



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

E-mail: [cofa@hamilton.ca](mailto: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
- 

<b>APPLICATION NO.:</b>	<b>HM/A-22:280</b>	<b>SUBJECT PROPERTY:</b>	588 COCHRANE ROAD, HAMILTON
<b>ZONE:</b>	"C" (Urban Protected Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended

**APPLICANTS:** Owners: Tyler & Vita Swick  
Agent: Charles Linsey & Associates C/O Lisa Cockwell

The following variances are requested:

1. A minimum front yard depth of 5.4m shall be permitted instead of the minimum 6.0m front yard depth required.
2. A minimum northerly side yard width of 0.2m shall be permitted instead of the minimum 1.2m side yard width required.
3. No onsite manouevring shall be permitted for each of the parking spaces located in the front yard whereas the zoning By-law states that a manouevring space having a minimum aisle width of 6.0m shall be provided abutting upon an accessory to each required parking space.
4. Two (2) parking spaces shall be permitted to be located in the front yard whereas the zoning By-law permits only one of the required parking spaces to be located in the front yard.
5. A minimum of 40% of the gross area of the front yard shall be permitted to be maintained as landscaped area instead of the minimum 50.0% of the gross floor area required as landscaped area.
6. A maximum of 60.0% of the gross area of the front yard shall be permitted to be maintained for parking instead of the maximum 50.0% of the gross floor area permitted as parking.
7. Eaves/gutter shall be permitted to encroach into the entire northerly side yard and therefore may be located as close as 0.0m to the northerly side lot line instead of the Maximum ½ of the side yard or 1.0m whichever is the lesser into a required side yard.
8. An uncovered deck shall be permitted to be located as close as 0.1m from the northerly side line instead of the minimum 0.5m setback required.

**PURPOSE & EFFECT:** To facilitate the construction of a second storey addition to the existing single-family dwelling as well as the construction of a rear uncovered deck.

**Notes:**

The applicant shall ensure that the minimum 2.7m (wide) x 6.0m (long) shall be provided and maintained for each of the parking spaces; otherwise, further variances shall be required.

The applicant shall ensure that the proposed roofed-over porch located in the front yard is not enclosed and shall satisfy all other requirements respecting guards, columns, etc. under Section 18(3) (vi)(d) of the Hamilton zoning By-law 6593.

**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:

<b>DATE:</b>	<b>Thursday, October 6, 2022</b>
<b>TIME:</b>	<b>1:35 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> 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.



 **Subject Lands**

DATED: September 20, 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.



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

E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

## 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. Please include your name and address, hearing date, and file number. Comments can be submitted by emailing [cofa@hamilton.ca](mailto: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](http://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](mailto: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 (2<sup>nd</sup> 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](mailto: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.



TRUE



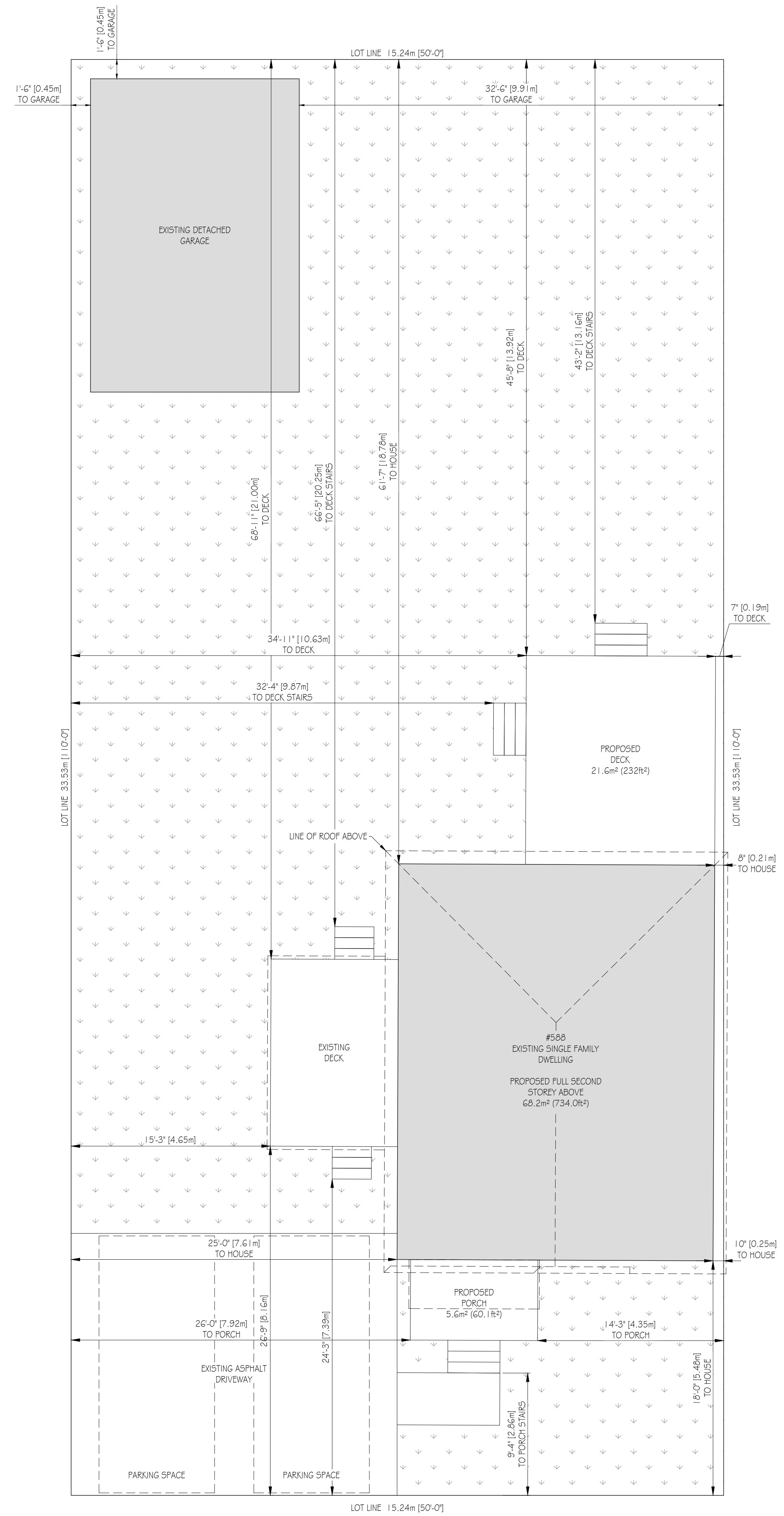
CONSTRUCTION



**CHARLES LINSEY & ASSOCIATES LIMITED**  
 37 Main Street South, PO Box 1479, Waterdown, ON L0R 2H0  
 Tel: (905) 548-7507  
 info@charleslinsey.com  
 www.charleslinsey.com

**THIS DRAWING IS NOT TO BE USED AS PART OF A BUILDING PERMIT APPLICATION**

**THIS DRAWING IS FOR DISCUSSION PURPOSES ONLY**



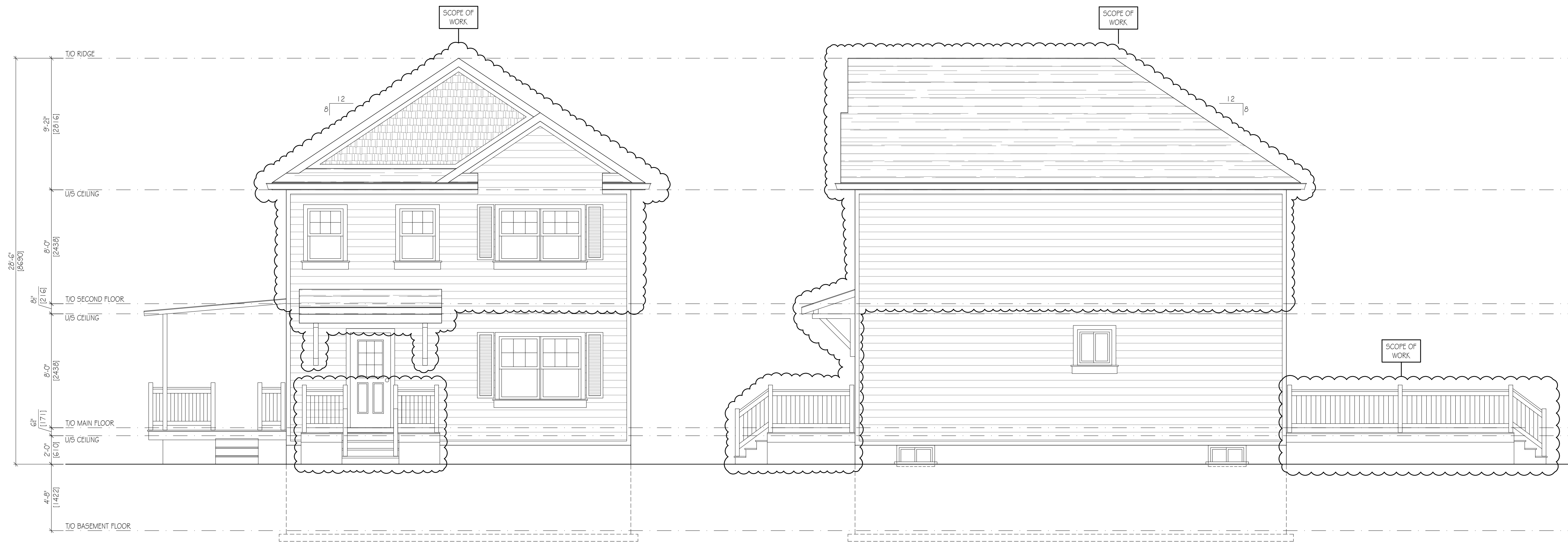
- COCHRANE ROAD -

REV	DESCRIPTION	DATE
A	FOR DISCUSSION	MAY 31/22
B	FOR DISCUSSION	JUN 09/22
C	FOR MINOR VARIANCE APPLICATION	JUN 20/22

client	HOME OWNER
project	588 COCHRANE ROAD HAMILTON, ONTARIO PROJECT No. 22-042

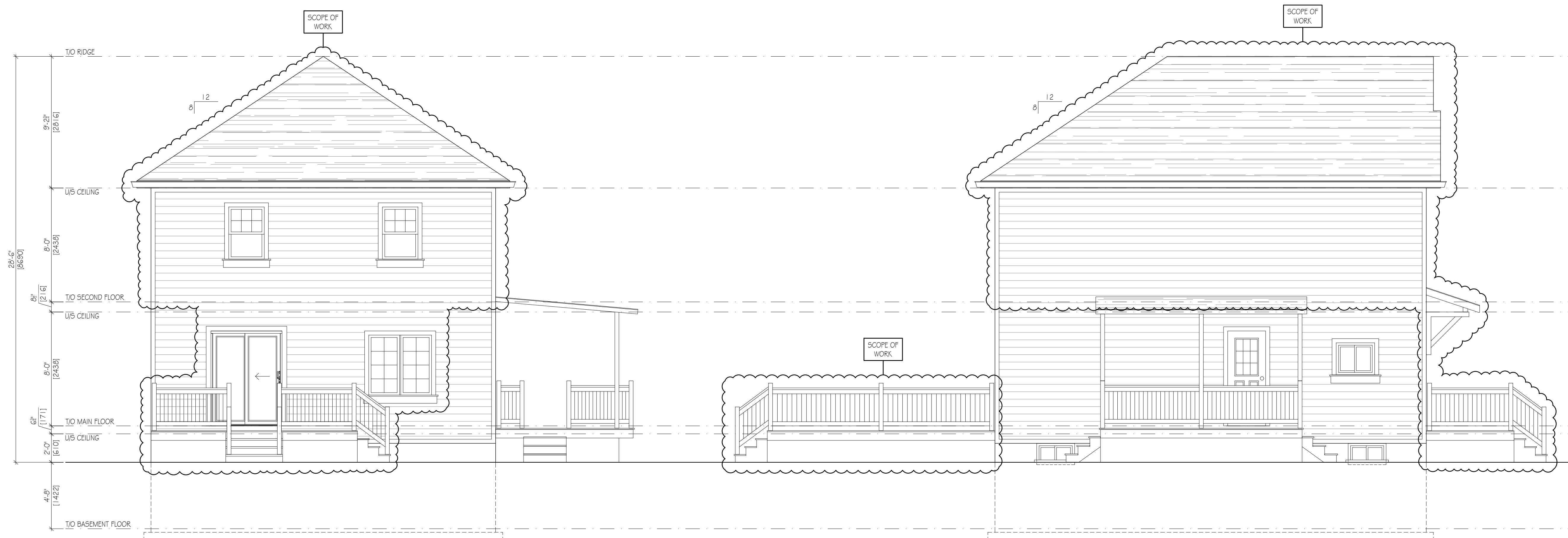
title	SITE PLAN
-------	-----------

drawn	L.C.	checked	C.M.
date	MAY 2022	scale	1/8" = 1'-0"
revision number	C	drawing number	SP



1 FRONT ELEVATION  
SCALE: 1/4" = 1'-0"

2 RIGHT SIDE ELEVATION  
SCALE: 1/4" = 1'-0"



3 REAR ELEVATION  
SCALE: 1/4" = 1'-0"

4 LEFT SIDE ELEVATION  
SCALE: 1/4" = 1'-0"

THIS DRAWING IS NOT TO BE USED AS PART OF A BUILDING PERMIT APPLICATION

THIS DRAWING IS FOR DISCUSSION PURPOSES ONLY

REV	DESCRIPTION	DATE
A	FOR DISCUSSION	MAY 31/22
B	FOR DISCUSSION	JUN 14/22
C	FOR MINOR VARIANCE APPLICATION	JUN 20/22

client: HOME OWNER

project: 588 COCHRANE ROAD  
HAMILTON, ONTARIO  
PROJECT No. 22-042

title: ELEVATIONS

drawn	checked
L.C.	C.M.
date	scale
MAY 2022	AS NOTED
revision number	drawing number
C	1



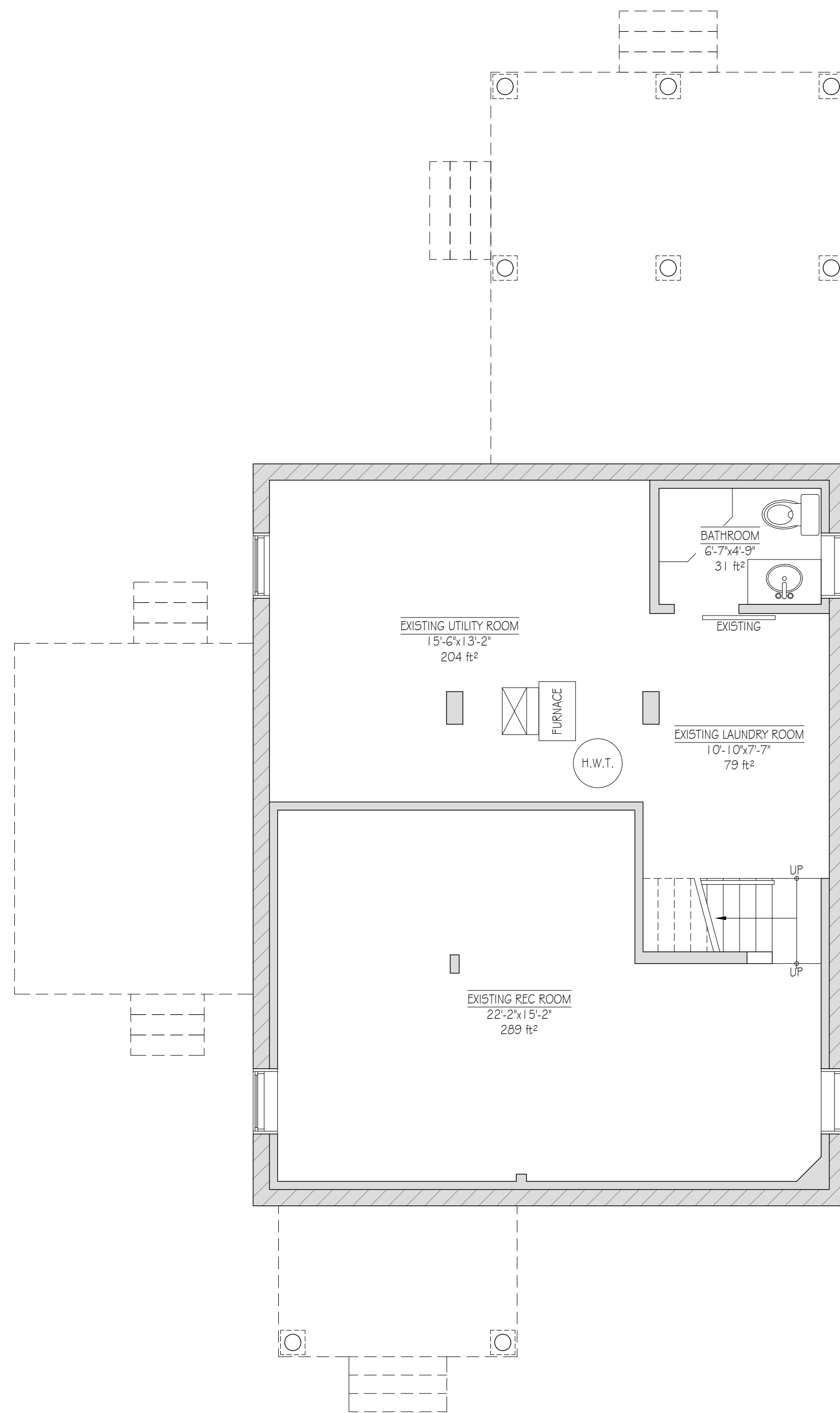
TRUE



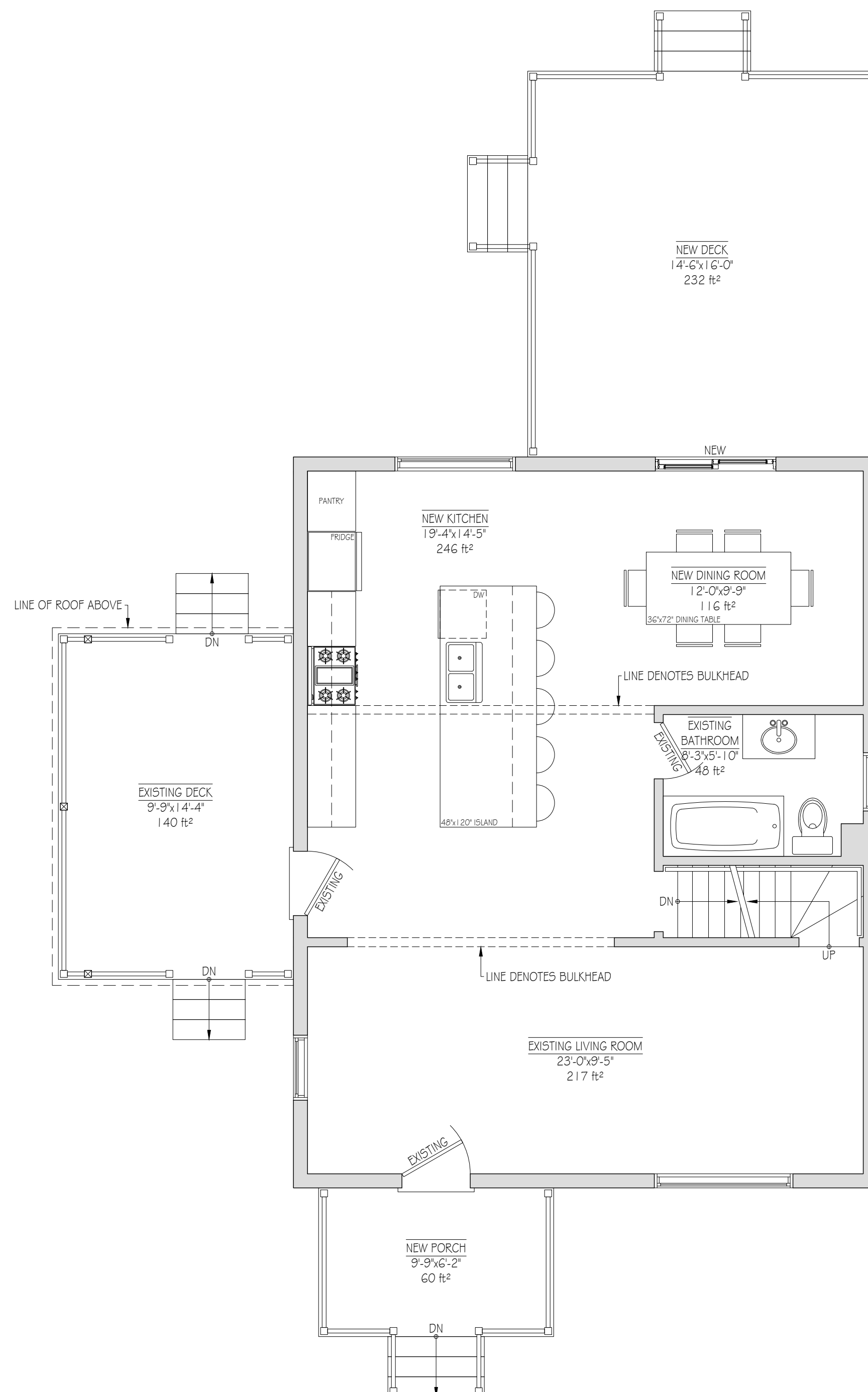
CONSTRUCTION

**THIS DRAWING IS NOT TO BE USED AS PART OF A BUILDING PERMIT APPLICATION**

**THIS DRAWING IS FOR DISCUSSION PURPOSES ONLY**



1 BASEMENT FLOOR PLAN  
 2 SCALE: 1/4" = 1'-0"



2 MAIN FLOOR PLAN  
 2 SCALE: 1/4" = 1'-0"

REV	DESCRIPTION	DATE
A	FOR DISCUSSION	MAY 31/22
B	FOR DISCUSSION	JUN 14/22
C	FOR MINOR VARIANCE APPLICATION	JUN 20/22

client HOME OWNER  
 project 588 COCHRANE ROAD  
 HAMILTON, ONTARIO  
 PROJECT No. 22-042

title PLANS

drawn	L.C.	checked	C.M.
date	MAY 2022	scale	AS NOTED
revision number	C	drawing number	2



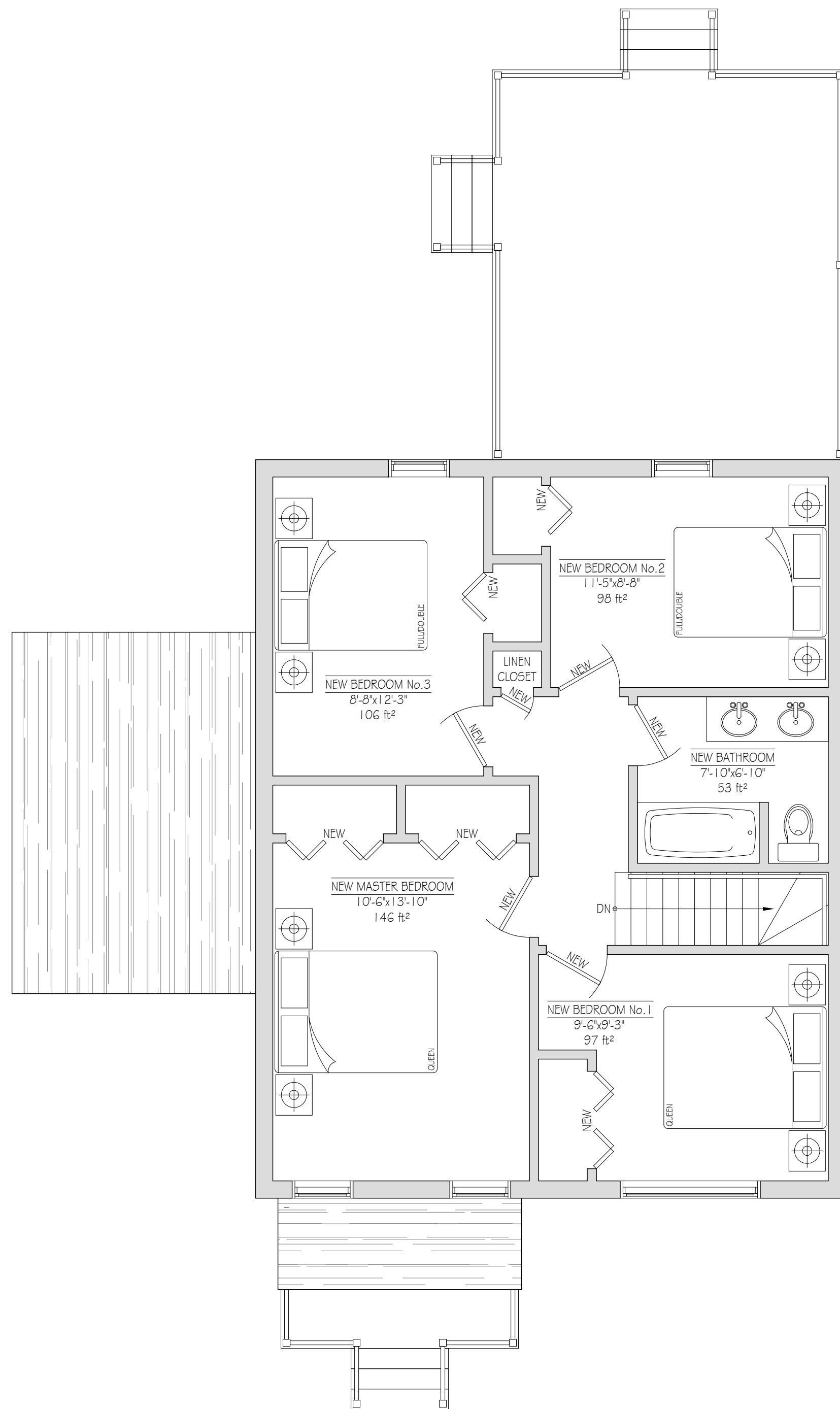
TRUE



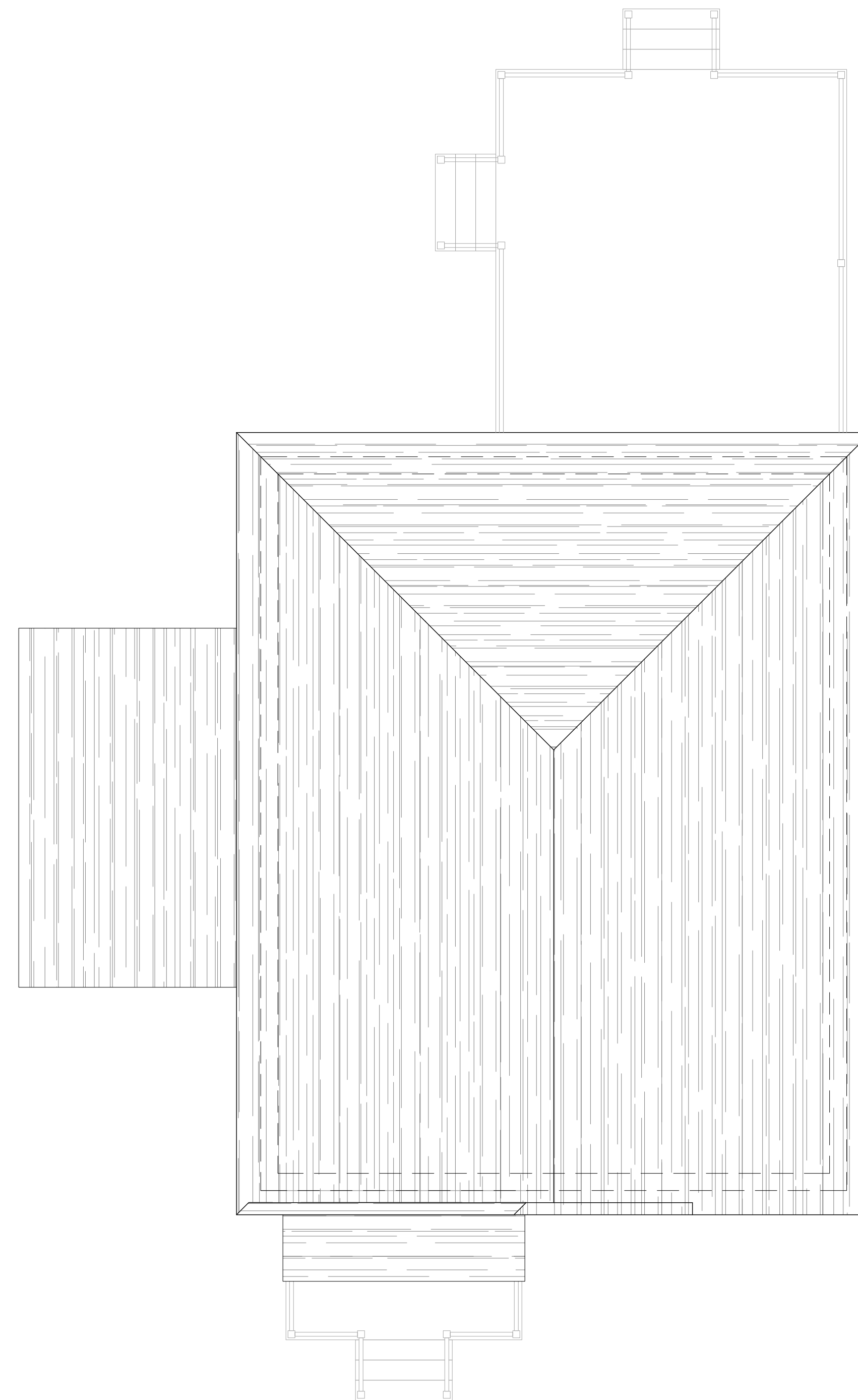
CONSTRUCTION

**THIS DRAWING IS NOT TO BE USED AS PART OF A BUILDING PERMIT APPLICATION**

**THIS DRAWING IS FOR DISCUSSION PURPOSES ONLY**



3 SECOND FLOOR PLAN  
 3 SCALE: 1/4" = 1'-0"



4 ROOF PLAN  
 3 SCALE: 1/4" = 1'-0"

REV	DESCRIPTION	DATE
A	FOR DISCUSSION	MAY 31/22
B	FOR DISCUSSION	JUN 14/22
C	FOR MINOR VARIANCE APPLICATION	JUN 20/22

client	HOME OWNER
project	588 COCHRANE ROAD HAMILTON, ONTARIO PROJECT No. 22-042

title	PLANS
-------	-------

drawn	L.C.	checked	C.M.
date	MAY 2022	scale	AS NOTED
revision number	C	drawing number	3





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	ADDRESS
Registered Owners(s)	Tyler Swick Vita Swick	
Applicant(s)*	Lisa Cockwell	
Agent or Solicitor	Charles MacPhail	

**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:

Constructing a full second storey addition and a front and rear deck all of which are fully or partially proposed outside of the current zoning by-law setbacks.

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

A portion of the existing house currently sits outside of the current zoning by-law setbacks.

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**):

588 Cochrane Road, Hamilton, Ontario

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 9.1 to 9.10 above?

Owner's knowledge.

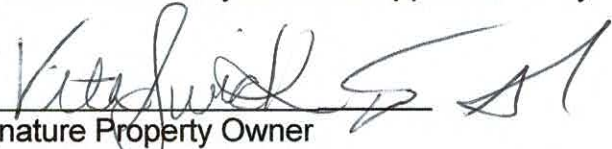
8.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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.

07 27 2022  
Date

  
Signature Property Owner

VITA SWICK TYLER SWICK  
Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>15.24m (50'-0")</u>
Depth	<u>33.53m (110'-0")</u>
Area	<u>511.0m<sup>2</sup> (5500.0 ft<sup>2</sup>)</u>
Width of street	<u>9.8m (32'-0")</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: \_

Ground F.A.: 71.9m<sup>2</sup> (773.9 ft<sup>2</sup>)  
Gross F.A.: 178.2m<sup>2</sup> (1917.94 ft<sup>2</sup>)  
Stories: 1.5  
Width x Length x Height: 7.4m (24'-3") x 9.2m (30'-4") x 4.9m +/- (16'-0" +/-)

Proposed

Ground F.A.: 71.9m<sup>2</sup> (773.9 ft<sup>2</sup>)  
Gross F.A.: 204.6m<sup>2</sup> (2202.0 ft<sup>2</sup>)  
Stories: 2  
Width x Length x Height: 7.4m (24'-3") x 9.2m (30'-4") x 8.7m (28'-6")

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

Existing:

House: 0.21m to right side lot line, 7.61m to right side lot line, 5.48m to front lot line, 18.78m to rear lot line.  
Front Porch: 4.66m to right side lot line, 7.92m to left side lot line, 2.93m to front lot line.

Proposed:

House: 0.21m to right side lot line, 7.61m to right side lot line, 5.48m to front lot line, 18.78m to rear lot line.  
Front Porch: 4.35m to right side lot line, 7.60m to left side lot line, 2.86m to front lot line.  
Rear Deck: 0.19 m to right side lot line, 9.87m to left side lot line, 13.61m to rear lot line.

13. Date of acquisition of subject lands:  
February 2019
- 
14. Date of construction of all buildings and structures on subject lands:  
House - 1935, Garage - November 2021
- 
15. Existing uses of the subject property:  
Residential
16. Existing uses of abutting properties:  
Residential
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 YES Connected YES  
Sanitary Sewer YES Connected YES  
Storm Sewers YES
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:  
"C" DISTRICTS (Urban Protected Residential, etc.)
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.