



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>FL/A-22:348</b>	<b>SUBJECT PROPERTY:</b>	2309 Governors Rd. Flamborough
<b>ZONE:</b>	“S1” (Settlement Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:** Owner: Cyndi Laman  
Agent: Ian Jonkman

The following variances are requested:

1. A maximum height of 4.97 metres shall be permitted for an accessory building instead of the maximum 4.5 metres.
2. A maximum aggregate gross floor area shall be 154 square metres instead of the maximum permitted of 45 square metres of all accessory buildings.

**PURPOSE & EFFECT:** To permit the construction of a detached garage and shed in the rear yard of the existing detached dwelling.

**Notes:** N/A

**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, December 8, 2022</b>
<b>TIME:</b>	<b>2:10 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>

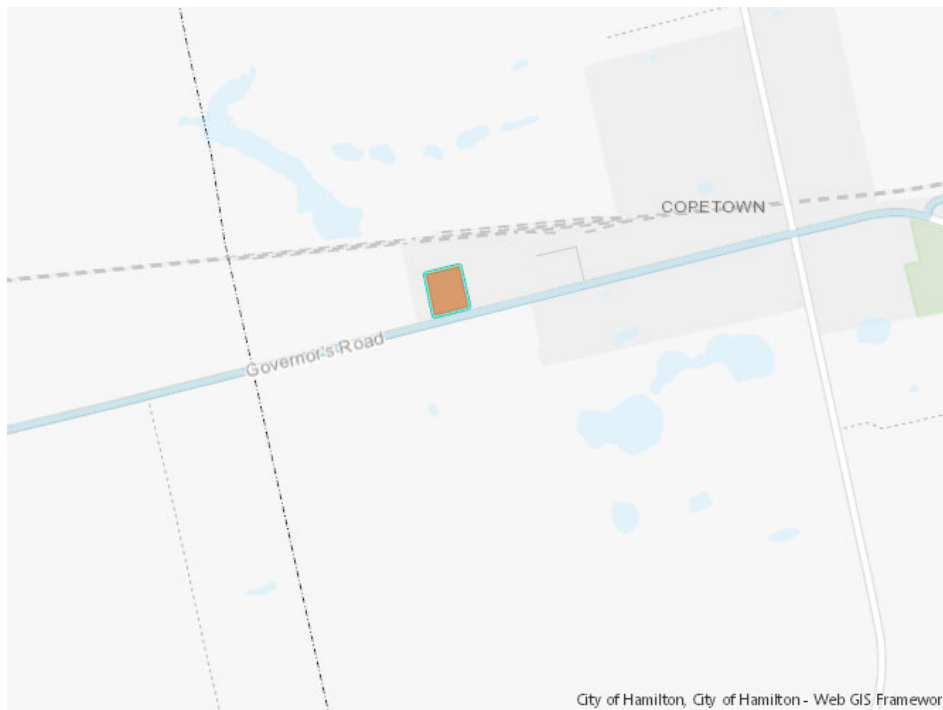
For more information on this matter, including access to drawings illustrating this request and other information submitted:

- 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.



DATED: November 22, 2022

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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

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

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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. 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.

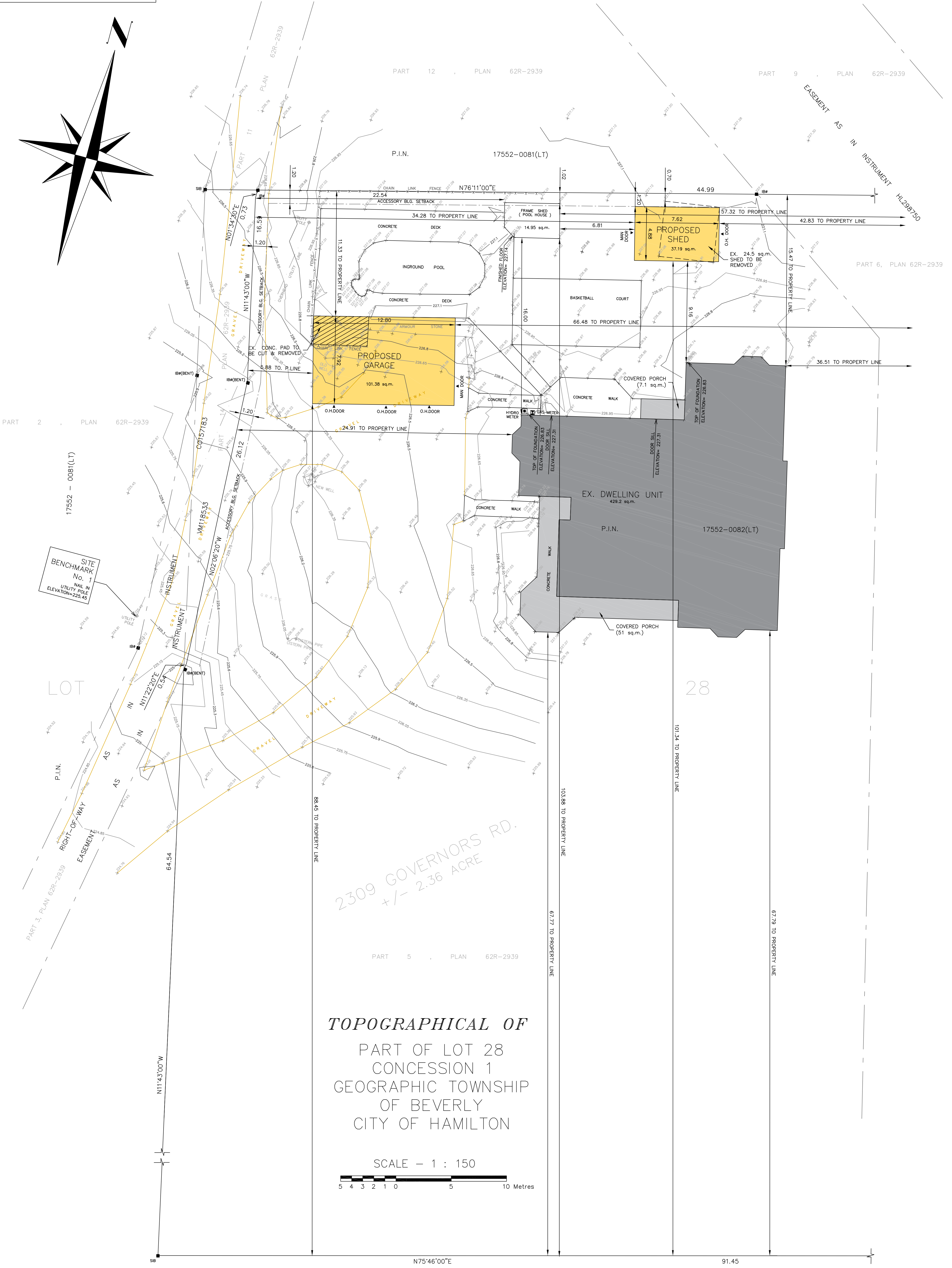
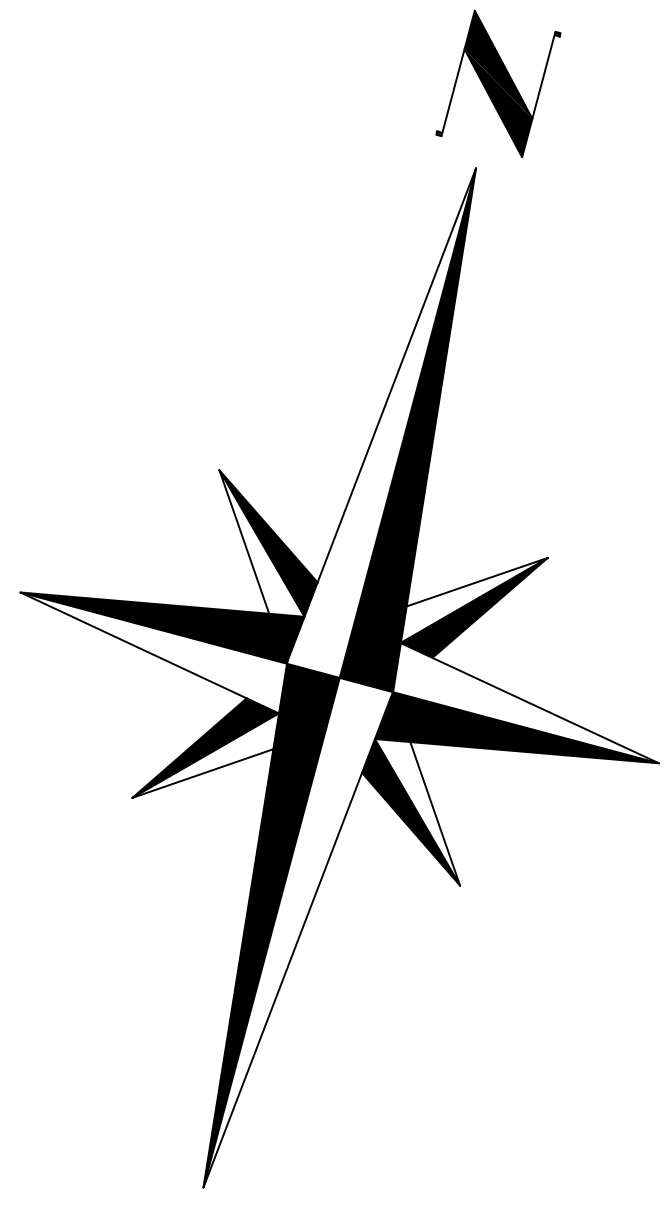
#### 2. In person Oral Submissions

**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.

METRIC: DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.



2309 GOVERNORS RD.  
+/- 2.36 ACRE

**TOPOGRAPHICAL OF**  
PART OF LOT 28  
CONCESSION 1  
GEOGRAPHIC TOWNSHIP  
OF BEVERLY  
CITY OF HAMILTON

SCALE - 1 : 150



**LEGEND**

- |   |         |                         |
|---|---------|-------------------------|
| ■ | DENOTES | SET MONUMENT            |
| ○ |         | FOUND MONUMENT          |
| — |         | IRON BAR                |
| — |         | STANDARD IRON BAR       |
| — |         | SHORT STANDARD IRON BAR |
| — |         | ROUND IRON BAR          |

**ELEVATION NOTE :**

ELEVATIONS SHOWN HEREON ARE GEODETIC and ARE DERIVED FROM CANSEL CAN-NET REAL TIME NETWORK OBSERVATION, UTM ZONE 17, NAD83 (CSRS) (2010).

**CAUTION :**

UNDERGROUND SERVICES TO BE LOCATED BY CONTRACTOR /OWNER PRIOR TO ANY EXCAVATION.

Date : 30 September, 2022.

September 20, 2022

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

Attn: Committee of Adjustment

**Re: Minor Variance Application Re. 2309 Governors Rd. Copetown, ON.**  
**Answers provided for Question #4**  
**Answers provided for Question #5**

**4. Nature and extent of relief applied for:**

The application is for relief regarding a detached accessory building on the property.

Detached Accessory Building

- The application is to seek relief from the building area and building height requirements for accessory buildings under Section 4.8 of the By-law 05-200. The Proposal is for two new detached accessory buildings. The one building exceeds the max. building height and the combined gross area of the detached buildings on the property exceeds the max. lot coverage.
  - 1) Gross Area:

The By-law states that the aggregate gross floor area of accessory buildings shall not exceed 45 sq. m. or 7.5% of the lot coverage, whichever is the lesser. The proposed gross area of the buildings on this property is 153.52 sq. m. We are seeking relief to allow the new detached accessory buildings to have a gross area of 108.52 sq. m. (153.52 sq. m. – 45 sq. m.) more than the permitted gross area.
  - 2) Building Height:

The By-law states that the maximum building height for accessory buildings is 4.5m (14'-9 3/16"). The proposed building height of the proposed detached accessory building is 4.97m (16'- 3 3/4"). We are seeking relief to allow the new

detached accessory building to have a building height of 0.47m higher than the permitted building height.

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

#### Detached Accessory Building

1) Gross Area:

Two detached buildings will be built. The larger one will be used for vehicular storage, garbage/recycling storage, bikes, etc. The second building will be used for landscape equipment (lawn mower, weed eater, etc.). The existing house was built in 2006 without an attached garage. The owner would like to add indoor storage facilities to his house to park his vehicles and other personal items in. Building the garage attached to the house will not work with the house and pool layout. The buildings will need to be separate from the house which automatically limits them to the gross area due to the bylaw for detached buildings. If the proposed garage was attached to the existing house the owner could essentially build as large as they would like to because they have plenty of lot coverage to work with. We do not feel that it is fair that the owner can not build enough indoor storage on his property because he is limited to not being able to attach the garage to the house. There will never be an attached garage on the house in the future. This property is in the country v(rural setting) and should be able to have more freedom on building size in comparison to the smaller properties located in the core areas of the settlement area within the town of Copetown and similarly to the settlement of Orkney which is right around the corner.

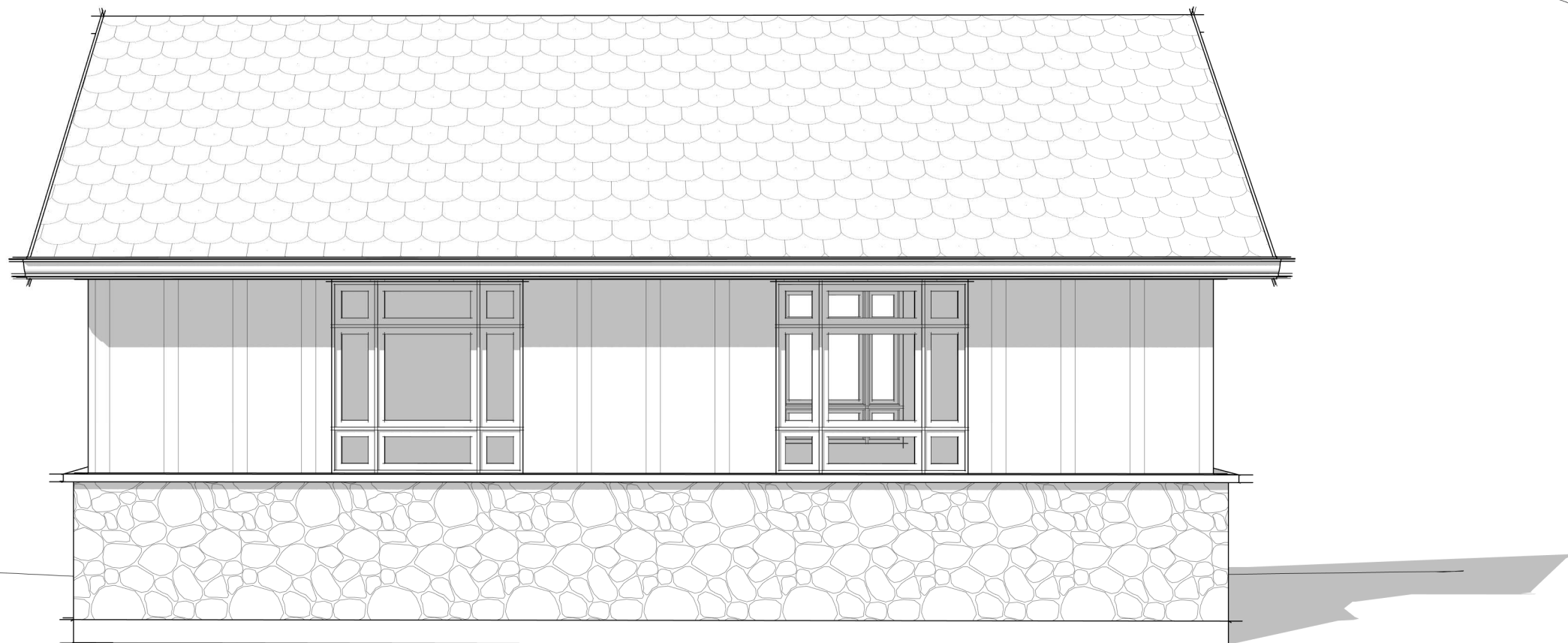
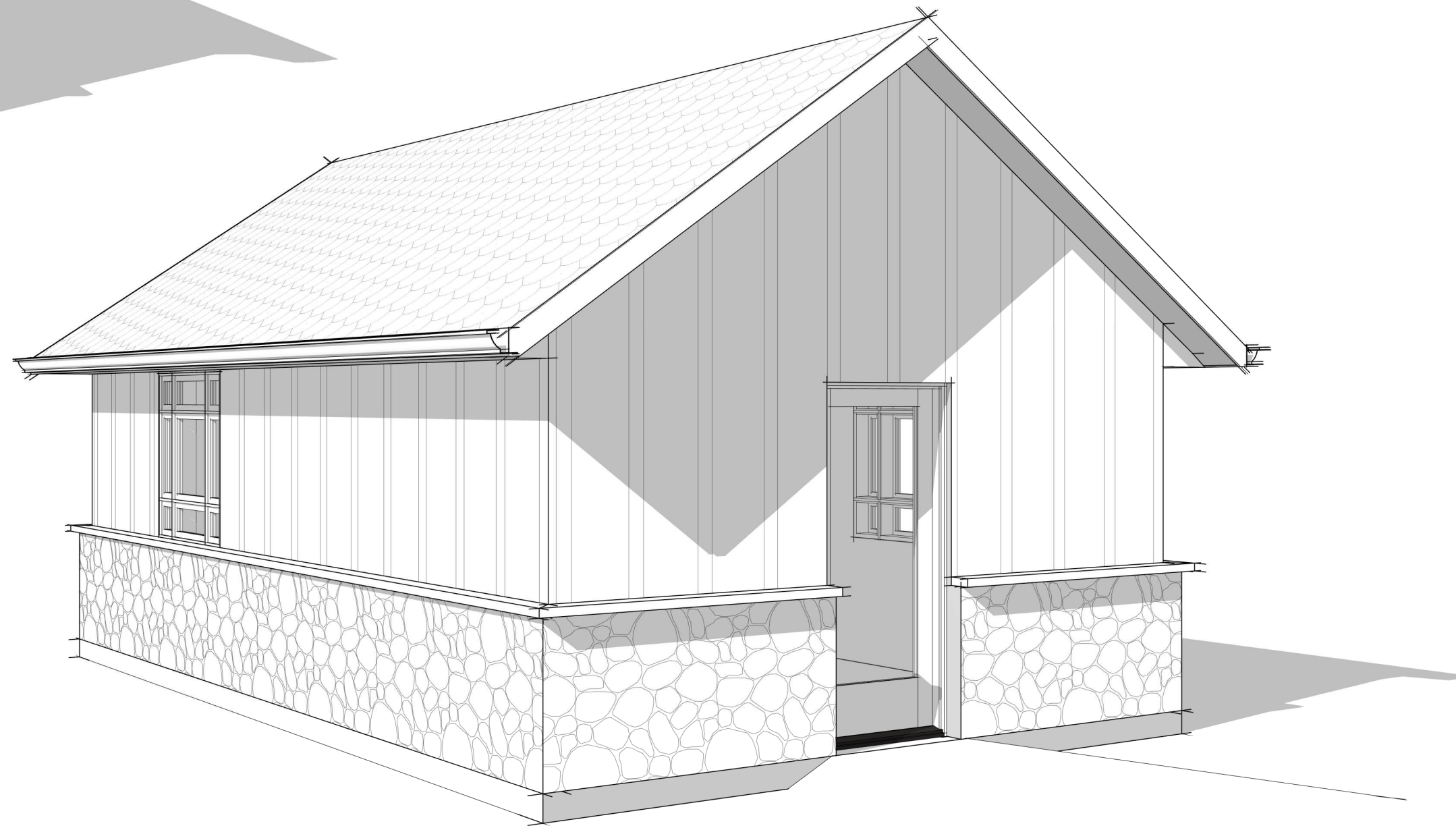
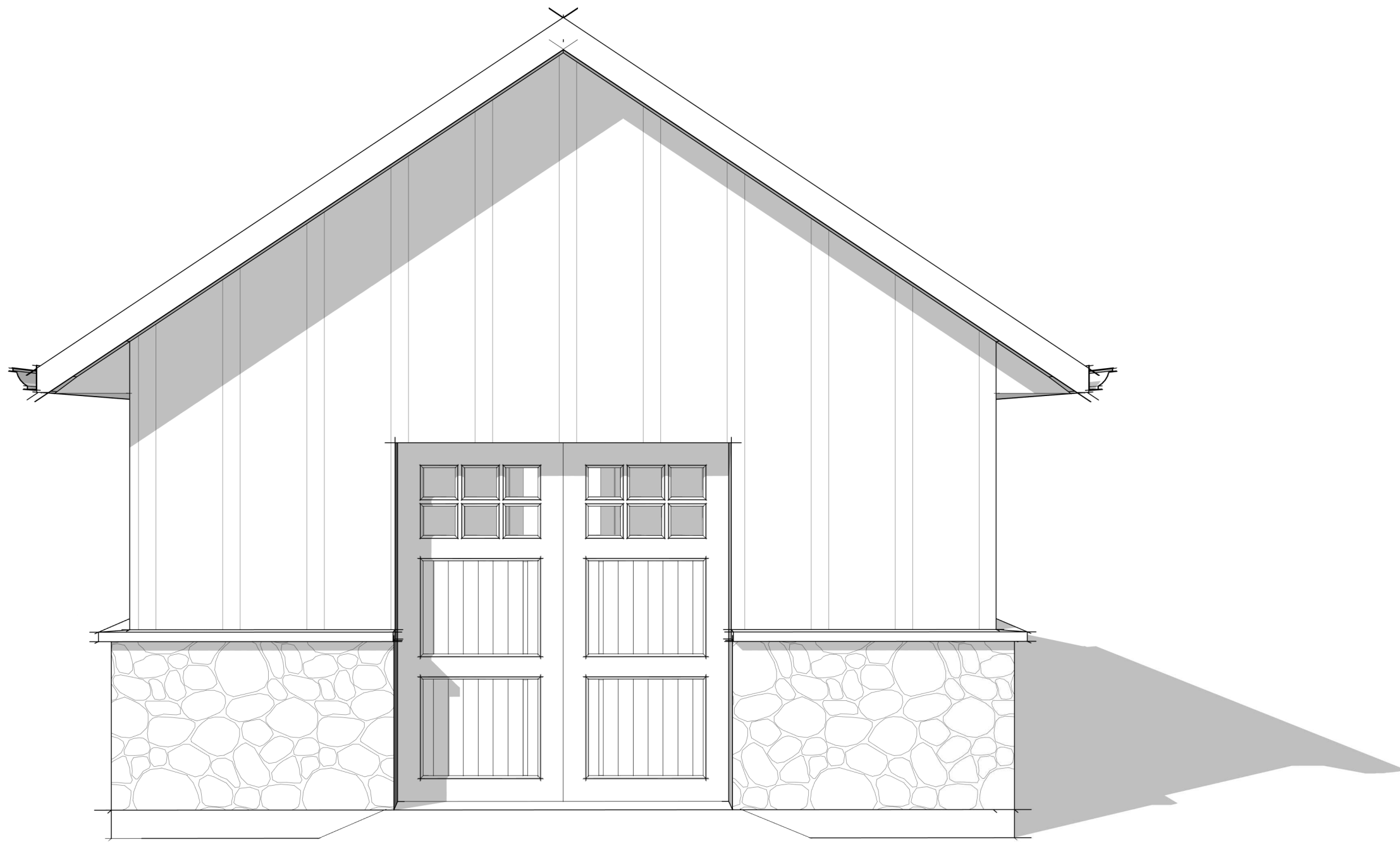
2) Building Height:

The owner needs the ceiling height (and garage door height) inside the building to fit his vehicles. The height of the roof is directly related to the depth of the garage (rise vs. run).

If you have any further questions, please do not hesitate to contact me.

Sincerely,

Ian Jonkman, Arch. Dipl. Tech.  
**Andy Jonkman Construction Ltd.**



# Laman Shed

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No.	DATE	DESCRIPTION
DRL	06.18.2020	Preliminary Design
DIR	09.22.2022	Issued For Client Review
DRB	09.30.2022	Issued For Review

Ian Jonkman reviews and takes responsibility for the design work on behalf of a firm, Andy Jonkman Construction Ltd., registered under sub-section 3.2.4. of Division C of the Building Code.  
 Individual BCIN: 45579  
 Firm BCIN: 103245  
**Ian Jonkman**  
 NAME SIGNATURE

**iDESIGN DRAFTING**  
 580 Sheffield Rd., R.R.#1,  
 Troy, Ontario LOR 2B0  
 Office: 519-647-3223  
 Cell: 519-751-8412 i-design.ca

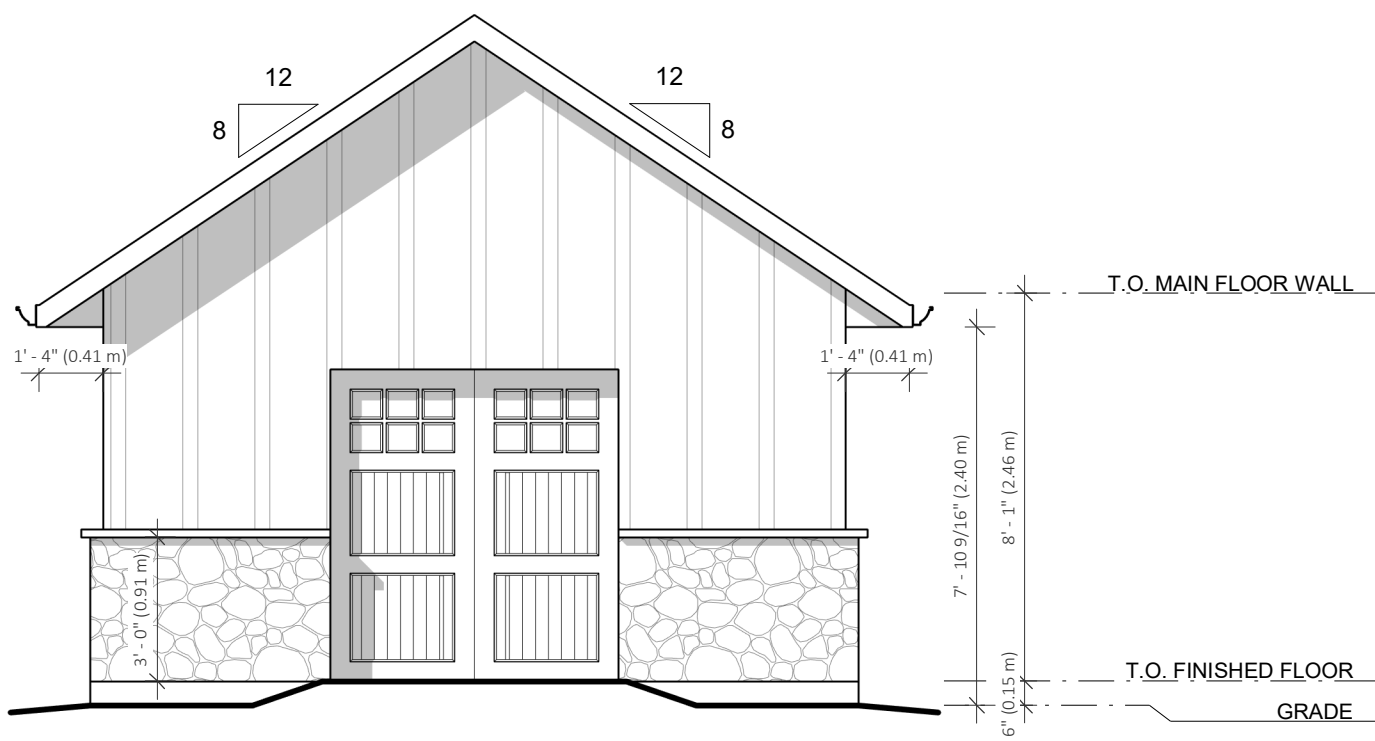
**PROJECT INFORMATION**  
**Laman Shed**  
 2309 Governors Rd,  
 Hamilton, ON

**SHEET TITLE**  
 Title Page

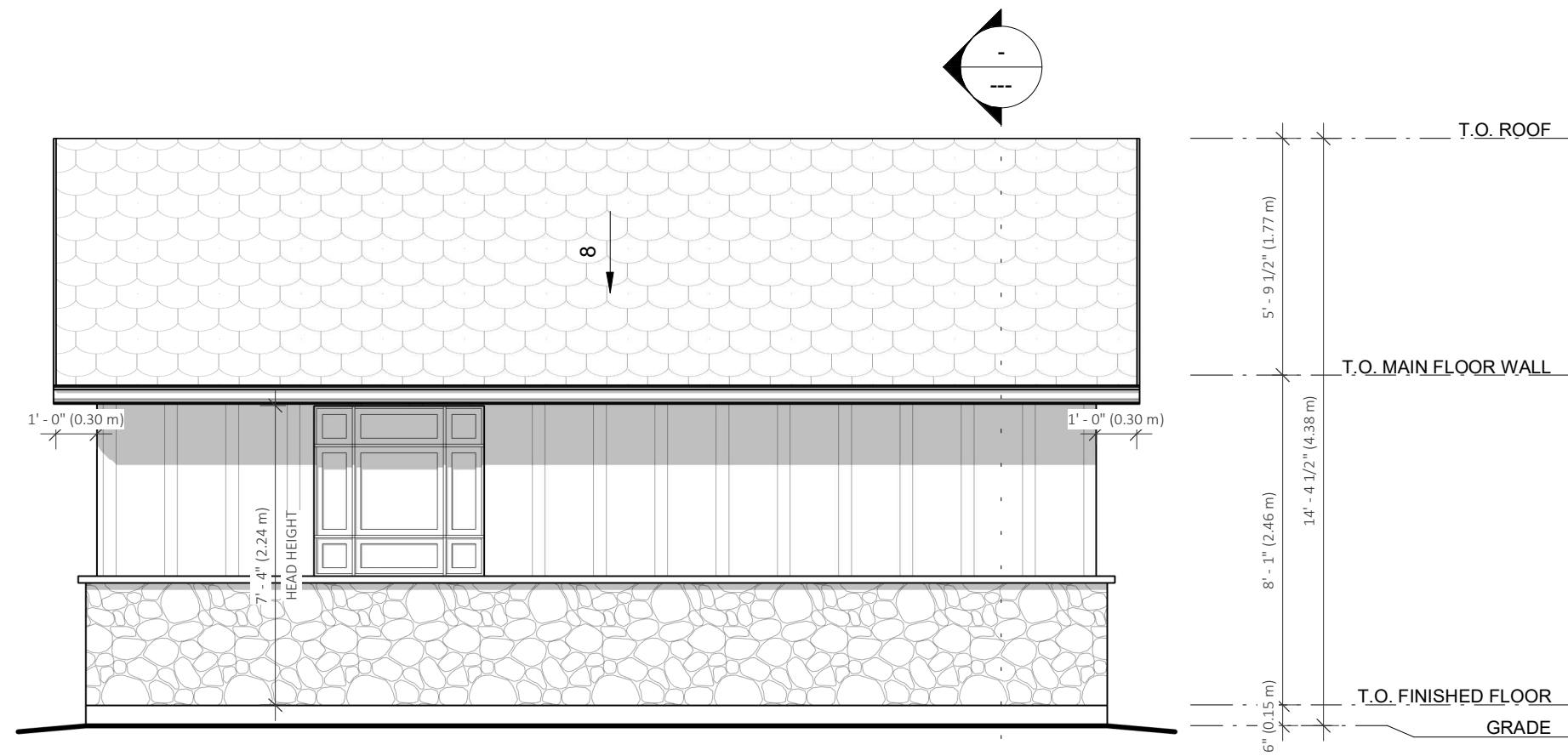
**OWNER:** E.Laman  
**DRAWN BY:** B.Powell  
**CHECKED BY:** I. Jonkman

**DATE** 09.30.2022 **SHEET** A.1  
**SCALE** OF

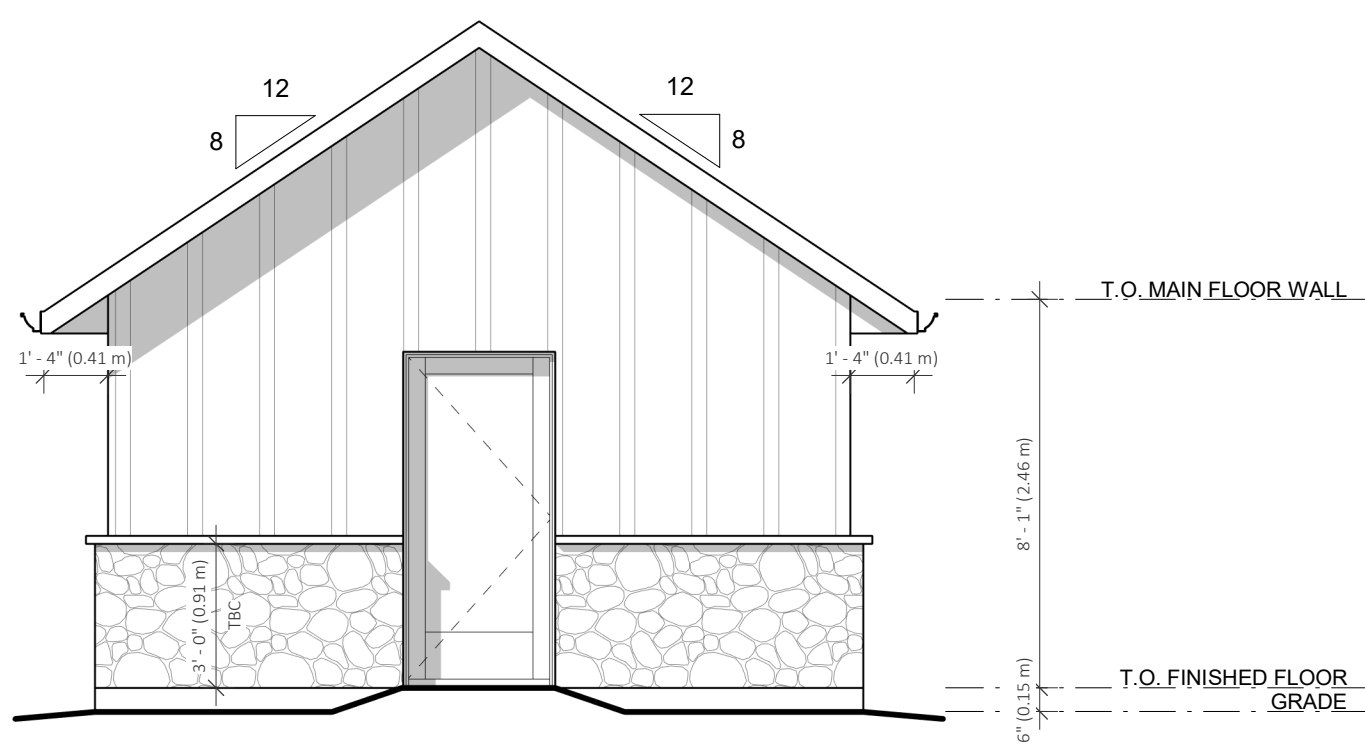
**PROJECT No. :** J20067.1



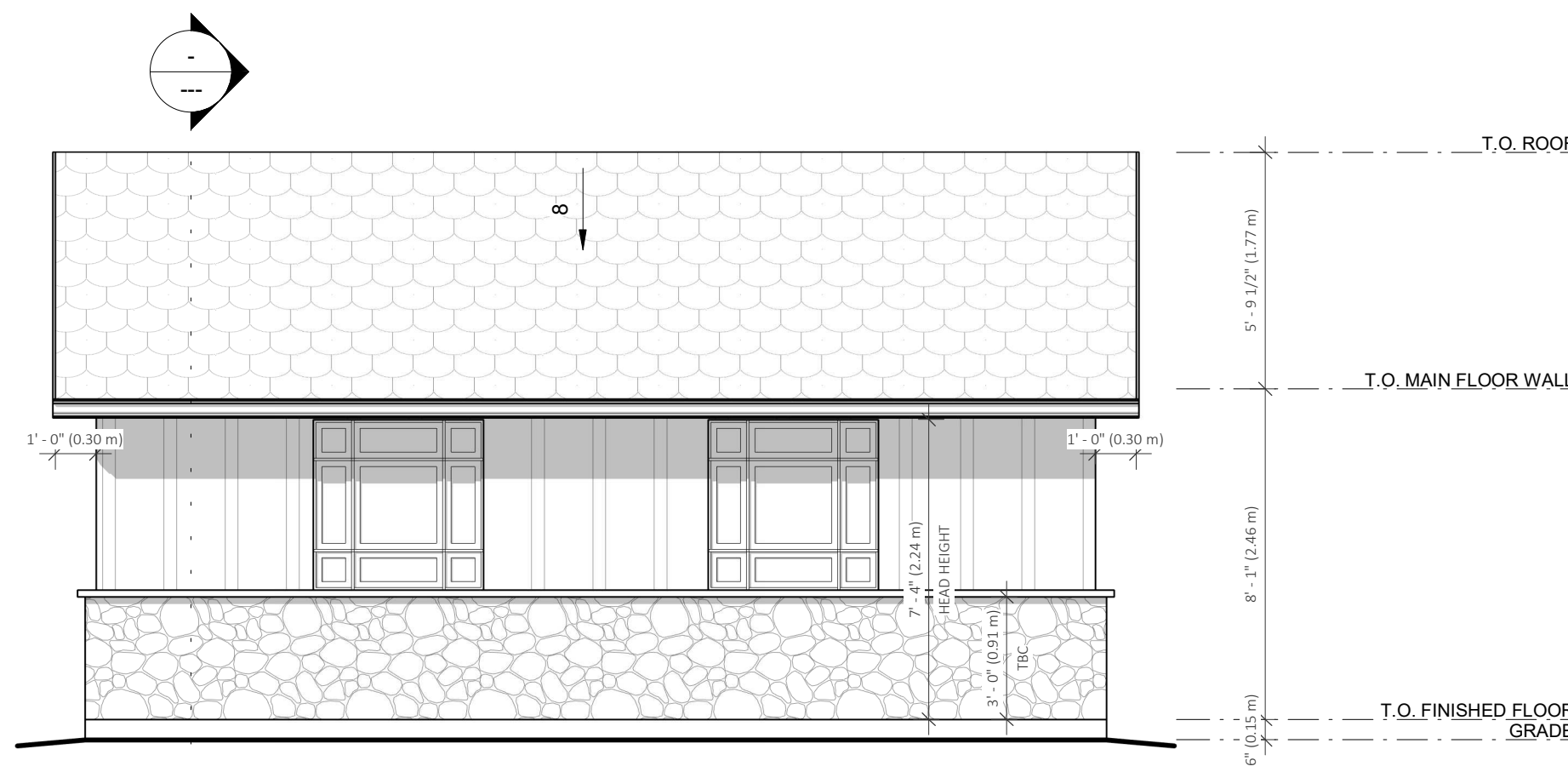
**1 EAST ELEVATION**  
A.2 1/4" = 1'-0"



**3 NORTH ELEVATION**  
A.2 1/4" = 1'-0"



**2 WEST ELEVATION**  
A.2 1/4" = 1'-0"



**4 SOUTH ELEVATION**  
A.2 1/4" = 1'-0"

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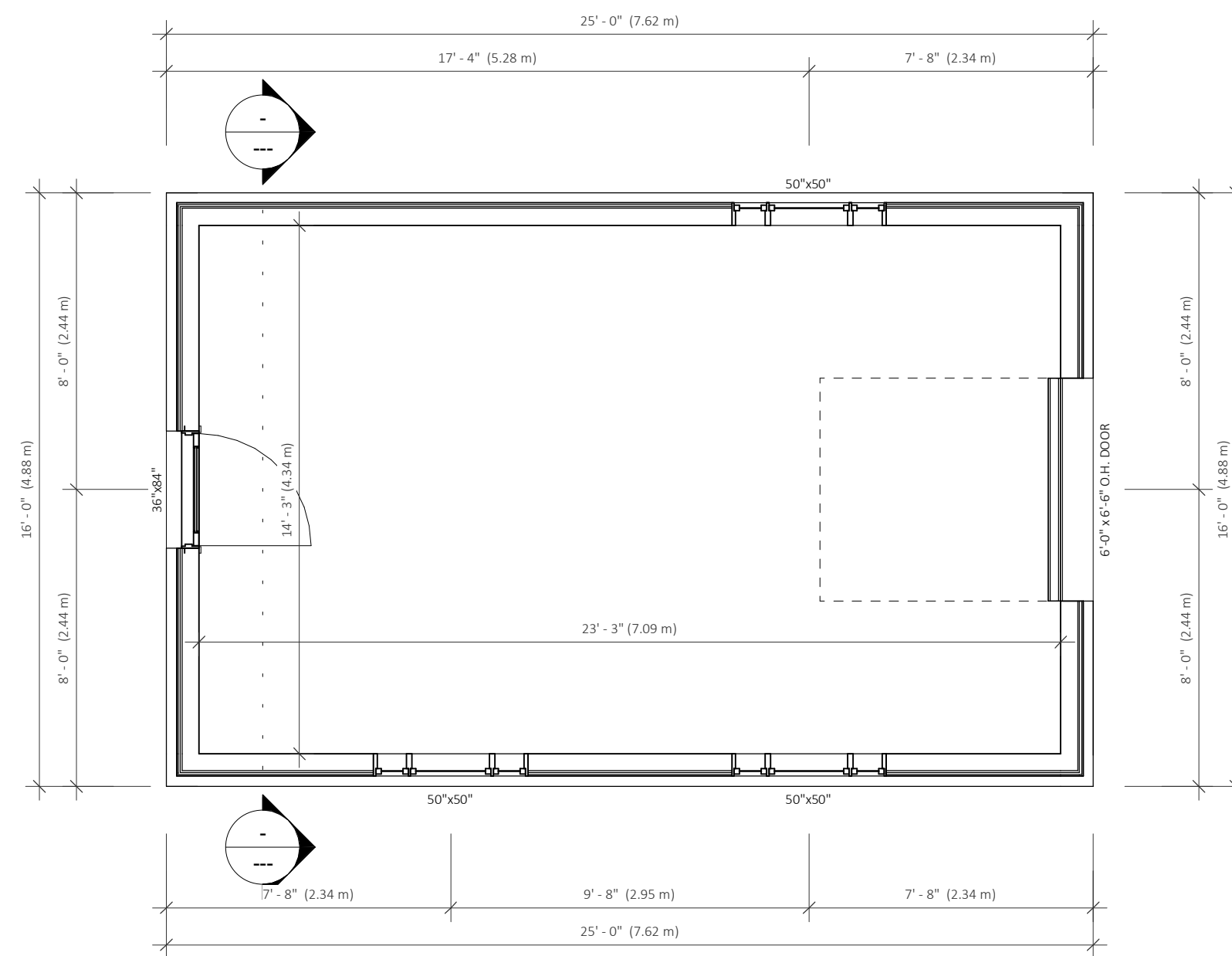
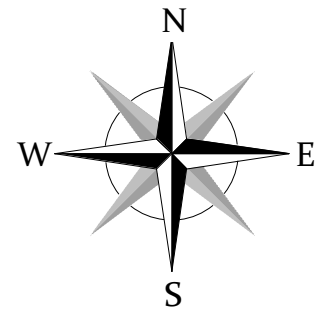
**PROJECT INFORMATION**  
**Laman Shed**  
 2309 Governors Rd,  
 Hamilton, ON

**SHEET TITLE**  
 Elevations

**OWNER:** E.Laman  
**DRAWN BY:** B.Powell  
**CHECKED BY:** I. Jonkman

**DATE** 09.30.2022 **SHEET** A.2  
**SCALE** 1/4" = 1'-0" OF  
**PROJECT No. :** J20067.1





1 MAIN FLOOR PLAN  
A.3 1/4" = 1'-0"



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Cell: 519-751-8412 i-design.ca

**PROJECT INFORMATION**  
**Laman Shed**  
2309 Governors Rd,  
Hamilton, ON

**SHEET TITLE**  
Main Floor Plan

OWNER: E.Laman  
DRAWN BY: B.Powell  
CHECKED BY: I. Jonkman  
DATE: 09.30.2022 SHEET: A.3  
SCALE: 1/4" = 1'-0" OF  
PROJECT No. : J20067.1



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# Laman Garage



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DR2	09.22.2022	Issued For Client Review
DR3	09.27.2022	Issued For Client Review
DR4	09.30.2022	Issued For Review

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 Individual BCIN: 45579  
 Firm BCIN: 103245  
**Ian Jonkman**  
 NAME SIGNATURE

**iDESIGN DRAFTING**  
 580 Sheffield Rd., R.R.#1,  
 Troy, Ontario LOR 2B0  
 Office: 519-647-3223  
 Cell: 519-751-8412 i-design.ca

**PROJECT INFORMATION**  
**Laman Garage**  
 2309 Governors Rd,  
 Hamilton, ON

**SHEET TITLE**  
 Title Page

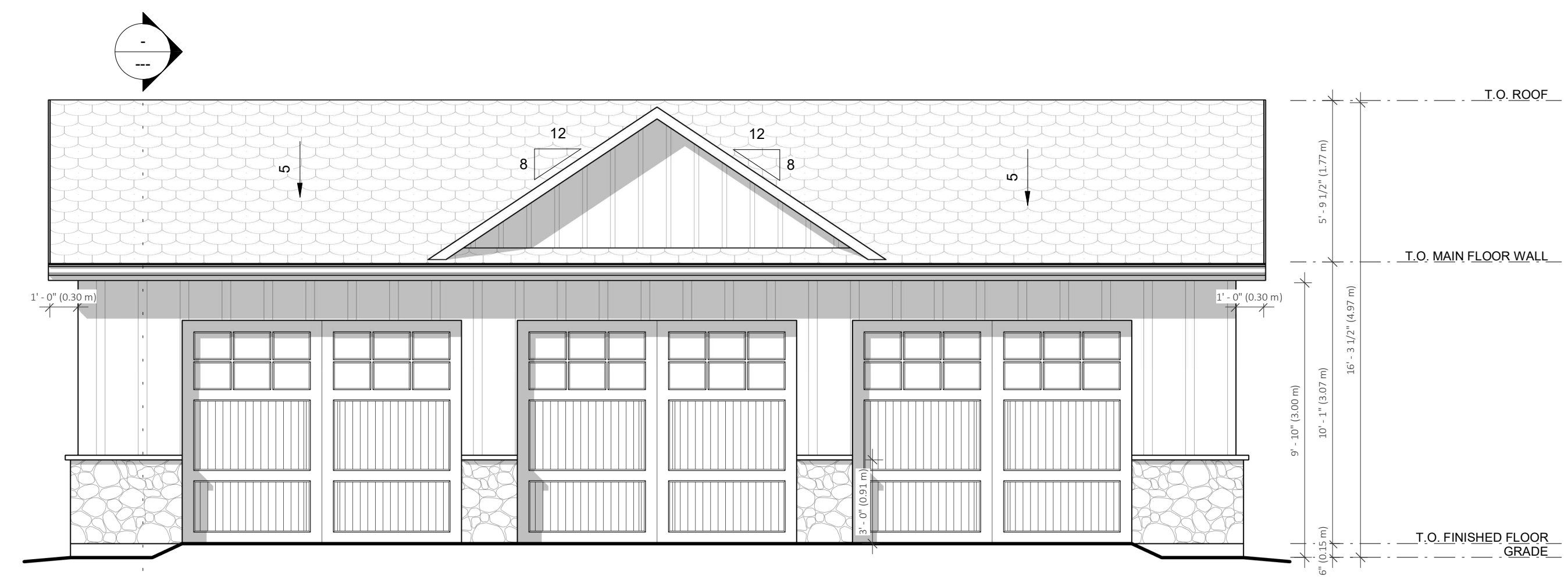
**OWNER:** E.Laman  
**DRAWN BY:** B.Powell  
**CHECKED BY:** I. Jonkman

**DATE** 09.30.2022 **SHEET**  
**SCALE** **A.1**  
 OF

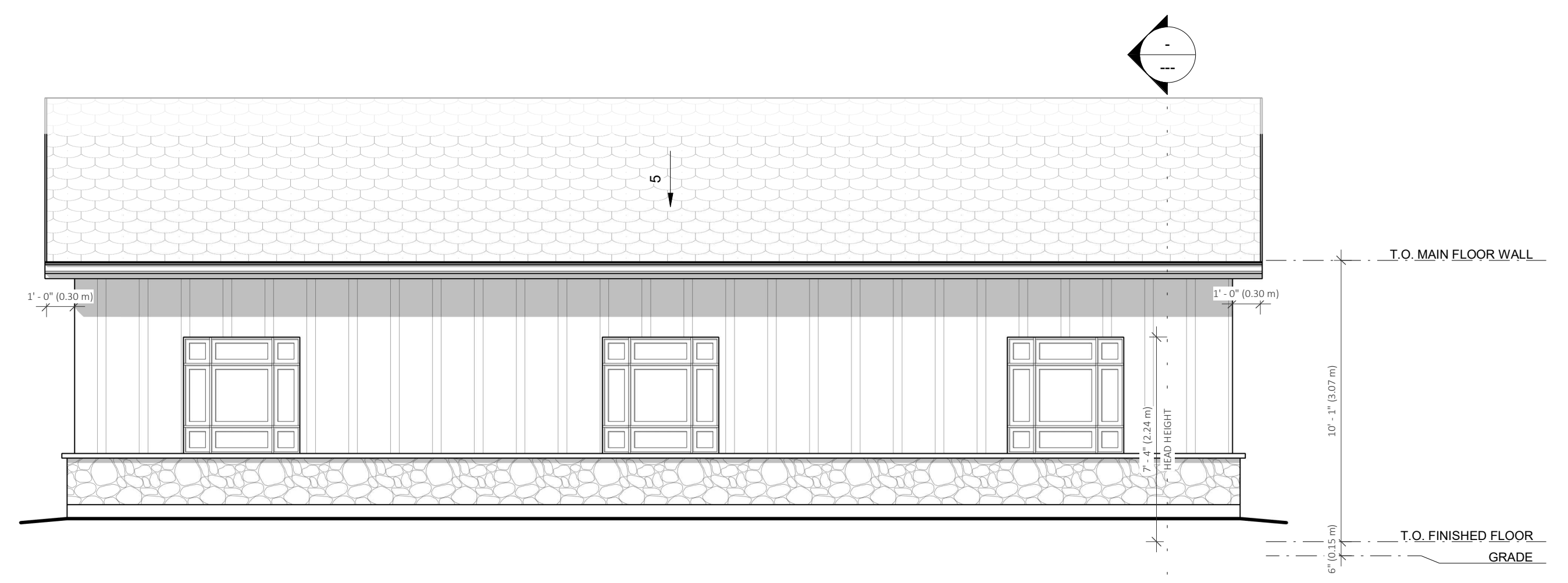
**PROJECT No. :** J20067



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**2 SOUTH ELEVATION**  
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**SHEET TITLE**  
**Elevations**

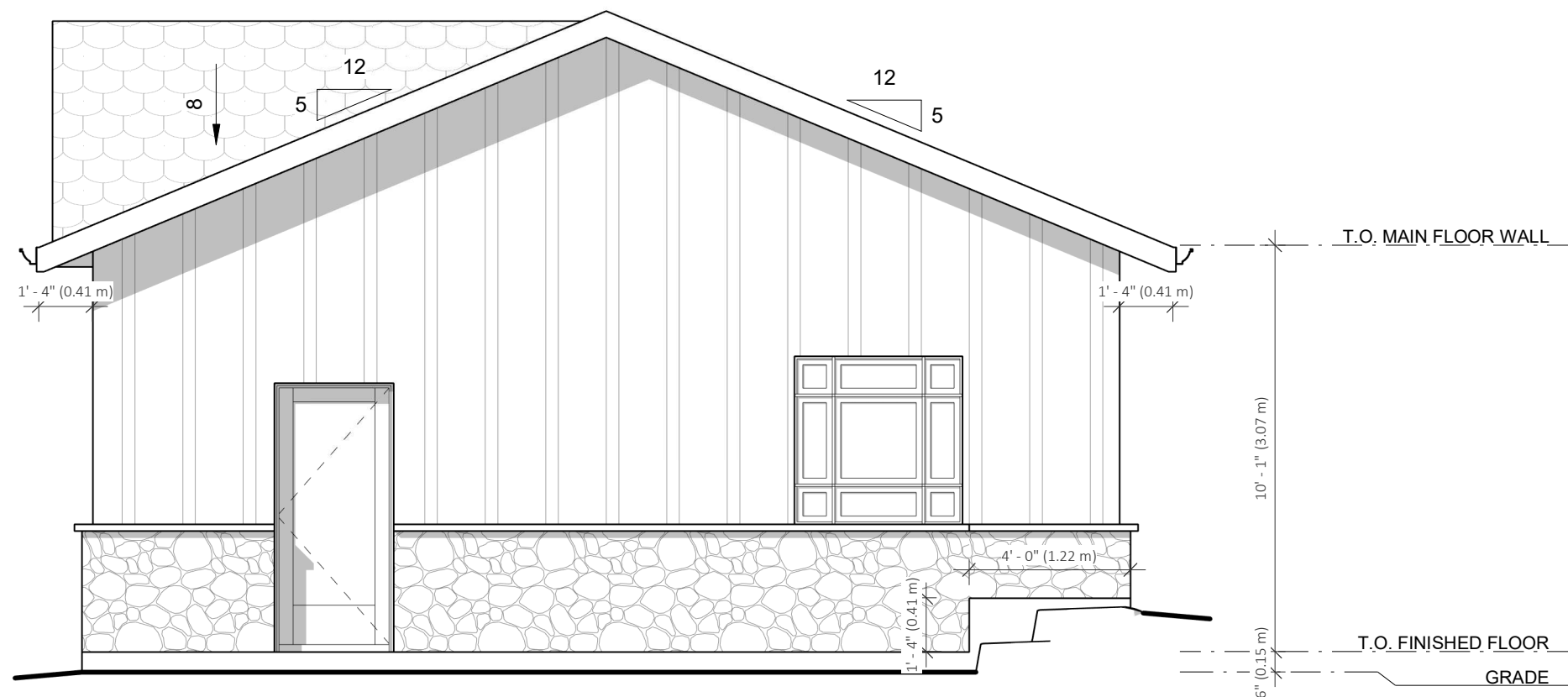
**OWNER:** E.Laman  
**DRAWN BY:** B.Powell  
**CHECKED BY:** I. Jonkman

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**SCALE** 1/4" = 1'-0" **OF**  
**A.2**

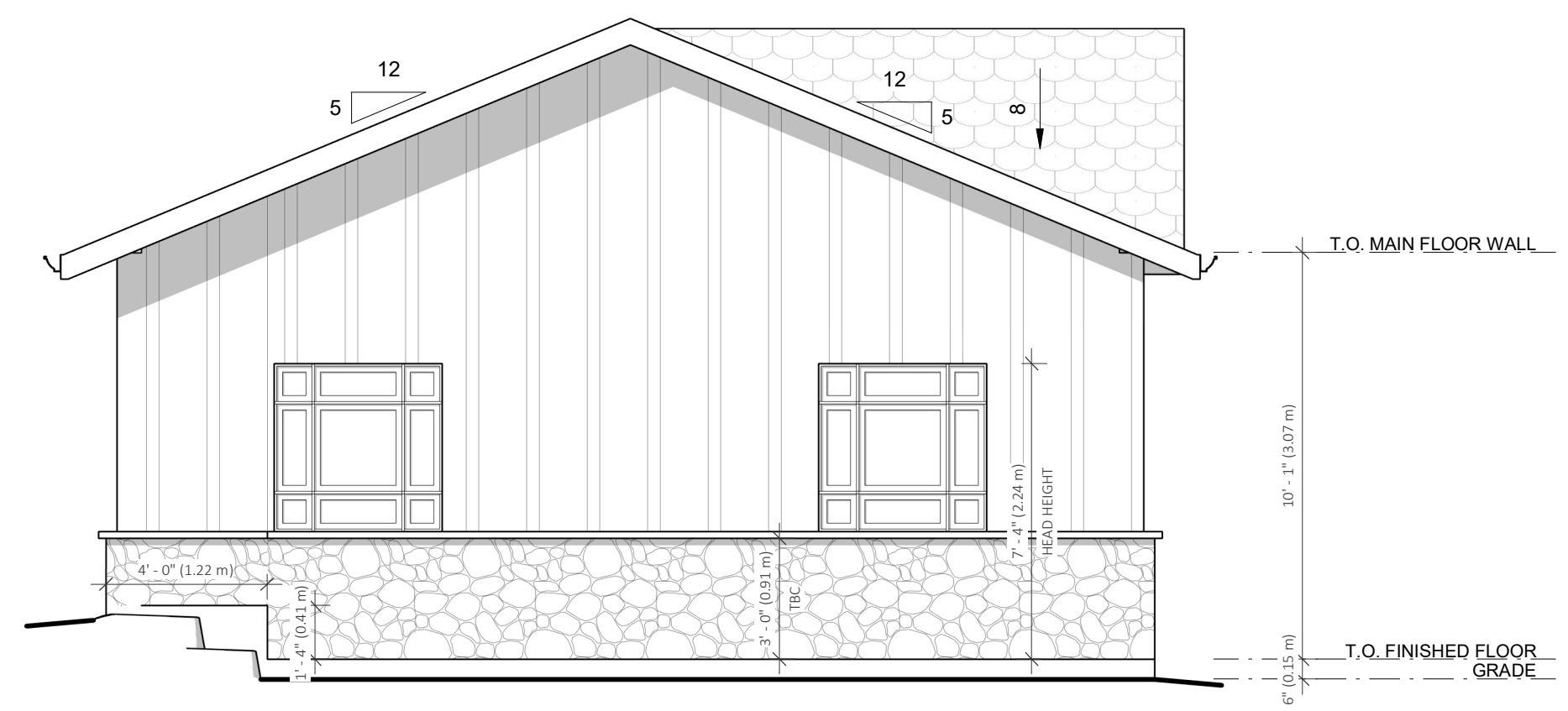
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**SHEET TITLE**  
**Elevations**

**OWNER:** E.Laman  
**DRAWN BY:** B.Powell  
**CHECKED BY:** I. Jonkman

**DATE** 09.30.2022 **SHEET**  
**SCALE** 1/4" = 1'-0" **A.3**  
 OF

**PROJECT No. :** J20067



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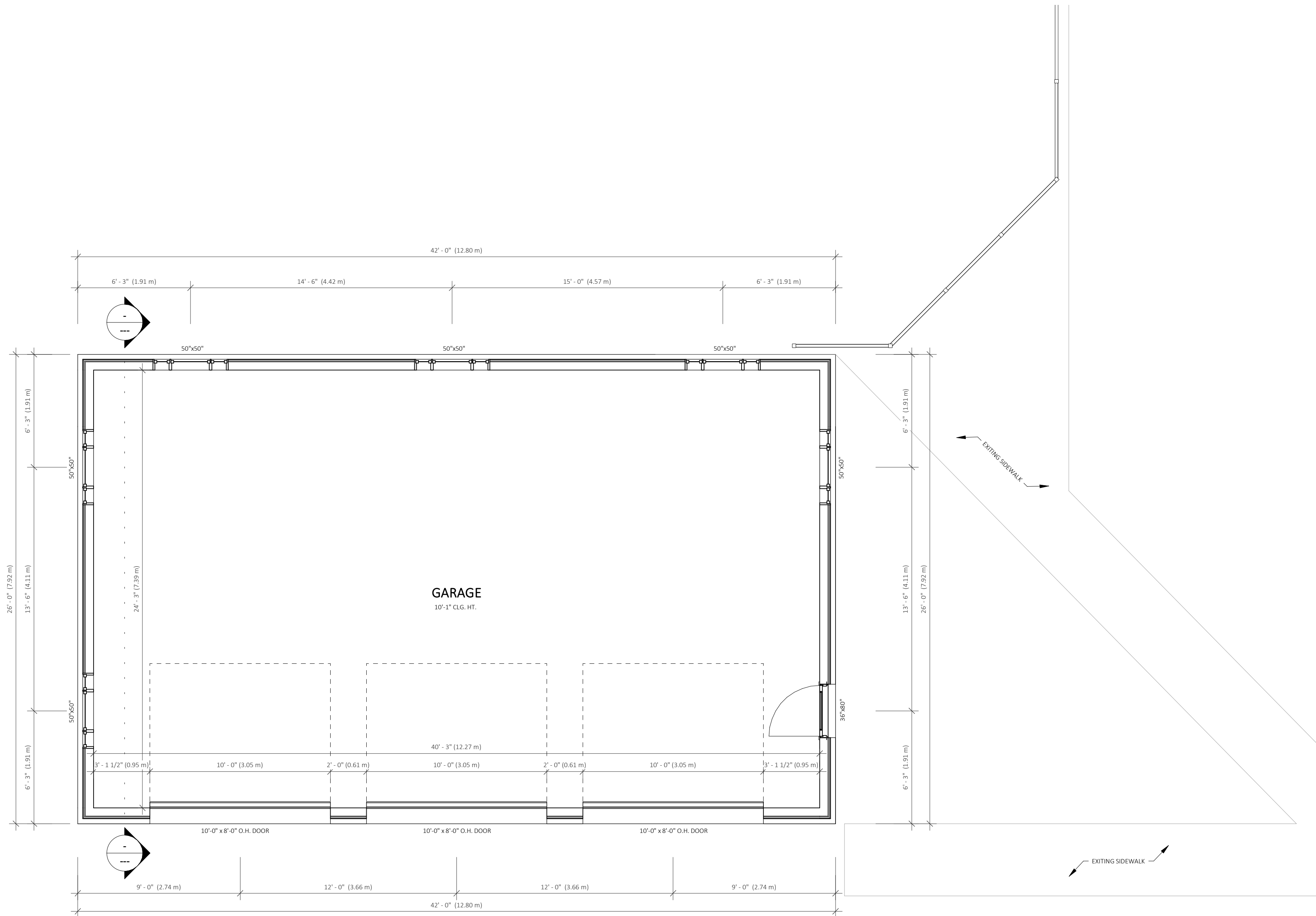
**PROJECT INFORMATION**  
**Laman Garage**  
 2309 Governors Rd,  
 Hamilton, ON

**SHEET TITLE**  
**Main Floor Plan**

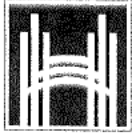
**OWNER:** E.Laman  
**DRAWN BY:** B.Powell  
**CHECKED BY:** I. Jonkman

**DATE** 09.30.2022 **SHEET**  
**SCALE** 1/4" = 1'-0" **OF**  
**A.5**

**PROJECT No. :** J20067



**1 MAIN FLOOR PLAN**  
**A.5 1/4" = 1'-0"**



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

<b>FOR OFFICE USE ONLY.</b>	
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)	Cyndi Laman PETER DENDERKER	[REDACTED]
Applicant(s)*		
Agent or Solicitor	Ian Jonkman	

Note: Unless otherwise requested all any.

3. Names and addresses of any mortgagees, holders of charges or other encumbrances:

N/A
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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:

Information provided on a separate attachment.

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

Information provided on a separate attachment.

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**):

Part of Lot 28, Concession 1, Geographic Township of Beverly, City of Hamilton.  
2309 Governors Rd.

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

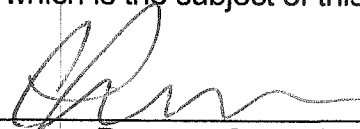
8.11 What information did you use to determine the answers to 8.1 to 8.10 above?  
 The owner's knowledge of the past history of this property and the town it is located in.

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.

29/09/22  
 Date

  
 Signature Property Owner(s)

Cyndi Lamar  
 Print Name of Owner(s)

  
 Peter Dandekker

10. Dimensions of lands affected:  
 Frontage 91.45m  
 Depth 107.25m  
 Area 1236 ACRES  
 Width of street 7.0m

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 House: 1 story, building area = 429.2m<sup>2</sup>, building height = 9.411m, no attached garage <sup>covered porch = 51m<sup>2</sup></sup> Existing shed #1: 1 story, building area = 14.95 sq. m., building height = 3.708 sq. m. Existing shed #2 (to be demolished): 1 story, building area = 24.5 sq. m., building height = 3.556m

Proposed  
Detached accessory building (Garage) #1: 1 story, building area 101.45 sq. m., building height = 4.97m  
Detached accessory building (Shed) #2: 1 story, building area = 37.16 sq. m., building height = 4.38m

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

Existing:  
Existing house: west side yard = 24.91m, north side yard = 9.116m, south side yard = 67.77m, east side yard = 36.51m. Existing shed #1: west side yard = 22.54m, north side yard = 1.02m, south side yard = 103.89m, east side yard = 57.32m Existing shed #2 (to be demolished): west side yard = 1.2m, north yard = 1.2m, south yard = 101.34m, east yard = 42.83m. west side yard = 34.28m

Proposed:  
Detached accessory building (Garage) #1: west side yard = 5.88m, north side yard = 11.33m, south side yard = 88.45m, east side yard = 66.48m  
Detached accessory building (Shed) #2: west side yard = 34.28m, north side yard = 1.2m, south side yard = 101.34m, east side yard = 66.48m



13. Date of acquisition of subject lands:  
1983
- 
14. Date of construction of all buildings and structures on subject lands:  
House was built in 2006
- 
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
Single Family Dwelling
- 
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
Single Family Dwelling
- 
17. Length of time the existing uses of the subject property have continued:  
Prior to 1970 (exact date unknown)
- 
18. Municipal services available: (check the appropriate space or spaces)
- |                |            |           |            |
|----------------|------------|-----------|------------|
| Water          | <u>n/a</u> | Connected | <u>n/a</u> |
| Sanitary Sewer | <u>n/a</u> | Connected | <u>n/a</u> |
| Storm Sewers   | <u>n/a</u> |           |            |
- 
19. Present Official Plan/Secondary Plan provisions applying to the land:  

Copetown Hamilton Official Plan - Settlement Residential
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  

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:  

n/a
- 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)  

n/a
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.