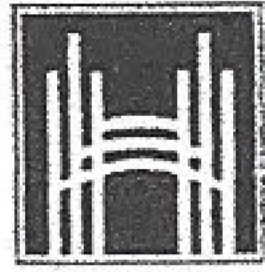
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LEFT SIDE
ELEVATION
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SHEET
A6
OF 8



Hamilton

Committee of Adjustment
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Email: 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)		
Applicant(s)*		
Agent or Solicitor		

Note: Unless otherwise requested all communications will be sent to the agent, if any. *Please include Alison Boehme (email above) on all communication*

3. Names and addresses of any mortgagees, holders of charges or other encumbrances: *Scotiabank*

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 of req'd 45 sq. m.

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

See 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 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?

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
Date

A. Bohmer + T. Bohmer
Signature Property Owner(s)

Alison + Tyler Boehmer
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>36.58 m.</u>
Depth	<u>60.96 m.</u>
Area	<u>2227.49 sq. m.</u>
Width of street	<u>20.0 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: _

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

Proposed:

Proposed Garage: 9.73 m. front, 1.22 m. left side, 41.80 m. rear

13. Date of acquisition of subject lands: August, 2018
14. Date of construction of all buildings and structures on subject lands:
House - 1956 Shed - 2017
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Single family dwelling
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Single family dwelling
17. Length of time the existing uses of the subject property have continued:
Always
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:
Rural Settlement Area
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Zone S1
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.