



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.:	FL/A-22:305	SUBJECT PROPERTY:	321 PARKSIDE DR, FLAMBOROUGH
ZONE:	“R1-3” (Urban Residential (Single Detached))	ZONING BY-LAW:	Zoning By-law former Town of Flamborough 90-145-Z, as Amended

APPLICANTS: Owners: GEOFF & NICOLE DIFFEY

The following variances are requested:

1. A maximum lot coverage of 31% shall be permitted instead of the maximum 25% allowed.
2. A northly side yard setback of 0.0m shall be permitted instead of the 1.2m minimum required.

PURPOSE & EFFECT: To permit the construction of a 22.23 square metre pergola, as well as a 11.6 square metre enclosed “breeze way”.

Notes:

1. The “side canopy” has been considered part of the principle dwelling for the purposes of this review.
2. Based on the site statistics provided, the total lot coverage including the proposed construction will be 246.09m². resulting in a lot coverage of 30.46% rather than the 29.9% indicated on the site statistics. Should the proposed construction area change, additional variances will be required.

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, June 15, 2023
TIME:	10:55 a.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 FL/A-22:305, 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: May 30, 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.



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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.

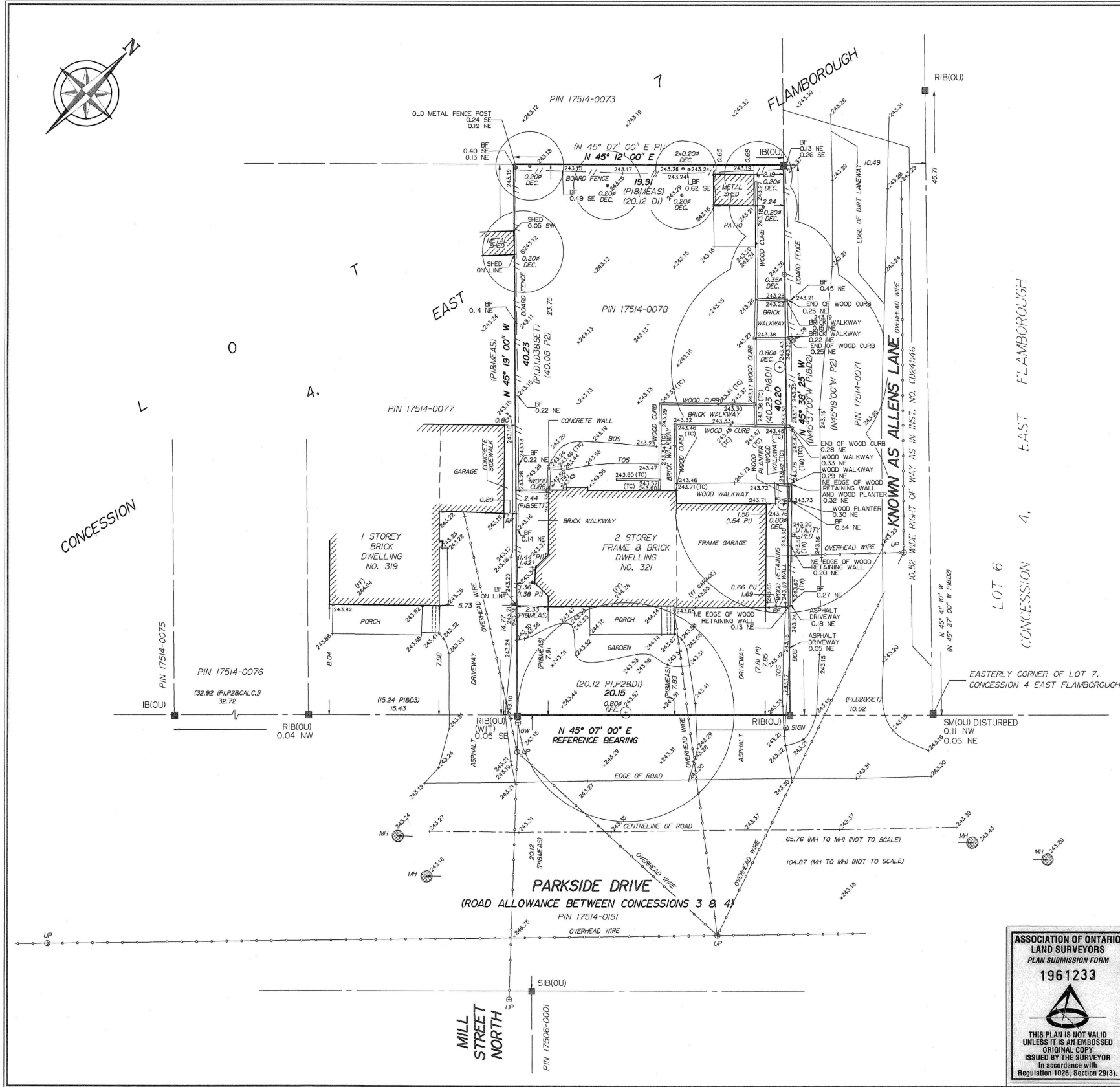
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

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.



SURVEYOR'S REAL PROPERTY REPORT - PART 1
 PLAN OF SURVEY AND TOPOGRAPHY OF
PART OF LOT 7
CONCESSION 4
 GEOGRAPHIC TOWNSHIP OF EAST FLAMBOROUGH
CITY OF HAMILTON
 0 5 10 15 20 Metres
 SCALE 1 : 200
 J. H. Gelbloom Surveying Limited
 Ontario Land Surveyor 2016

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SURVEYOR'S REAL PROPERTY REPORT - PART 2
REGISTERED EASEMENTS AND/OR RIGHT-OF-WAY
 None

NOTABLES
 Note the Location of the Fences around the Subject Property.
 Note the Location of the Driveway, Wood Retaining Wall, Wood Curbs, Wood Planter, Wood Walkway and Brick Walkway along the Northeasterly limit of the Subject Property.

LEGEND
 Survey Monument Found N North
 Survey Monument Set S South
 SIB Standard Iron Bar E East
 IB Iron Bar W West
 RIB Round Iron Bar
 SM Stone Monument
 (OU) Origin Unknown
 P1 Plan of Survey by A. T. McLaren Ltd., O.L.S., dated May 20, 1986
 P2 Plan by Mackay & Mackay Engineers & Surveyors, dated June 1948
 D1 Instrument No. HL327832
 D2 Instrument No. CD241146
 D3 Instrument No. CD119404
 BF Board Fence
 FF Finished Floor Elevation
 TW Top of Wall Elevation
 TC Top of Curb Elevation
 UP Utility Pole
 DEC Deciduous Tree
 GW Guy Wire
 MH Maintenance Hole
 TOS Top of Slope
 BOS Bottom of Slope
 WIT Witness

BENCHMARK
 Elevations are Referred to the City of Hamilton Benchmark No. 0011975U046, having an Elevation of 239.957 m.

NOTE
 This REPORT can be updated by this office, however NO ADDITIONAL PRINTS of this ORIGINAL REPORT will be issued, subsequent to the DATE OF CERTIFICATION.
 All building ties are perpendicular to property lines unless otherwise noted.

This REPORT was prepared for Geoff Diffey and the undersigned accepts no responsibility for use by other parties.

NOTE
 Distances shown on this plan are in metres and can be converted to feet by dividing by 0.3048.

BEARING NOTE
 Bearings are astronomic, and are referred to the Northwesterly limit of Parkside Drive as shown on Plan by A.T. McLaren Ltd., O.L.S., having a Bearing of N 45° 07' 00" E.

SURVEYOR'S CERTIFICATE
 I certify that:
 1: This survey and plan are correct and in accordance with the Surveys Act, the Surveyors Act, and the Regulations made under them.
 2: The survey was completed on the 23rd day of March, 2016.

March 31, 2016
 Date
 Ashraf Rizk, O.L.S.
 Party Chief: DL Drawn By: MK Checked By: AR Project: 16-041

J. H. Gelbloom Surveying Limited
 Ontario Land Surveyor
 476 Morden Road, Unit 102, Oakville, Ont, L6K 3W4
 office@jhgsurveying.ca
 Phone:(905) 338-8210 Fax:(905) 338-9448



Project Name:
HOUSE DIFFEY
 Project Address:
321 PARKSIDE DR
WATERDOWN
HAMILTON
ON

Legal Survey 2016

B J A
 Belinda Jones Architect
 159 Martin Street
 Milton ON
 L9T 2R3
 Project #: 17-010
 P 416-662 6024

Revision Schedule			
Rev	Date	By	Description

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Sheet: **LEGAL SURVEY PLAN**
 Scale: 1" = 20'-0"

Sheet Number: **A1.1**

SITE STATISTICS:

Project Description: Exterior work including New Stair to Second Floor Roof Deck, Wood Pergola and Breezeway

Zoning / Occupancy: R1-3 (Urban Residential). Single Detached Dwelling

Occupancy Load: 10 persons (2 per sleeping room)

Total Site Area: 807.96 sqm (8 696.8 SF)

EXISTING PROPOSED

Building Area (sqm): 193.0 Hse 11.6 (Side Canopy)
9.2 Shed 4.3 sqm (Ext. Stair)
22.23sqm (Pergola- uncovered)
5.76sqm (Mudroom Addition)

LOT COVERAGE: **EXIST. PROPOSED Permitted/Required**
25%(202.2sqm) 29.9%(241.9sqm) 25% (202sqm)

LOT DEPTH: 40.2m no change

LOT FRONTAGE: 20.1m no change

LOT AREA 807.96 sqm no change

HEIGHT (Res) 7.69 m (Top of ridge) no change - 11m (max)

SETBACKS:

FRONT YARD: 7.71m 5.63m 7.5m (min)

REAR YARD: 21.4m 17.3m (Hse) 7.5m (min)

WEST SIDE YARD: 2.3m unchanged 1.2m (min)

EAST SIDE YARD: 1.22m 0m 1.2m (min)

SCOPE OF WORK

EXTERIOR WORK INCLUDING PROPOSED STAIR TO DECK, WOOD PERGOLA AND BREEZWAY WITH ROOF

PROJECT INFORMATION

PROJECT DESCRIPTION: SMALL RESIDENTIAL EXTERIOR ALTERATIONS & ADDITION

ZONING CLASSIFICATION: R1-3 URBAN RESIDENTIAL (SINGLE DETACHED)

TYPE OF CONSTRUCTION: COMBUSTIBLE / NON-COMBUSTIBLE

PROPOSED USE OF BUILDING: RESIDENTIAL - SINGLE DETACHED

CURRENT USE OF BUILDING: RESIDENTIAL - SINGLE DETACHED

OCCUPANT LOAD: 10

AREA OF NEW CONSTRUCTION: SIDE CANOPY = 11.5 sqm [124.4 SFT.]
EXTERIOR STAIRS = 4.32 sqm [46.4 SFT]
PERGOLA = 22.23 sqm [239.3 sft]
MUDROOM ADDITION = 5.76m (58.31 sqm)

PROJECT CONTACTS

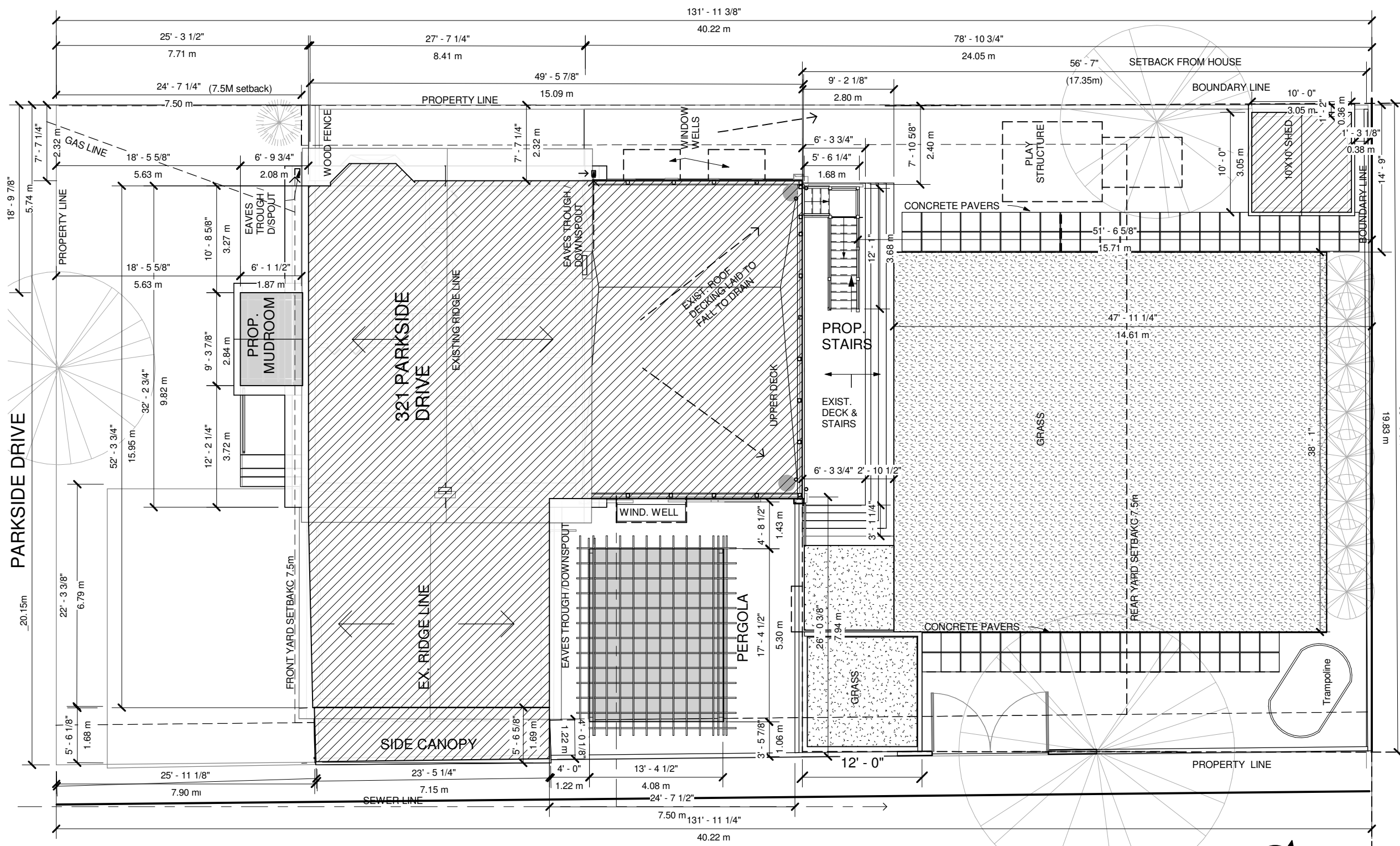
ARCHITECT: **BELINDA JONES ARCHITECT**
159 MARTIN STREET
MILTON, ON, L9T 2R3
CONTACT: Belinda Jones
PH: (416) 662-6024
EM: Belinda@Belindajones.ca



Project Name: **HOUSE DIFFEY**

Project Address: **321 PARKSIDE DR
WATERDOWN
HAMILTON
ON**

Revision Schedule			
Rev	Date	By	Description
1	20/07/27	BJ	Minor permit Subm



1 SITE PLAN
SCALE: 3/32" = 1'-0"

Project Name:
HOUSE DIFFEY

Project Address:
**321 PARKSIDE DR
WATERDOWN
HAMILTON
ON**



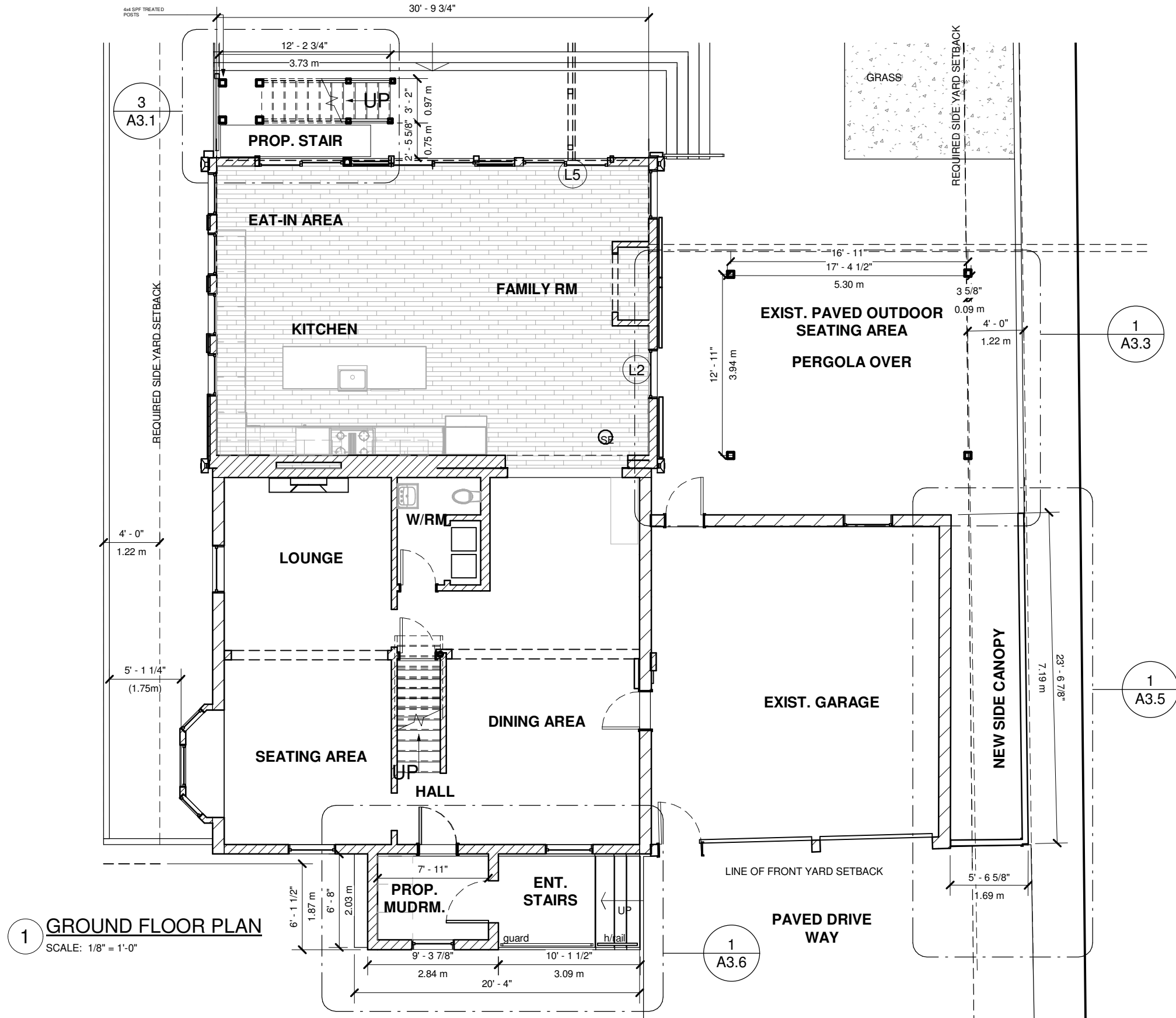
B J A Belinda Jones Architect
159 Martin Street
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L9T 2R3
Project #: 17-010
P 416-662 6024

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Sheet: **SITE PLAN**
Scale 3/32" = 1'-0"

Sheet Number: **A1**



1 GROUND FLOOR PLAN
SCALE: 1/8" = 1'-0"

Project Name:
HOUSE DIFFEY
Project Address:
**321 PARKSIDE DR
WATERDOWN
HAMILTON
ON**



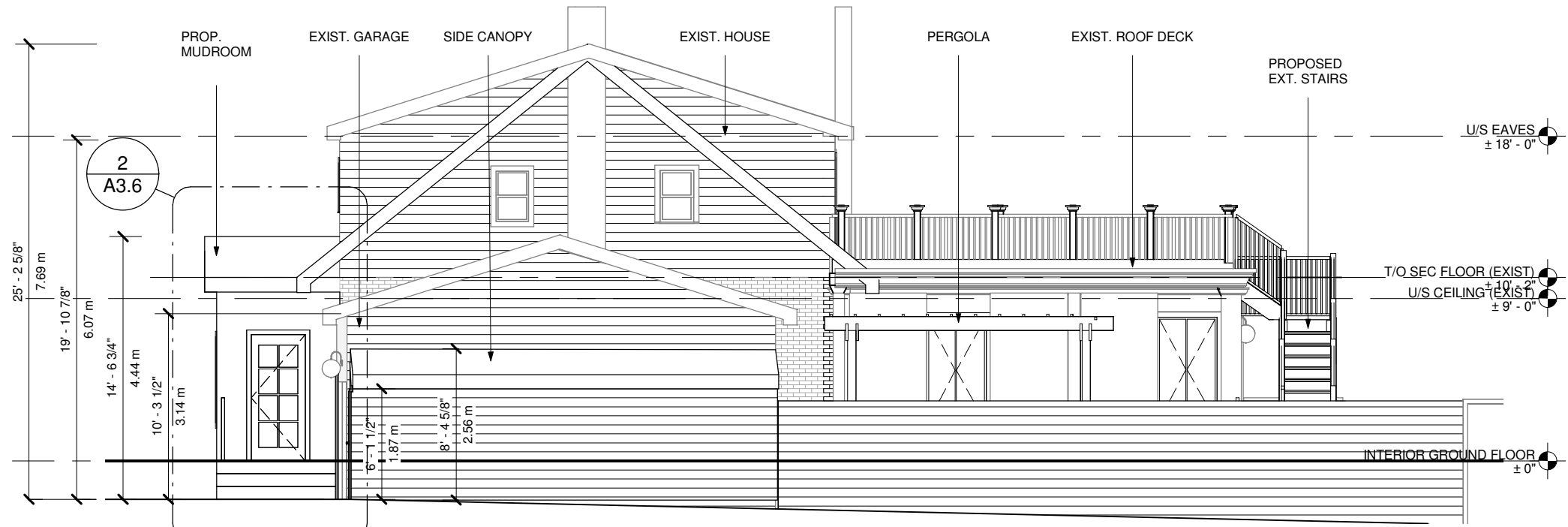
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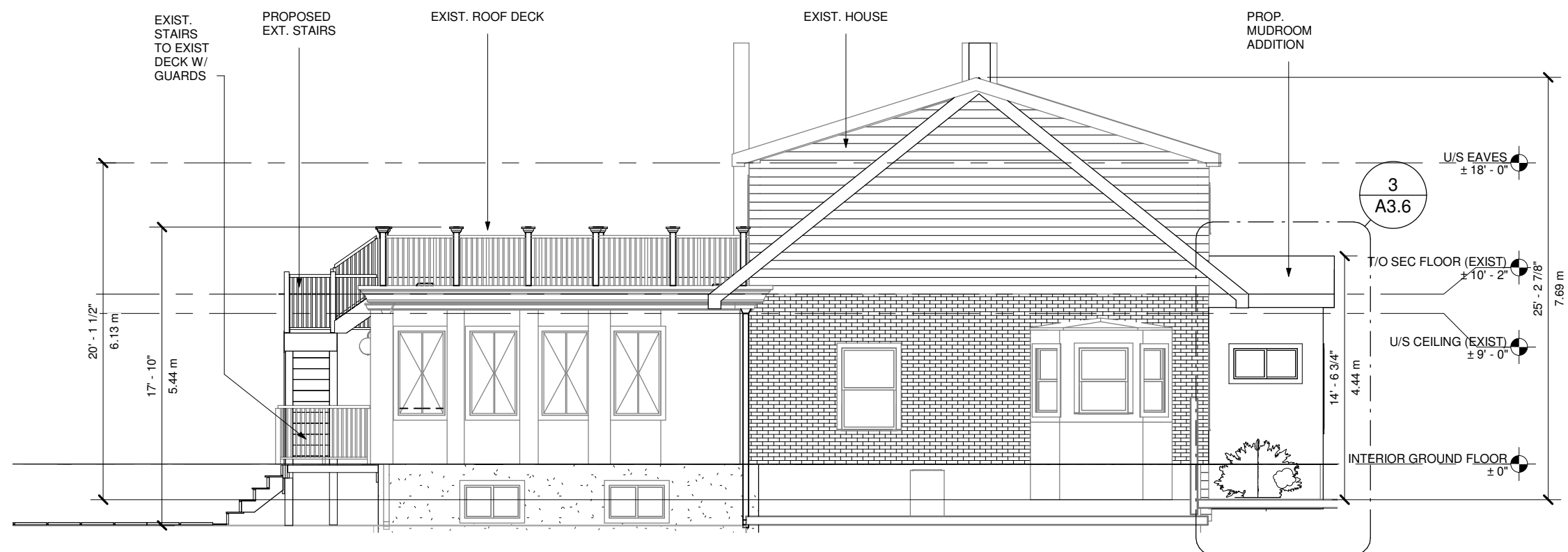
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Sheet: **GROUND FLOOR PLAN**
Scale: 1/8" = 1'-0"

Sheet Number: **A1.2**



1 Exterior Elevation - EAST SS
SCALE: 1/8" = 1'-0"



2 Exterior Elevation - WEST SS
SCALE: 1/8" = 1'-0"



Project Name:
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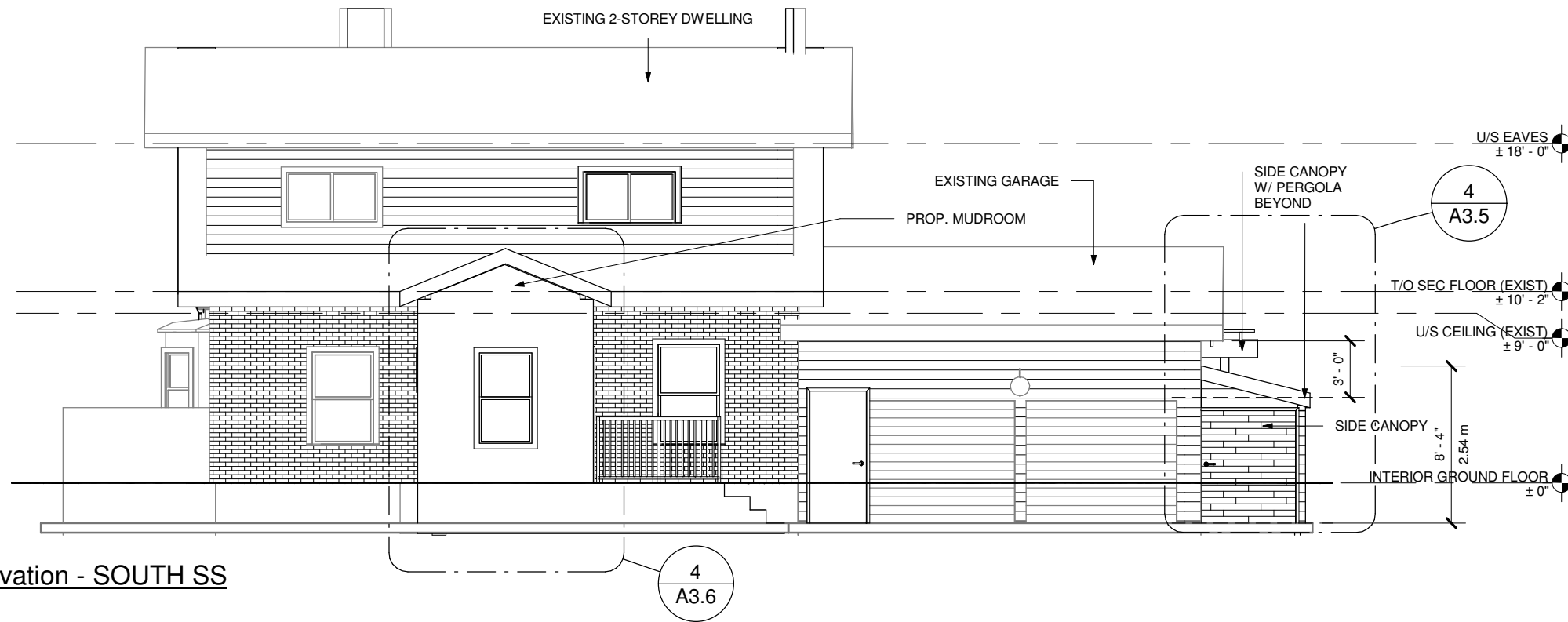
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1	20/07/27	BJ	Minor permit Subm

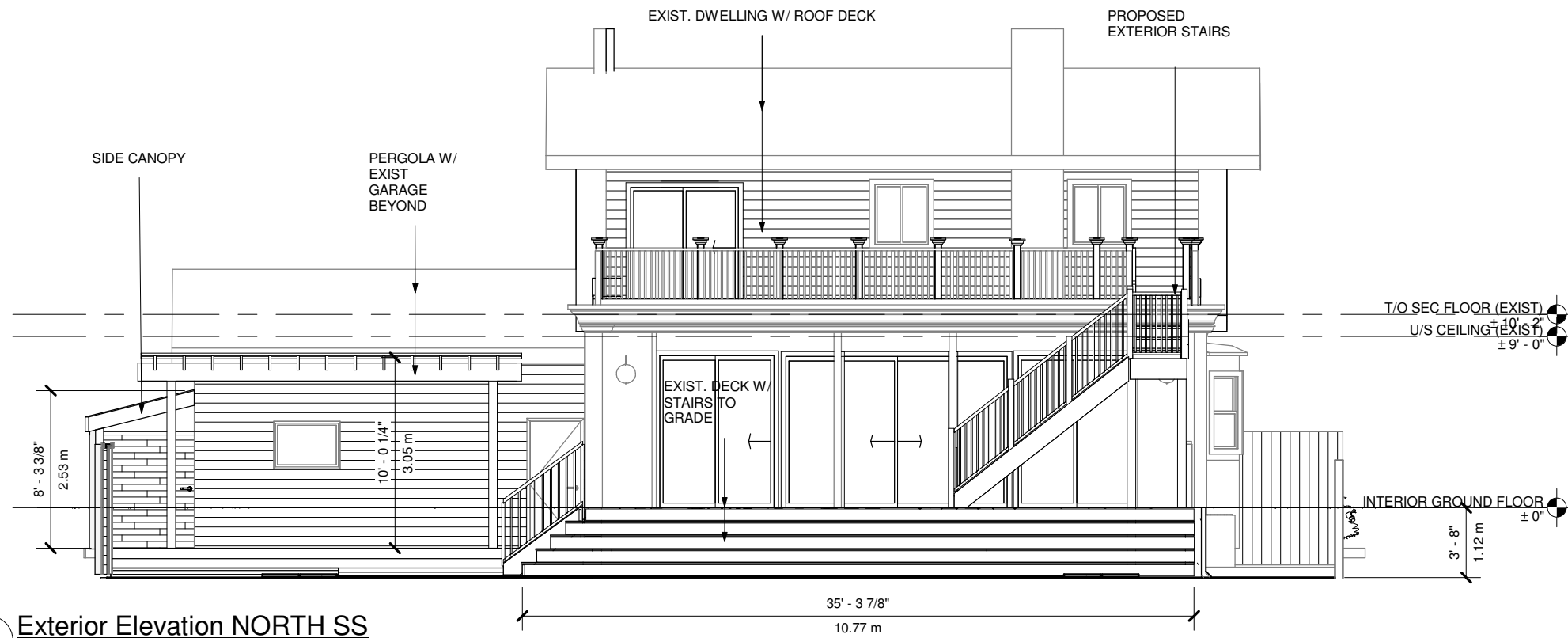
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Sheet: **ELEVATIONS 1**
Scale: 1/8" = 1'-0"

Sheet Number: **A2.1**



1 Exterior Elevation - SOUTH SS
SCALE: 1/8" = 1'-0"



2 Exterior Elevation NORTH SS
SCALE: 1/8" = 1'-0"



Project Name:
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Project Address:
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HAMILTON
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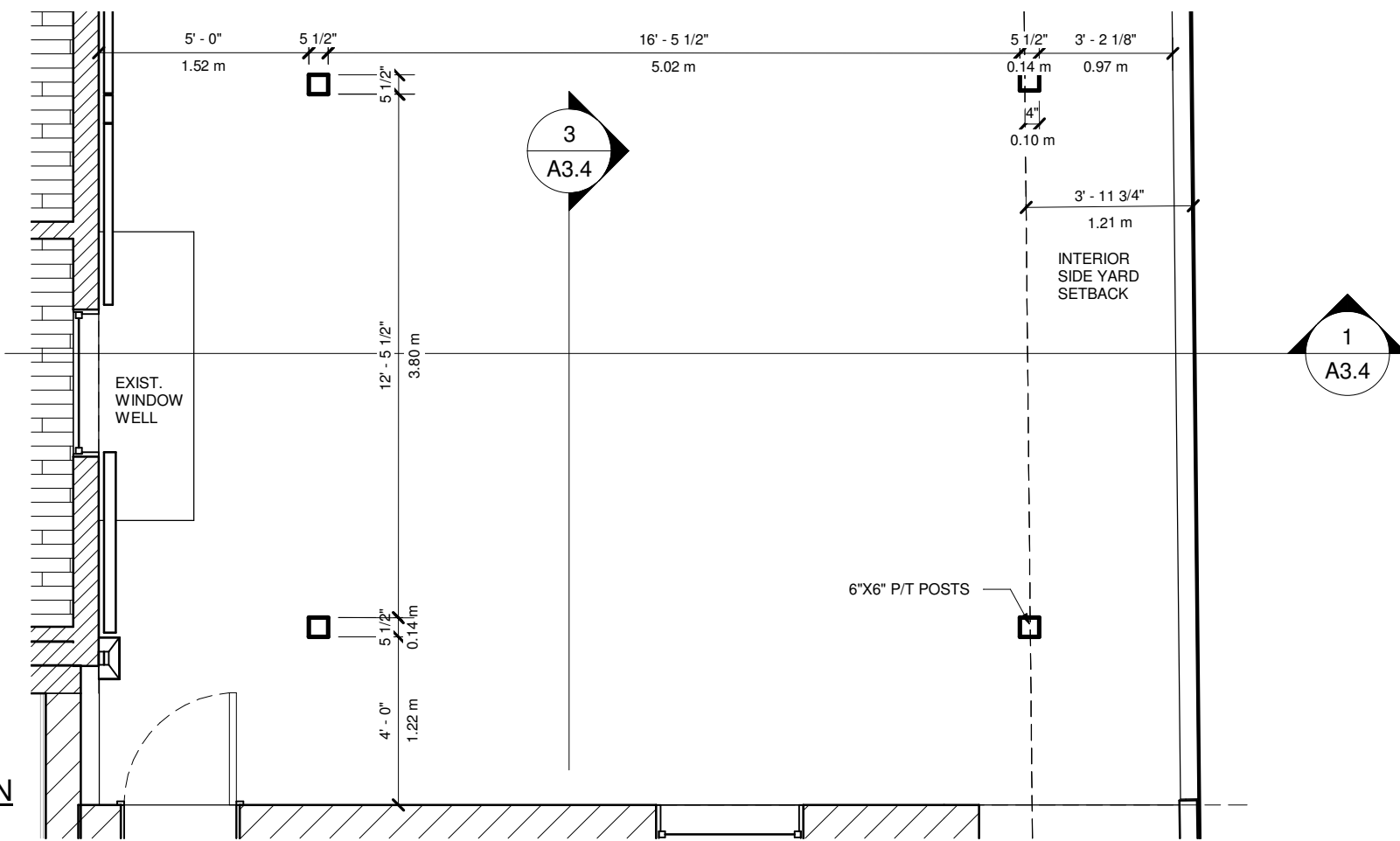
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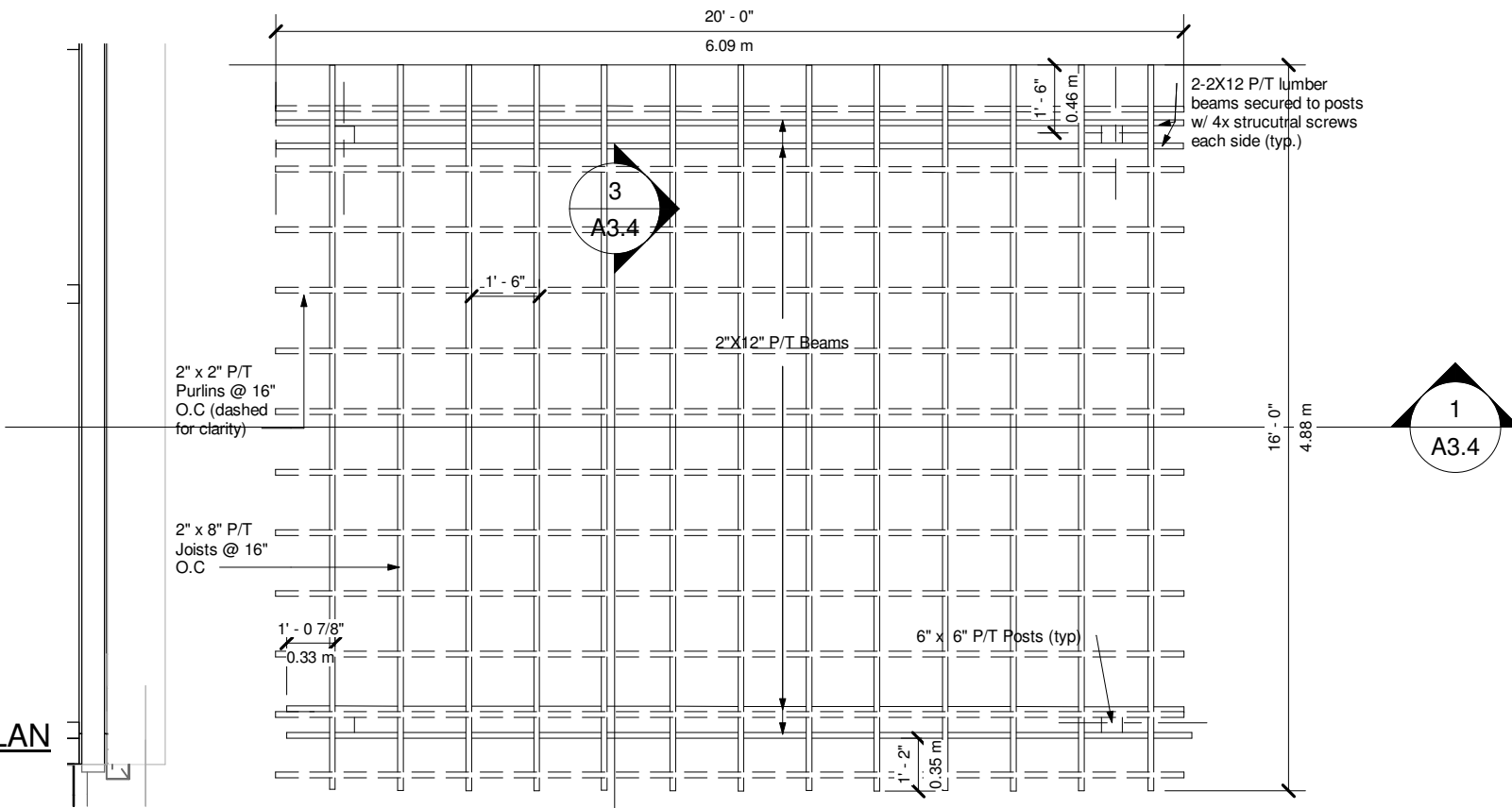
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Sheet: **ELEVATIONS 2**
Scale: 1/8" = 1'-0"

Sheet Number: **A2.2**



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



2 PERGOLA FRAMING PLAN
SCALE: 1/4" = 1'-0"



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LINE OF ROOF OF GARAGE

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Sheet:
Scale: 1/4" = 1'-0" **PERGOLA
DETAILS 1**

Sheet Number: **A3.3**

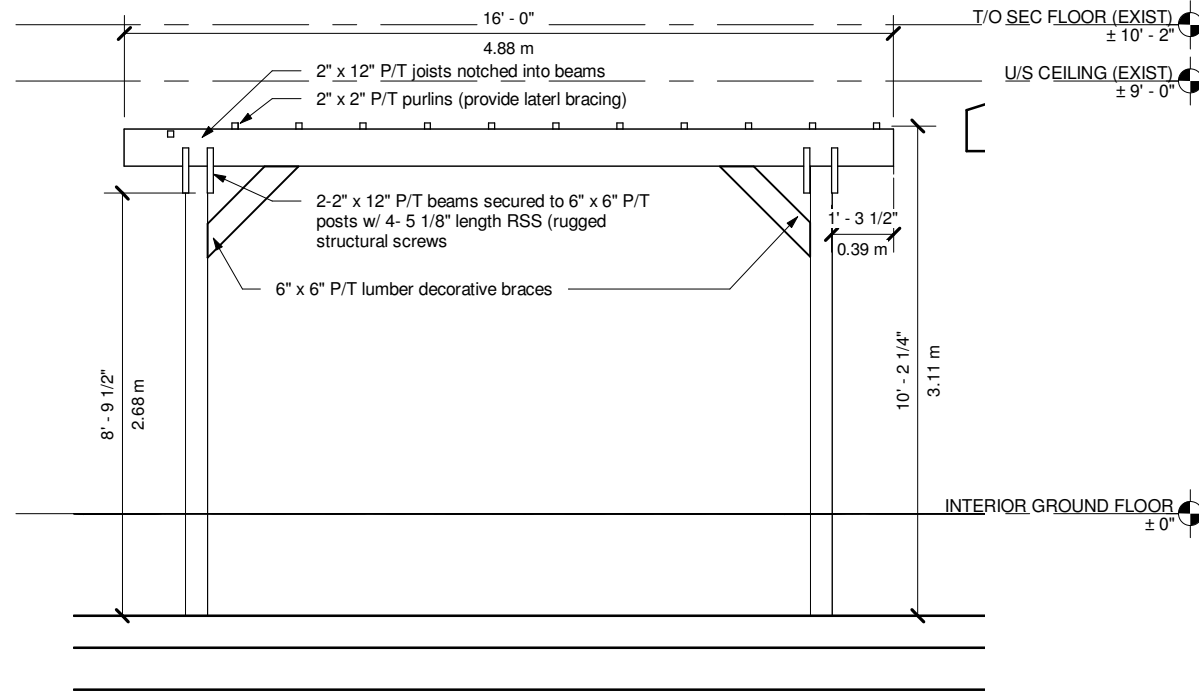
PERGOLA FRAMING NOTES

GENERAL FRAMING:
 MIN. SPECIFICATION FOR ALL FRAMING MEMBERS: PRESSURE-TREATED LUMBER OR EXTERIOR GRADE CEDAR.
 JOISTS SPACED 416m O.C. (16")
 JOISTS NOTCHED INTO BEAM MIN. 4 " IN DEPTH.

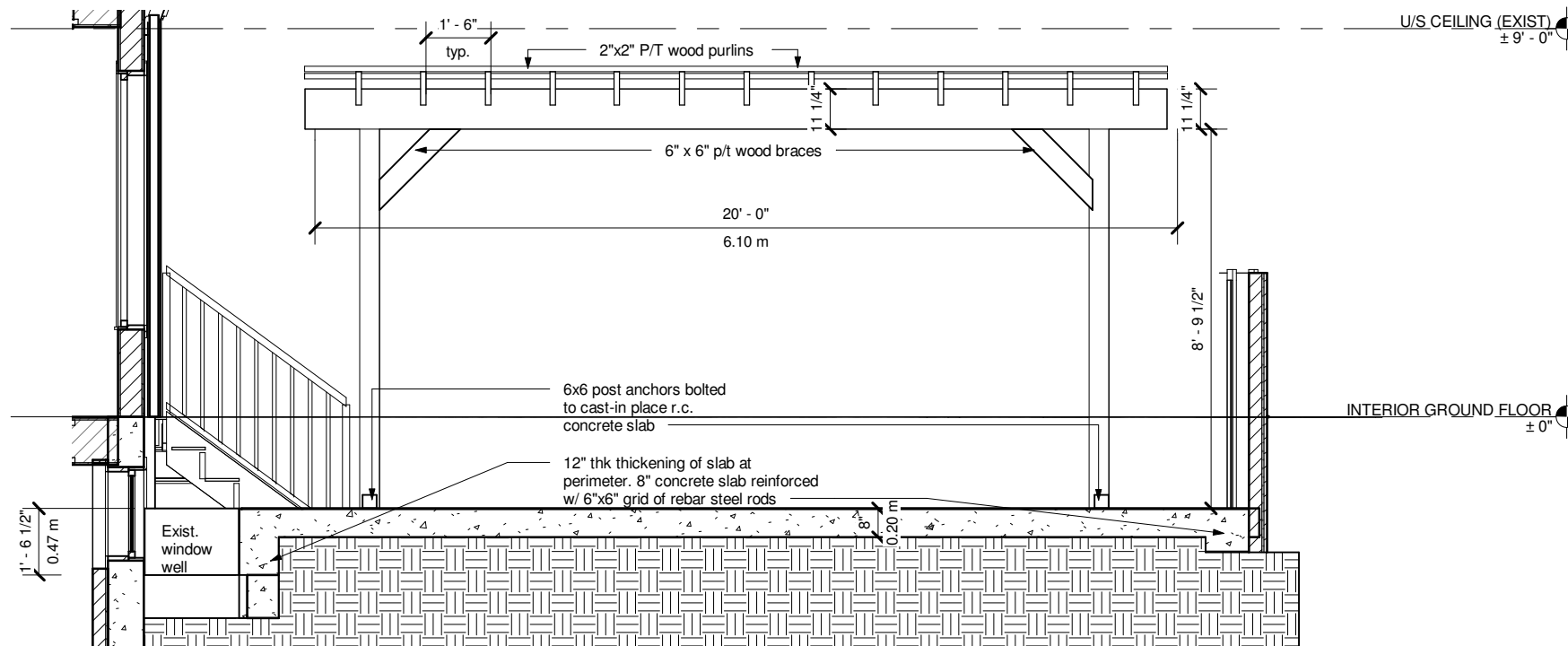
BEAMS SECURED TO POSTS WITH RUGGED STRUCTURAL SCREWS (5/16" X 5-1/8" LONG GRK FASTENERS)
 6X6 P/T POSTS BOLTED TO 8" DEEP REINFORCED CONCRETE SLAB W/ SIMPSON STRONG TIE STEEL GALV. POST BASE BRACKET (ZMAX CODE ABU66Z). BOLT ANCHOR TO EXTEND MIN DEPTH OF 4 " INTO CONCRETE.
 SLAB HAS 12" DEEP PERIMETER THICKENING AND REINFORCED W/ 6"X6" REBAR GRID

BEAMS CONN. TO POSTS WITH 4- 5/16" X 5 1/8" RSS SCREWS BOTH SIDES OF POSTS
 JOISTS ARE LATERALLY BRACED BY 2"X2" P/T PURLINS ABOVE. PURLINS TOE NAILED W/ DECK SCREWS TO JOISTS.

CANTILEVER PORTION OF BEAM/JOIST TO CANTILEVER MAX. 1/6 OF BEAM/JOIST SPAN.



3 PERGOLA CROSS SECTION
 SCALE: 1/4" = 1'-0"



1 PERGOLA SECTION
 SCALE: 1/4" = 1'-0"



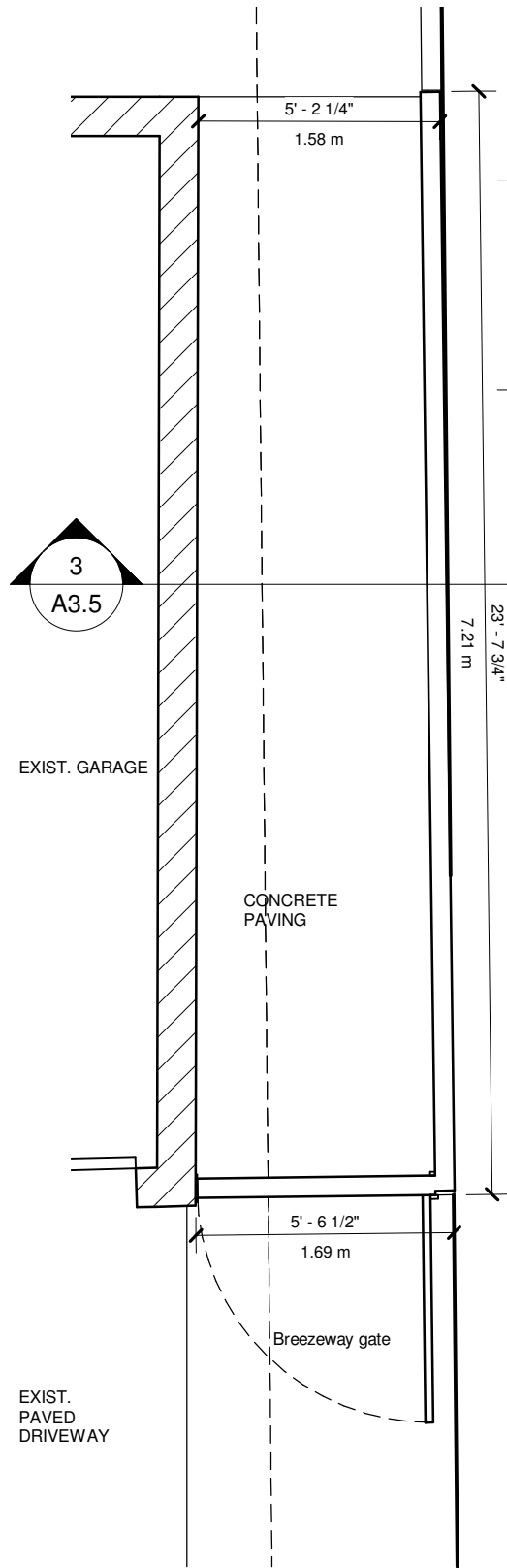
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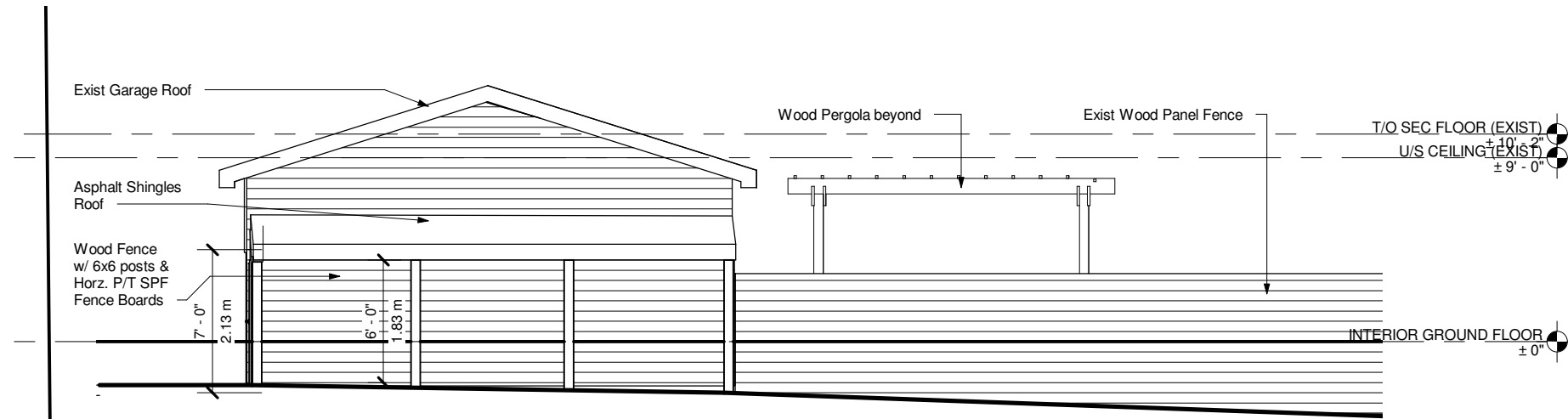
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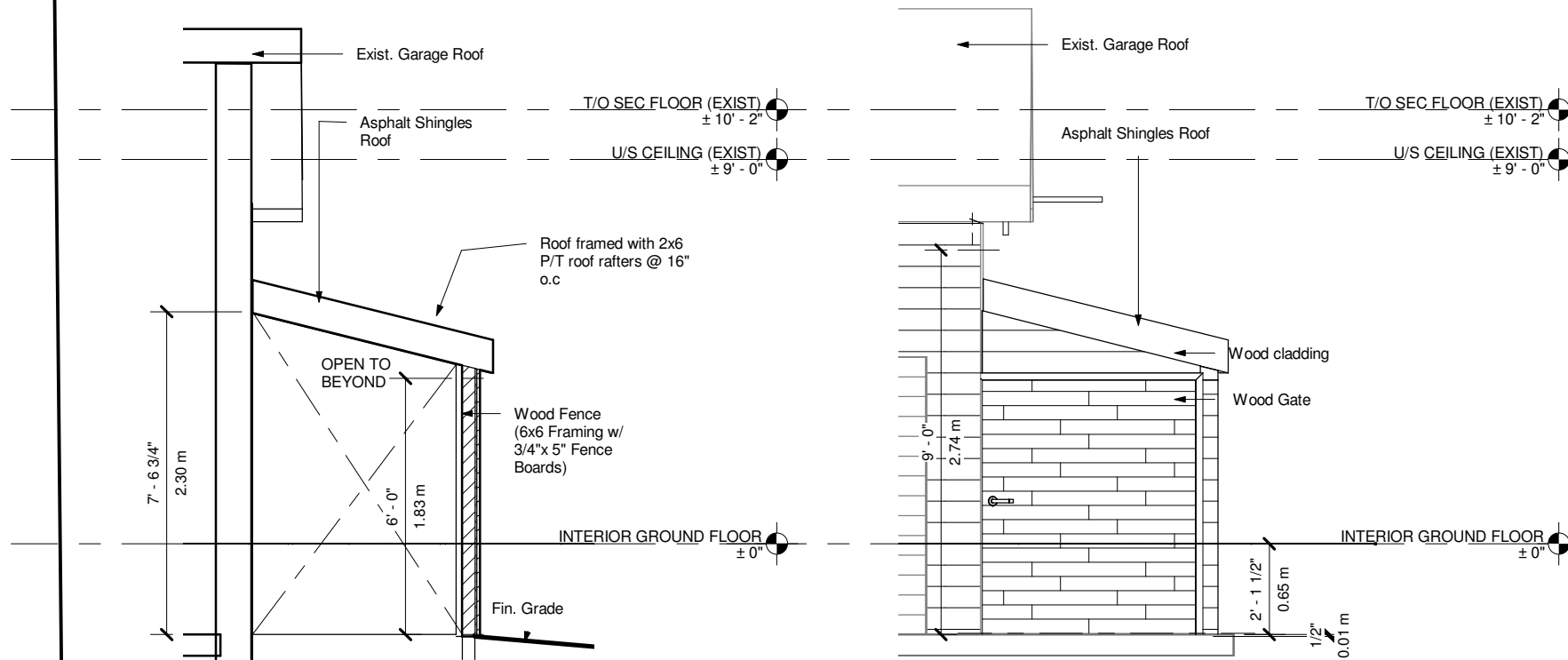
Sheet: **PERGOLA
 DETAILS 2**
 Scale: 1/4" = 1'-0"
 Sheet Number: **A3.4**



1 SIDE CANOPY PLAN
SCALE: 1/4" = 1'-0"



2 SIDE CANOPY ELEVATION
SCALE: 1/8" = 1'-0"



3 SIDE CANOPY SECTION
SCALE: 1/4" = 1'-0"

4 FRONT VIEW OF SIDE CANOPY
SCALE: 1/4" = 1'-0"



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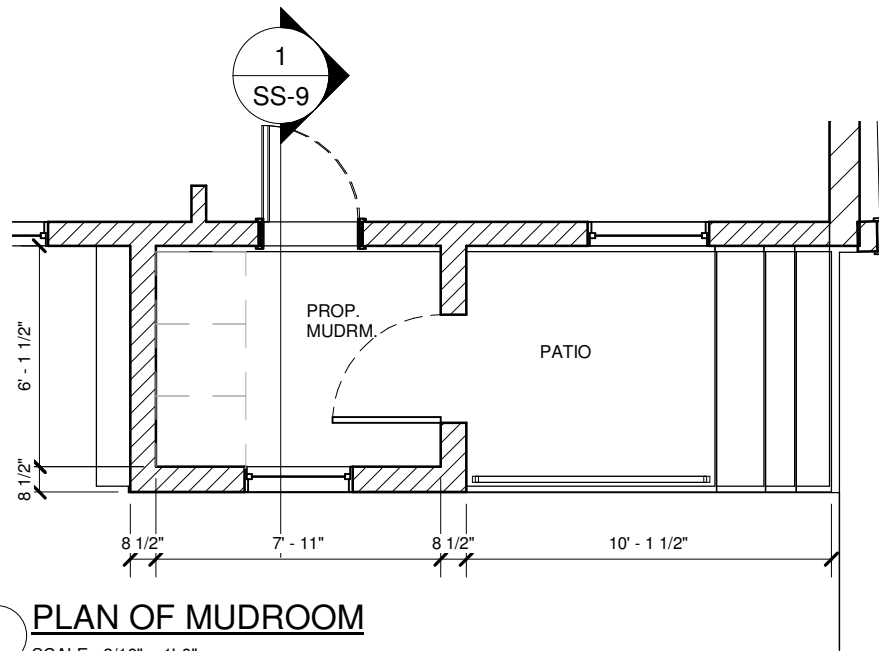
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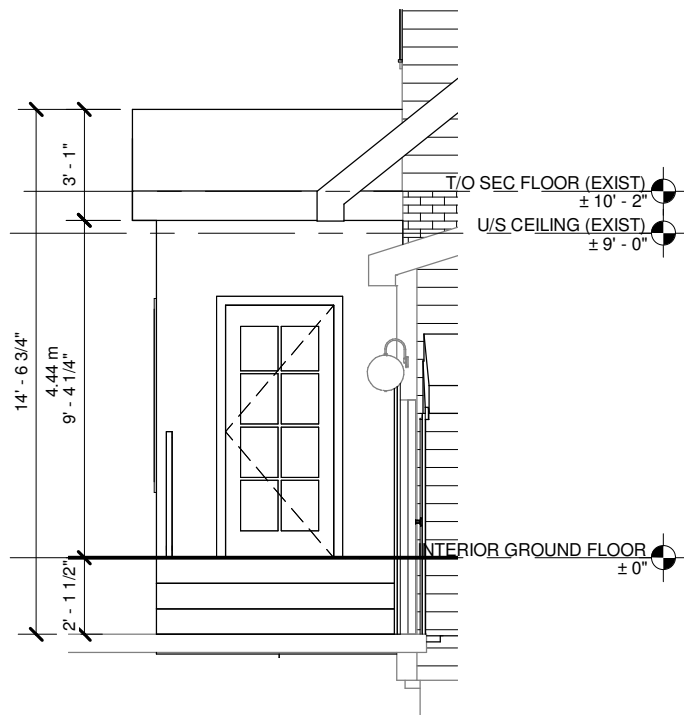
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Sheet: **SIDE CANOPY DETAILS**
Scale: As indicated

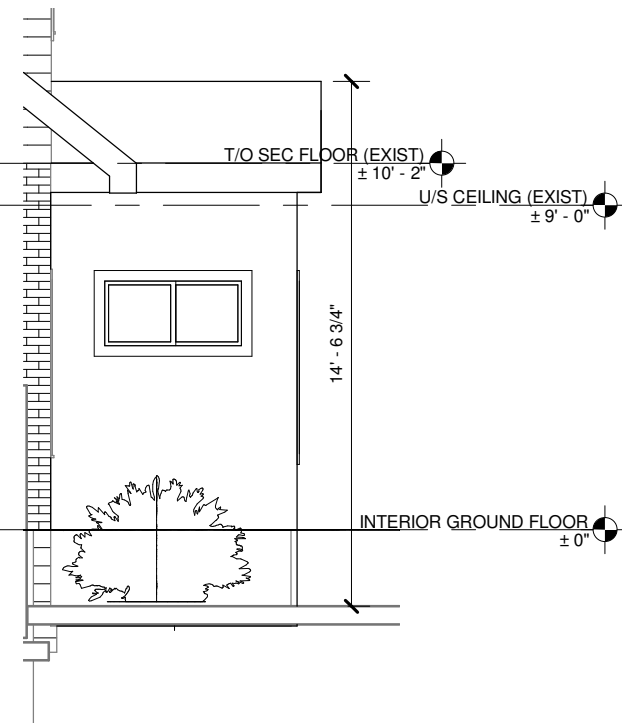
Sheet Number: **A3.5**



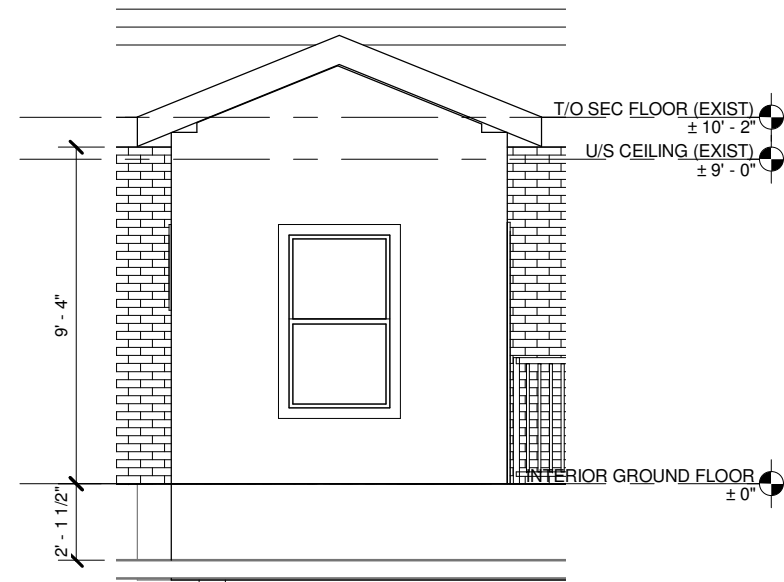
1 PLAN OF MUDROOM
SCALE: 3/16" = 1'-0"



2 MUDROOM ELEVATION 1
SCALE: 3/16" = 1'-0"



3 MUDROOM ELEVATION 2
SCALE: 3/16" = 1'-0"



4 MUDROOM ELEVATION 3
SCALE: 3/16" = 1'-0"



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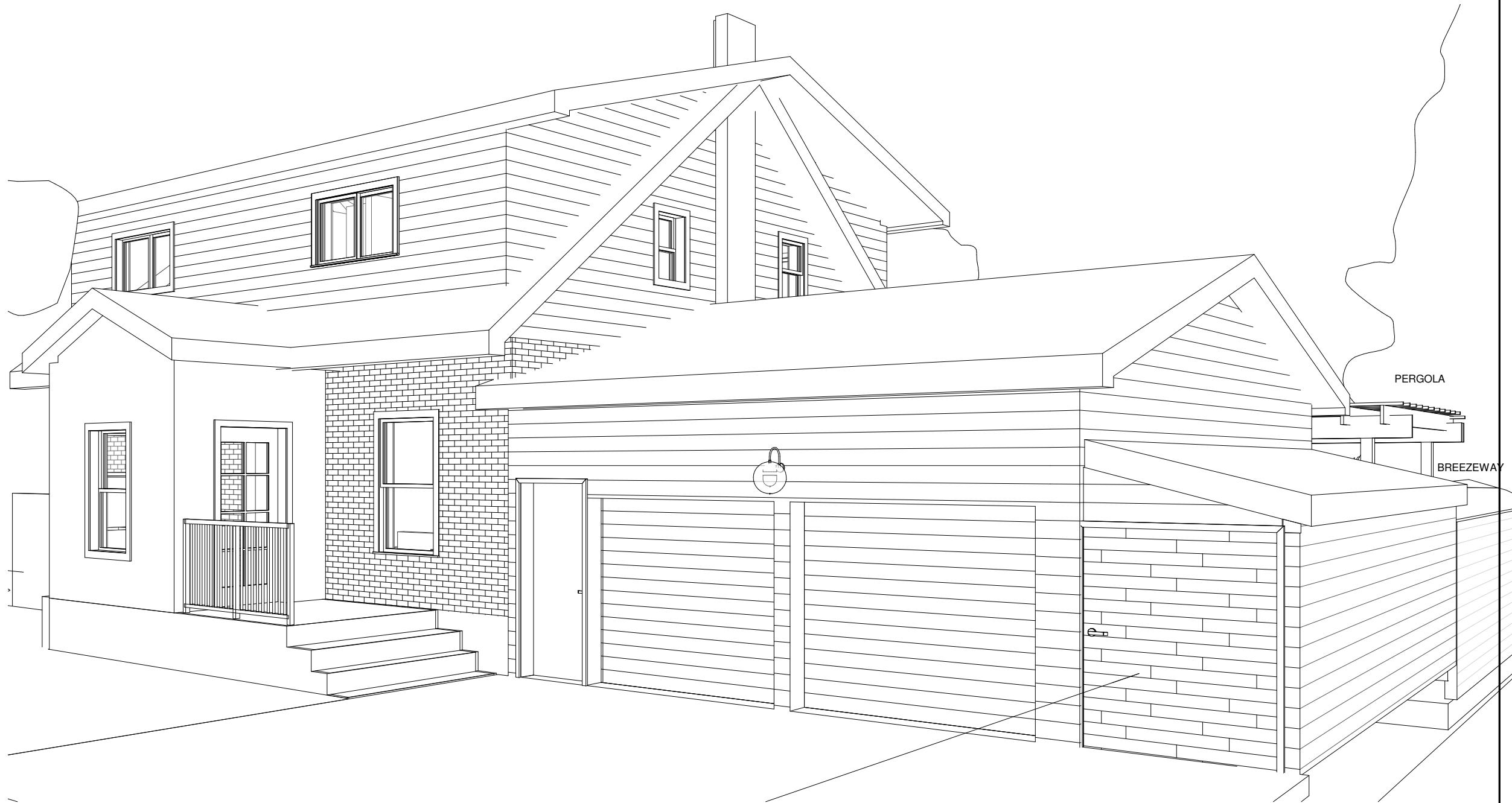
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Sheet: **DETAILS OF MUDROOM**
Scale 3/16" = 1'-0"

Sheet Number: **A3.6**



3D VIEW FRONT OF HOUSE

Project Name:
HOUSE DIFFEY

Project Address:
**321 PARKSIDE DR
WATERDOWN
HAMILTON
ON**



B J A
LIVE THE DREAM

Belinda Jones Architect
159 Martin Street
Milton ON
L9T 2R3

P 416-662 6024

Project #: 17-010

Revision Schedule			
Rev	Date	By	Description

These Drawings and Specifications are confidential and shall remain the sole property of the Architect. They shall not be reproduced (in whole or in part), shared with third parties or used in any manner on other projects or extensions to this project without the prior written consent of the Architect. These drawings and specifications are intended to show only design intent unless marked "Issue for Construction" and may not reflect actual site conditions. No party shall have any obligation nor liability to the Architect (except as stated above) until a written agreement is fully executed by Architect and Client parties.

Sheet: **Perspective**

Scale:

Sheet Number: **A5.0**



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)	GROFF DITNEY NICOLE DITNEY	[REDACTED]	
Applicant(s)*			Phone:
			E-mail:
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:

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:

SIDE YARD BRICKWAY } COVERAGE
PERGOLA.

- Second Dwelling Unit Reconstruction of Existing Dwelling

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

STRUCTURES ARE IN PLACE AND IT AFFECTS THE
OVERALL DESIGN, LOOK, & FEEL.

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**):

321 PARKSIDE DRIVE, WARDEN ONT LOR 2HO
PART OF LOT 7 CONVESSION 4

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?

WE HAVE LIVED IN THE HOUSE FOR 6+ YEARS.

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.

9/27/2022
Date

[Signature]
Signature Property Owner(s)

NICOLE AND GUY DUFFY
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 201.5 m
Depth 40.27 (131'-11 3/8")
Area 807.96
Width of street 2 LANES.

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:
193,011² HOUSE
9.2 SHED

Proposed
11,67m BRIDGEWAY
4,32m PERGOLA.

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

Existing:
FRONT/MID

Proposed:
EAST SIDE - BRIDGEWAY
EAST SIDE - PERGOLA.

13. Date of acquisition of subject lands:
DEC 15 2015
14. Date of construction of all buildings and structures on subject lands:
HOUSE UNKNOWN / ADDITION 2016 / STEDS + PORCHES 2019
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.):
VACANT LANE WAY / SINGLE FAMILY
17. Length of time the existing uses of the subject property have continued:
OVER 70 YEARS.
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 type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:

NA
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.