



Hamilton

## 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](mailto:cofa@hamilton.ca)

# 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
- 

**APPLICATION NO.:** HM/A-22:87

**APPLICANTS:** Agent Dusan Stupar c/o Plethovalent Architecture  
Owners R. & A. Tomlinson

**SUBJECT PROPERTY:** Municipal address **173 Craigroyston Rd., Hamilton**

**ZONING BY-LAW:** Zoning By-law 6593, as Amended

**ZONING:** "C" (Urban Protected Residential) district

**PROPOSAL:** To permit the construction of a two-storey addition to the exiting single family dwelling notwithstanding that;

1. A minimum northerly side yard depth of 0.4m shall be permitted instead of the minimum 1.2m side yard width required.
2. A minimum parking space size width of 2.4m shall be permitted for the parking space located directly to the south of the dwelling instead of the minimum 2.7m wide parking space size required.
3. A minimum access driveway of 2.4m shall be permitted instead of the minimum 2.8m access driveway width required.
4. An eave or gutter shall be permitted to encroach into the entire northerly side yard and therefore, may be located as close as 0.0m to the northly side lot line whereas the zoning By-law permits an eave into a required side yard not more than one-half of its width, or 1.0 metre, whichever is the lesser.

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

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**DATE:** Thursday, April 28th, 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](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:

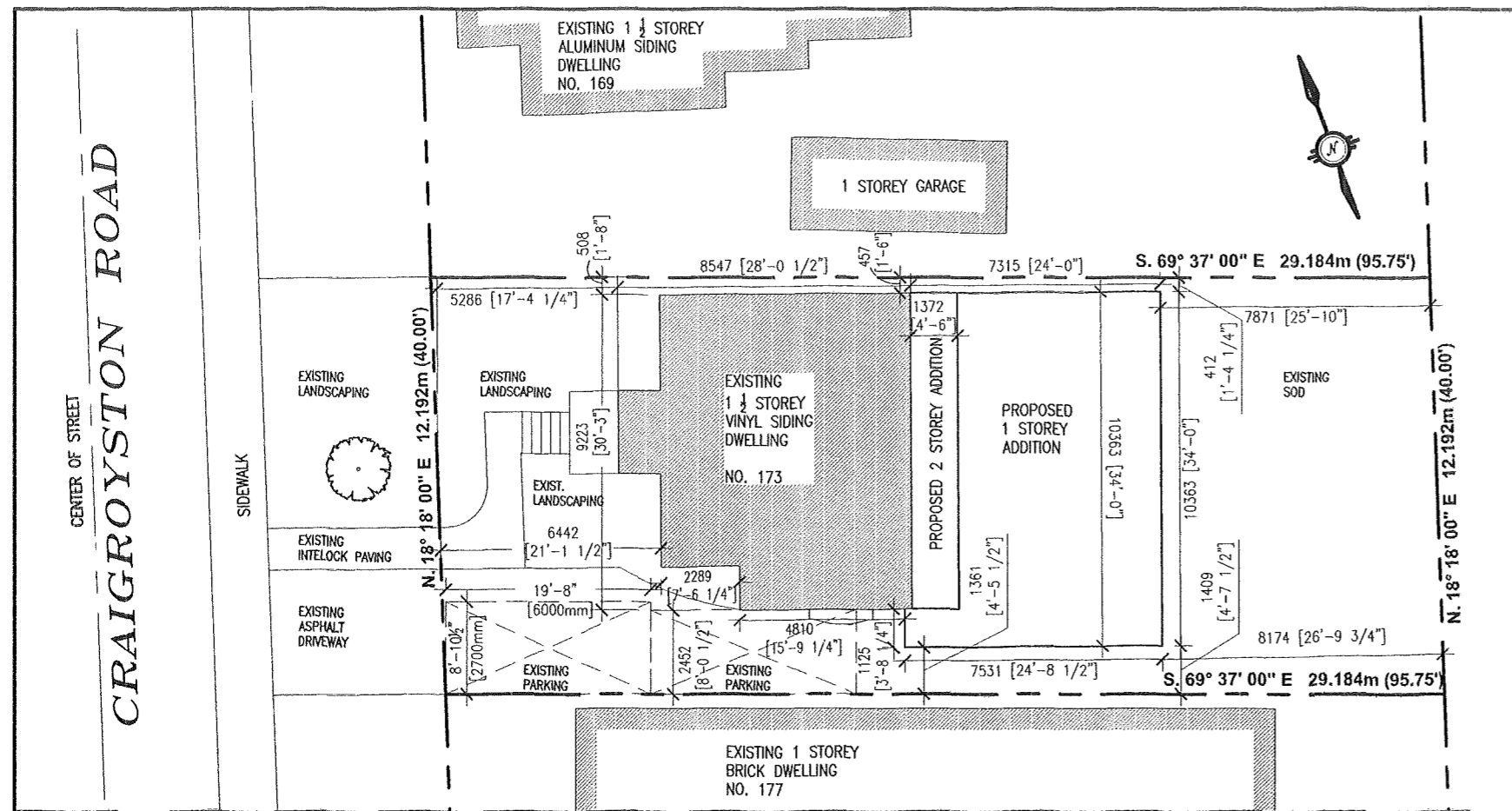
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: April 12th, 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.***



**LIST OF DRAWINGS**

- SP1.1 SITE PLAN, CONSTRUCTION NOTES, DRAWING LIST, LEGEND
- A1.1 BASEMENT FLOOR PLAN
- A1.2 MAIN FLOOR PLAN
- A1.3 SECOND FLOOR PLAN
- A2.1 WEST AND NORTH ELEVATIONS
- A2.2 EAST AND SOUTH ELEVATIONS
- A3.1 BUILDING SECTION

(TOTAL = 7 DRAWINGS  
ON 11"x 17" SIZE SHEETS)

NO	ISSUED / REVISIONS	DATE DD/MM/YY
2	MINOR VARIANCE APPLICATION	19/02/22
1	DRAFT FOR REVIEW	25/01/22

PROJECT:  
ADDITION  
173 CRAIGROYSTON,  
HAMILTON, ON

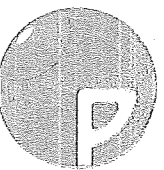
TITLE:  
SITE PLAN

1 SITE PLAN  
SP1.1 SCALE 1/16"=1'-0"

**LEGEND**

- EXISTING SPOT ELEVATION IN m
- NEW SPOT ELEVATION IN m
- RAIN WATER LEADER
- PROPOSED SWALE
- PROPOSED SURFACE DRAINAGE DIRECTION
- CT CONIFEROUS TREE
- DT DECIDUOUS TREE
- GW GUY WIRE
- HP HYDRO POLE

**Plethovalent Architecture**  
5-534 Concession St.  
Hamilton, Ontario  
L8V 1A6  
t: 905 389 1030  
f: 888 432 8203



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The architect noted above has exercised responsible control with respect to design activities. The architect's seal number is the architect's BCDN.

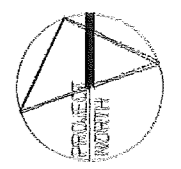
PROJECT No:  
2021-147

SCALE:  
1/16"=1'-0"

DRAWN BY:  
DS

CHK'D BY:

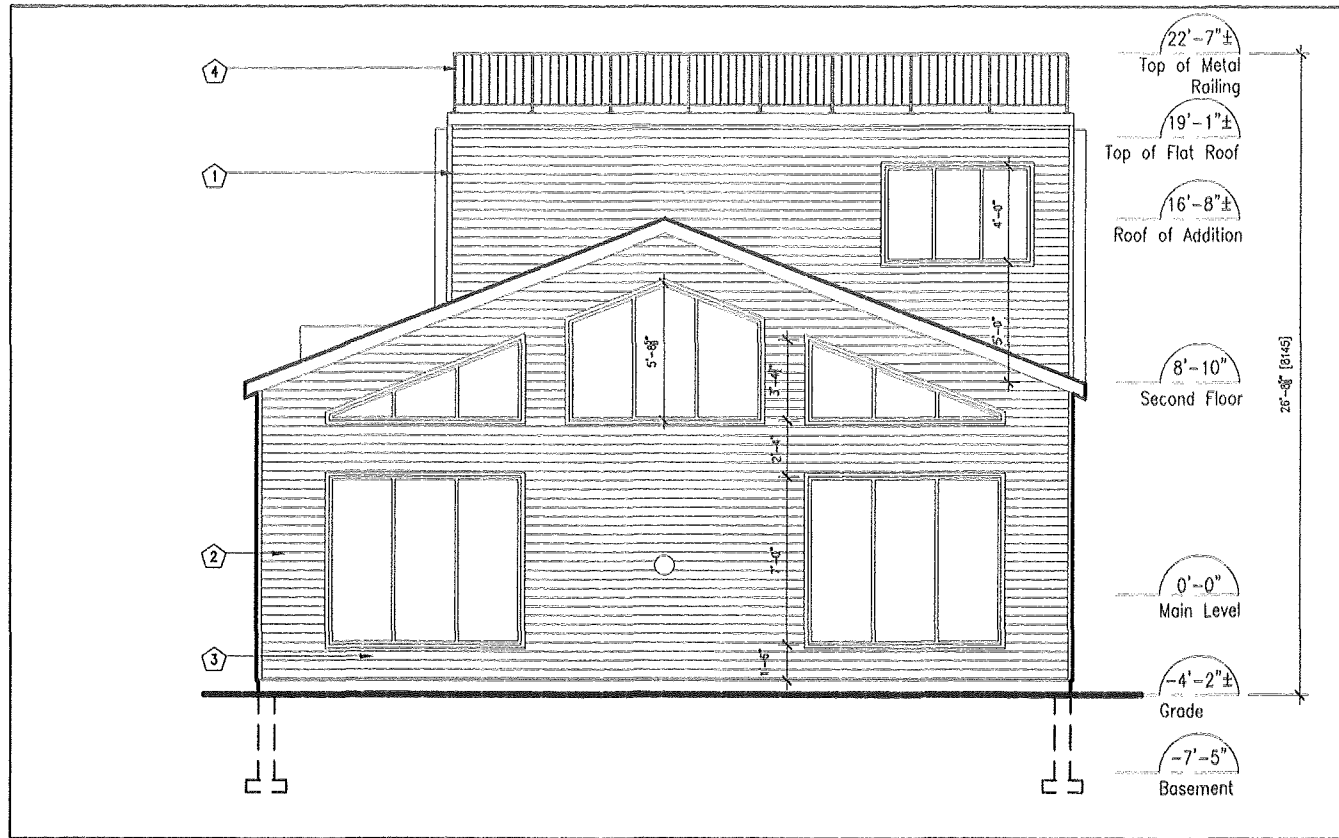
DATE:  
AS NOTED



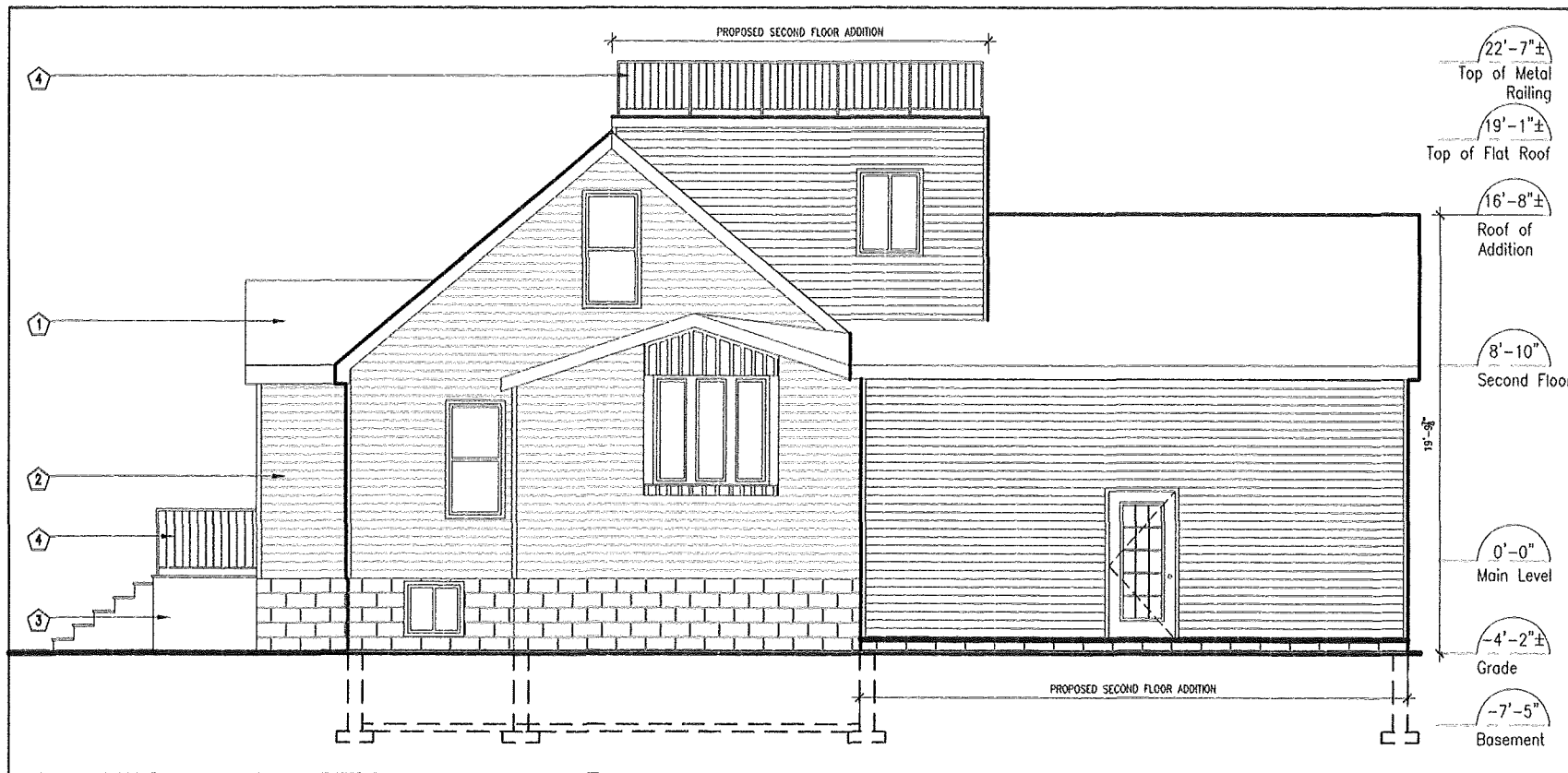
SP1.1

PROJECT - SITE AND ZONING DATA			
1.	USE	SINGLE FAMILY DWELLING UNIT	
2.	MUNICIPAL ADDRESS	173 CRAIGROYSTON ROAD, HAMILTON	
3.	LEGAL DESCRIPTION	PART OF LOT 208 - REGISTERED PLAN 569 IN THE CITY OF HAMILTON	
4.	OWNER	CHAD DAVID	
5.	ZONING	C	
6.	FRONTAGE	12.19 m (EXISTING)	
7.	LOT AREA	355.61 m2 (EXISTING)	
8.	BUILDING AREA	68.32 m2 (EXISTING) 69.74 m2 (PROPOSED NEW ADDITION) 138.06 m2 (PROPOSED TOTAL AREA)	
9.	LOT COVERAGE	EXISTING	21.5%
		PROVIDED	28.7%
10.	NUMBER OF STOREYS	2 STOREYS MAXIMUM	1 1/2 STOREYS
11.	TOTAL FLOOR AREA (m2)	EXISTING	PROPOSED
	MAIN FLOOR	68.32 m2	144.38 m2
	SECOND FLOOR	34.89 m2	58.68 m2
	BASEMENT FLOOR FINISHED AREA	48.50 m2	48.50 m2
	TOTAL	151.71 m2	251.56 m2

PROJECT - SITE AND ZONING DATA (CONTINUED)			
12.	YARD REQUIREMENTS	REQUIRED	PROVIDED
	FRONT (LANDSCAPED)	6.0 m	5.29 m (EXISTING)
	REAR	50%	52%
	NORTH SIDEYARD	7.5 m	8.15 m
	SOUTH SIDEYARD	1.2 m	0.46 m (EXISTING) 0.41 m PROPOSED
13.	BUILDING HEIGH REQ'TS	REQUIRED	PROVIDED
	PEAK HEIGHT	11.0 m	7.04 m
14.	PARKING REQUIREMENTS	REQUIRED	PROVIDED
		2	2

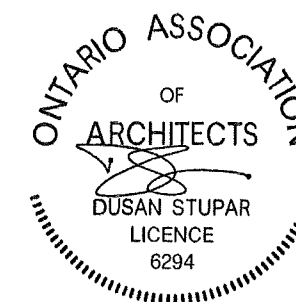


1 EAST (REAR) ELEVATION  
 A2.2 SCALE 1/8"=1'-0"



2 SOUTH ELEVATION  
 A2.2 SCALE 1/8"=1'-0"

ELEVATION LEGEND	
①	ASPHALT SHINGLE
②	VINYL SIDING
③	CONCRETE BLOCK
④	METAL RAILING



The architect noted above has exercised responsible control with respect to design activities. The architect's seal number is the architect's BCDN.

NO	ISSUED / REVISIONS	DATE DD/MM/YY
2	MINOR VARIANCE APPLICATION	19/02/22
1	DRAFT FOR REVIEW	25/01/22

PROJECT:  
 ADDITION  
 173 CRAIGROYSTON,  
 HAMILTON, ON

TITLE:  
 EAST AND SOUTH ELEVATIONS

**Plethovalent Architecture**  
 5-534 Concession St.  
 Hamilton, Ontario  
 L 8 V 1 A 6  
 t: 905 389 1030  
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PROJECT No:  
 2021-147

SCALE:  
 AS NOTED

DRAWN BY:  
 DS

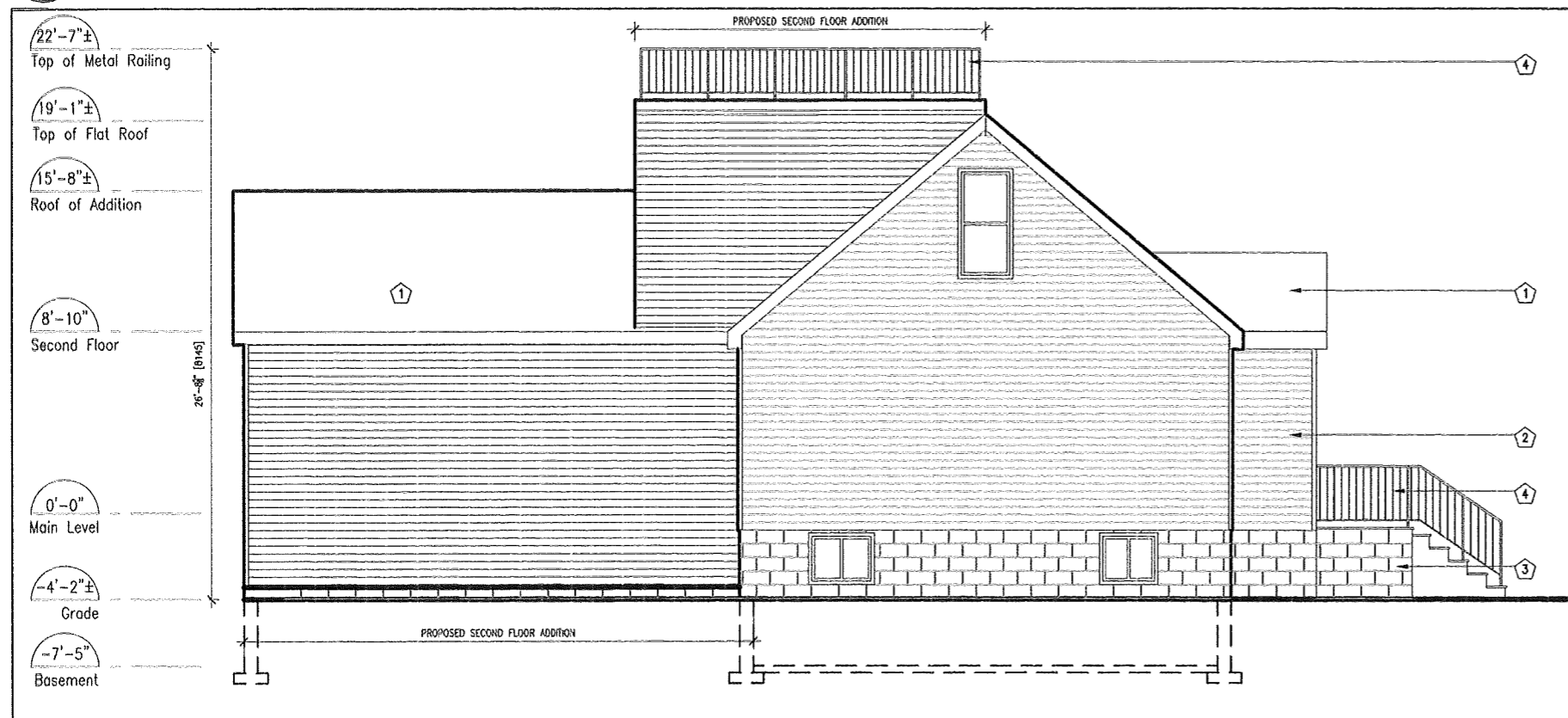
CHK'D BY:

DATE:  
 AS NOTED

A2.2



1 WEST (FRONT) ELEVATION  
A2.1 SCALE 1/8"=1'-0"



2 NORTH ELEVATION  
A2.1 SCALE 1/8"=1'-0"

ELEVATION LEGEND	
①	ASPHALT SHINGLE
②	VINYL SIDING
③	CONCRETE BLOCK
④	METAL RAILING



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NO	ISSUED / REVISIONS	DATE DD/MM/YY
2	MINOR VARIANCE APPLICATION	19/02/22
1	DRAFT FOR REVIEW	25/01/22

PROJECT:  
ADDITION  
173 CRAIGROYSTON,  
HAMILTON, ON

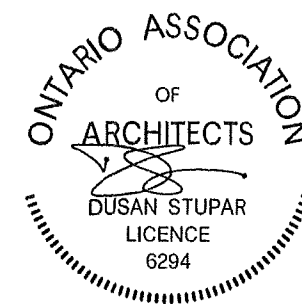
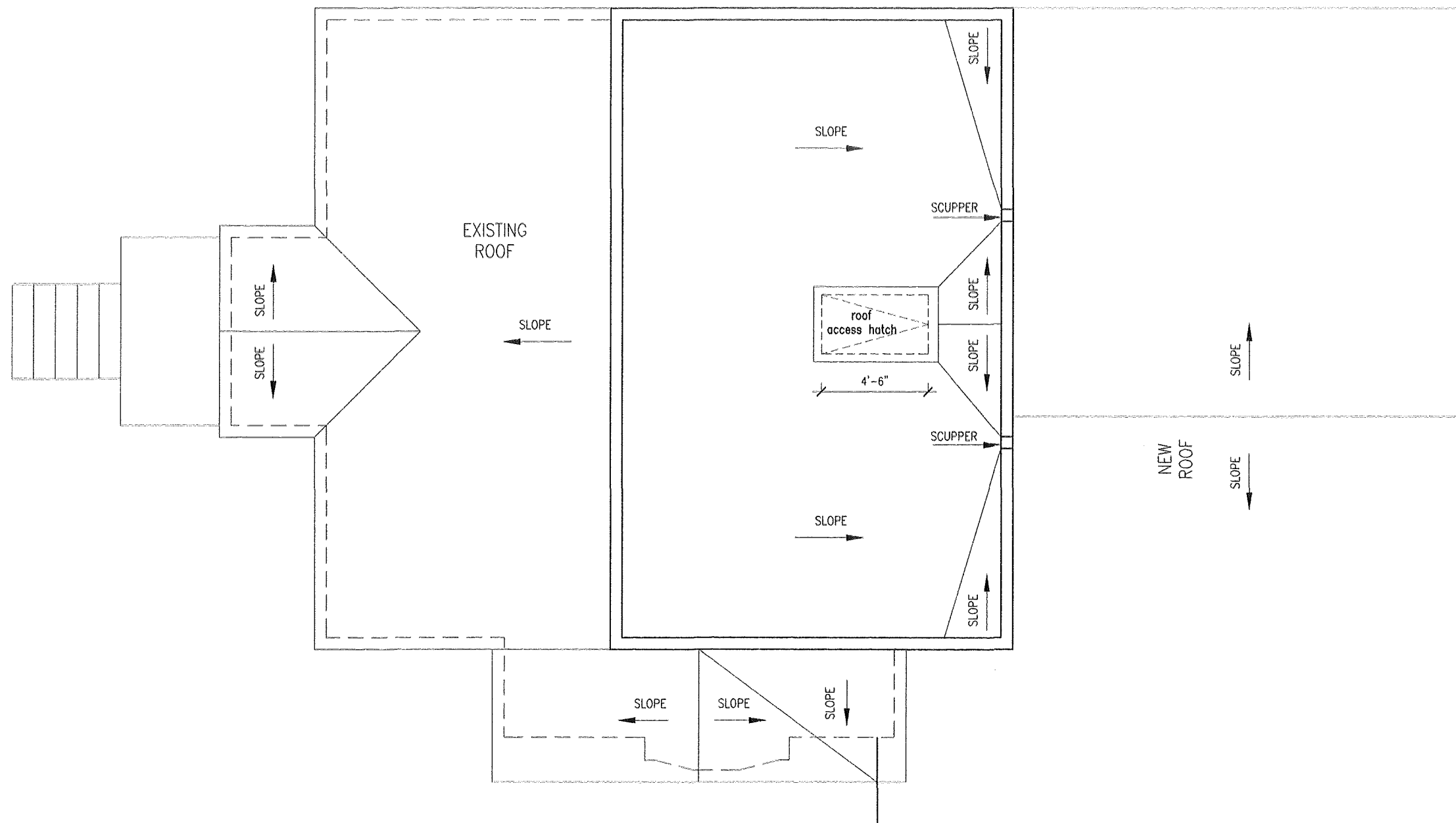
TITLE:  
WEST & NORTH ELEVATIONS

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Hamilton, Ontario  
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PROJECT No: 2021-147	A2.1
SCALE: AS NOTED	
DRAWN BY: DS	A2.1
CHK'D BY:	
DATE: AS NOTED	



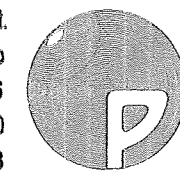
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2	MINOR VARIANCE APPLICATION	19/02/22
1	DRAFT FOR REVIEW	25/01/22
NO	ISSUED / REVISIONS	DATE DD/MM/YY

PROJECT:  
 ADDITION  
 173 CRAIGROYSTON,  
 HAMILTON, ON

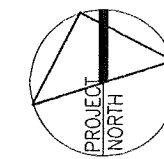
TITLE:  
 SECOND FLOOR PLAN

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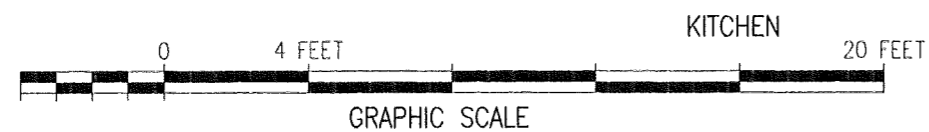
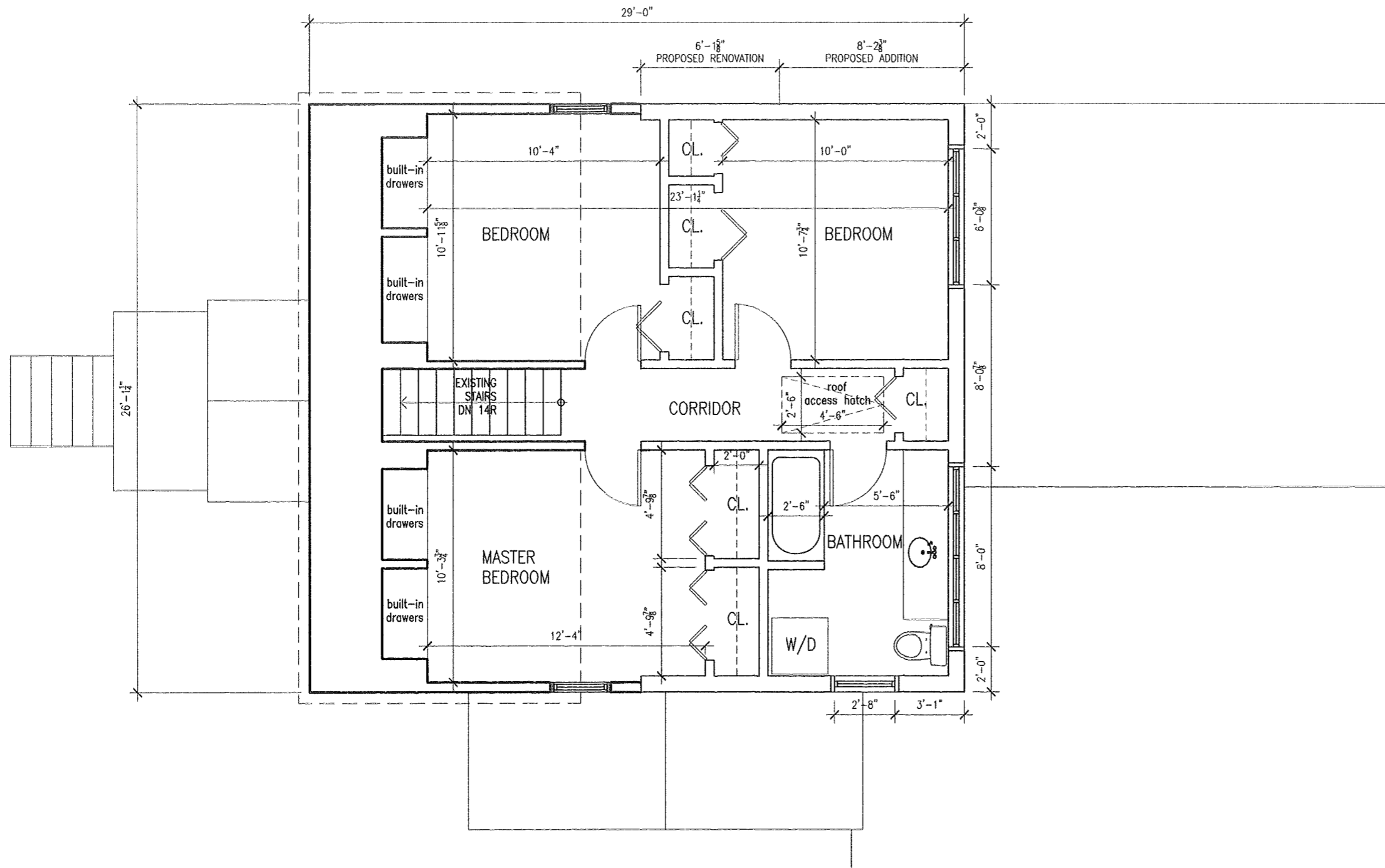
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 This drawing shall not be used for construction purposes unless countersigned by: Dusan Stupar, Architect

PROJECT No:  
 2021-147  
 SCALE:  
 3/16"=1'-0"  
 DRAWN BY:  
 DS



CHK'D BY:  
 DATE:  
 AS NOTED

**A1.4**



The architect noted above has exercised responsible control with respect to design activities. The architect's seal number is the architect's BCDN.

2	MINOR VARIANCE APPLICATION	19/02/22
1	DRAFT FOR REVIEW	25/01/22
NO	ISSUED / REVISIONS	DATE DD/MM/YY

PROJECT:  
**ADDITION**  
 173 CRAIGROYSTON,  
 HAMILTON, ON

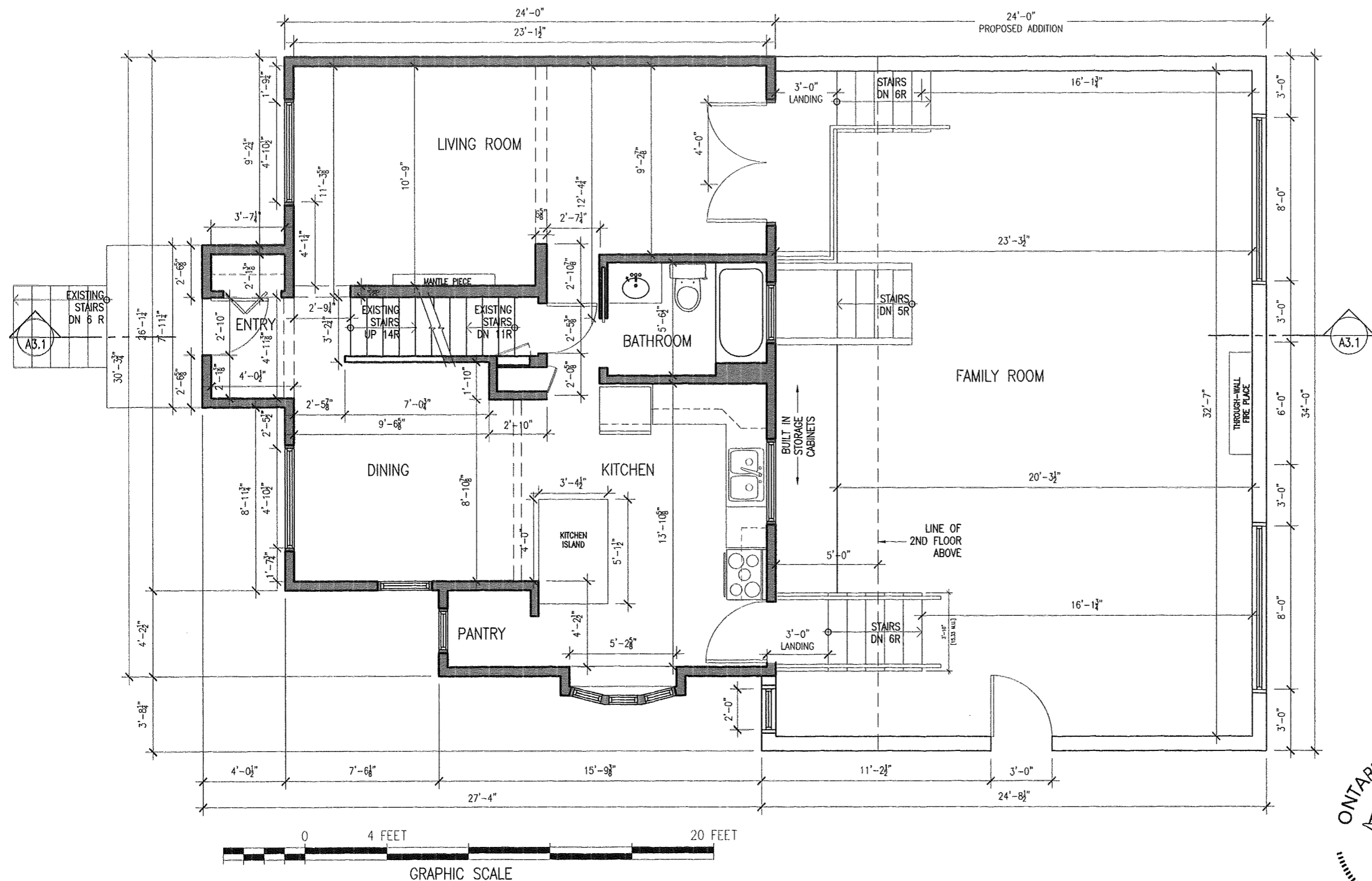
TITLE:  
**SECOND FLOOR PLAN**

**Plethovalent Architecture**  
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PROJECT No: 2021-147	
SCALE: 3/16"=1'-0"	
DRAWN BY: DS	<b>A1.3</b>
CHK'D BY:	
DATE: AS NOTED	





2	MINOR VARIANCE APPLICATION	19/02/22
1	DRAFT FOR REVIEW	25/01/22
NO	ISSUED / REVISIONS	DATE DD/MM/YY

PROJECT:  
**ADDITION**  
 173 CRAIGROYSTON,  
 HAMILTON, ON

TITLE:  
**MAIN LEVEL PLAN**

**Plethovalent Architecture**  
 5-534 Concession St.  
 Hamilton, Ontario  
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 f: 888 432 8203

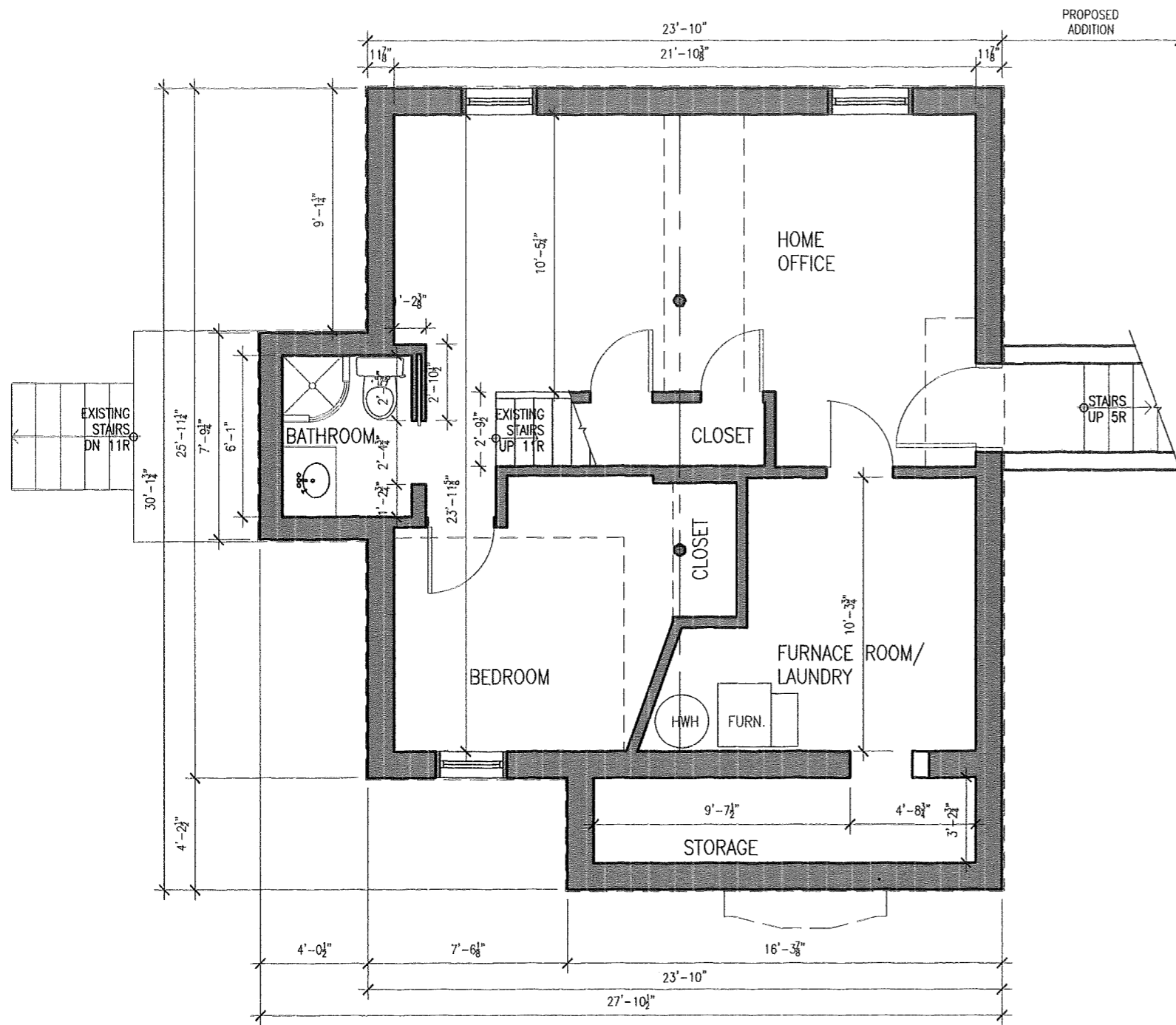
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PROJECT No: 2021-147	
SCALE: 3/16"=1'-0"	
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CHK'D BY:	
DATE: AS NOTED	





2022-02-19 6:15:02 PM

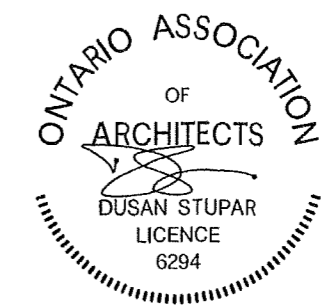
2	MINOR VARIANCE APPLICATION	19/02/22
1	DRAFT FOR REVIEW	25/01/22
NO	ISSUED / REVISIONS	DATE DD/MM/YY

PROJECT:  
**ADDITION**  
 173 CRAIGROYSTON,  
 HAMILTON, ON

TITLE:  
**BASEMENT PLAN**

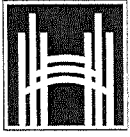
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PROJECT No: 2021-147	
SCALE: 3/16"=1'-0"	
DRAWN BY: DS	<h1>A1.1</h1>
CHK'D BY:	
DATE: AS NOTED	



Hamilton

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)		
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:

Alyshia Tomlinson
-------------------

**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:

Proposed addition to provide 0.4 m northerly side yard setback instead of the 1.2 m required.

Second Dwelling Unit                       Reconstruction of Existing Dwelling

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

Property was established prior to the existing by-law. The proposed addition aligns with the existing dwelling along the north facade.

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**):

LT 208, PL 569  
173 Craigroyston Road

7. PREVIOUS USE OF PROPERTY

Residential                       Industrial                       Commercial

Agricultural                       Vacant

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?

Best to my knowledge.

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.

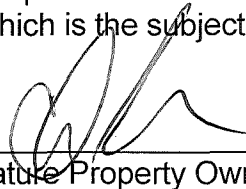
Is the previous use inventory attached? Yes  No

### 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.

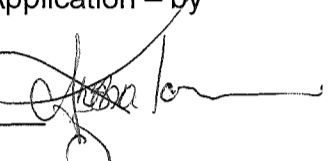
February 19, 2022

Date

  
Signature Property Owner(s)

Robert Chad Tomlinson

Print Name of Owner(s)



Alycia Tomlinson

10. Dimensions of lands affected:

Frontage 12.192 m

Depth 29.184 m

Area 355.61 m<sup>2</sup>

Width of street 20.116 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: \_

Single Family Dwelling:

Ground Floor Area: 68.32 m<sup>2</sup>, Gross Floor Area: 151.71 m<sup>2</sup>,

Number of Stories: 1 1/2, Width: 9.22 m, Length: 8.55 m, Height: 7.08 m

Proposed

Single Family Dwelling:

Ground Floor Area: 144.38 m<sup>2</sup>, Gross Floor Area: 251.56 m<sup>2</sup>,

Number of Stories: 1 1/2, Width: 10.36 m, Length: 15.86 m, Height: 8.15 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:

Single Family Dwelling:

Distance from north side lot line: 0.46 m, distance from south side lot line: 2.45 m,

distance from rear lot line: 15.19 m, distance from front lot line: 5.29 m

Proposed:

Single Family Dwelling:

Distance from north side lot line: 0.41 m, distance from south side lot line: 1.36 m,

distance from rear lot line: 7.87 m, distance from front lot line: 5.29 m

13. Date of acquisition of subject lands:  
Feb. 2015
14. Date of construction of all buildings and structures on subject lands:  
Approximately 100 years
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
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:  
since original construction
18. Municipal services available: (check the appropriate space or spaces)  
 Water Yes Connected Yes  
 Sanitary Sewer Yes Connected Yes  
 Storm Sewers \_\_\_\_\_
19. Present Official Plan/Secondary Plan provisions applying to the land:  
Urban
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
Hamilton Zoning By-law 6593 - Former City of Hamilton
21. Has the owner previously applied for relief in respect of the subject property? (Zoning By-law Amendment or Minor Variance)  
 Yes  No  
 If yes, please provide the file number:  
\_\_\_\_\_
- 21.1 If a site-specific zoning by-law amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?  
 Yes  No
- 21.2 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.
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 (please include separate sheet if needed)  
\_\_\_\_\_
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.