



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

FL/A-22:130

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-22:130	SUBJECT PROPERTY:	102 HWY 52, FLAMBOROUGH
ZONE:	"S1, 52" (Settlement Residential)	ZONING BY-LAW:	Zoning By-law 05-200, as Amended

APPLICANTS: Paul Belluz
Zoltan Engineering – T. Lukacs

The following variances are requested:

1. A maximum gross floor area of 119m² shall be provided instead of the maximum permitted gross floor area of 45m² for accessory building.
2. A maximum building height of 5.3m shall be provided instead of the maximum permitted building height of 4.5m for accessory building.

PURPOSE & EFFECT: To permit the construction of a new accessory building to a single detached dwelling.

Notes:

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, October 20, 2022
TIME:	1:35 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
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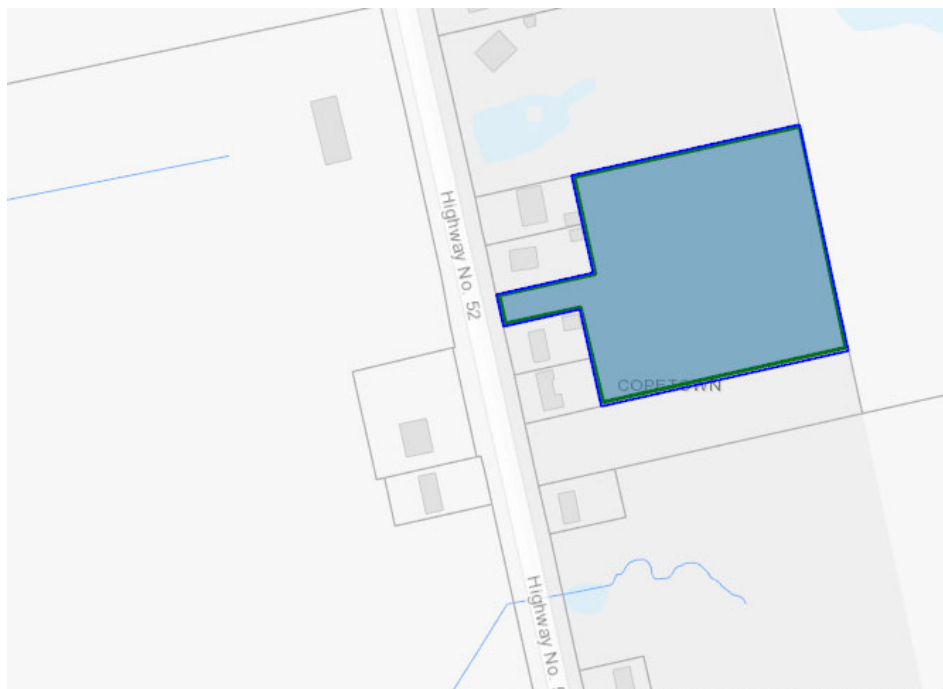
For more information on this matter, including access to drawings illustrating this request and other information submitted:

- 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.



 **Subject Lands**

DATED: October 4, 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.



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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 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.

NOTES

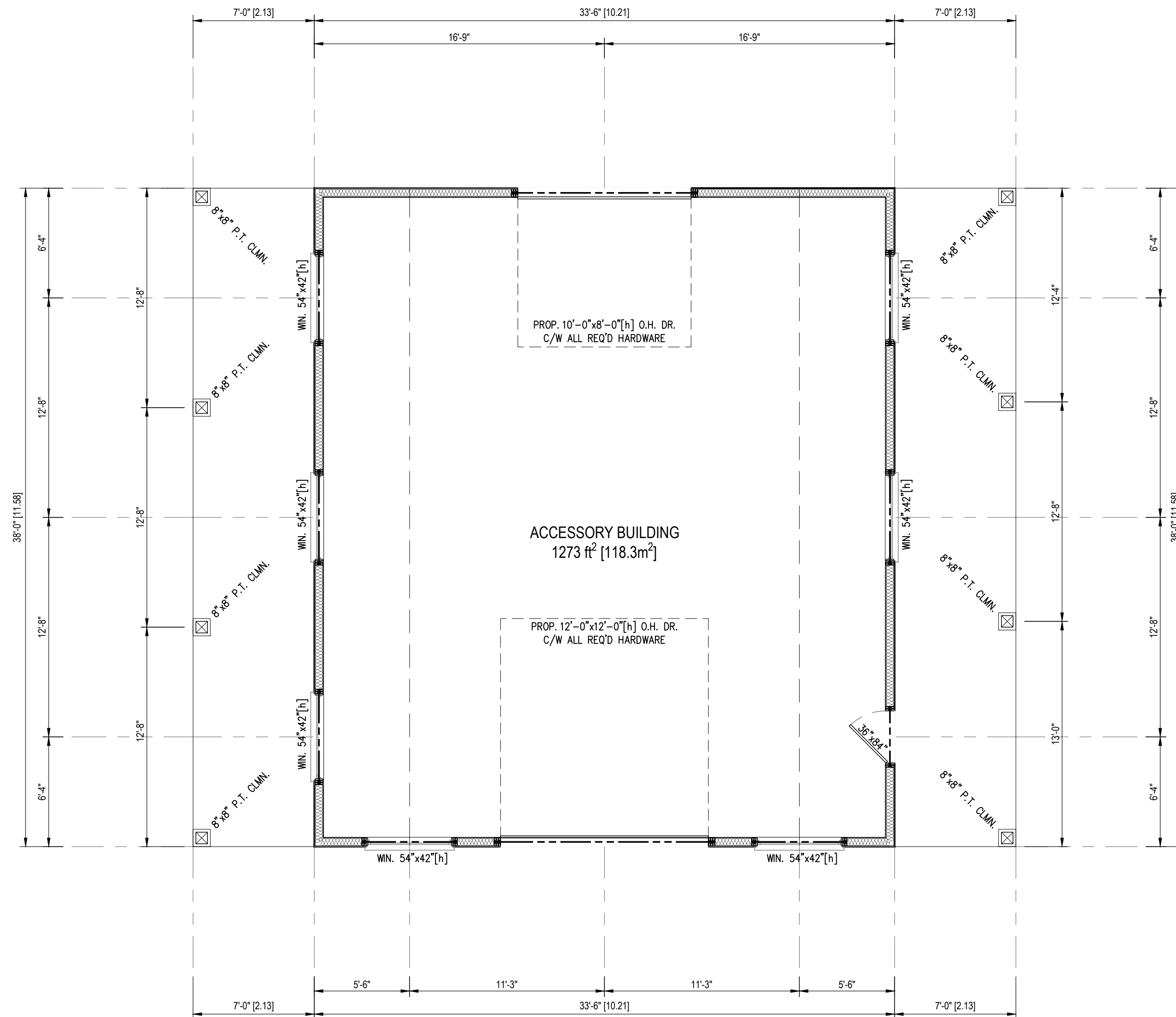
- ALL BUILDING MATERIALS AND CONSTRUCTION METHODS SHALL COMPLY WITH THE CURRENT OBC.
- VERIFY ALL DIMENSIONS BEFORE AND DURING CONSTRUCTION TO CONFIRM ACCURACY.
- VERIFY ALL DIMENSIONS OF SPECIALTY ITEMS BEFORE ORDERING TO CONFIRM ACCURACY.
- ALL MATERIALS AND COMPONENTS SHALL BE INSTALLED AS PER MANUFACTURERS INSTRUCTIONS/DIRECTIONS

NOTES

STAMPED ENGINEERED DESIGN TO BE PROVIDED BY MANUFACTURER FOR ALL ROOF TRUSSES, MICROLLAM LVL BEAMS, AND TJI FLOOR JOISTS.

NOTES

DUE TO THE POSSIBLE VARIANTS ON THE SITE IT IS IMPORTANT FOR THE CONTRACTOR AND TRUSS MANUFACTURER TO VERIFY ALL DIMENSIONS, BEARING, AND ROOF PITCHES OF TRUSSES ON SITE AND ON ALL PAGES OF ARCHITECTURAL DRAWINGS TO ASSURE ACCURACY AND SOFFIT ALIGNMENT



THESE DESIGN DOCUMENTS ARE PREPARED SOLELY FOR THE USE BY THE PARTY WITH WHOM THE DESIGN PROFESSIONAL HAS ENTERED INTO A CONTRACT AND THERE ARE NO REPRESENTATIONS OF ANY KIND MADE BY THE DESIGN PROFESSIONAL TO ANY PARTY WITH WHOM THE DESIGN PROFESSIONAL HAS NOT ENTERED INTO A CONTRACT.

DO NOT SCALE DRAWINGS. THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY ERRORS AND OMISSIONS TO THE ENGINEER. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNLESS MARKED AS "ISSUED FOR CONSTRUCTION", CERTIFIED AND DATED.

REV.	DATE	REMARKS
3	12AUG22	REVISED FOR MINOR VAR.
2	28JUL22	REVISED FOR MINOR VAR.
1	16JUN22	REVISED FOR MINOR VAR.

ZOLTAN ENGINEERING

25-4380 SOUTH SERVICE ROAD
BURLINGTON, ON L7L 5Y6
(905) 331 - 8307
WWW.ZOLTANENGINEERING.COM

PROJECT TITLE

PAUL BALLUZ
ACCESSORY BUILDING

102 REGIONAL ROAD 52
HAMILTON, ONTARIO

DRAWING TITLE

GROUND FLOOR
FRAMING PLAN

SCALE	AS NOTED
DATE	12AUG22
DRAWN	TV
DESIGNED	ZL
CHECKED	ZL

PROJECT NO.

22-024

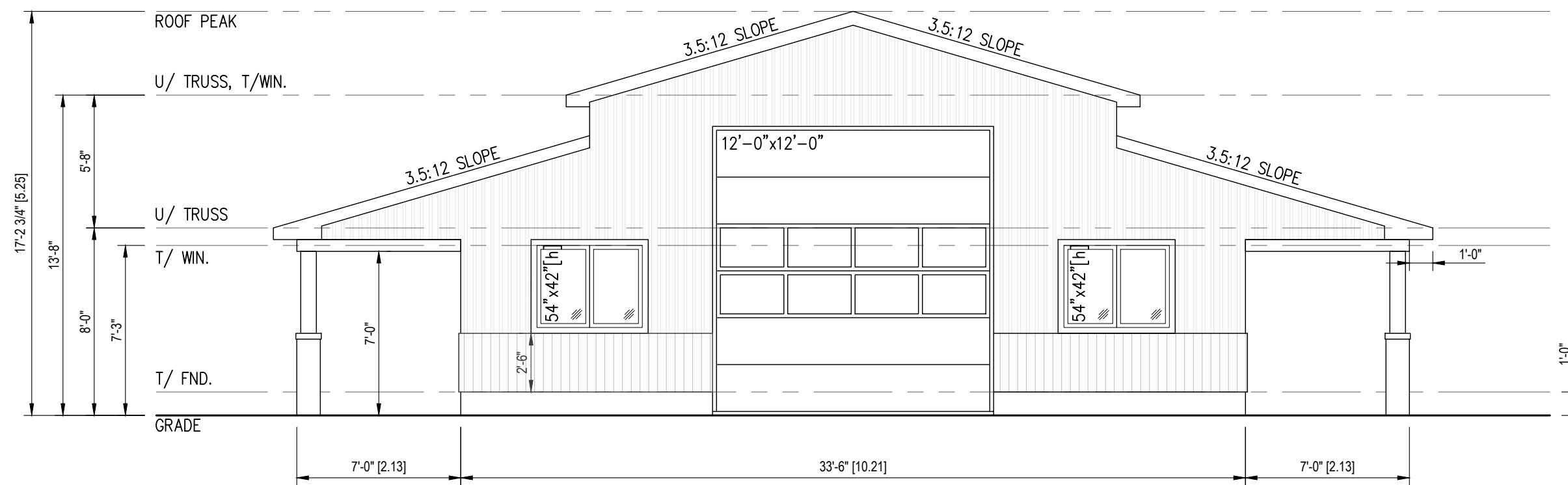
SHEET NO.

A1.02

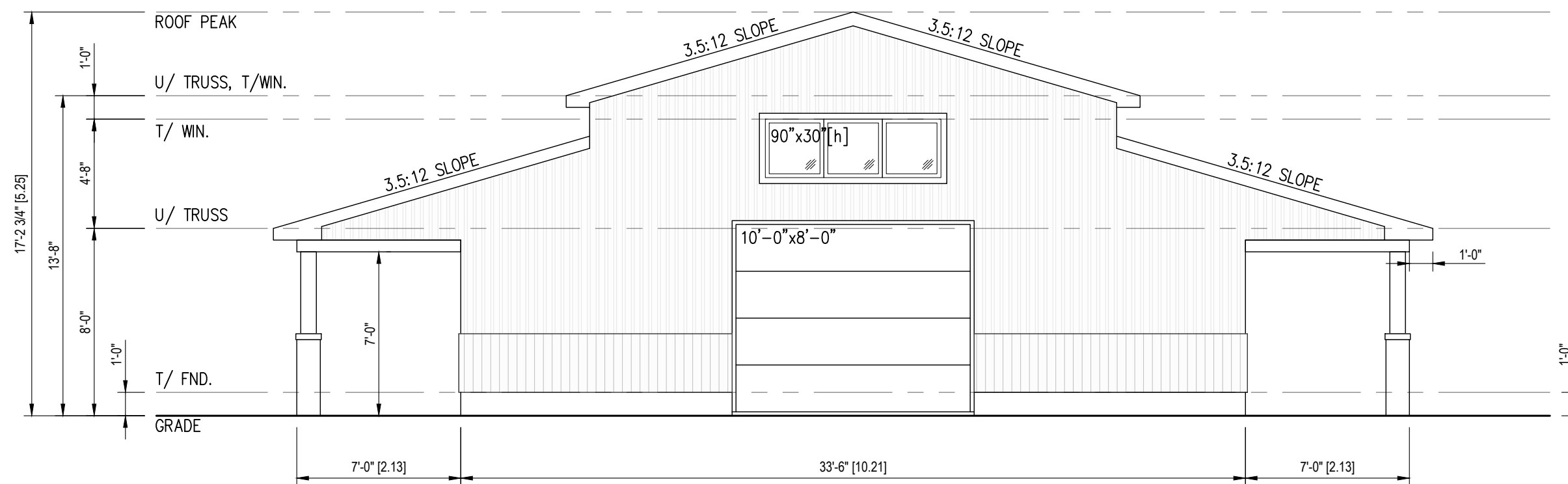
1

GROUND FLOOR PLAN

Scale: 3/16"=1'-0"



1 FRONT ELEVATION
Scale: 3/16"=1'-0"



2 REAR ELEVATION
Scale: 3/16"=1'-0"

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DRAWING TITLE

ELEVATIONS

SCALE	AS NOTED
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DESIGNED	ZL
CHECKED	ZL

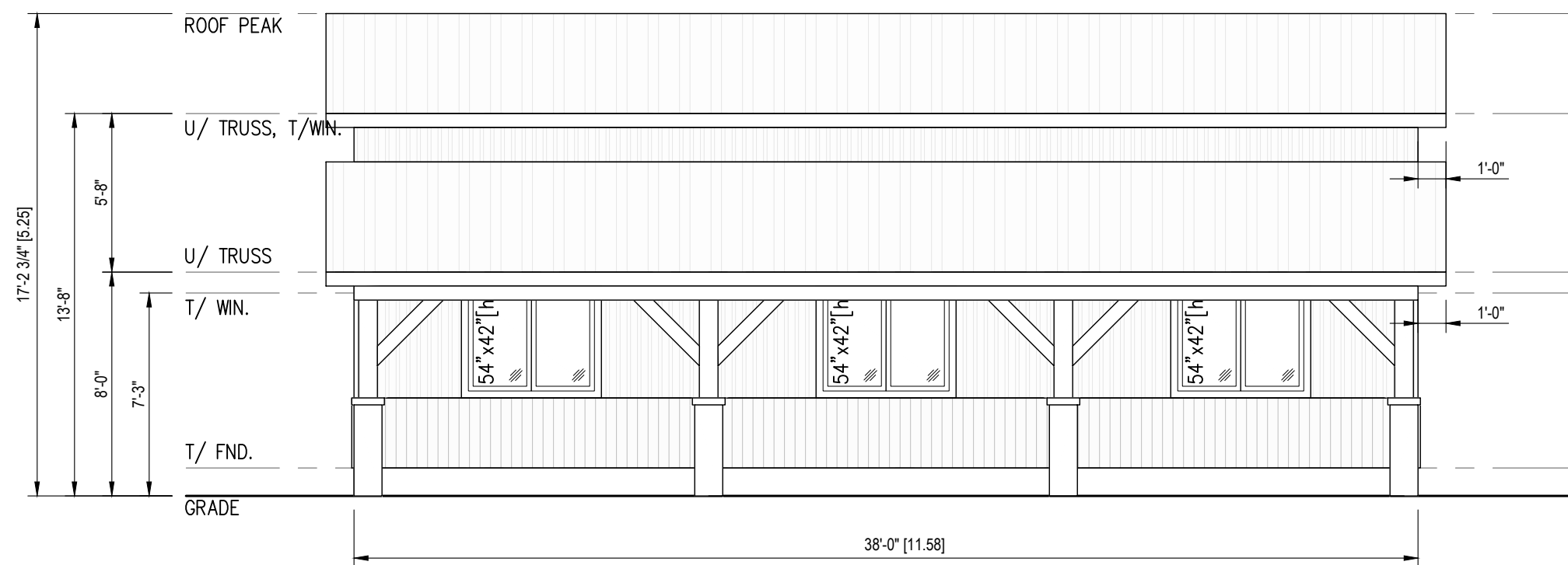
PROJECT NO.

22-024

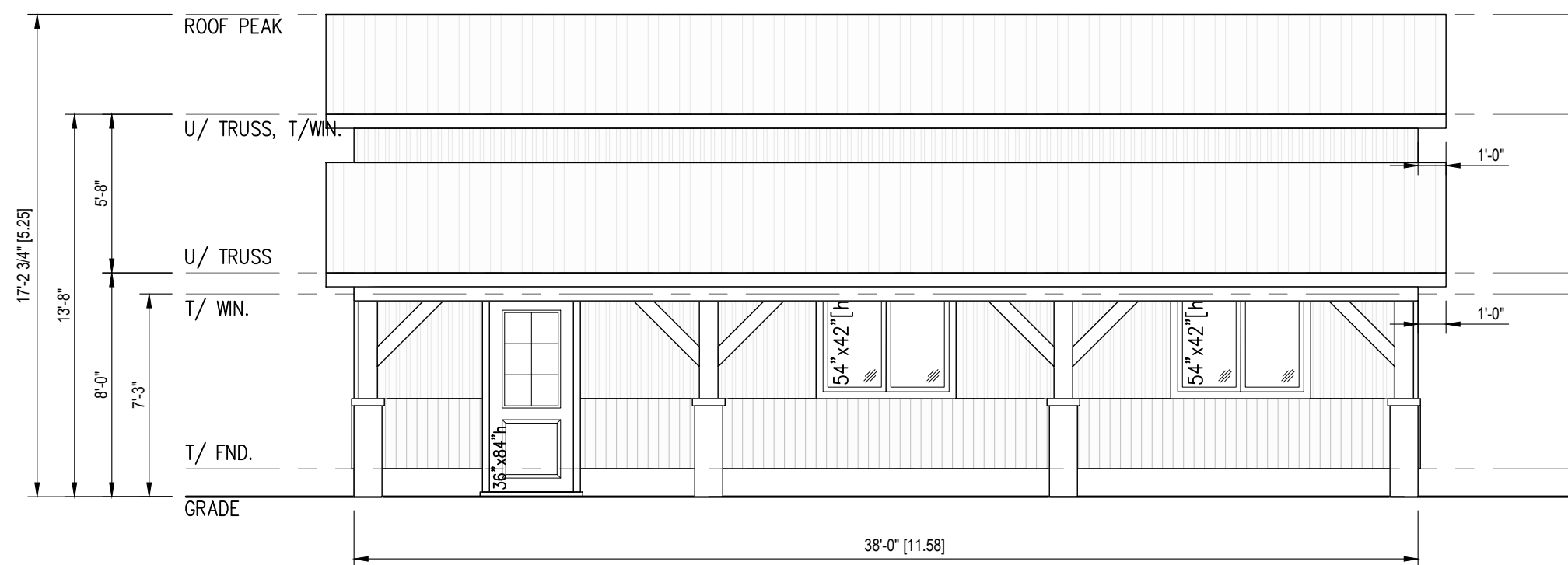
SHEET NO.

A2.01

3



1 SIDE ELEVATION
Scale: 3/16"=1'-0"



2 SIDE ELEVATION
Scale: 3/16"=1'-0"

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ELEVATIONS

SCALE	AS NOTED
DATE	12AUG22
DRAWN	TV
DESIGNED	ZL
CHECKED	ZL

PROJECT NO.

22-024

SHEET NO.

A2.02

August 23, 2022


Committee of Adjustment
City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P 4Y5

Re: Minor Variance Application (File Number: FL/A-22:130)
Project Location: 102 Hwy 52, Flamborough, Ontario (Lot 31, Concession 1)

We are hereby sending you our revised proposal for a barn building at 102 Hwy 52, Flamborough, Ontario. Since our last submission to the Committee of Adjustment, we decreased the size of the proposed barn. Originally the proposal showed a 164 m² barn, but we would like to move forward with a smaller, 118.3 m² large barn that has a maximum height of 5.25 m.

Since the Committee of Adjustment Hearing on May 26, 2022, we had the opportunity to discuss our proposal with Morgan Gowans, CPT at Planning Division of the Planning and Economic Department of Hamilton. She helped us improve our proposal in a direction the city would be satisfied with.

Please find attached our revised proposal. If you have any questions, please don't hesitate to contact us.



Thomas Lukacs
Applicant



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.

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:

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:

To build a 164 m2 barn on property

- Second Dwelling Unit Reconstruction of Existing Dwelling

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

The aggregate Gross Floor Area of barn (accessory building) exceeds 45 m2

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**):

Lot 31, Concession 1, 102 Highway 52

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?

INFORMATION PROVIDED BY OWNER

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.

APRIL 12, 2022
Date

Paul Belluz
Signature Property Owner(s)

PAUL BELLUZ
Print Name of Owner(s)

10. Dimensions of lands affected: SEE ATTACHED ARRANGEMENT PLAN

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: SEE ATTACHED DRAWINGS

Proposed: SEE ATTACHED DRAWINGS

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

Existing: SEE ATTACHED DRAWINGS

Proposed: SEE ATTACHED DRAWINGS

13. Date of acquisition of subject lands:
2018
-
14. Date of construction of all buildings and structures on subject lands:
2018
-
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.):
-
17. Length of time the existing uses of the subject property have continued:
4
-
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:
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.