



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-23:118	SUBJECT PROPERTY:	745 CROOKS HOLLOW ROAD, FLAMBOROUGH
ZONE:	"P6" (Conservation / Hazard Land -Rural Zone)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended

APPLICANTS: **Owner:** SUSAN O'ROURKE
 Agent: JAMES LING GROUP LTD C/O JAMES LING

The following variances are requested:

1. A maximum gross floor area of 89.2m² shall be permitted for a building accessory to a single detached dwelling instead of the maximum 45m² gross floor area for buildings accessory to a single detached dwelling required.
2. A maximum accessory building height of 7.65m shall be permitted instead of the maximum 4.5m accessory building height permitted.

PURPOSE & EFFECT: To permit the construction of a proposed detached garage;

Notes:

1. It is noted that the intent of regulation 4.8.1.1 a) is to regulate total lot coverage, for the purposes of zoning review for a two-storey accessory building, only the total coverage is considered, rather than the entire building GFA.

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, August 10, 2023
TIME:	11:00 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

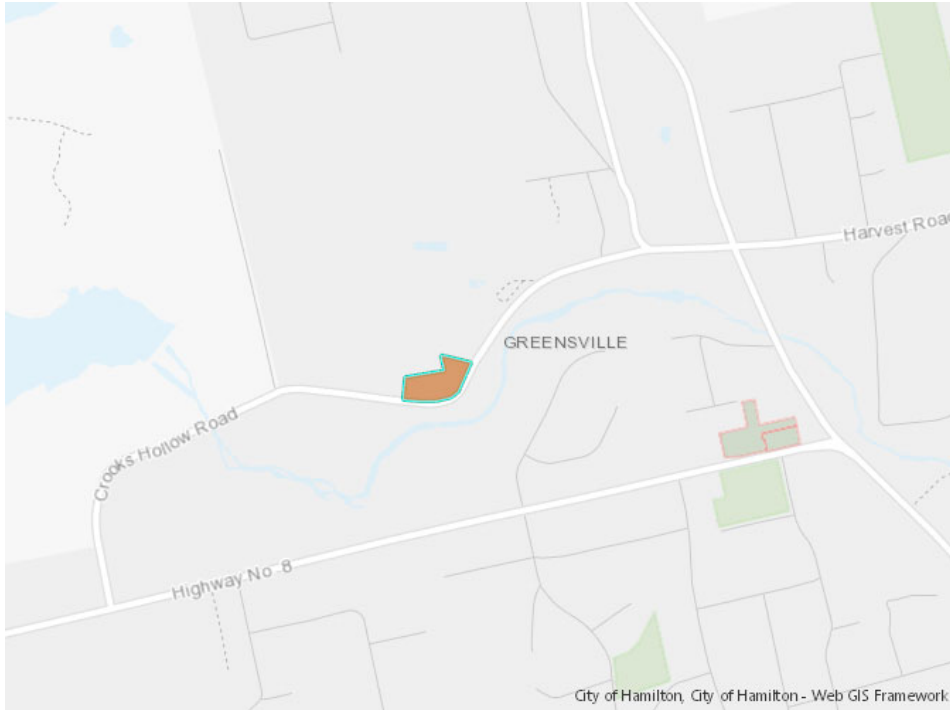
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

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-23:118, 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: July 25, 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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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.

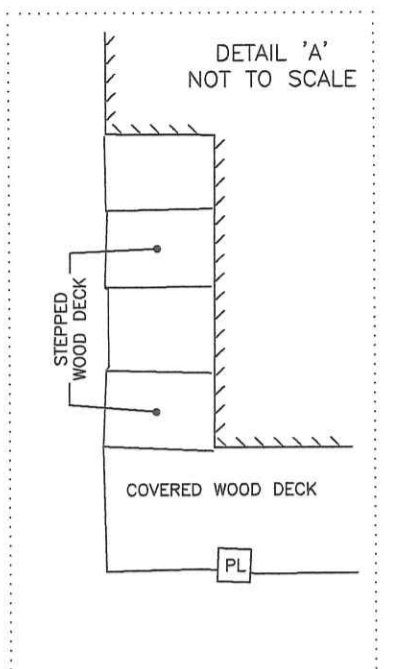
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

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 SHOWING TOPOGRAPHY OF
LOTS 7 & 8
CONCESSION 2
GEOGRAPHIC TOWNSHIP OF WEST FLAMBOROUGH
NOW IN THE
CITY OF HAMILTON
SCALE 1 : 300



KNOWN AS MUNICIPAL No. 745 CROOKS HOLLOW ROAD
PART 2 - REPORT SUMMARY (TO BE READ IN CONJUNCTION WITH PART 1)
 LAND REGISTRY OFFICE TITLE INFORMATION ON SUBJECT PROPERTY INCLUDING BOUNDARIES, EASEMENTS AND RIGHT OF WAYS - SEPTEMBER 14, 2022
REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY:
 - NONE
ADDITIONAL REMARKS:
 - REFER TO PART 1 OF SURVEY FOR THE LOCATION OF BUILDINGS, STRUCTURES, FENCES & UTILITIES

MacKAY, MacKAY & PETERS LIMITED grants SUSAN O'ROURKE ("The Client"), their solicitor and other related parties permission to use "Original Copies" of the Surveyor's Real Property Report in transactions involving "The Client".

METRIC DISTANCES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048
ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM V-42954



LEGEND
 ■ DENOTES A SURVEY MONUMENT FOUND
 □ DENOTES A SURVEY MONUMENT PLANTED
 IB DENOTES IRON BAR
 CC DENOTES CUT CROSS
 AI DENOTES ANGLE IRON
 P1 DENOTES PLAN BY MACKAY & MACKAY DATED DECEMBER 5, 1955 (S-3149)
 P2 DENOTES PLAN 62R-5887
 D1 DENOTES INST. No. AB1104
 PIN DENOTES PROPERTY IDENTIFICATION NUMBER
 (OU) DENOTES ORIGIN UNKNOWN
 SA DENOTES SEPTIC ACCESS
 LS DENOTES LIGHT STANDARD
 WHP DENOTES WOOD HYDRO POLE
 OHW DENOTES OVERHEAD WIRE
 WF DENOTES WIRE FENCE
 CLF DENOTES CHAIN LINK FENCE
 SRW DENOTES STONE RETAINING WALL
 PL DENOTES PILLAR
 EA DENOTES EDGE OF ASPHALT
 SS DENOTES SOUTH SIDE
 NS DENOTES NORTH SIDE
 ○ DENOTES DECIDUOUS TREE SCALED TO CANOPY TRUNK SIZE SHOWN IN METRES
 * DENOTES CONIFEROUS TREE SCALED TO CANOPY TRUNK SIZE SHOWN IN METRES

ALL BUILDING TIES ARE TO FOUNDATION AND ARE PERPENDICULAR TO PROPERTY LINES UNLESS OTHERWISE NOTED

BENCHMARK NOTE
 BENCHMARK No. 0011975U050
 ELEVATION = 218.528 METRES (CGVD28:78 ADJUSTMENT)
 BROCK ROAD BRIDGE OVER SPENCER CREEK 300 METRES NORTHWEST OF INTERSECTION WITH HIGHWAY No. 8 TABLET IN TOP OF WEST CONCRETE CURB 1.37 METRES SOUTH OF NORTH END OF BRIDGE 0.21 METRES EAST OF STONE GUARD WALL SLIGHTLY ABOVE ROAD LEVEL.

BEARING REFERENCE
 BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE LIMIT OF LOTS 7 & 8 CONCESSION 2 TOWNSHIP OF FLAMBOROUGH WEST AS SHOWN IN D1 HAVING A BEARING OF N12'09"00"W

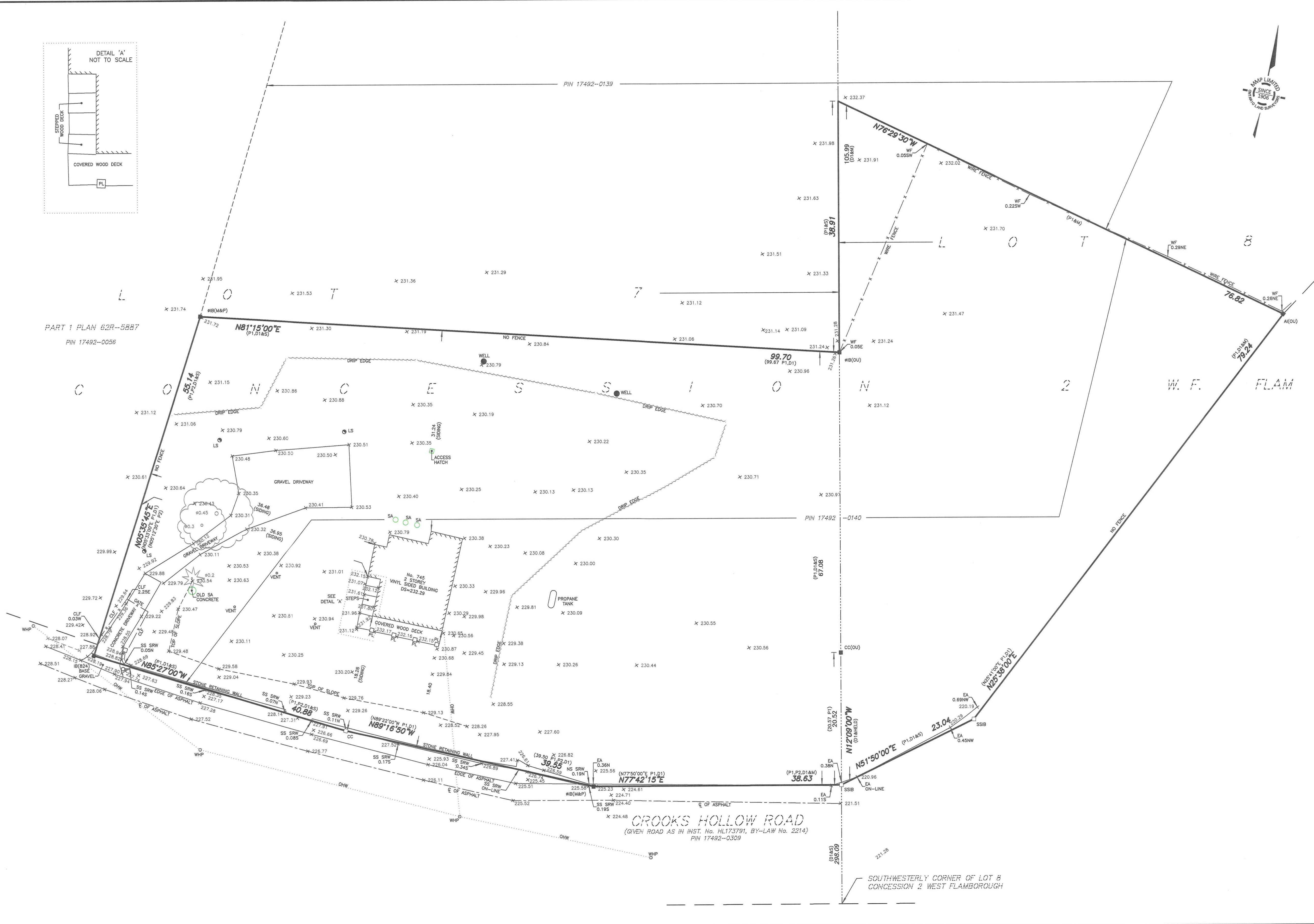
SURVEYOR'S CERTIFICATE
 I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON THE 21st DAY OF DECEMBER, 2022.

Jan 3, 2023 DATE
 J. Red F.K. RAD
 ONTARIO LAND SURVEYOR
 FOR MACKAY, MACKAY & PETERS LIMITED

MMP
 MacKAY, MacKAY & PETERS LIMITED
 LAND SURVEYORS & MAPPERS
 SINCE 1906

3380 South Service Road
 Unit 101
 Burlington, ON
 L7N 3R5
 (905) 639-1375
 halton@mmplimited.com
 mmplimited.com

DRAWN BY: G.S.
 PARTY CHIEF: C.M.
 CHECKED BY: FK
 PROJECT No.: 22-270



PART 1 PLAN 62R-5887
 PIN 17492-0056

CROOKS HOLLOW ROAD
 (GIVEN ROAD AS IN INST. No. HL173791, B1-LAW No. 2214)
 PIN 17492-0309

SOUTHWESTERLY CORNER OF LOT 8
 CONCESSION 2 WEST FLAMBOROUGH

DRILLED WELL



CISTERN

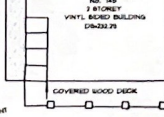


SEPTIC HOLDING TANKS

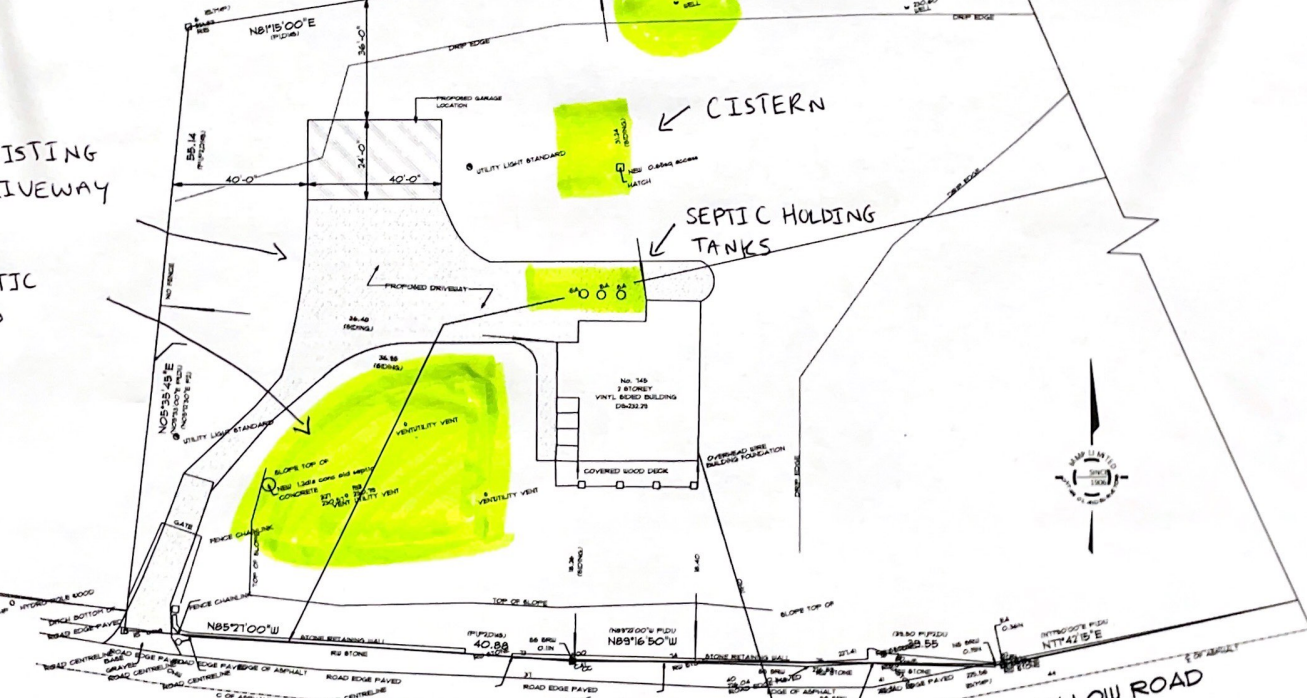


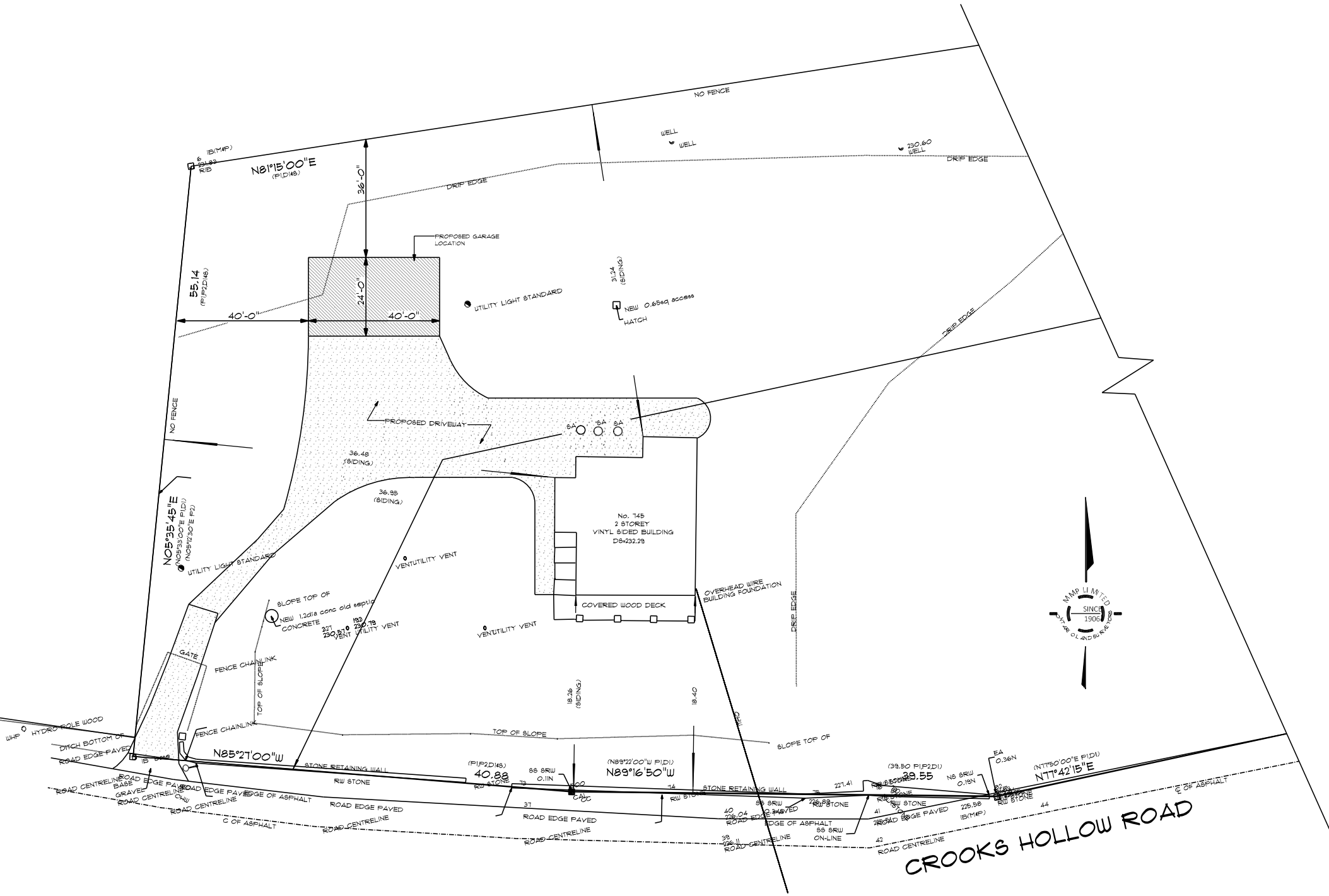
EXISTING DRIVEWAY

SEPTIC BED

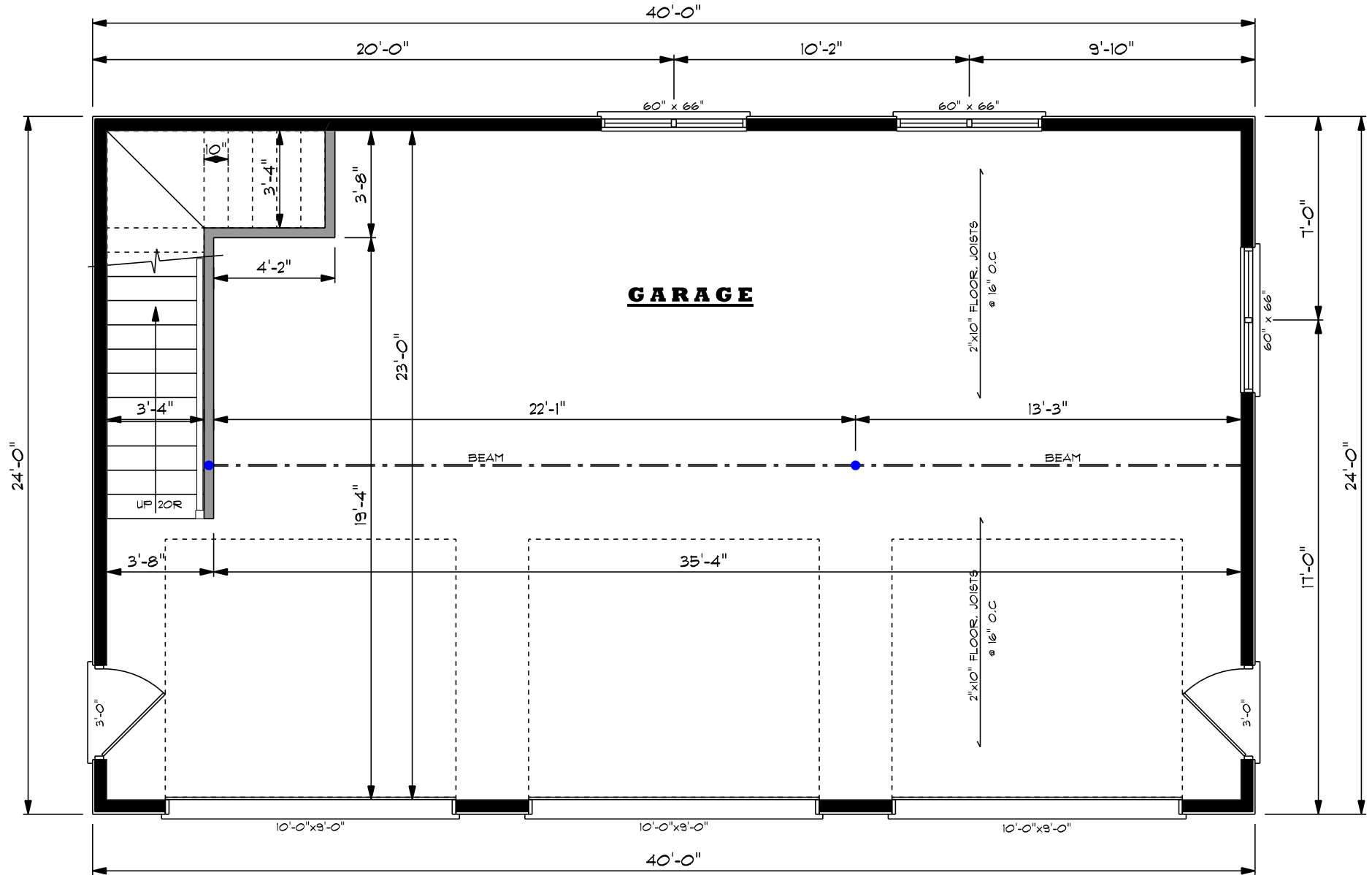


CROOKS HOLLOW ROAD





CROOKS HOLLOW ROAD



MAIN FLOOR PLAN "A"

(NOT FOR CONSTRUCTION)

Not to scale

Z:\Projects\JAMES LING GROUP\Bowen\

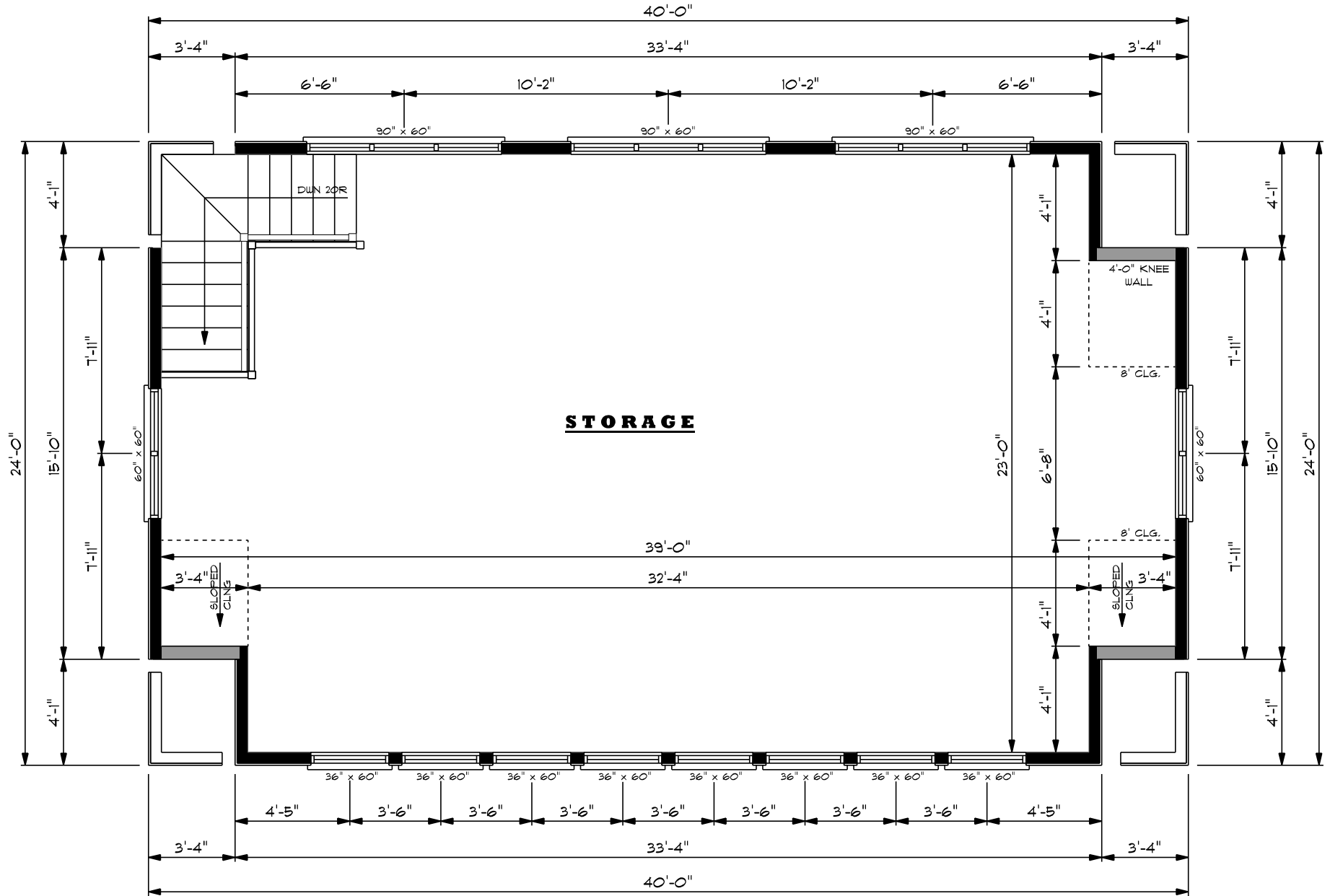
March 23, 2023

Square Footage: 960.0 sq ft.

Client's Email:

Rijus Home Design Inc www.rijus.com

Jason Schilstra (J.D) 905-701-1110



SECOND FLOOR PLAN "A"

(NOT FOR CONSTRUCTION)

Not to scale

S:\Projects\JAMES LING GROUP\Bowen\

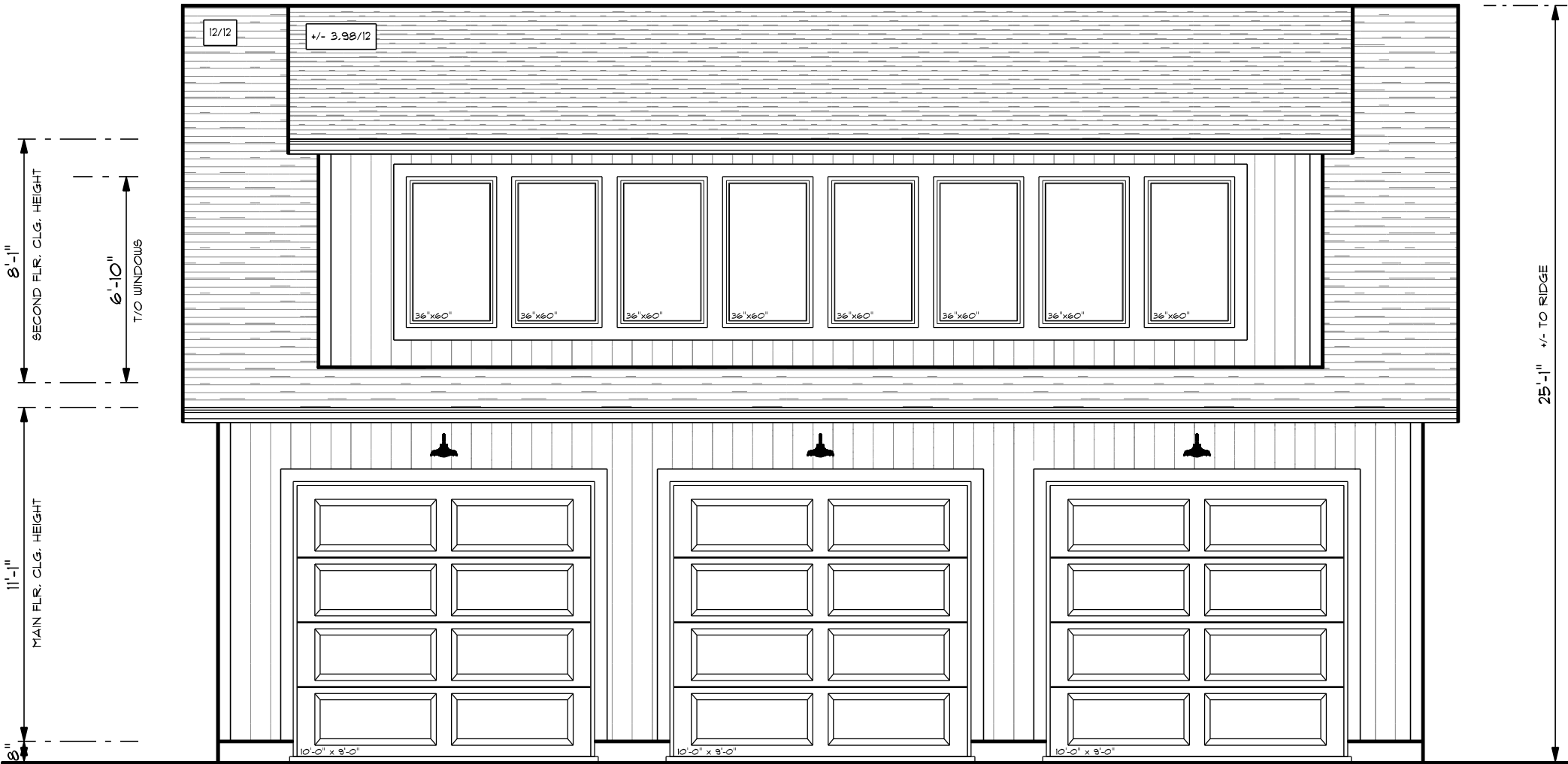
March-22-23

Square Footage: 874.0 sq ft.

Client's Email:

Rijus Home Design Inc www.rijus.com

Jason Schilstra (CH) 905-701-1110



FRONT ELEVATION "A"

-NOT FOR CONSTRUCTION-

SCALE: NTS

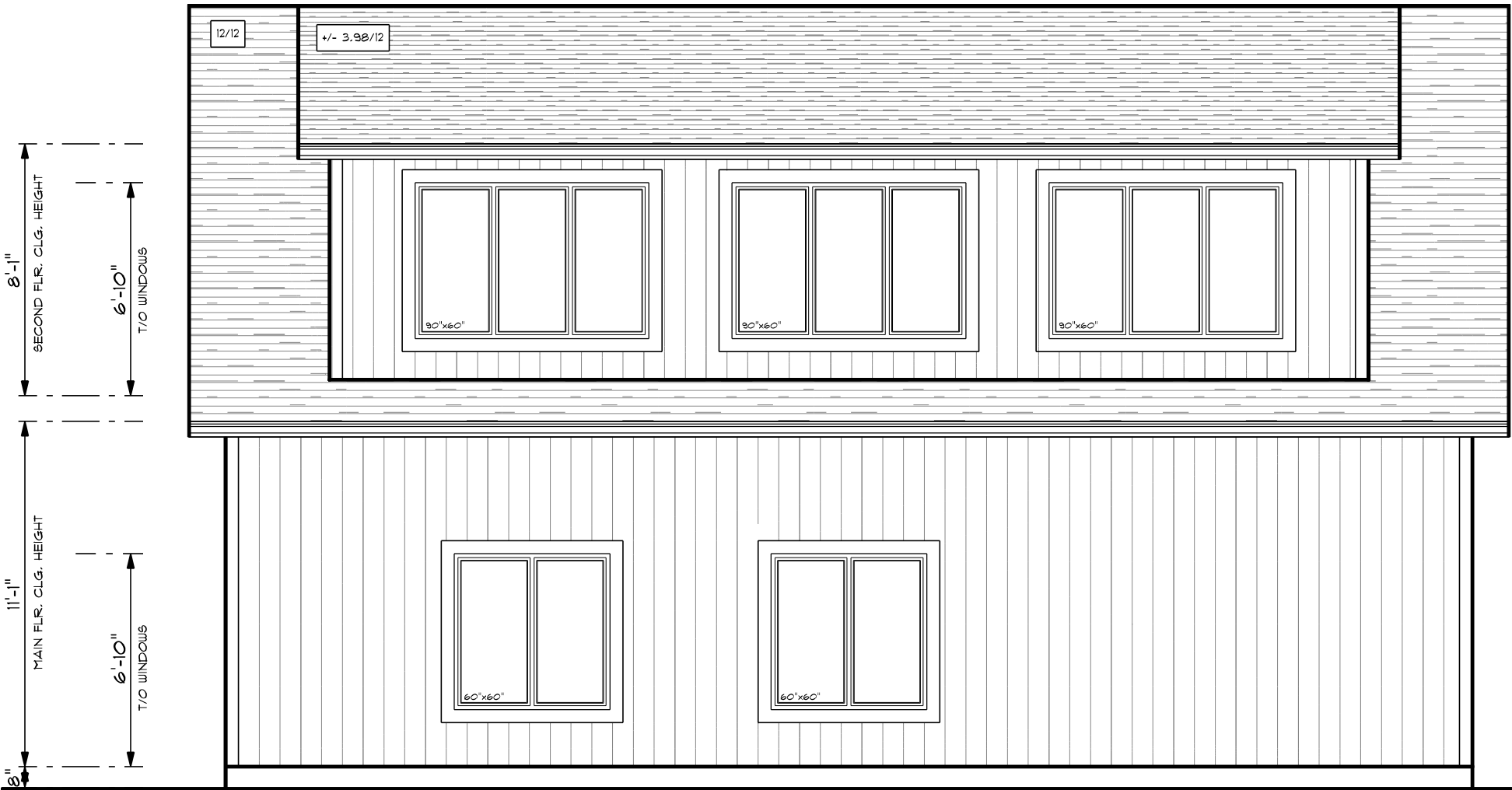
S:\Projects\JAMES LING GROUP\Bowen\

March-22-23

Rijus Home Design Inc Jason Schilstra (CH)

www.rijus.com

905-701-1110



REAR ELEVATION "A"

-NOT FOR CONSTRUCTION-

SCALE: NTS

S:\Projects\JAMES LING GROUP\Bowen\

March-22-23

Rijus Home Design Inc

Jason Schilstra (CH)

www.rijus.com

905-701-1110



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)		
Applicant(s)		
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 Agent/Solicitor

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	[REDACTED]		
Assessment Roll Number	302230170000000		
Former Municipality	Dundas		
Lot	7 & 8	Concession	2
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:

Height and Size of Accessory Building

Second Dwelling Unit Reconstruction of Existing Dwelling

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

By-law restrictions do not allow enough space for a 3 car garage with storage overtop.

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
221	55	12155	20

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
Primary Residence	18.26	31.24	36.48, 169.62	01/01/1800

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Three Car Garage	36.85	10.97	12.19, 196.62	09/01/2023

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 Family Home	164.53	203.08	1.5	10

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Three Car Garage	89.19	170.38	1.5	7.92

- 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 Family Dwelling

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):
Single Family Dwelling

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:
2017

7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
Single Family Dwelling

7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
Single Family Dwelling

7.4 Length of time the existing uses of the subject property have continued:
100 years or more

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

Rural Hamilton Official Plan designation (if applicable): Rural Settlement

Rural Settlement Area: Greenville

Urban Hamilton Official Plan designation (if applicable) N/A

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

7.6 What is the existing zoning of the subject land? P6

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: _____

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: 1

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
- _____
- _____