

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-22:229	SUBJECT PROPERTY:	3 HAINES AVENUE, FLAMBOROUGH
ZONE:	"S1" (Settlement Residential)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended 15-173

APPLICANTS: Owner – Ryan Clewlow & Leanna Ardron

The following variances are requested:

1. A minimum front yard of 4.90 metres shall be permitted, instead of the required minimum front yard of 7.5 metres.
2. A minimum northerly side yard width of 1.2 metres shall be permitted, instead of the required minimum side yard width of 3.0 metres.

PURPOSE & EFFECT: To permit the construction of a one-storey addition and new covered porch to the front of the existing single-family dwelling on a residential parcel of land, notwithstanding:

Notes:

1. Please note that detailed Elevation Drawings were not submitted to confirm the height of the proposed building addition. As per Section 12.3.3(f), a maximum building height of 12.5 metres is permitted. Additional variances may be required if compliance with Section 12.3.3(f) cannot be achieved.
2. Please note that the projection of eaves/troughs have not been indicated on the submitted Site Plan to confirm compliance with Section 4.6(a). Should the variances be approved to permit a reduced front yard and a reduced northerly side yard, eaves/troughs shall project no more than 0.6 metres into the required yard, or to a maximum of half the distance of the required yard, whichever is the lesser. Additional variances may be required if compliance with Section 4.6(a) cannot be achieved.
3. Please note that specific details regarding parking on the lot have not been indicated on the submitted Site Plan to confirm compliance with Section 5: Parking. Please note that as per Section

5.6(c)(vii), a minimum of one (1) parking space is required for a Single Detached Dwelling. It appears that a minimum of one (1) parking space can be accommodated in the proposed attached garage; however, additional variances may be required if compliance with other requirements of Section 5: Parking cannot be achieved.

Further, please note that as per Section 5.1(b)(ii), on a lot containing a single detached dwelling, semi-detached dwelling or duplex dwelling in all zones, no parking spaces shall be permitted in a required front yard or required flankage yard except as otherwise permitted for single detached, semi-detached or duplex dwellings.

Finally, please note that as per Section 5.2(b)(iv) the length of each parking space in an attached garage of a dwelling unit shall be increased by an equivalent length of the step, steps or stairwell that extends into the parking space. As per Section 5.2(b)(v), notwithstanding Subsection iv), an open stairway may project into the length of the required parking space not more than 0.75 metres provided the height of the stairway does not exceed 0.5 metres.

4. Construction of the proposed addition is subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setbacks and construction types.

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Thursday, August 11, 2022
TIME:	3:20 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

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, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.



DATED: July 26, 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, and may include posting electronic versions.

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comment packages are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

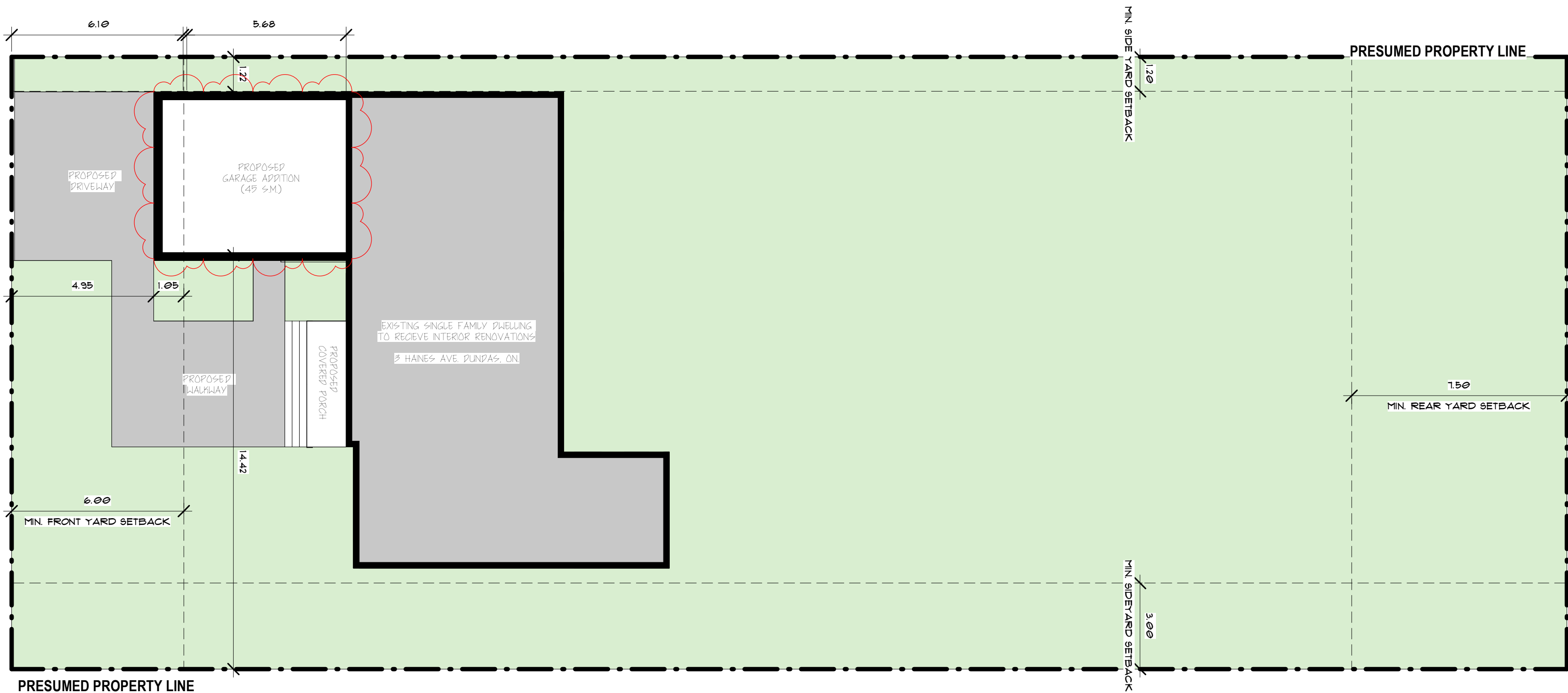
2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

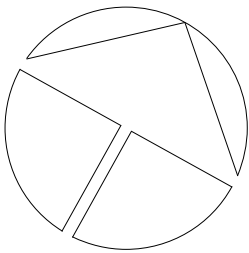
We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

HAINES AVE.



SITE STATISTICS (S1 ZONE)		
LOT AREA MIN. = 0.4 HA	PROPOSED = 0.12 HA (EXISTING)	
LOT FRONTAGE MIN. = 30.0 M	PROPOSED = EXISTING	
FRONT YARD SETBACK = 7.5 M	PROPOSED = 4.95 M	MINOR VARIANCE REQUIRED
SIDE YARD SETBACK = 3.0 M	PROPOSED = EXISTING	
REAR YARD SETBACK = 7.5 M	PROPOSED = EXISTING	
BUILDING HEIGHT = 10.5 M	PROPOSED = EXISTING (GARAGE DOES NOT EXCEED HEIGHT OF EXTG. HOME)	
LOT COVERAGE =	PROPOSED = 2440 SM (EXISTING DWELLING, PROPOSED GARAGE, PROPOSED DRIVEWAY / WALKWAY, COVERED PORCH)	



BM ARCHITECTURAL DESIGN

58 Hackney Ridge, Brantford, Ontario
benjamin@bmarchitecturaldesign.co
m
519.721.4866

PROJECT
Attached Garage & Interior Reno.
Clewlow Residence

3 Haines Ave. Flamborough, ON

DRAWING NAME
Site Plan

DRAWING NO.
A001B

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)	Ryan Clewlow Leanna Ardron		
Applicant(s)*	Leanna Ardron Ryan Clewlow		
Agent or Solicitor			Phone:
			E-mail:

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:
- Leanna Ardron, Ryan Clewlow
3 Haines Ave Dundas ON L9H5J9

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:

FRONT YARD SETBACK TO BE REDUCED TO 5.0m TO ACCOMMODATE EXTENSION OF GARAGE

☐ Second Dwelling Unit ☒ Reconstruction of Existing Dwelling

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

EXISTING 6.0m SETBACK DOESNT LEAVE SUFFICIENT PARKING SPACE INSIDE GARAGE

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**):

3 HAINES AVE. DUNDAS, ON.

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?

CITY INTERACTIVE ZONING MAPPING AND COMPREHENSIVE ZONING

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.

June 1, 2022

Date



Signature Property Owner(s)

Ryan Clewlow, Leanna Ardron

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 21.3m

Depth 54.2m

Area 1156.49m

Width of street 9.0m

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 SINGLE FAMILY DWELLING FOOTPRINT TO REMAIN AND RECEIVE INTERIOR RENOVATIONS.

Proposed

PROPOSED 2 CAR GARAGE ATTACHED TO EXISTING DWELLING WITH AN AREA OF 33.44m² and a length of 5.9m AND A DEPTH OF 5.7m

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

Existing:

TO REMAIN

Proposed:

PROPOSED ATTACHED GARAGE

SIDE: 1.2m

FRONT: 5.0m

13. Date of acquisition of subject lands:
October 31, 2018
-
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:
SINCE CONSTRUCTION OF DWELLING
-
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers | <input checked="" 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:

6.0m FRONTYARD SETBACK
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.

PART 25 AFFIDAVIT OR SWORN DECLARATION

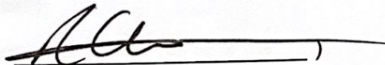
This declaration to be sworn by a Commissioner of Oaths.

I, Ryan Clewlow, of the City of Hamilton,
in the Province of Ontario solemnly declare that:

All of the above statements are true and I make this solemn declaration conscientiously believing
it to be true and knowing that it is of the same force and effect as if made under oath.

Declared before me at the
at the City of Hamilton)
in the Province)
of Ontario)
this 20 day of June A.D. 2022)


A Commissioner, etc.


Applicant

MARTHA MIGNANO,
a Commissioner, etc., Province of Ontario,
for the City of Hamilton.
Expires January 18, 2025.

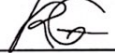
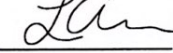
PART 26 OWNERS AUTHORIZATION

Ryan Clewlow, Leanna Ardron

As of the date of this application, I (NAME) _____ am the
registered Owner(s) of the lands described in this application, and I have examined the contents
of this application and hereby certify that the information submitted with the application is correct
insofar as I have knowledge of these facts, and I hereby authorize:

_____ of _____
to act as my agent in this matter and to provide any of my personal information that will be
included in this application or collected during the processing of the application.

June 1, 2022
DATE _____

SIGNED  

PART 27 CONSENT OF THE OWNER

Complete the consent of the owner concerning personal information set out below.

Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c.
P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public
access to all *Planning Act* applications and supporting documentation submitted to the City.



Ryan Clewlow, Leanna Ardron

I, _____, the Owner(s), hereby agree and acknowledge
(Print name of Owner(s))

that the information contained in this application and any documentation, including reports,
studies and drawings, provided in support of the application, by myself, my agents, consultants
and solicitors, constitutes public information and will become part of the public record. As such,
and in accordance with the provisions of the *Municipal Freedom of Information and Protection
of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this
application and its supporting documentation available to the general public, including copying
and disclosing the application and its supporting documentation to any third party upon their
request.

June 1, 2022

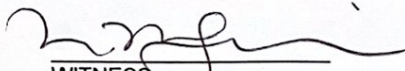
Date _____

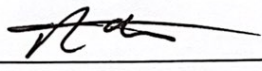
 
Signature of Owner(s)

17. The Developer covenants and agrees to be bound by the terms and conditions of this Agreement and not to seek a release from the provisions thereof until such time as the Developer's obligations hereunder have been assumed by its successor, assignee or transferee by way of written agreement in the form set out in Schedule "B" to this Agreement.

IN WITNESS WHEREOF the parties hereto have set their corporate seals under the hands of their duly authorized officers.

DATED at Hamilton, this 20 day of June, 20 22


WITNESS


Per: _____
I have authority to bind the corporation.

WITNESS

Per: _____
I have authority to bind the corporation

DATED at Hamilton, Ontario this ____ day of _____, 20 ____.

City of Hamilton

Per: _____
Mayor

Per: _____
Clerk