



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

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.:	AN/A-23:45	SUBJECT PROPERTY:	548 WEIR ROAD, ANCASTER
ZONE:	“A1 & P7” (Agriculture & Conservation-Hazard Land – Rural P7 Zone)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended

APPLICANTS: Owner: BILL HUIZINGA
 Agent: BNK DESIGN AND CONSTRUCTION C/O NICK BORGDORFF

The following variances are requested:

1. The aggregate Gross Floor area of all Accessory buildings shall not exceed 280.0m², whereas the zoning by-law states that the aggregate Gross Floor Area of all Accessory Buildings shall not exceed 200.0m².

PURPOSE & EFFECT: To facilitate the construction of an accessory building (private garage) for the existing dwelling.

Notes:

The Gross Floor Area calculation shall mean the aggregate horizontal area measured from the exterior faces of the exterior wall of all floor of a building but not including any area devoted to mechanical equipment. The applicant shall confirm that the variance requested for the Gross Floor Area is correct. Based on the submitted plans, it appears that the proposed structure has more than one floor.

The elevation drawing provided does not show the height dimension from grade as defined in the Zoning By-law. Therefore, the applicant shall ensure compliance with the maximum permitted height; otherwise further variances may be required.

No part of the proposed accessory building (private garage) shall be used as a dwelling unit; otherwise, further variances shall be required.

AN/A-23:45

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, March 30, 2023
TIME:	2:55 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

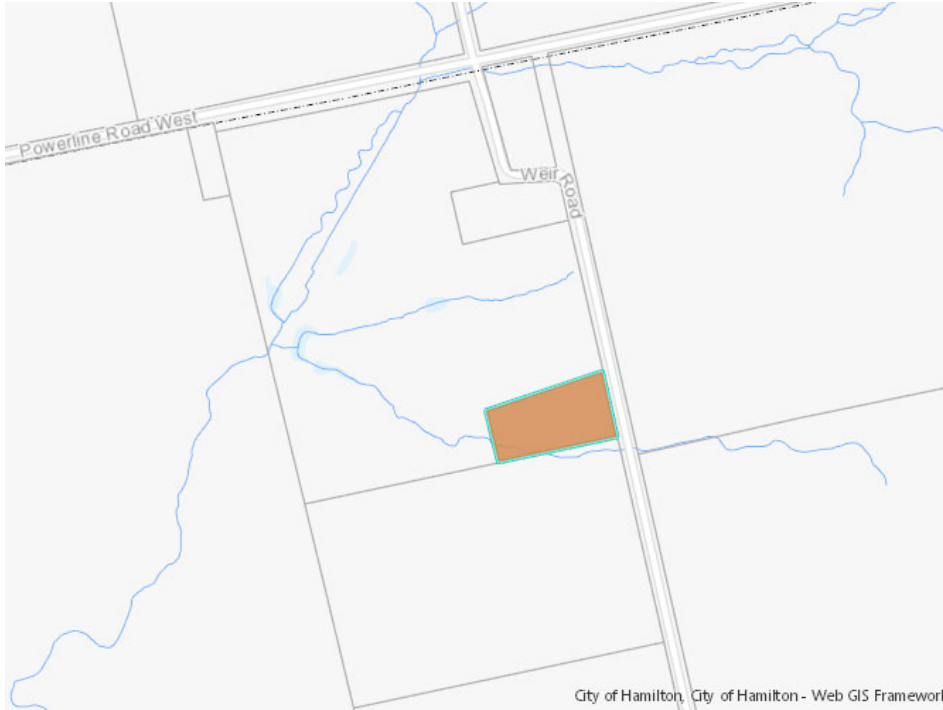
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

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.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding AN/A-23:45, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer 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.



 **Subject Lands**

DATED: March 14, 2023

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

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

E-mail: 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. 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.

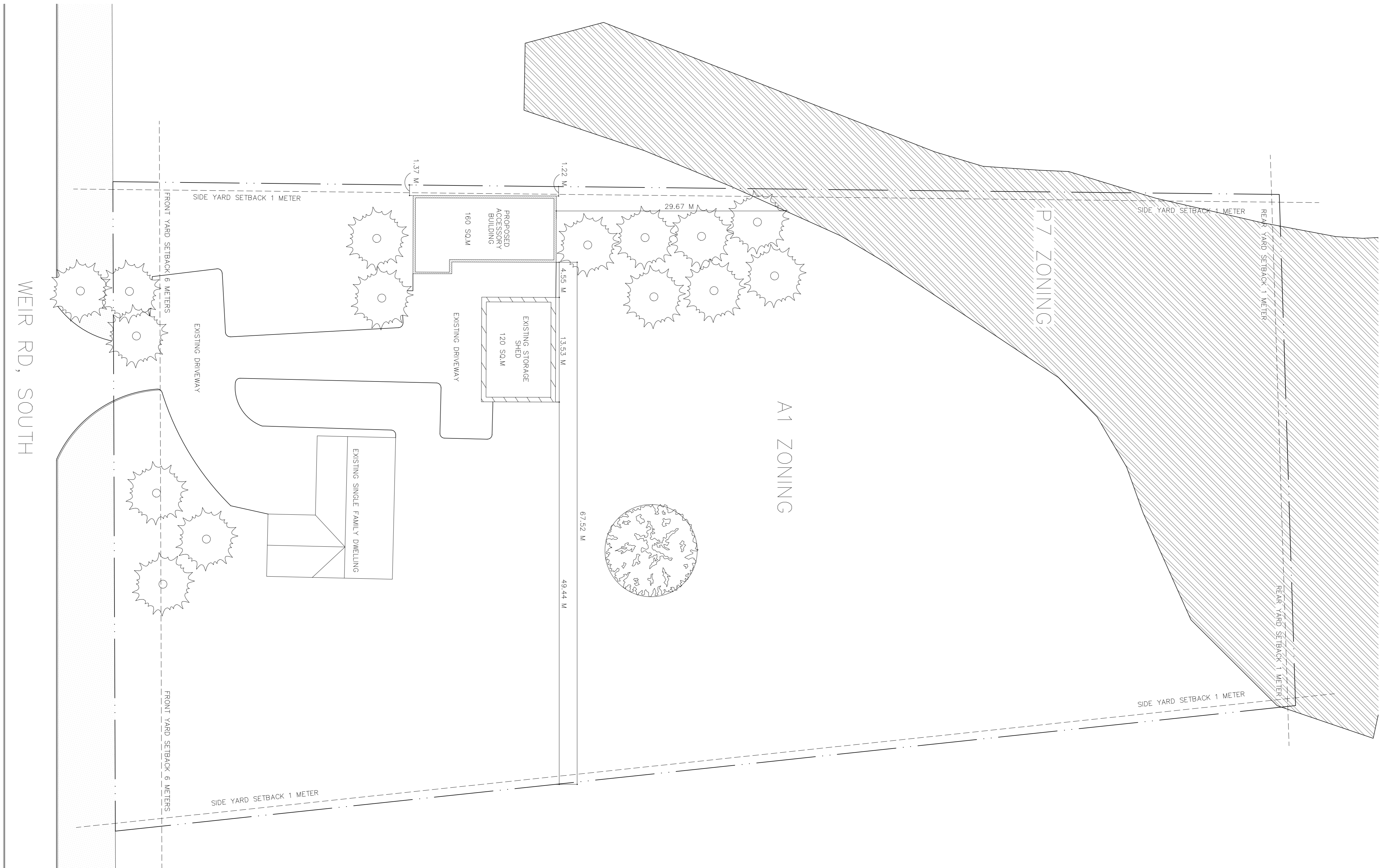
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

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.

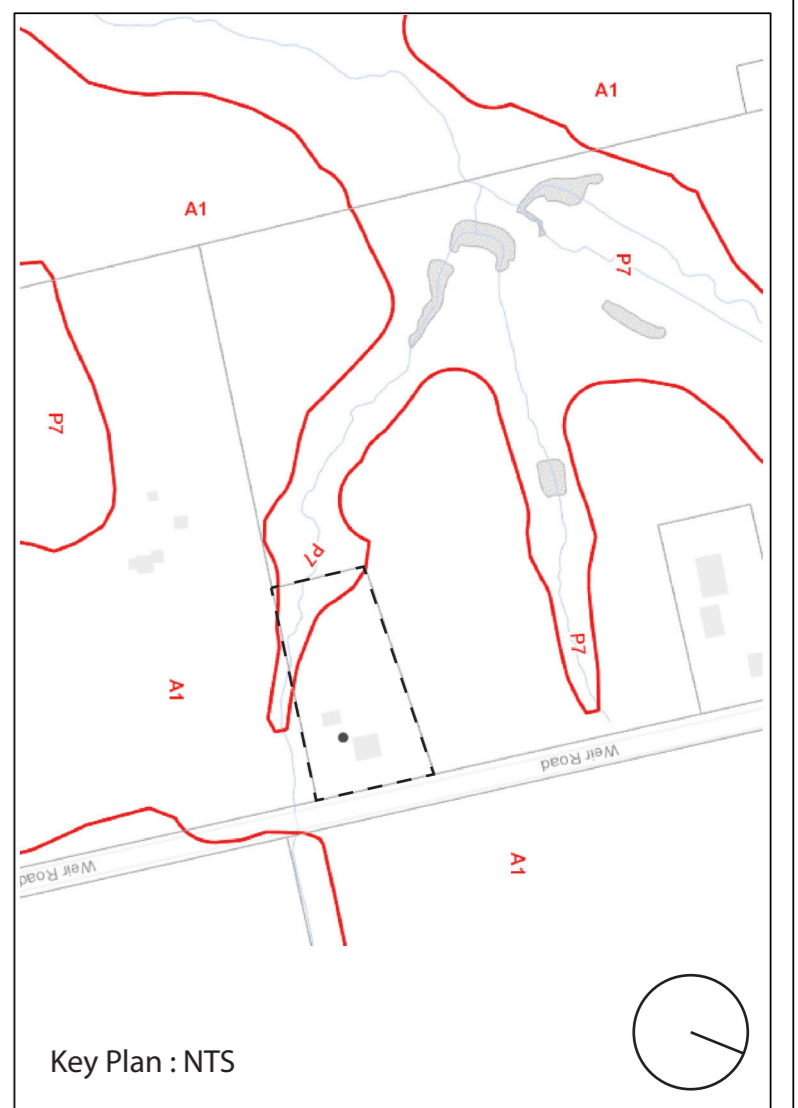
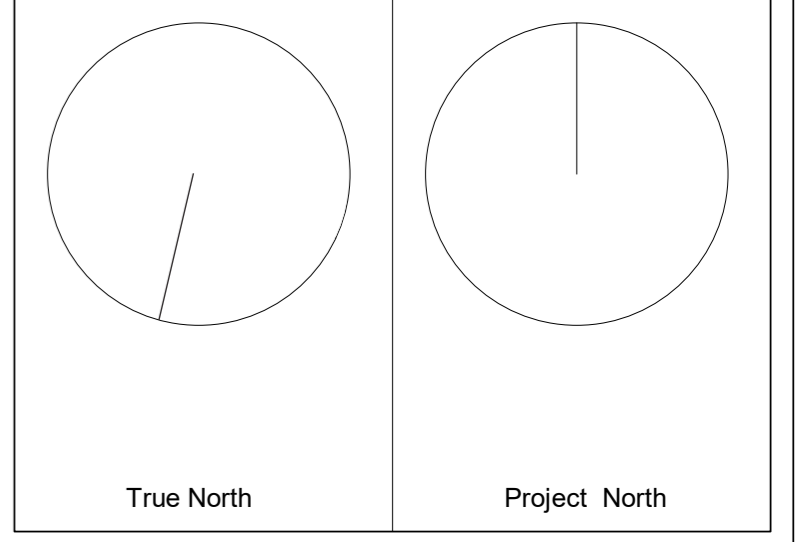
We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

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.



WEIR RD, SOUTH

1 Site
1: 250



- GENERAL NOTES**
1. ALL STANDARDS, MANUALS AND CODES REFERENCED IN THIS SET OF DRAWINGS REFER TO THE MOST RECENTLY IMPLEMENTED VERSION/EDITION
 2. THIS DRAWINGS IS THE EXCLUSIVE PROPERTY OF BNK DESIGN AND CONSTRUCTION INC. THE REPRODUCTION OF ANY PART WITHOUT WRITTEN CONSENT OF THIS OFFICE IS STRICTLY PROHIBITED.
 3. ALL MATERIALS AND WORKMANSHIP TO BE IN ACCORDANCE WITH THE ONTARIO BUILDING CODE (OBC).
 4. ALL WORK IS TO BE CARRIED OUT IN ACCORDANCE WITH THE OCCUPATIONAL HEALTH AND SAFETY ACT OF ONTARIO.
 5. THE CONTRACTOR SHALL EXAMINE ALL DRAWINGS, CHECK ALL DIMENSIONS AND REPORT ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK.

NAME: NICK BORGENDORFF	FIRM BCIN: 115042
ADDRESS: 20 VICTOR BLD., ST. GEORGE, ON	DESIGNER BCIN: 108224

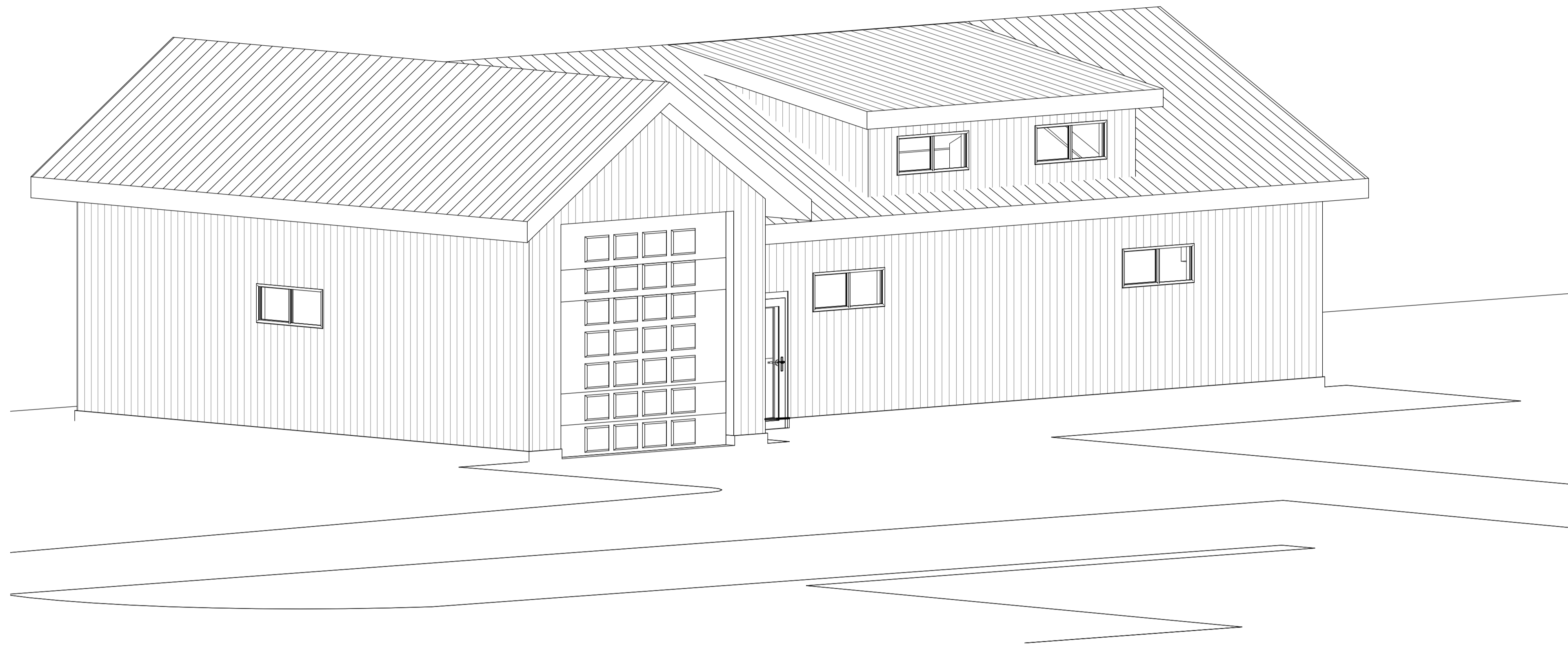
PROJECT
548 WEIR RD., SOUTH, HAMILTON, ONTARIO

Nick Borgdorff

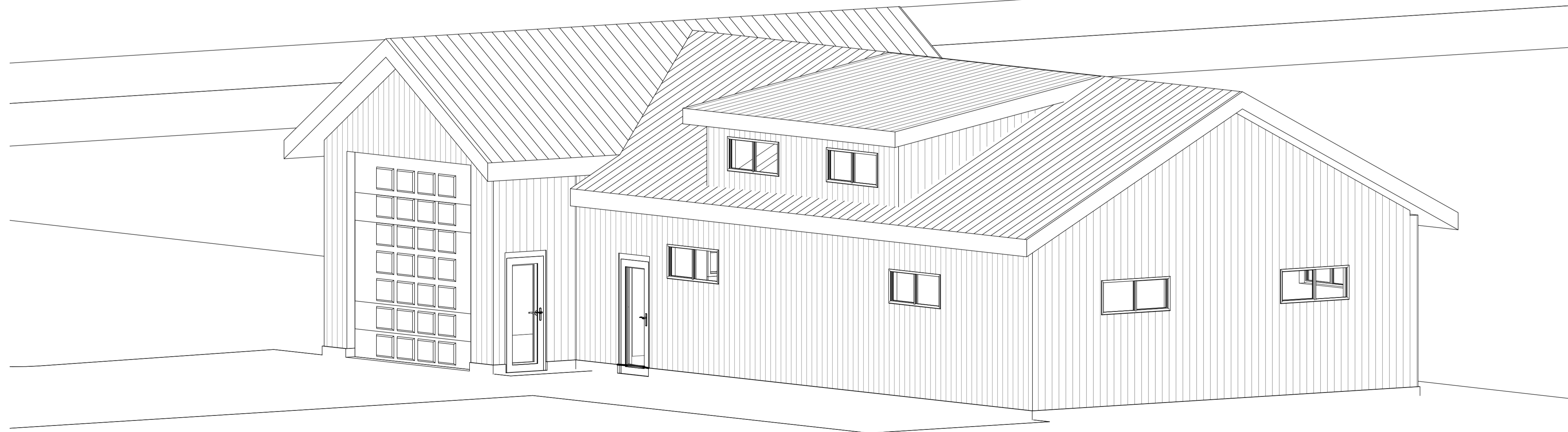
TITLE
SITE PLAN



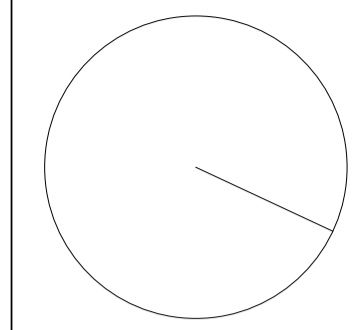
DRAWN BY BNK DESIGN AND CONSTRUCTION INC.	DATE 01/24/23
DRAWING NUMBER A000	SCALE (@ A1) As indicated
REV 001	



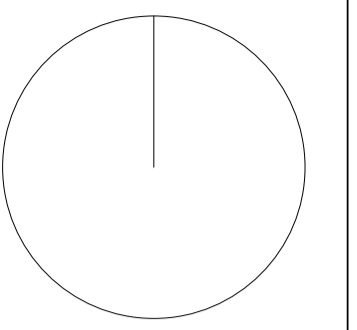
1 Perspective 1



2 Perspective 2



True North



Project North

GENERAL NOTES

1. ALL STANDARDS, MANUALS AND CODES REFERENCED IN THIS SET OF DRAWINGS REFER TO THE MOST RECENTLY IMPLEMENTED VERSION/EDITION
2. THIS DRAWINGS IS THE EXCLUSIVE PROPERTY OF BNK DESIGN AND CONSTRUCTION INC. THE REPRODUCTION OF ANY PART WITHOUT WRITTEN CONSENT OF THIS OFFICE IS STRICTLY PROHIBITED.
3. ALL MATERIALS AND WORKMANSHIP TO BE IN ACCORDANCE WITH THE ONTARIO BUILDING CODE (OBC).
4. ALL WORK IS TO BE CARRIED OUT IN ACCORDANCE WITH THE OCCUPATIONAL HEALTH AND SAFETY ACT OF ONTARIO.
5. THE CONTRACTOR SHALL EXAMINE ALL DRAWINGS, CHECK ALL DIMENSIONS AND REPORT ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK.

NAME: NICK BORGDORFF	FIRM BCIN: 115042
ADDRESS: 20 VICTOR BLD., ST. GEORGE, ON	DESIGNER BCIN: 108224

PROJECT
548 WEIR RD., SOUTH, HAMILTON, ONTARIO

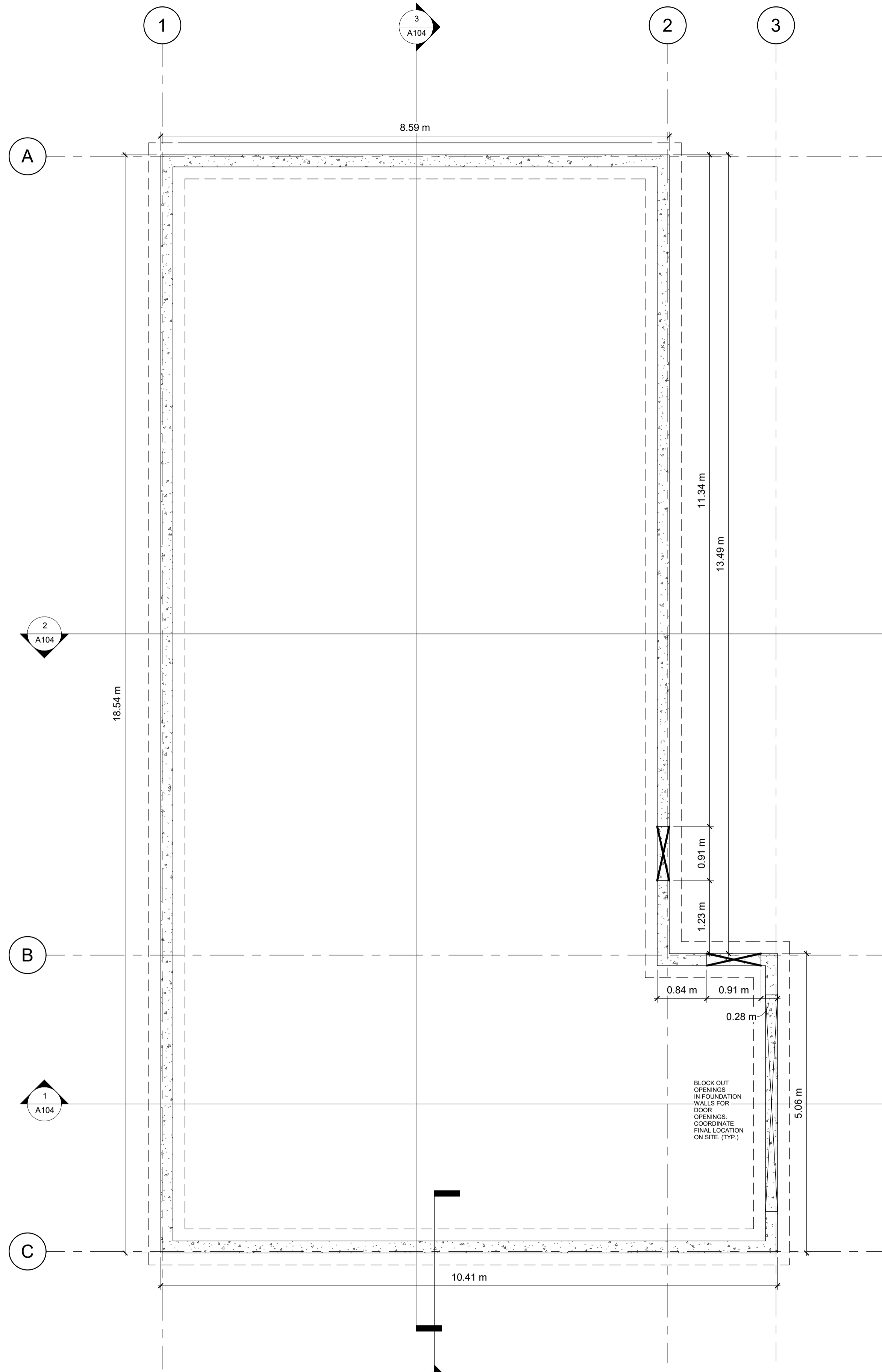
Nick Borgdorff

TITLE
Perspective Views

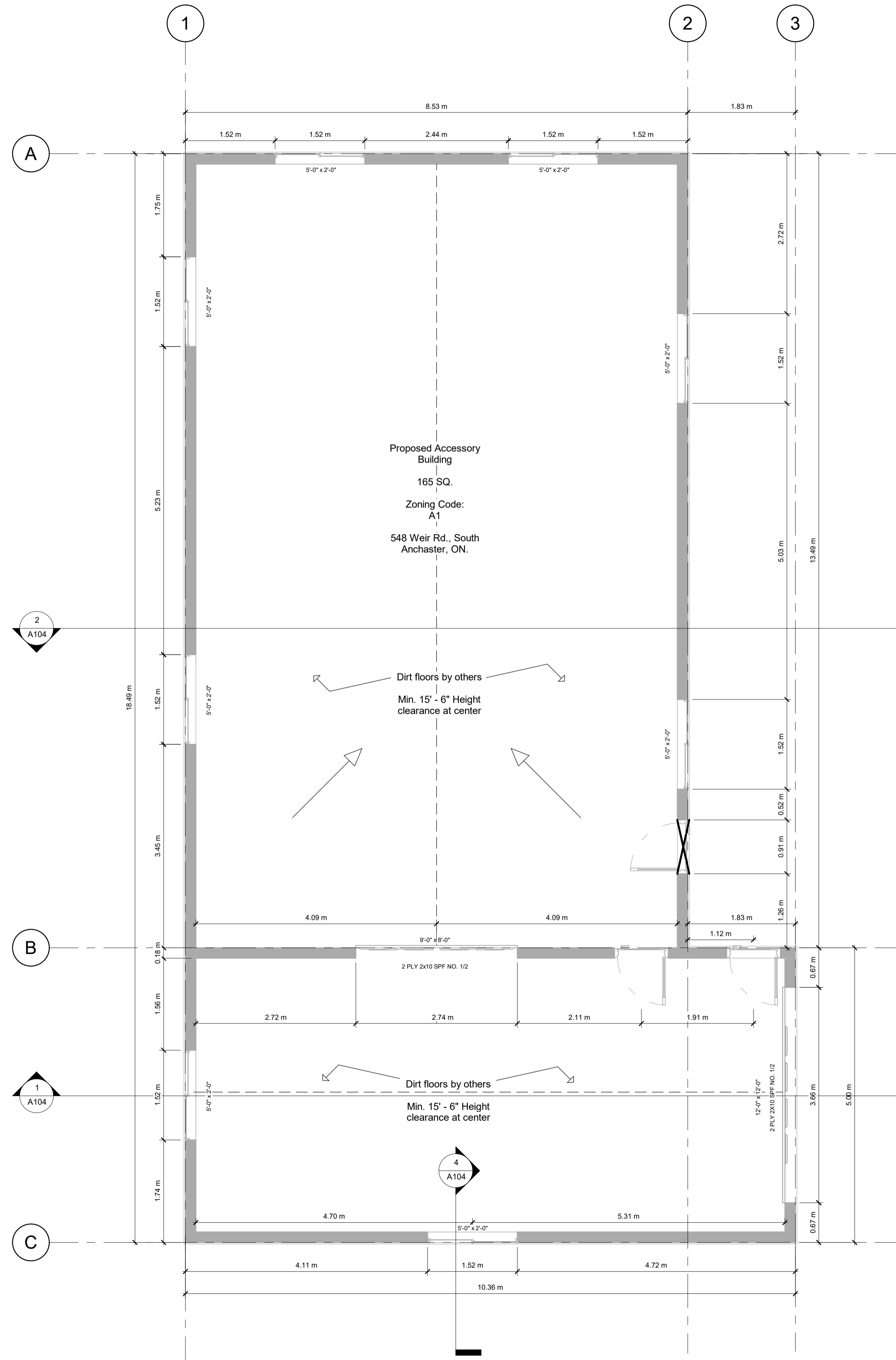


DRAWN BY BNK DESIGN AND CONSTRUCTION INC.	DATE 01/23/23
	SCALE (@ A1)

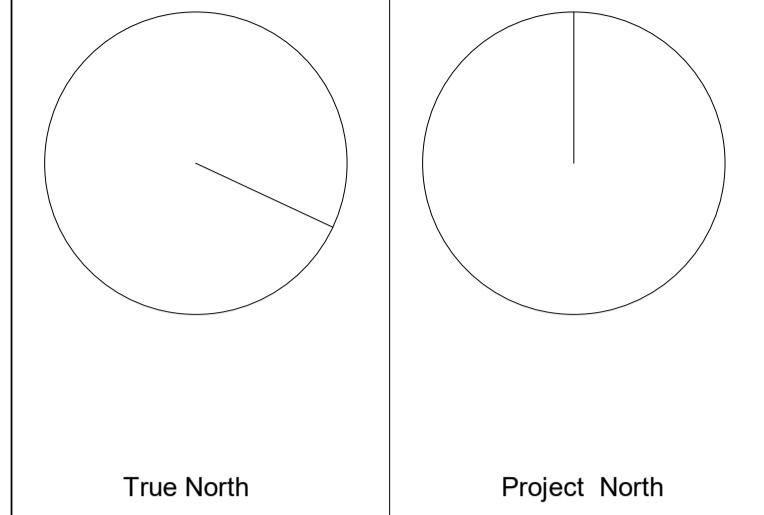
DRAWING NUMBER A100	REV 001
------------------------	------------



1 T/O Foundation
1 : 48



2 Ground Floor
1 : 48



- GENERAL NOTES**
1. ALL STANDARDS, MANUALS AND CODES REFERENCED IN THIS SET OF DRAWINGS REFER TO THE MOST RECENTLY IMPLEMENTED VERSION/EDITION
 2. THIS DRAWINGS IS THE EXCLUSIVE PROPERTY OF BNK DESIGN AND CONSTRUCTION INC. THE REPRODUCTION OF ANY PART WITHOUT WRITTEN CONSENT OF THIS OFFICE IS STRICTLY PROHIBITED.
 3. ALL MATERIALS AND WORKMANSHIP TO BE IN ACCORDANCE WITH THE ONTARIO BUILDING CODE (OBC).
 4. ALL WORK IS TO BE CARRIED OUT IN ACCORDANCE WITH THE OCCUPATIONAL HEALTH AND SAFETY ACT OF ONTARIO.
 5. THE CONTRACTOR SHALL EXAMINE ALL DRAWINGS, CHECK ALL DIMENSIONS AND REPORT ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK.

NAME: NICK BORGENDORFF	FIRM BCIN: 115042
ADDRESS: 20 VICTOR BLD., ST. GEORGE, ON	DESIGNER BCIN: 108224

PROJECT
548 WEIR RD., SOUTH, HAMILTON, ONTARIO

Nick Borgdorff

TITLE
FLOOR PLANS

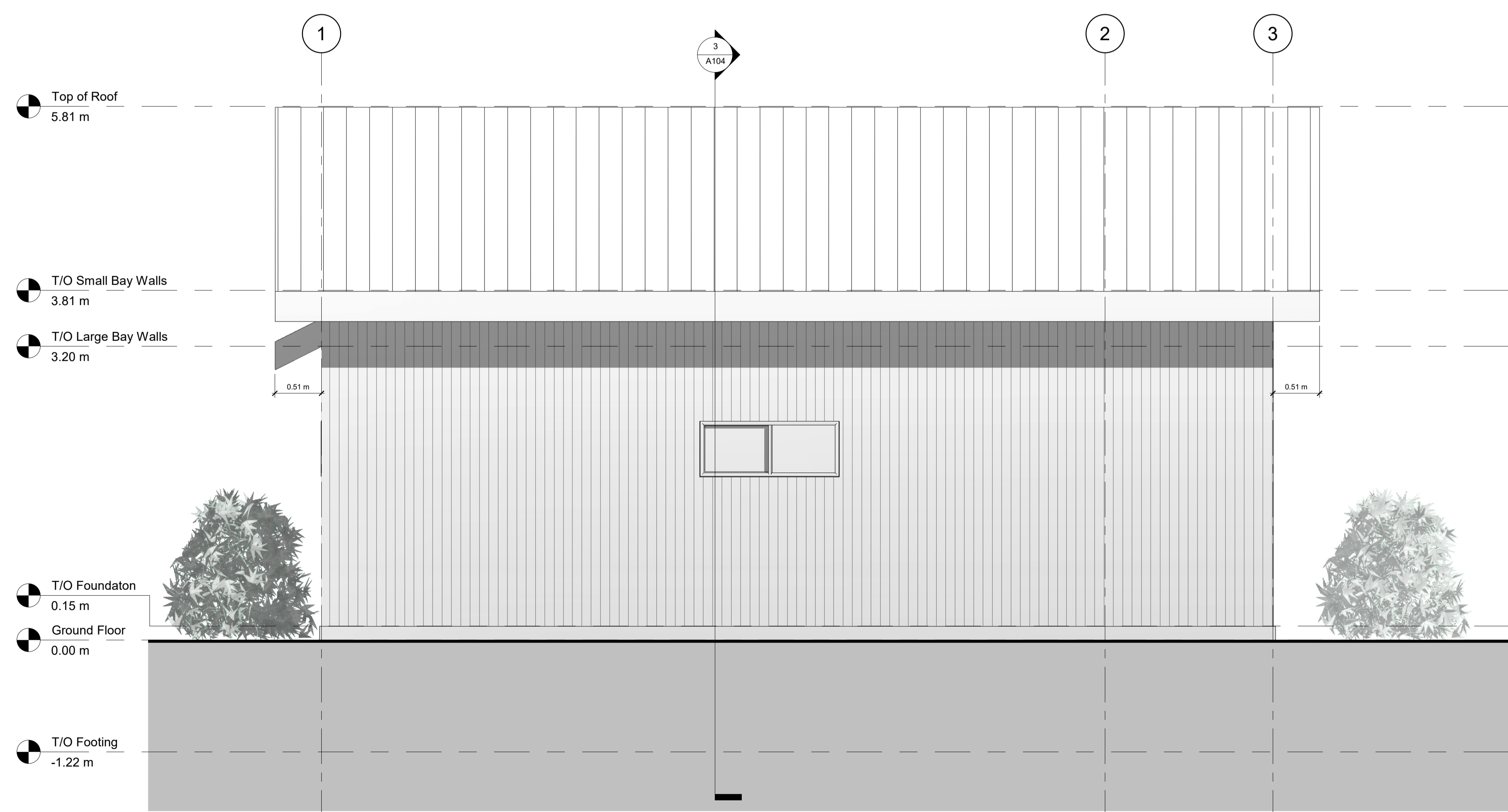


DRAWN BY BNK DESIGN AND CONSTRUCTION INC.	DATE 01/24/23
	SCALE (@ A1) 1/4" = 1'-0"

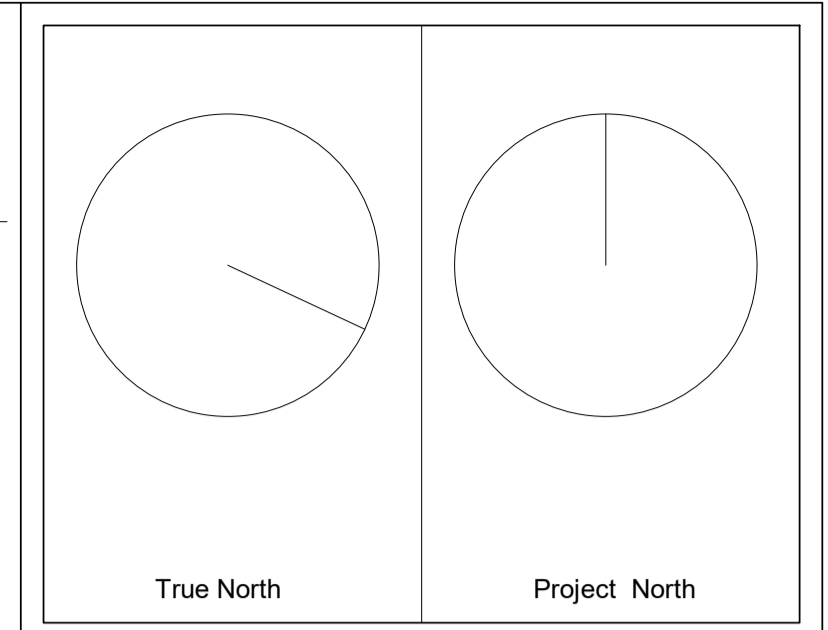
DRAWING NUMBER A101	REV 001
------------------------	------------



1 N Elevation
1 : 32



2 E Elevation
1 : 32



GENERAL NOTES

1. ALL STANDARDS, MANUALS AND CODES REFERENCED IN THIS SET OF DRAWINGS REFER TO THE MOST RECENTLY IMPLEMENTED VERSION/EDITION
2. THIS DRAWINGS IS THE EXCLUSIVE PROPERTY OF BNK DESIGN AND CONSTRUCTION INC. THE REPRODUCTION OF ANY PART WITHOUT WRITTEN CONSENT OF THIS OFFICE IS STRICTLY PROHIBITED.
3. ALL MATERIALS AND WORKMANSHIP TO BE IN ACCORDANCE WITH THE ONTARIO BUILDING CODE (OBC).
4. ALL WORK IS TO BE CARRIED OUT IN ACCORDANCE WITH THE OCCUPATIONAL HEALTH AND SAFETY ACT OF ONTARIO.
5. THE CONTRACTOR SHALL EXAMINE ALL DRAWINGS, CHECK ALL DIMENSIONS AND REPORT ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK.

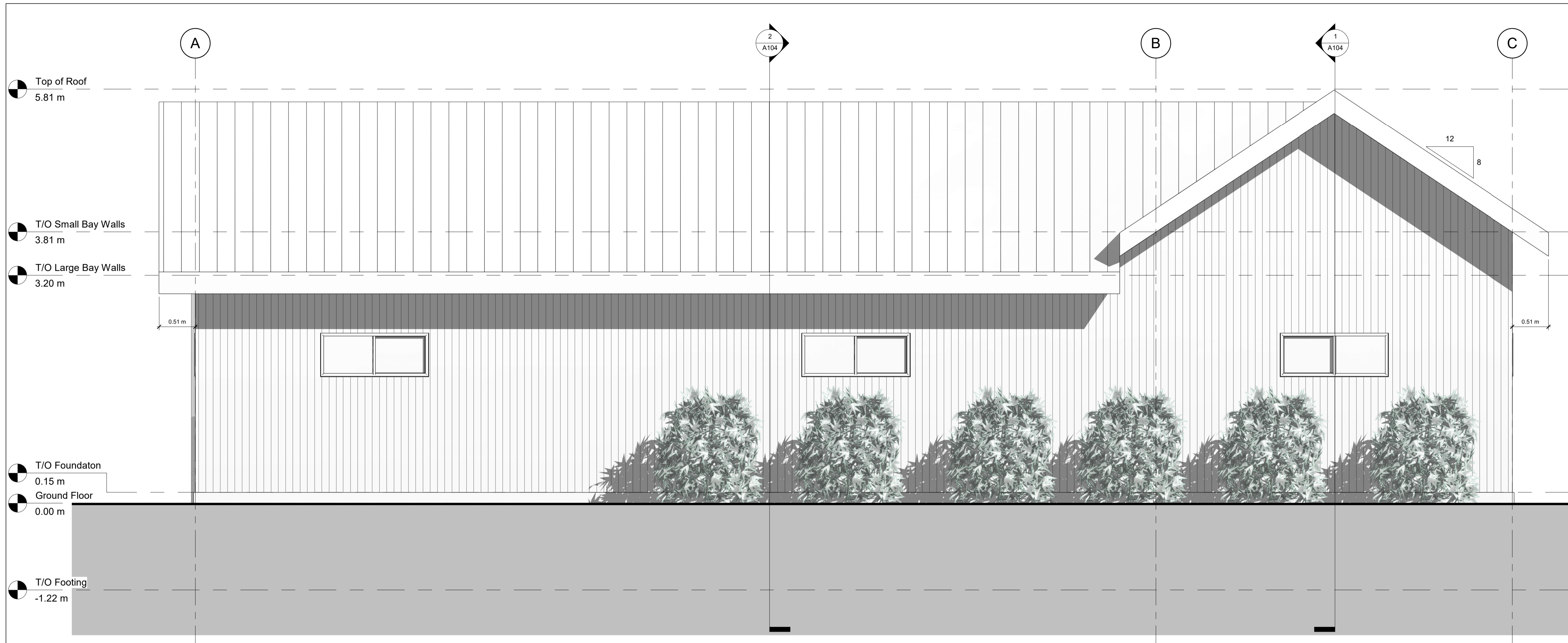
NAME: NICK BORGENDORFF	FIRM BCIN: 115042
ADDRESS: 20 VICTOR BLD., ST. GEORGE, ON	DESIGNER BCIN: 108224

PROJECT
548 WEIR RD., SOUTH, HAMILTON, ONTARIO

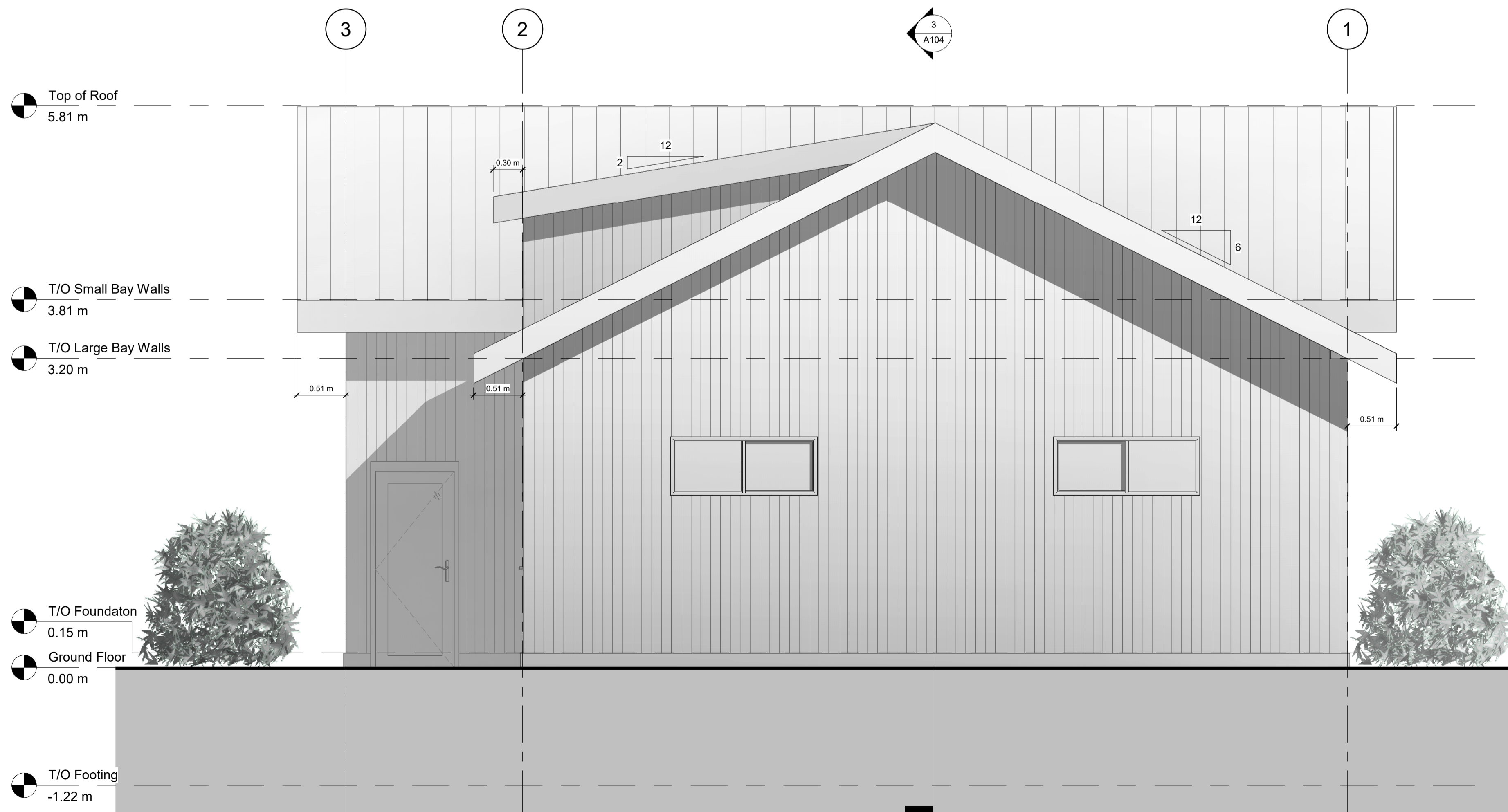
Nick Borgdorff

TITLE
NORTH & EAST ELEVATIONS

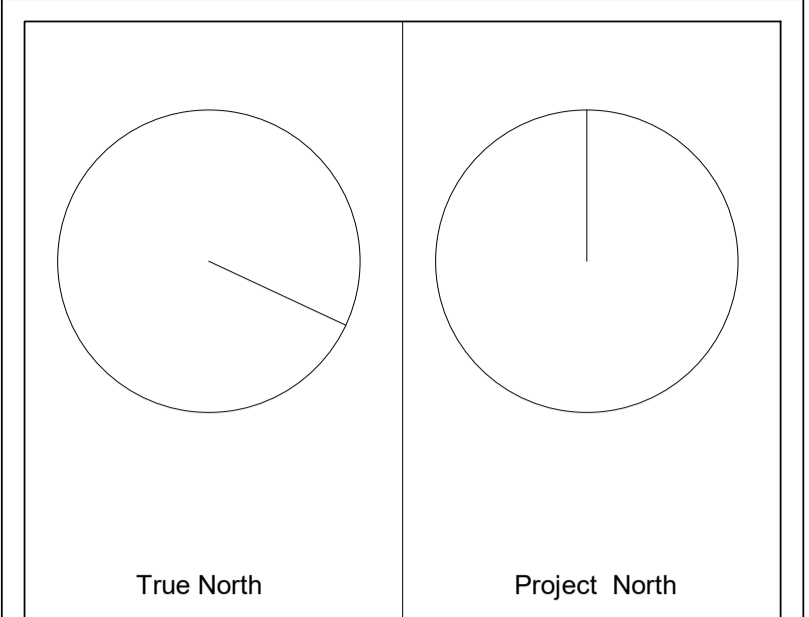
DRAWN BY BNK DESIGN AND CONSTRUCTION INC.	DATE 01/23/07
	SCALE (@ A1) 3/8" = 1'-0"
DRAWING NUMBER A102	REV 001



1 S Elevation
1 : 32



2 W Elevation
1 : 32



GENERAL NOTES

1. ALL STANDARDS, MANUALS AND CODES REFERENCED IN THIS SET OF DRAWINGS REFER TO THE MOST RECENTLY IMPLEMENTED VERSION/EDITION
2. THIS DRAWINGS IS THE EXCLUSIVE PROPERTY OF BNK DESIGN AND CONSTRUCTION INC. THE REPRODUCTION OF ANY PART WITHOUT WRITTEN CONSENT OF THIS OFFICE IS STRICTLY PROHIBITED.
3. ALL MATERIALS AND WORKMANSHIP TO BE IN ACCORDANCE WITH THE ONTARIO BUILDING CODE (OBC).
4. ALL WORK IS TO BE CARRIED OUT IN ACCORDANCE WITH THE OCCUPATIONAL HEALTH AND SAFETY ACT OF ONTARIO.
5. THE CONTRACTOR SHALL EXAMINE ALL DRAWINGS, CHECK ALL DIMENSIONS AND REPORT ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK.

NAME: NICK BORGENDORFF	FIRM BCIN: 115042
ADDRESS: 20 VICTOR BLD., ST. GEORGE, ON	DESIGNER BCIN: 108224

PROJECT
548 WEIR RD., SOUTH, HAMILTON, ONTARIO

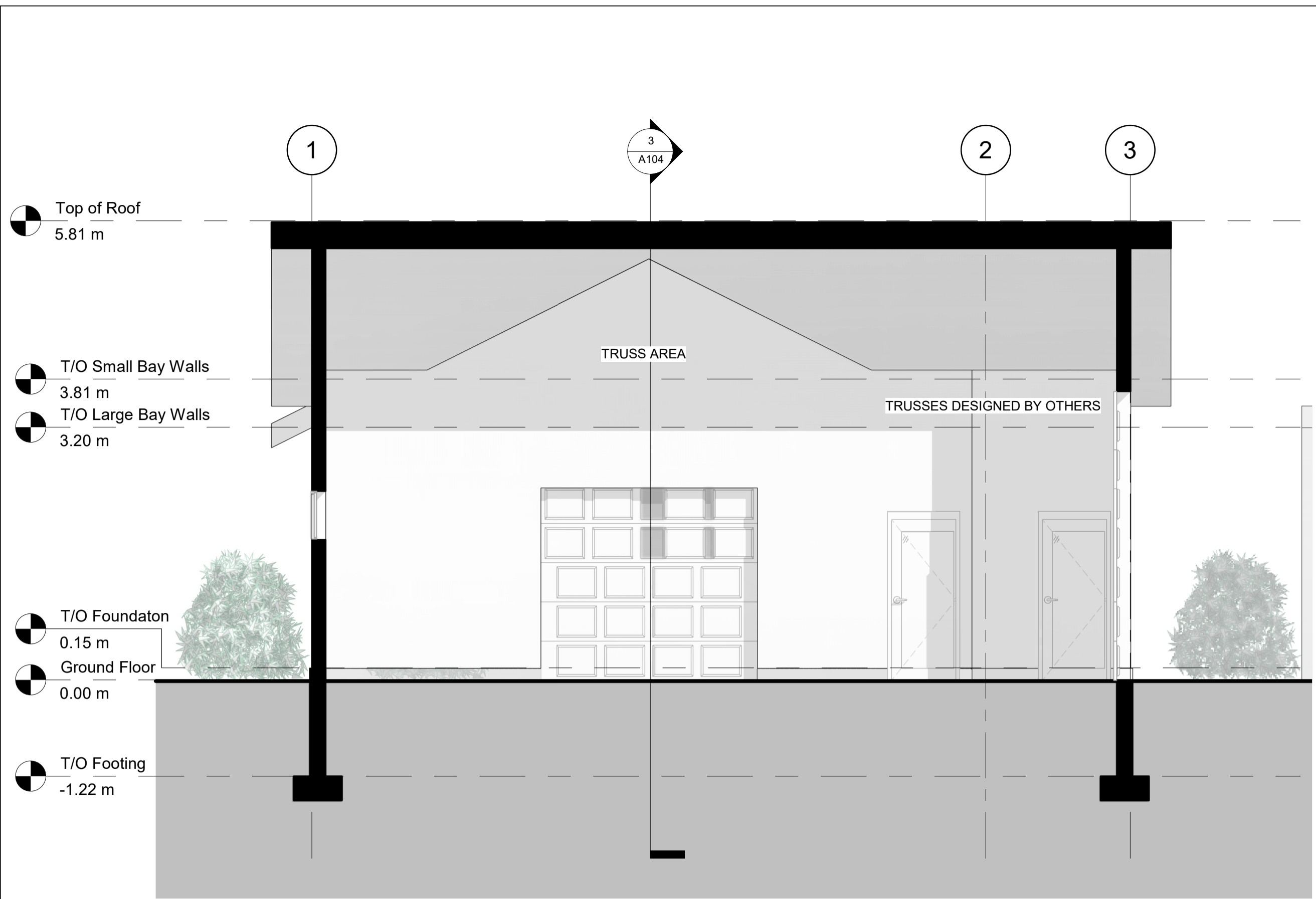
Nick Borgdorff

TITLE
SOUTH & WEST ELEVATIONS

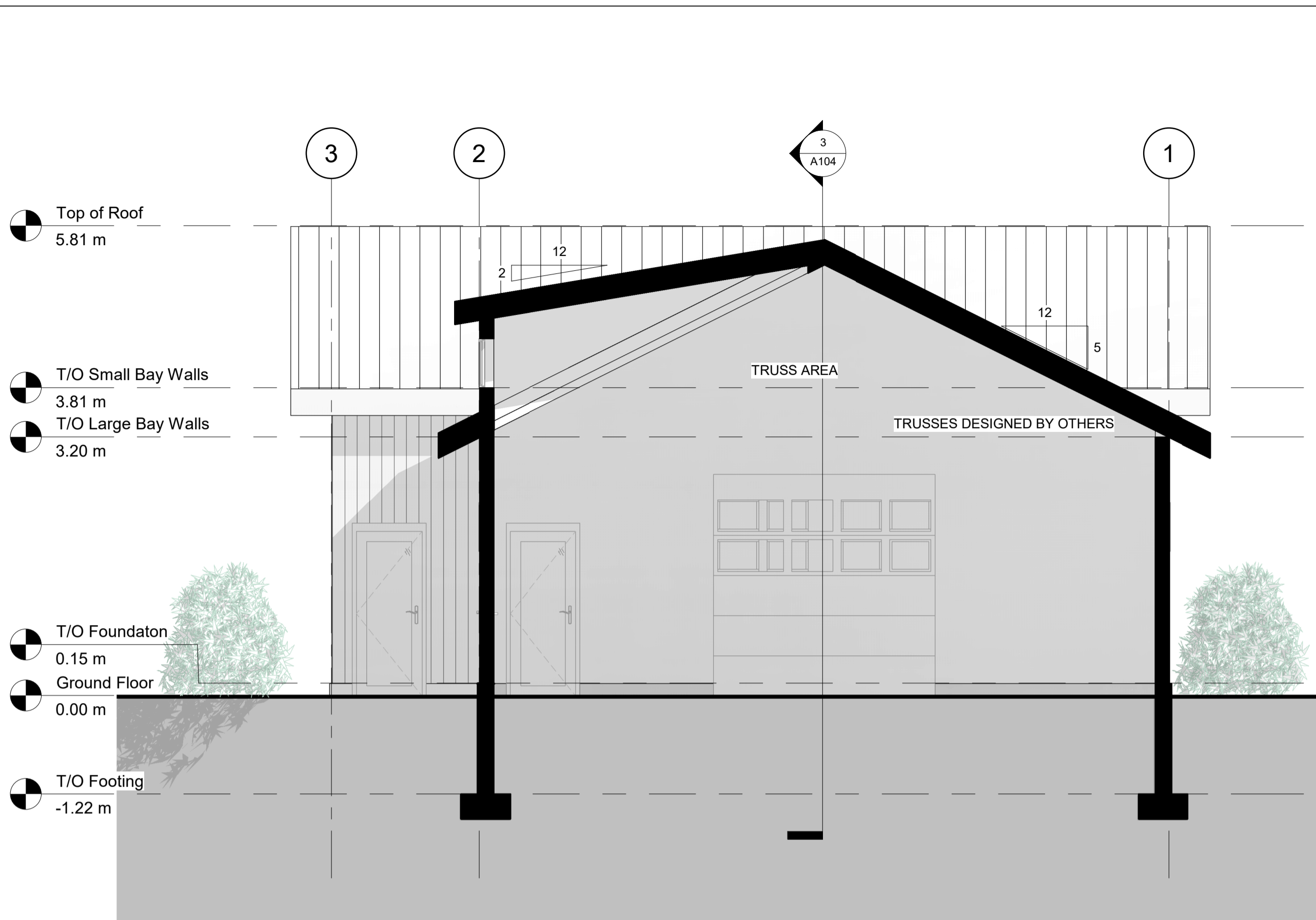


DRAWN BY BNK DESIGN AND CONSTRUCTION INC.	DATE 01/23/23
	SCALE (@ A1) 1 : 32

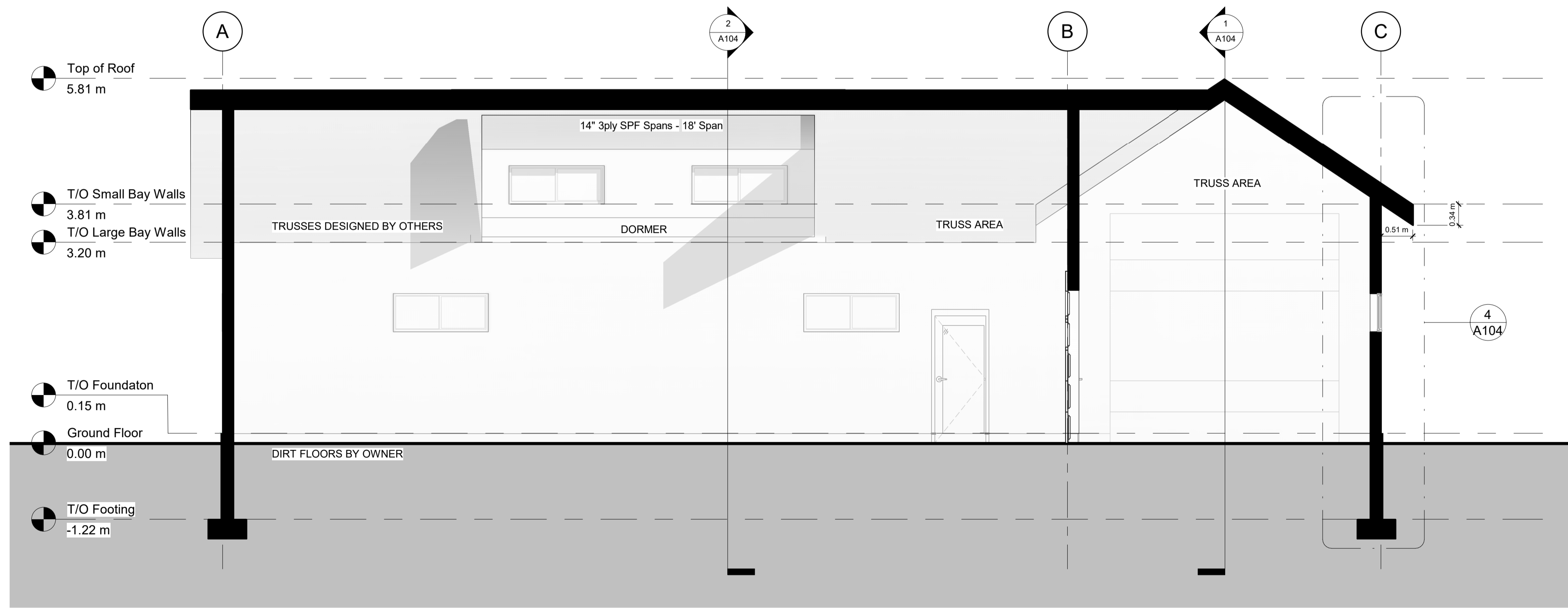
DRAWING NUMBER A103	REV 001
------------------------	------------



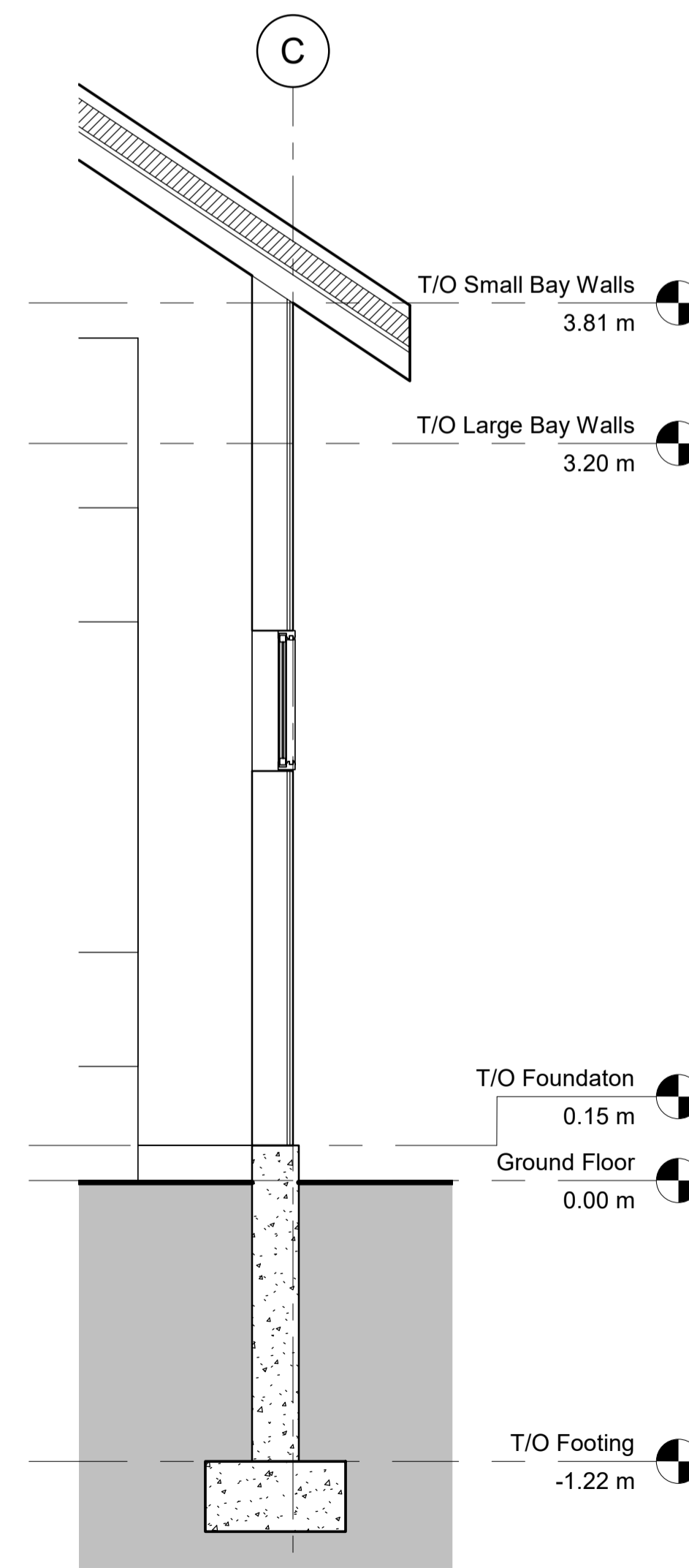
1 Section One
1 : 48



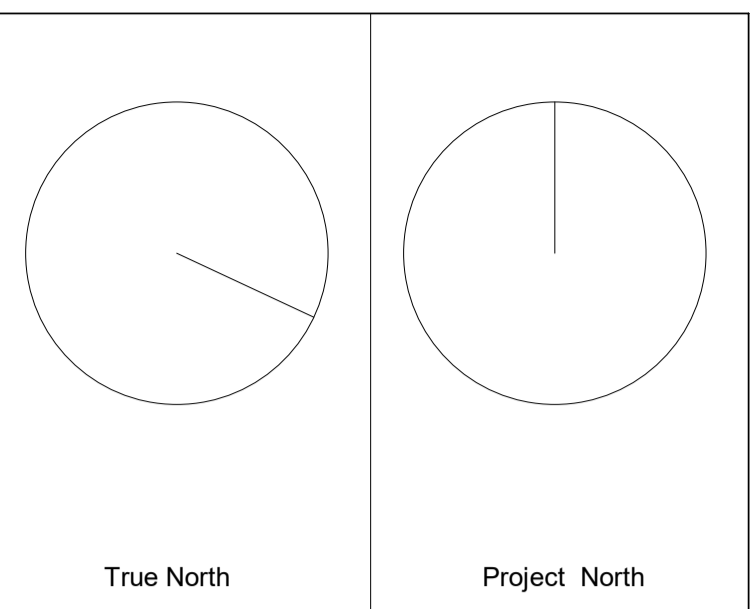
2 Section Two
1 : 48



3 Section Three
1 : 48



4 Wall Section
1 : 24



GENERAL NOTES

1. ALL STANDARDS, MANUALS AND CODES REFERENCED IN THIS SET OF DRAWINGS REFER TO THE MOST RECENTLY IMPLEMENTED VERSION/EDITION
2. THIS DRAWINGS IS THE EXCLUSIVE PROPERTY OF BNK DESIGN AND CONSTRUCTION INC. THE REPRODUCTION OF ANY PART WITHOUT WRITTEN CONSENT OF THIS OFFICE IS STRICTLY PROHIBITED.
3. ALL MATERIALS AND WORKMANSHIP TO BE IN ACCORDANCE WITH THE ONTARIO BUILDING CODE (OBC).
4. ALL WORK IS TO BE CARRIED OUT IN ACCORDANCE WITH THE OCCUPATIONAL HEALTH AND SAFETY ACT OF ONTARIO.
5. THE CONTRACTOR SHALL EXAMINE ALL DRAWINGS, CHECK ALL DIMENSIONS AND REPORT ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK.

NAME: NICK BORGENDORFF	FIRM BCIN: 115042
ADDRESS: 20 VICTOR BLD., ST. GEORGE, ON	DESIGNER BCIN: 108224

PROJECT
548 WEIR RD., SOUTH, HAMILTON, ONTARIO

Nick Borgendorff

TITLE
Sections



DRAWN BY BNK DESIGN AND CONSTRUCTION INC.	DATE 01/23/23
	SCALE (@ A1) As indicated

DRAWING NUMBER A104	REV 001
------------------------	------------



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/PERMISSION
UNDER SECTION 45 OF THE PLANNING ACT**

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS
Registered Owners(s)	Bill Huizinga	
Applicant(s)	BNK Design and Construction	
Agent or Solicitor		

1.2 All correspondence should be sent to Purchaser Owner
 Applicant Agent/Solicitor

1.3 Sign should be sent to Purchaser Owner
 Applicant AgentSolicitor

1.4 Request for digital copy of sign Yes* No

If YES, provide email address where sign is to be sent [Redacted]

1.5 All correspondence may be sent by email Yes* No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	548 Weir Rd, South, Hamilton, ON		
Assessment Roll Number			
Former Municipality	Lynden		
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

2.2 Are there any easements or restrictive covenants affecting the subject land?

Yes No

If YES, describe the easement or covenant and its effect:

3. PURPOSE OF THE APPLICATION

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

To build an Accessory structure that exceed lot coverage by-law.

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

With the addition to the accessory structure, we exceed the lot coverage square footage by-law. However, due to the size of the lot, the maintenance is essential. we would use this non insulated, dirt floor storage for larger machinery. in addition, although we exceed the coverage based on square footage, we are well below the 5% by-law for A1 Zone.

3.3 Is this an application 45(2) of the Planning Act.

Yes

No

If yes, please provide an explanation:

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
83.99 Meters	151.86 Meters	11392.22 Sq.Meters	6.59 Meters

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Single Dwelling	19.68 Meters	115.18 Meters	32.71 Meters & 28.84 Meters	
Storage	47.52 Meters	94.39 Meters	49.16 Meters & 14.35 Meters	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Accessory Structure	38.81 Meters	93.46 Meters	1.22 Meters & 28.8 Meters	07/21/2023

4.3. Particulars of all buildings and structures on or proposed for the subject lands (attach additional sheets if necessary):

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Single Dwelling	235 Sq. Meters	235 Sq. Meters	1	4.78 Meters
Storage	120 Sq. Meters	120 Sq. Meters	1	4.34 Meters

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Accessory Structure	160 Sq. Meters	160 Sq. Meters	1	5.81 Meters

- 4.4 Type of water supply: (check appropriate box)
- publicly owned and operated piped water system
 - privately owned and operated individual well

- lake or other water body
- other means (specify)

- 4.5 Type of storm drainage: (check appropriate boxes)
- publicly owned and operated storm sewers
 - swales

- ditches
- other means (specify)

4.6 Type of sewage disposal proposed: (check appropriate box)

- publicly owned and operated sanitary sewage
- system privately owned and operated individual
- septic system other means (specify) _____

4.7 Type of access: (check appropriate box)

- provincial highway
- municipal road, seasonally maintained
- municipal road, maintained all year
- right of way
- other public road

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):
single detached dwelling

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):
single detached dwelling and open area

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
single detached dwelling with sections of agriculture lands

7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
single detached dwelling with sections of agriculture lands

7.4 Length of time the existing uses of the subject property have continued:
As long as we were able to determine

7.5 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): _____

Rural Settlement Area: Lynden

Urban Hamilton Official Plan designation (if applicable) _____

Please provide an explanation of how the application conforms with the Official Plan.

In order to preserve and maintain existing land we will need this accessory structure. By developing this non insulated structure we are in no way overbearing the subjected land.

7.6 What is the existing zoning of the subject land? A1 Zoning

7.8 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: A1 Zoning

7.9 Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?

Yes

No

If yes, please provide the file number: _____

7.10 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

7.11 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.

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 0

8.3 Additional Information (please include separate sheet if needed):

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
 - Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
 - Minimum Distance Separation Formulae (data sheet available upon request)
 - Hydrogeological Assessment
 - Septic Assessment
 - Archeological Assessment
 - Noise Study
 - Parking Study
-
-