



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-22:98

APPLICANTS: Owners M. & A. Almeida

SUBJECT PROPERTY: Municipal address **229 Carlisle Rd., Flamborough**

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

ZONING: "S1" (Settlement Residential) district

PROPOSAL: To permit the construction of an accessory building (pavilion) in the rear yard of the existing single detached dwelling notwithstanding that;

1. A maximum building height of 4.9m shall be permitted instead of the maximum 4.5m building height permitted for accessory buildings.

Note: No elevation plans were provided from which to determine if the requested variance is correct. Therefore, further variances may be required.

Please note that rooftop amenity areas are prohibited.

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

DATE: Thursday, May 12th, 2022

TIME: 3:20 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: April 26th, 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.

PLAN OF
 PART OF LOT 8
 CONCESSION 9
 FORMERLY THE GEOGRAPHIC TOWNSHIP OF EAST F
 NOW IN THE

CITY OF HAMILTON

SCALE 1:200



GRAPHIC SCALE

CUNNINGHAM McCONNELL LIMITED

ONTARIO LAND SURVEYORS

METRIC NOTE

ALL DISTANCES SHOWN HEREON ARE IN METRES AND BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

LEGEND

■	DENOTES SURVEY MONUMENT FOUND
□	" SURVEY MONUMENT SET
SIB	" STANDARD IRON BAR
SSIB	" SHORT STANDARD IRON BAR
IB	" IRON BAR
IP	" IRON PIPE
NI	" NO IDENTIFICATION
950	" CUNNINGHAM McCONNELL LIMITED
PIN	" PROPERTY IDENTIFIER NUMBER
PIN	" PROPERTY IDENTIFIER NUMBER
NI	" NO IDENTIFICATION
950	" CUNNINGHAM McCONNELL LIMITED
PIN	" PROPERTY IDENTIFIER NUMBER
717	" J.J. KISWAY O.L.S.
1254	" R.E. CLIPSHAM
JDB	" J.D. BARNES O.L.S.
⊙	" ROUND
Y	" YATES & YATES LIMITED O.L.S.
FNDN	" FOUNDATION
P1	" PLAY BY YATES & YATES LIMITED O.L.S. DATE
P2	" REGISTERED PLAN 62M-716
P3	" PLAN 62R-9706
P4	" PLAN 62R-14252
P5	" PLAN 62R-10922
C1	" CALCULATED FROM P1 & P2
D1	" INST. NO. WE179248

BEARING NOTE

ALL BEARINGS SHOWN HEREON ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHWEST LIMIT OF CARLISLE ROAD HAVING A BEARING OF N 46°43'00"E IN ACCORDANCE WITH PLAN 62R-10922.

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 LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON JUNE 22, 2007.

DATE: JUNE 22, 2007

Thomas J. Packowski
 THOMAS J. PACKOWSKI
 ONTARIO LAND SURVEYOR

CLIENT NOTE

THIS REPORT WAS PREPARED FOR S. & T. SPITTLES AND THEIR SOLICITOR AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

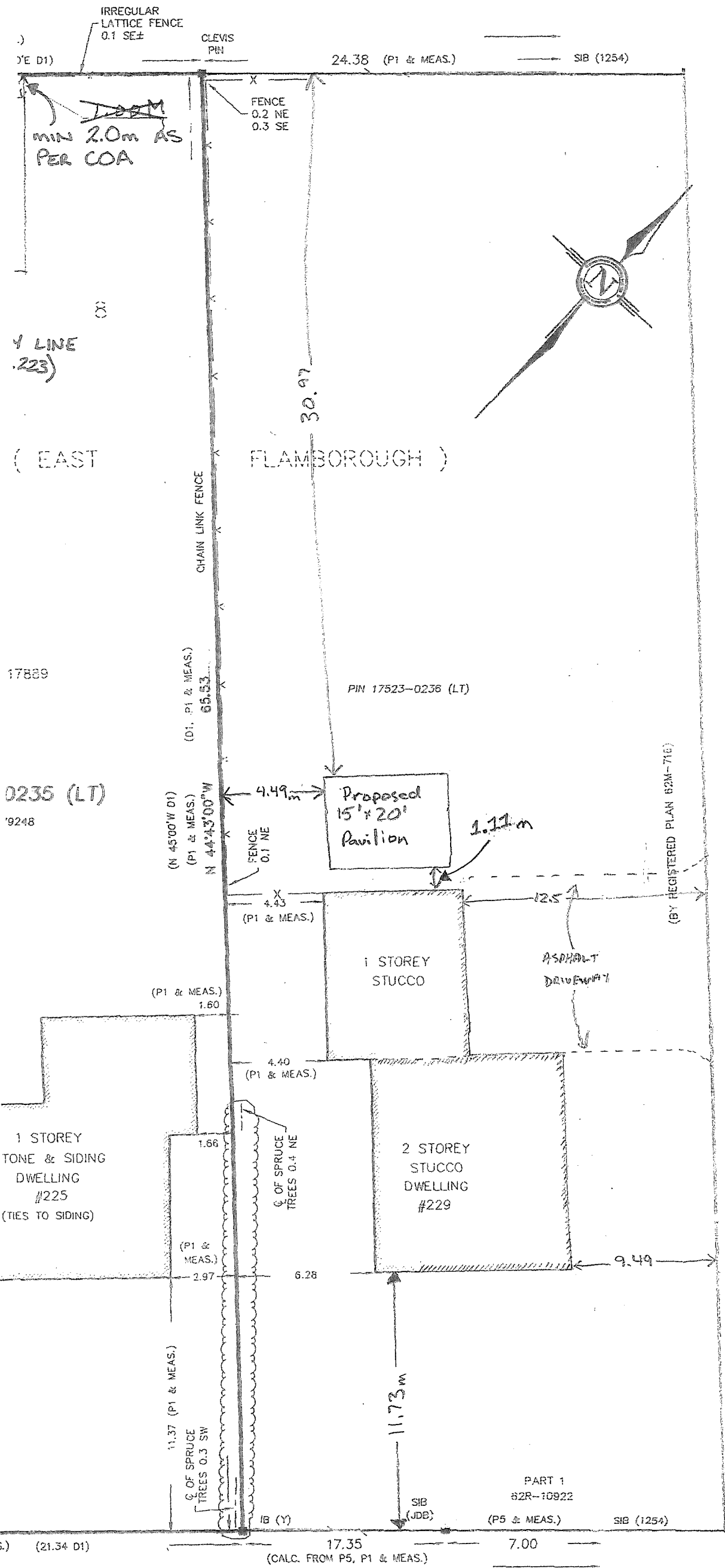
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CUNNINGHAM McCONNELL LIMITED
 ONTARIO LAND SURVEYORS

205 MAIN STREET MILTON, ONTARIO L9T 1N7
 PHONE (905) 878-6672
 FAX (905) 878-6672
 EMAIL ADDRESS: fgcmil@globalserve.net
 O.L.S. FILE # 08-3757

1200 SPEERS ROAD OAKVILLE, ONTARIO
 PHONE (905) 878-6672
 FAX (905) 878-6672
 EMAIL ADDRESS: cml@globalserve.net
 CLIENT: N.



13°00'E REFERENCE BEARING
 CONCESSIONS 8 & 9 (EAST FLAMBOROUGH) PIN 17523-0332 (LT)
 CARLISLE ROAD REGIONAL ROAD NO. 36



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 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:

RBC Royal Bank 304 Dundas St. E. Waterdown, Ont.
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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 structure (pavilion)

Second Dwelling Unit Reconstruction of Existing Dwelling

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

proposed is a building height of 4.9m, however a maximum of 4.5m is allowed in an S1 zone of the OS-200 bylaw

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**):

229 Carlisle Rd
CON 9 PT LOT 8 FE FLM
REG

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

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 Unknown

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

It's all residential around property

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.

 , 2022
Date

Signature Property Owner(s)

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 80 feet
Depth 215 feet
Area 0.40 Acres
Width of street

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:

2 storey house, approx 1800 sqft, with attached garage approx 600 sqft. Uses up approx 1500 sqft of area on property. House/garage approx 56' x 35'

Proposed

Accessory structure (pavilion) 15' x 20'

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

Existing:

*South side - 38' 6"
North side - 120' 3"
West side (rear) - 14'
East side (front) - 31' 2"*

Proposed:

*South side - 98' 5"
North side - 101' 7"
West side (rear) - 14' 9"
East side (front) - 50' 3"*

13. Date of acquisition of subject lands:
July 31, 2001
14. Date of construction of all buildings and structures on subject lands:
1956 approx.
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Single family residential
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Single family residential
17. Length of time the existing uses of the subject property have continued:
66 years approx (since house was built)
18. Municipal services available: (check the appropriate space or spaces)
 Water Connected _____
 Sanitary Sewer _____ Connected _____
 Storm Sewers _____
19. Present Official Plan/Secondary Plan provisions applying to the land:
Settlement residential
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
S1 zone bylaw 05-200
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.