



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.: DN/A-22:107

APPLICANTS: Agent J. Mancini
Owner V. Garrick

SUBJECT PROPERTY: Municipal address **208 Governor's Rd., Dundas**

ZONING BY-LAW: Zoning By-law 3581-86, as Amended

ZONING: "R1" (Single-Detached Residential) Zone

PROPOSAL: To permit the construction of secondary dwelling unit – detached in the rear yard of a residential parcel of land containing an existing single-detached dwelling, notwithstanding that:

1. A maximum height of 8.10 metres shall be permitted, instead of the maximum permitted height of 6.0 metres.
2. The accessibility to the two (2) rear parking spaces may be obstructed by another vehicle whereas the By-law requires all parking spaces be designed and located such that all vehicles using such spaces can be parked and manoeuvred without moving any other vehicle.
3. The front yard landscaped area shall be a minimum of 41.0% the gross area of the front yard instead of the minimum 50.0% required front yard landscaped area.

NOTE:

1. Please note that as per Section 6.31.1(ii)(a), an eave or gutter of a Secondary Dwelling Unit – Detached, may encroach into any required yard to a maximum of 0.45 metres. Insufficient information has been submitted to confirm zoning compliance. Additional variances may be required if compliance with Section 6.31.1(ii)(a) is not possible.
2. The submitted Site Plan indicates a minimum rear yard of 3.3 metres and an interior westerly side yard greater than the required 1.2 metres for the proposed Secondary Dwelling Unit - Detached. However, a 1.2 metre area that is unobstructed and which does not contain structures, walkways, sidewalks, hard surfaced material and landscaping other than sod or ground cover, as required by Section 6.31.1(ii)(b) and (c) has not been indicated to confirm zoning compliance. Additional variances may be required if compliance with Section 6.31.1(ii)(b) and (c) is not possible.
3. Please note that as per Section 6.31.1(ii)(f) a minimum setback from a Swale, Ditch or Drainage Management System measured from the upper most interior edge of the swale's slope of 1.0 metres shall be provided and maintained. Insufficient information has been provided to determine zoning compliance. Additional variances may be required if compliance with Section 6.31.1(ii)(f) is not possible.
4. Please note that as per Section 6.31.1(ii)(l), an unobstructed path with a minimum 1.0 metre width and minimum 2.1 metres clearance from a Front Lot Line or a Flankage Lot Line to the entrance

of the Secondary Dwelling Unit – Detached is required to be provided and maintained. Insufficient information has been provided to confirm zoning compliance. Additional variances may be required if compliance with Section 6.31.1(ii)(l) is not possible

5. Please note that as per Section 7.3.2(i), the required minimum width of an access driveway is 2.8 metres. The width of the narrowest portion of the driveway has not been indicated to confirm zoning compliance. Additional variances may be required if compliance with Section 7.3.2(i) is not possible.

6. Please note that as per Section 6.11.3, the front yard of residential buildings shall have a minimum of 50% landscaped area. The submitted Site Plan indicates that 41.57% of the front yard is to be landscaped area, however, this does not appear to be the area of the “Front yard” as defined in Dundas Zoning By-law No.3581-86. Therefore, the variance has been written as requested by the applicant.

7. A building permit is required for the construction of the secondary dwelling unit - detached. Be advised that Ontario Building Code regulations may require specific setback and construction types.

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

DATE: Thursday, May 12th, 2022
TIME: 3:30 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

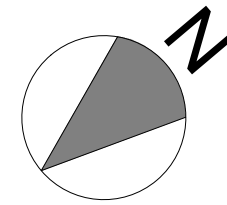
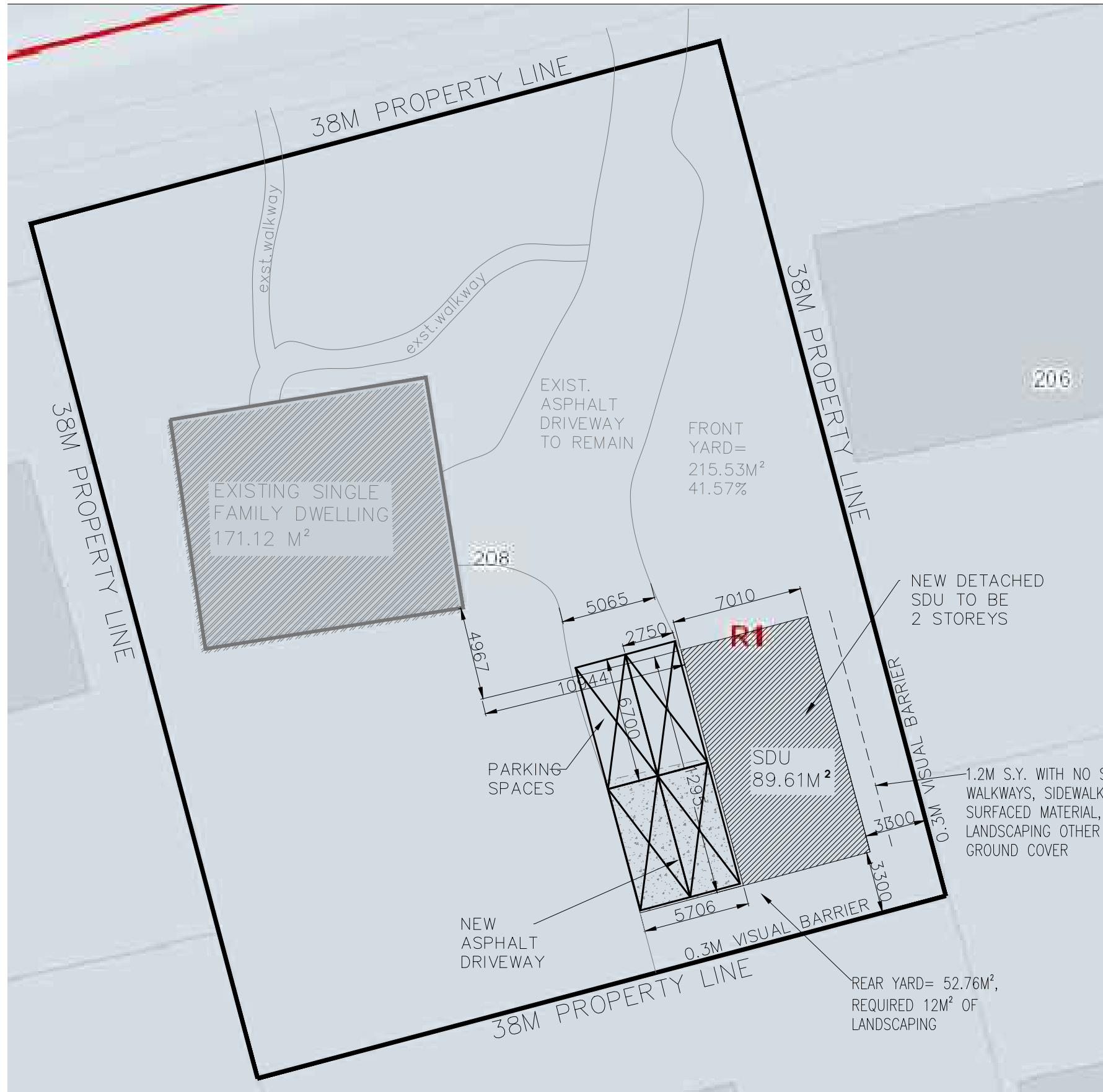
For more information on this matter, including access to drawings illustrating this request:

- 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.



NOTE:
ALL DIMENSIONS SHOWN IN METERS UNLESS NOTED OTHERWISE

ZONING CODE = R1

ZONING DESCRIPTION= "Single Detached Residential"(R1) in Former Town of Dundas Zoning By-law 3581-86

SITE AREA: 1800 M²

SETBACK FROM SIDE LOT LINE Minimum 1.2 metres (3.3m proposed-OK)

SETBACK FROM REAR LOT LINE Minimum 1.2 metres (3.3m proposed-OK)

LOT COVERAGE= 4.97% (89.61/1800)

GROSS FLOOR AREA= 67.31M²

HEIGHT
Maximum 6.0 metres

MANCO ARCHITECTURAL DESIGN
 Phone | 905-537-9578
 Email | julia@mancoarchitectural.com
 Website | www.mancoarchitectural.com

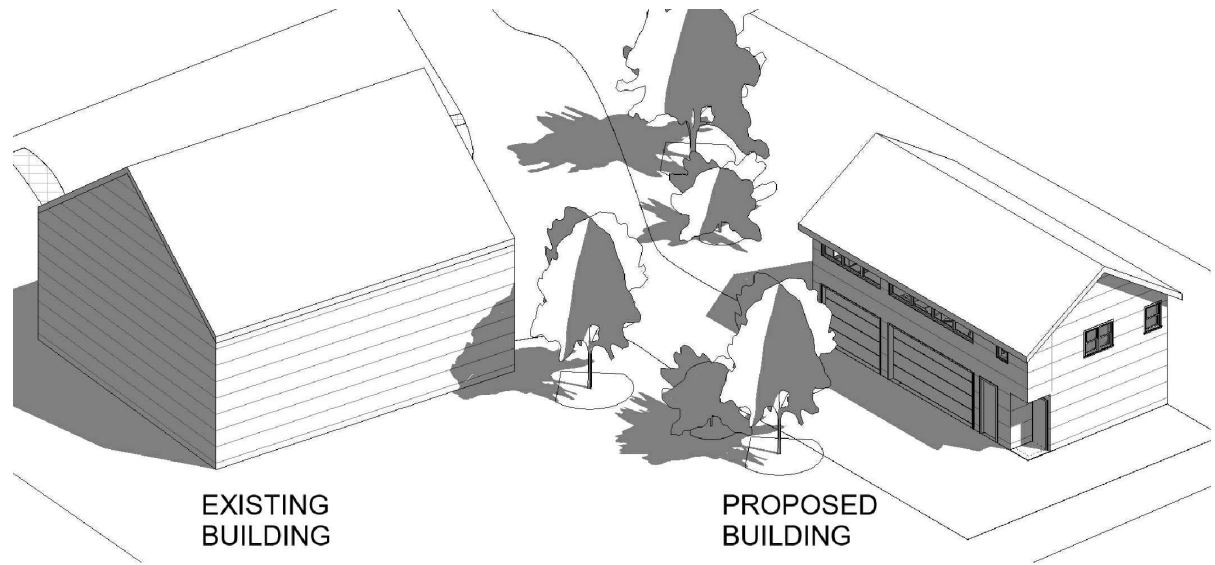
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DATE	TYPE
22-04-19	PERMIT SET

**208 GOVERNORS RD.
HAMILTON, ON**

DRAWN BY: JM
 PLOT DATE: 2022-04-19

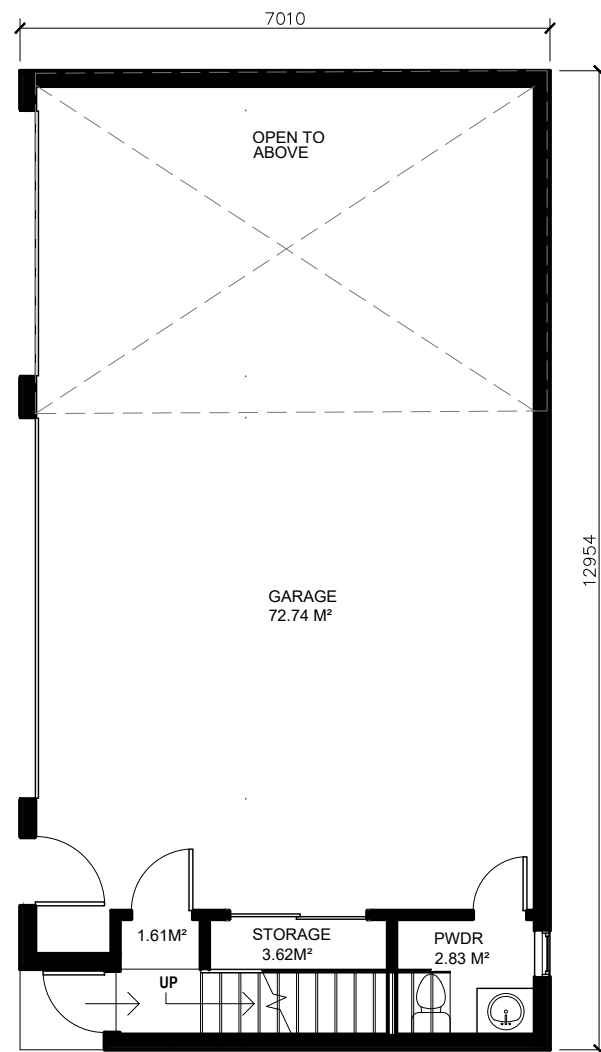
PAGE
SITE PLAN

SP1.01

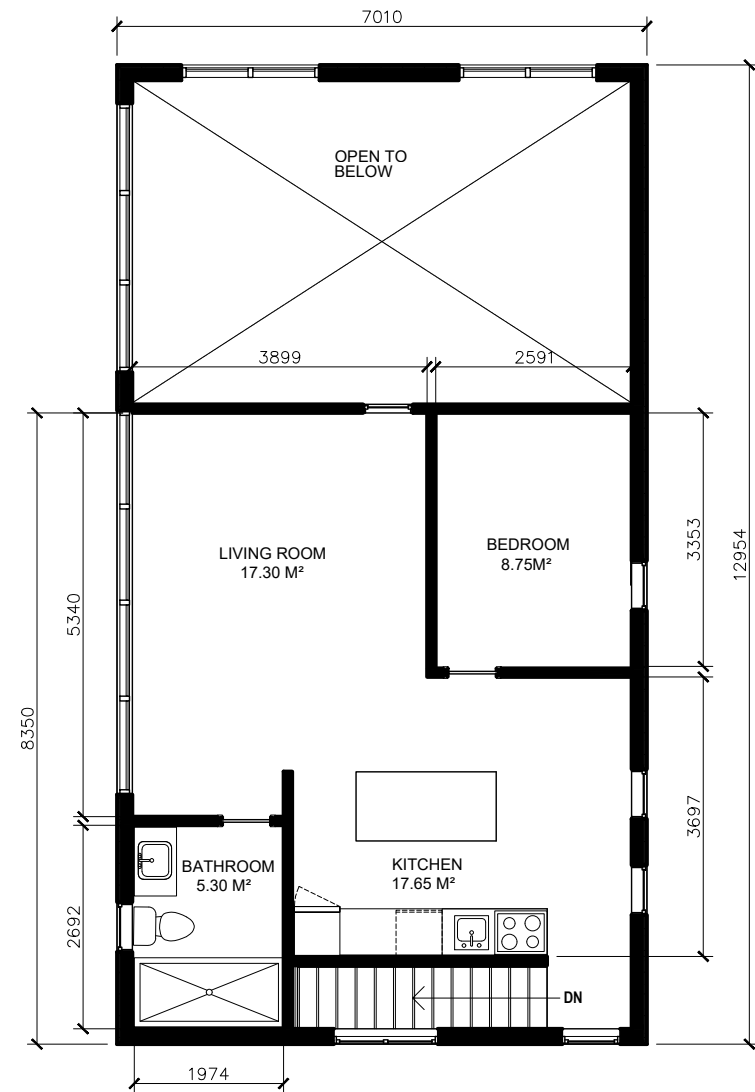


EXISTING BUILDING

PROPOSED BUILDING



MAIN FLOOR=89.61 M²
(8.06M² GFA)



2ND FLOOR= 89.61 M²
(59.25 M² GFA)

MANCO ARCHITECTURAL DESIGN
 Phone | 905-537-9578
 Email | julia@mancoarchitectural.com
 Website | www.mancoarchitectural.com

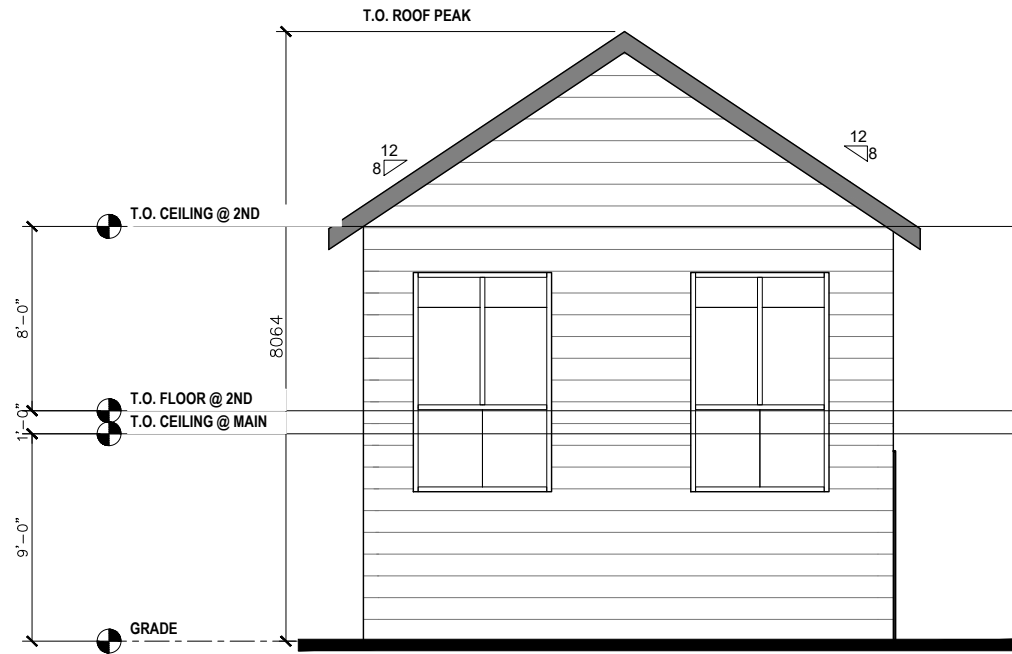
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**208 GOVERNORS RD.
HAMILTON, ON**

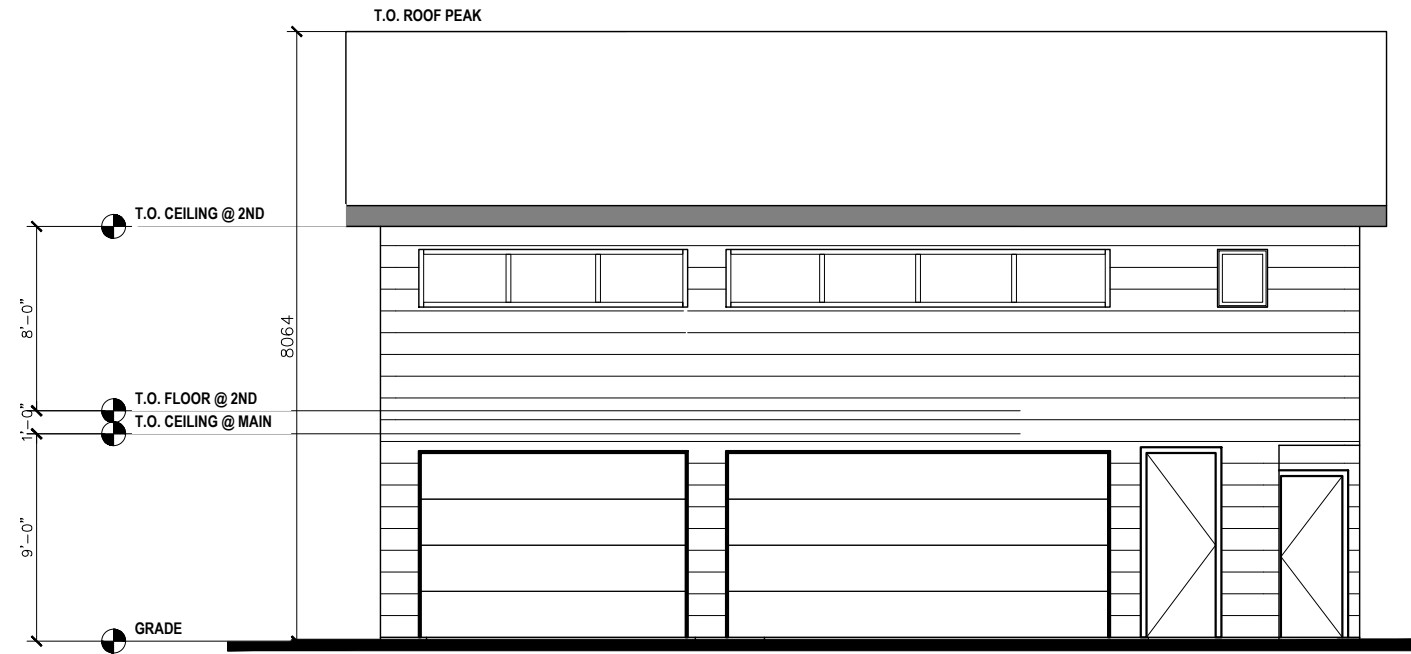
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ZONING PLANS

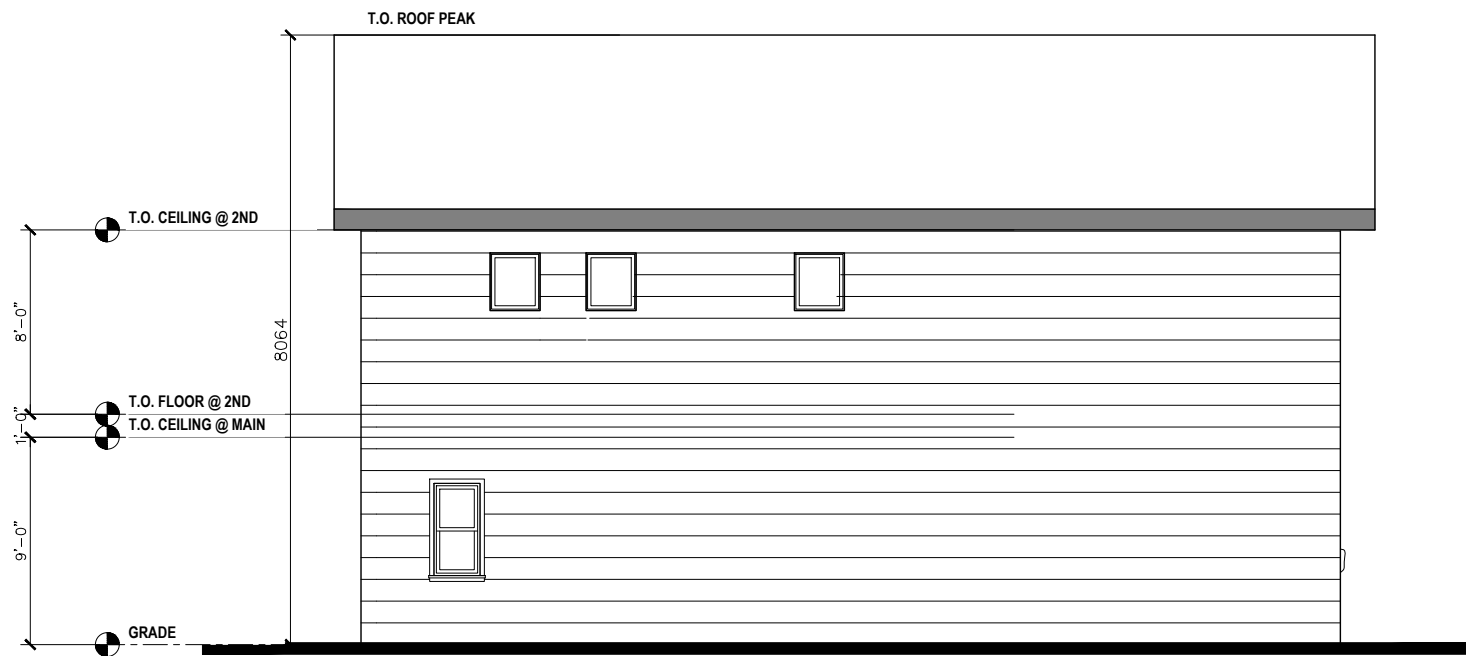
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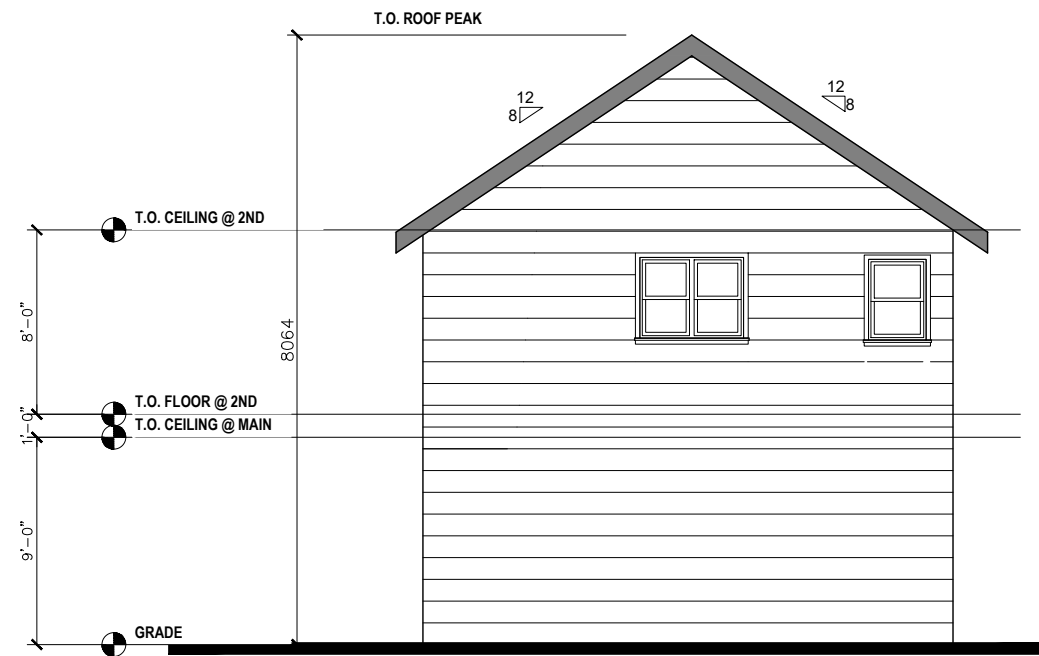
FRONT ELEVATION



SIDE ELEVATION



SIDE ELEVATION



REAR ELEVATION

MANCO ARCHITECTURAL DESIGN
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DRAWING SUBMISSIONS	
DATE	TYPE
22-04-19	PERMIT SET

208 GOVERNORS RD.
 HAMILTON, ON

DRAWN BY: JM
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PAGE
 ELEVATIONS

A1.02



Hamilton

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.

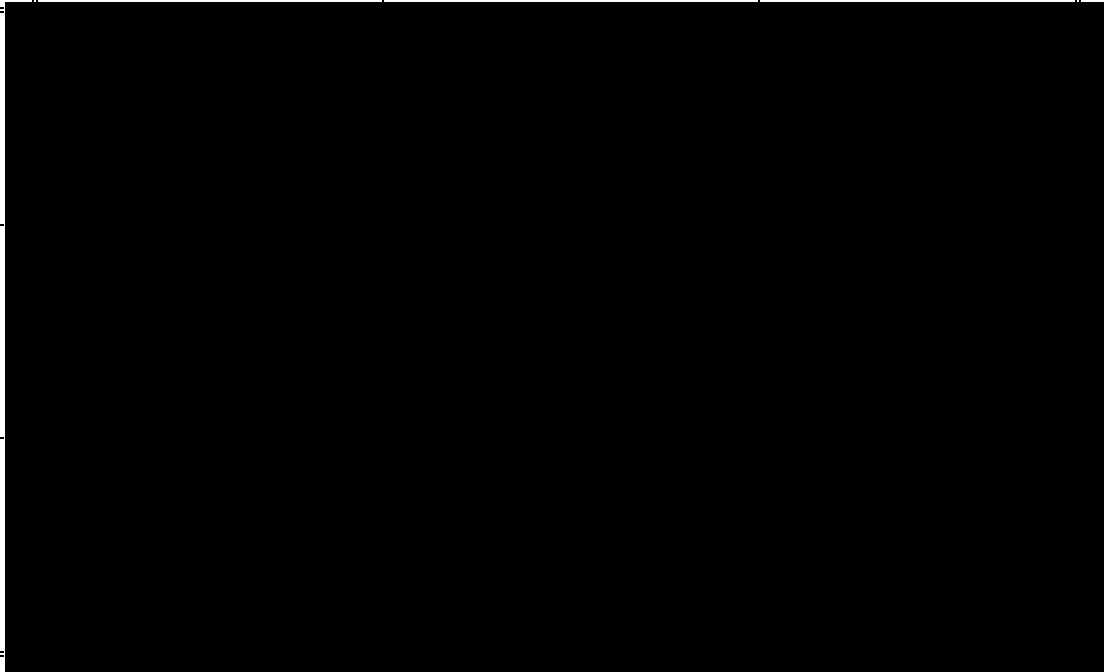
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	NAME	MAILING ADDRESS	
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Registered Owners(s)

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:

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:

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

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**):

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?

PROPERTY RESEARCH, CLIENT ,

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.

_____ Date

_____ Signature Property Owner(s)

_____ Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage _____

Depth _____

Area _____

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: _

Proposed

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

Existing:

Proposed:

13. Date of acquisition of subject lands:
-
14. Date of construction of all buildings and structures on subject lands:
-
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:
UNKNOWN
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:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Dundas Zoning By-law 3581-86
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.