



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.: | SC/A-23:189 | SUBJECT PROPERTY: | 177 GREEN MOUNTAIN ROAD E, STONEY CREEK |
| ZONE: | A1 (Agriculture) | ZONING BY-LAW: | Zoning By-law City of Hamilton 05-200, as Amended by By-law No. 15-173 |

APPLICANTS: **Owner:** MARKO PEJIC
 Agent: LEN ANGELICI

The following variances are requested:

1. A maximum aggregate Gross Floor Area for an Accessory Building shall be 551.87 square metres instead of the maximum required aggregate Gross Floor Area of 200.0 square metres;
2. A maximum Building Height of 9.05 metres for an Accessory Building shall be provided instead of the maximum required Building Height of 6.0 metres for an Accessory Building.

PURPOSE & EFFECT: So as to permit an Accessory Building within the rear yard of an existing Single Detached Dwelling.

Notes:

- i. Please be advised, it is unclear if the stairwell within the proposed Accessory Building (Garage) has been included in the total gross floor area of the building. Gross Floor Area is defined within Hamilton Zoning By-Law 05-200 as follows:

Shall mean the aggregate horizontal area measured from the exterior faces of the exterior walls of all floors of a building (excluding any cellar or floor area having a ceiling height of 2.0 metres or less or devoted exclusively to parking) within all buildings on a lot but shall not include any area devoted to mechanical equipment.

As per the above definition, the Gross Floor Area of the proposed stairwell shall be included within the calculation of Aggregate Gross Floor Area required under Section 4.8.1.2 b).

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 24, 2023 |
| TIME: | 10:45 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 SC/A-23:189, 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: August 8, 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.

| | |
|---------------|------------|
| PROJECT NORTH | TRUE NORTH |
| | |

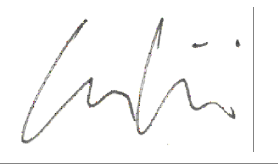
| | | |
|--|--|--|
| | | |
| | | |
| | | |
| | | |

| 01. | DRAWINGS FOR VARIANCE | 07/13/2023 |
|-----|-----------------------|------------|
| No. | REVISION | DATE |

- ALL CONTRACTORS AND/OR TRADES SHALL VERIFY ALL DIMENSIONS, NOTES, SITE AND REPORT ANY DISCREPANCIES PRIOR TO THE COMMENCEMENT OF WORK.
- THIS DRAWING IS NOT TO BE SCALED. ALL DRAWINGS, PRINTS AND RELATED DOCUMENTS ARE THE PROPERTY OF LEN ANGELICI DESIGN AND MUST BE RETURNED UPON REQUEST.
- REPRODUCTION OF DRAWINGS AND RELATED DOCUMENTS IN PART OR IN WHOLE IS STRICTLY PROHIBITED WITHOUT WRITTEN CONSENT OF LEN ANGELICI DESIGN.
- CONTRACTOR SHALL REVIEW ALL DRAWINGS PRIOR TO COMMENCING CONSTRUCTION FOR ANY ERRORS OR OMISSIONS.
- LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR THE DESIGN OR PRE-ENGINEERED TRUSSES OR ANY PRE-ENGINEERED PRODUCTS.
- LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR HEATING, PLUMBING, OR ELECTRICAL DRAWINGS.
- DRAWING MAY NOT BE CHANGED, ALTERED OR COPIED WITHOUT WRITTEN CONSENT OF LEN ANGELICI DESIGN. FAILURE TO COMPLY WITH THIS STATEMENT IS NOT THE RESPONSIBILITY OF LEN ANGELICI DESIGN.
- LEN ANGELICI DESIGN IS NOT RESPONSIBLE FOR POOR CONSTRUCTION PRACTICES.

SEAL

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

| QUALIFICATION INFORMATION | |
|---------------------------|---|
| LEONARD ANGELICI | 42391 |
| NAME | BCIN |
| REGISTRATION INFORMATION | |
| LEN ANGELICI DESIGN | 43162 |
| NAME | BCIN |
| 07/13/2023 |  |
| DATE | SIGNATURE |

Len Angelici Design

270 SHERMAN AVE N, UNIT OF-269
HAMILTON, ON L8L 6N4
(905) 393-8868
info@lenangelicidesign.ca

PROJECT

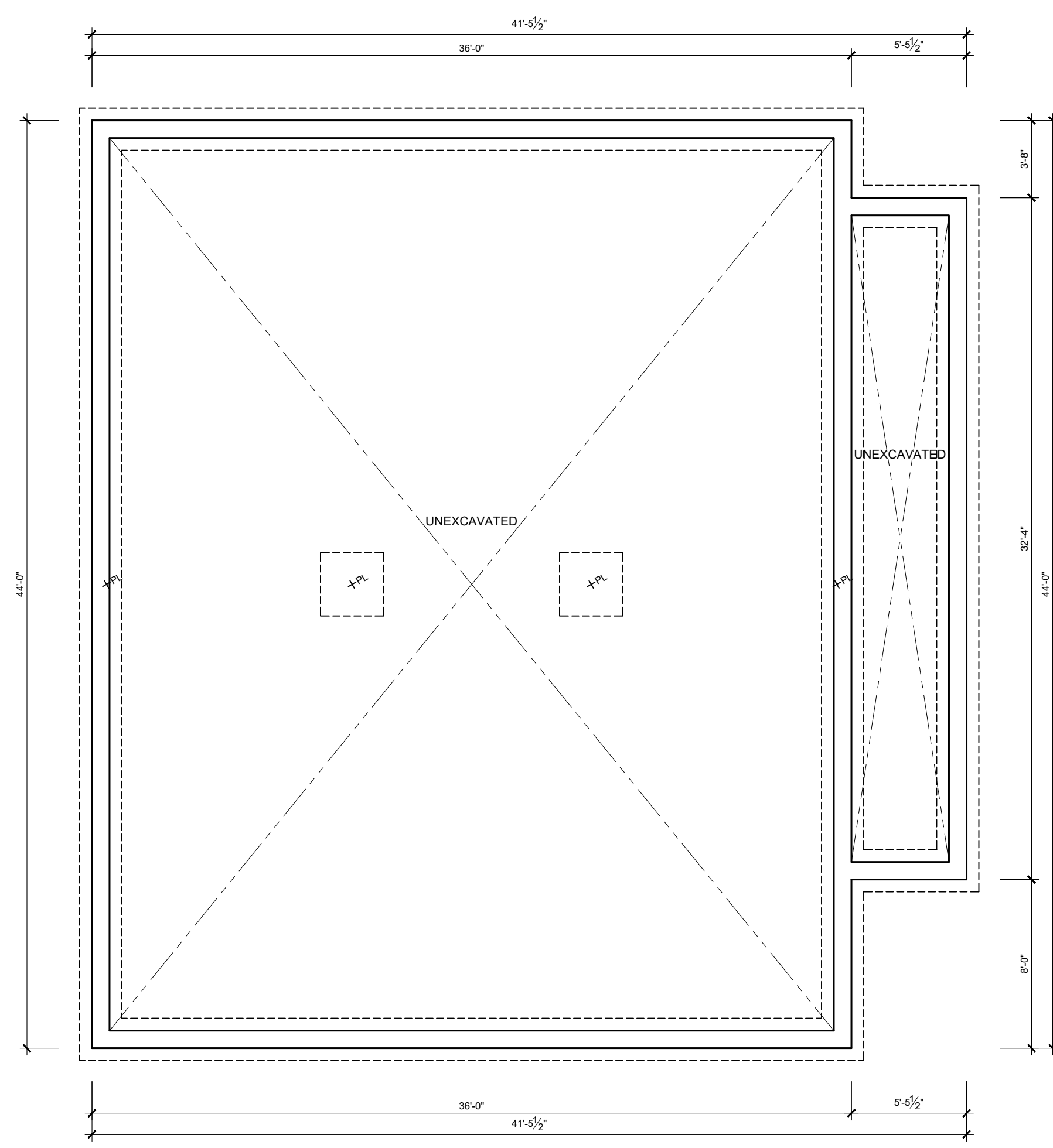
177 GREEN MOUNTAIN RD E
STONEY CREEK, ON

SHEET TITLE

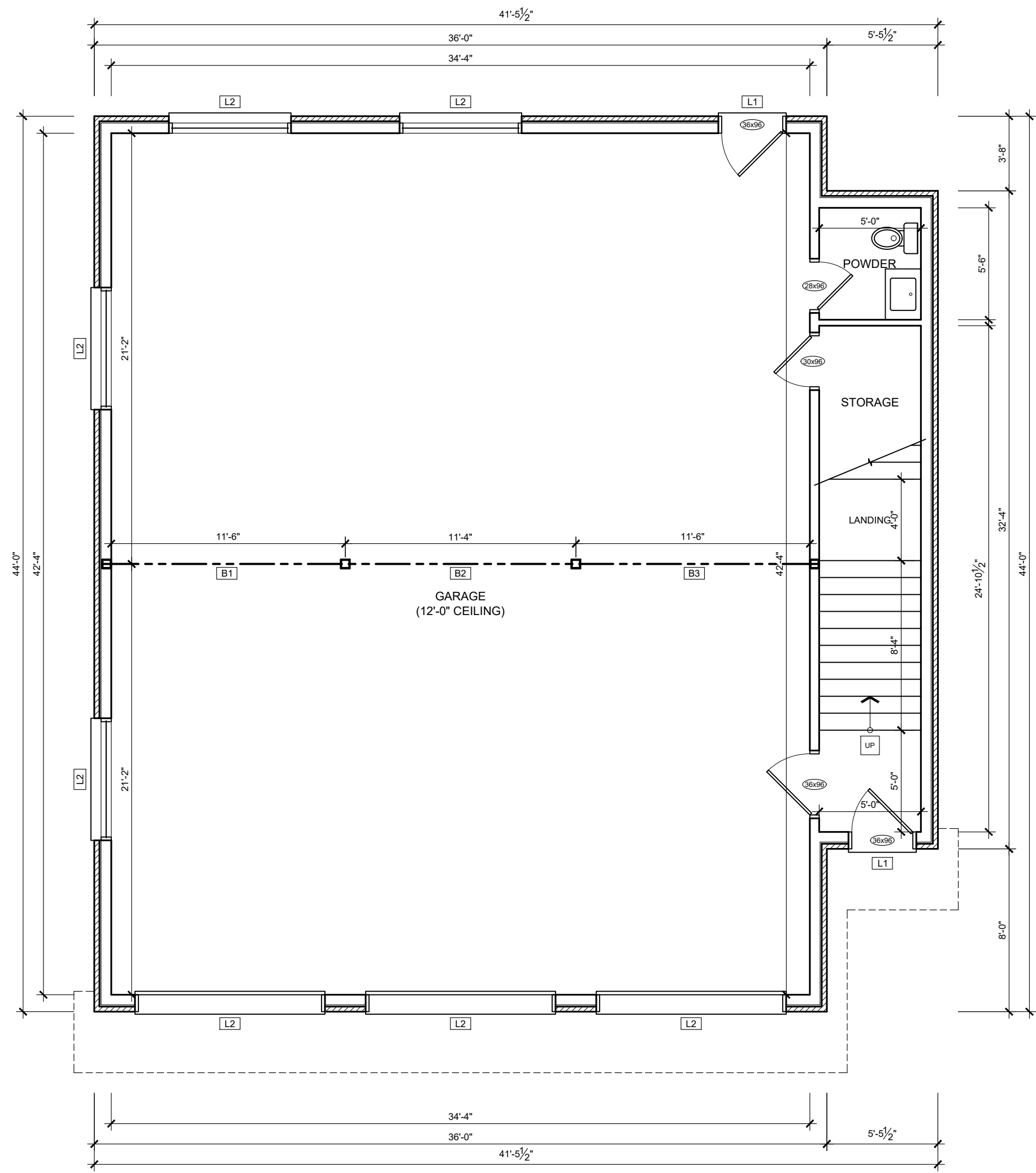
FLOOR PLANS

| | |
|-------------|---------------|
| DRAWN BY | L. ANGELICI |
| DATE | 07/13/2023 |
| SCALE | 3/16" = 1'-0" |
| PROJECT No. | 23005 |

A1

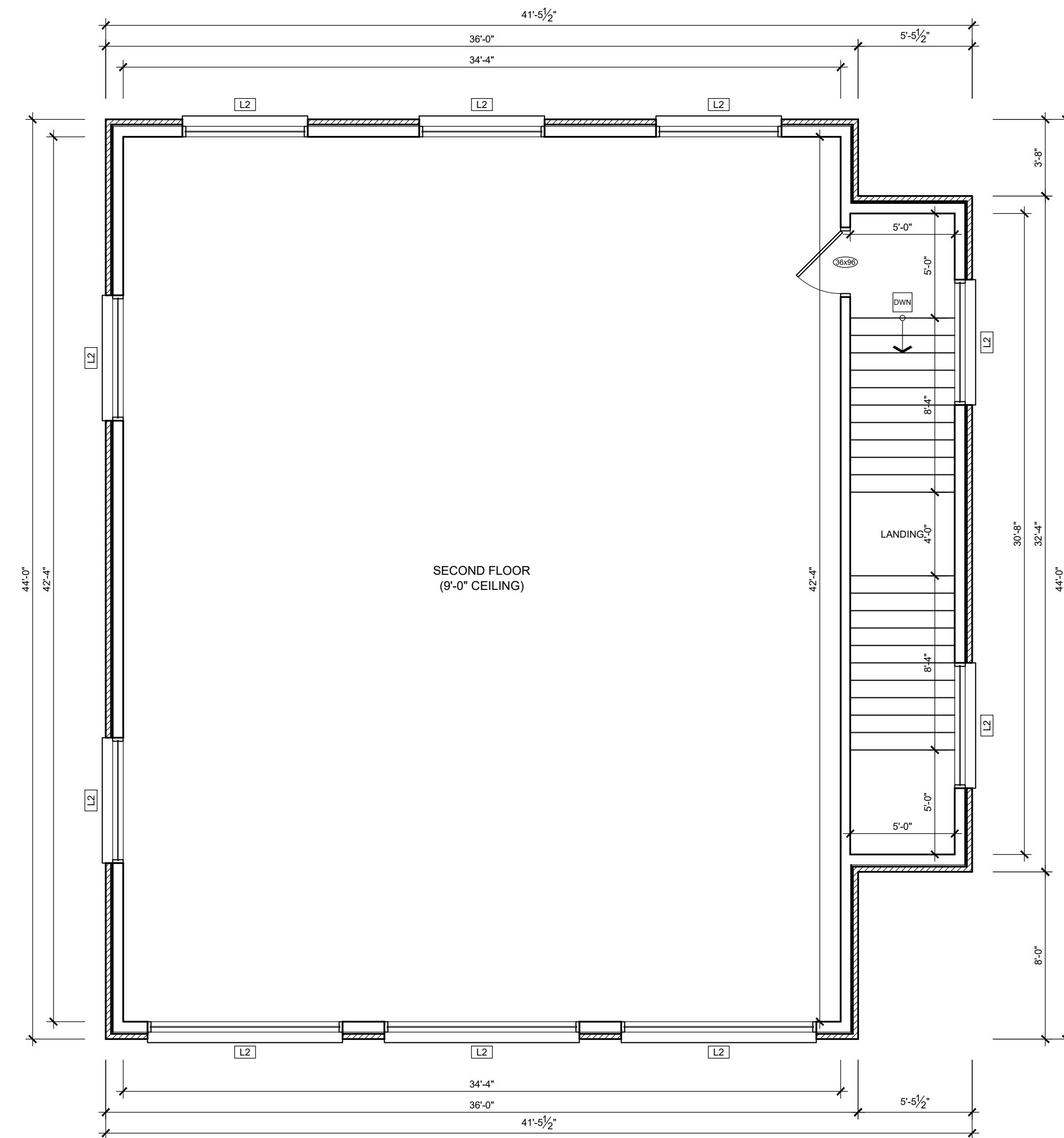


FOUNDATION PLAN
SCALE: 3/16" = 1' - 0"



GARAGE PLAN
SCALE: 3/16" = 1' - 0"
FLOOR AREA: 1760.49sqft (163.55m²)

- L1 2-2'x8" S.P.F. No 1 OR 2
- L2 2-2'x10" S.P.F. No 1 OR 2



SECOND FLOOR PLAN
SCALE: 3/16" = 1' - 0"

STAIRWELL: 187.99sqft (17.46m²)
FLOOR AREA: 1572.50sqft (146.09m²)

- L1 2-2'x8" S.P.F. No 1 OR 2
- L2 2-2'x10" S.P.F. No 1 OR 2

| | |
|---------------|------------|
| PROJECT NORTH | TRUE NORTH |
| | |

| No. | REVISION | DATE |
|-----|-----------------------|------------|
| 01. | DRAWINGS FOR VARIANCE | 07/13/2023 |

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QUALIFICATION INFORMATION
 LEONARD ANGELICI 42391
 NAME BCIN

REGISTRATION INFORMATION
 LEN ANGELICI DESIGN 43162
 NAME BCIN

07/13/2023
 DATE SIGNATURE

Len Angelici Design

270 SHERMAN AVE N, UNIT OF-269
 HAMILTON, ON L8L 6N4
 (905) 393-8868
 info@lenangelicidesign.ca

PROJECT

177 GREEN MOUNTAIN RD E
 STONEY CREEK, ON

SHEET TITLE

ELEVATIONS

DRAWN BY
 L. ANGELICI

DATE
 07/13/2023

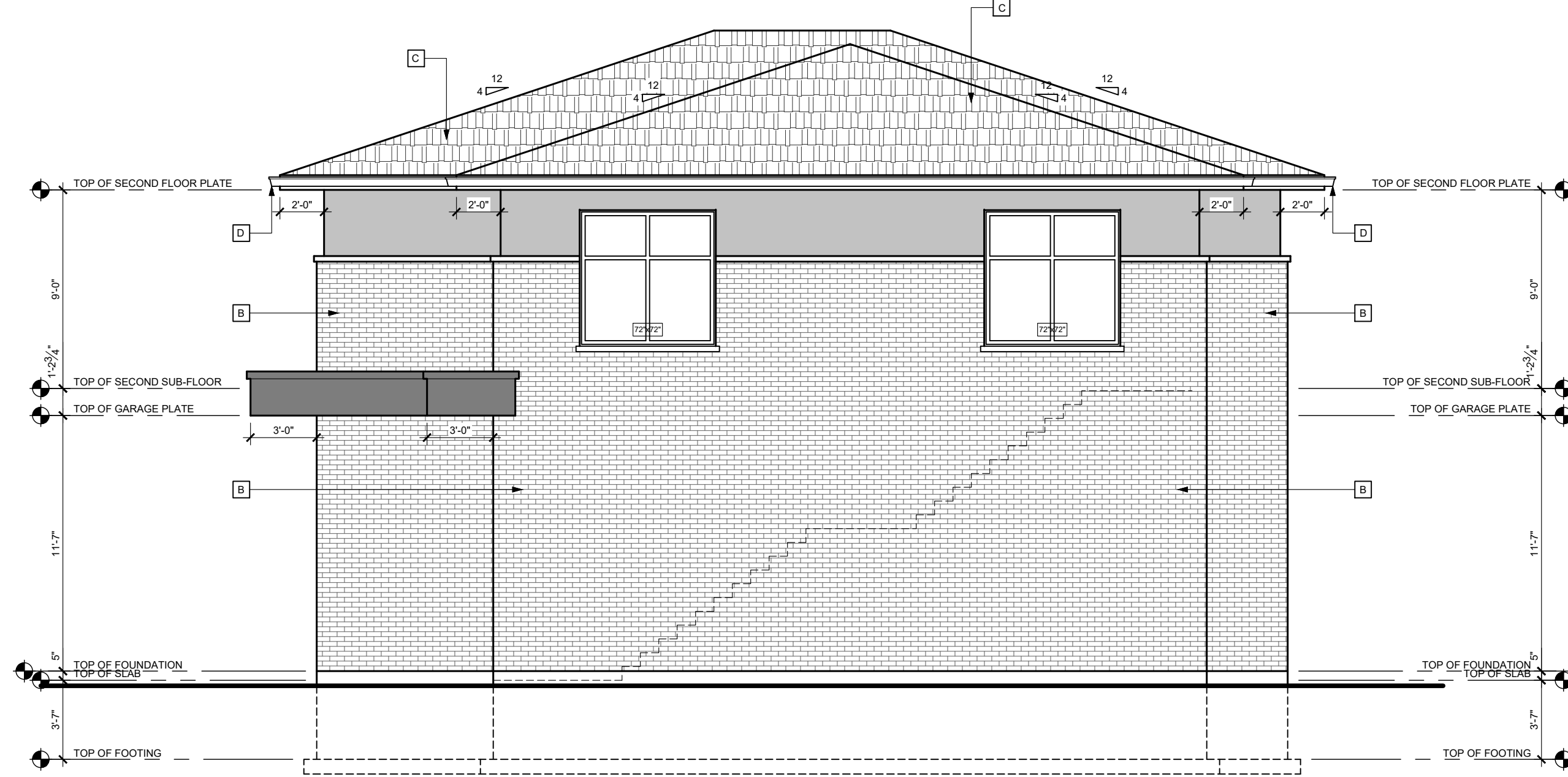
SCALE
 3/16"=1'-0"

PROJECT No.
 23005

A2



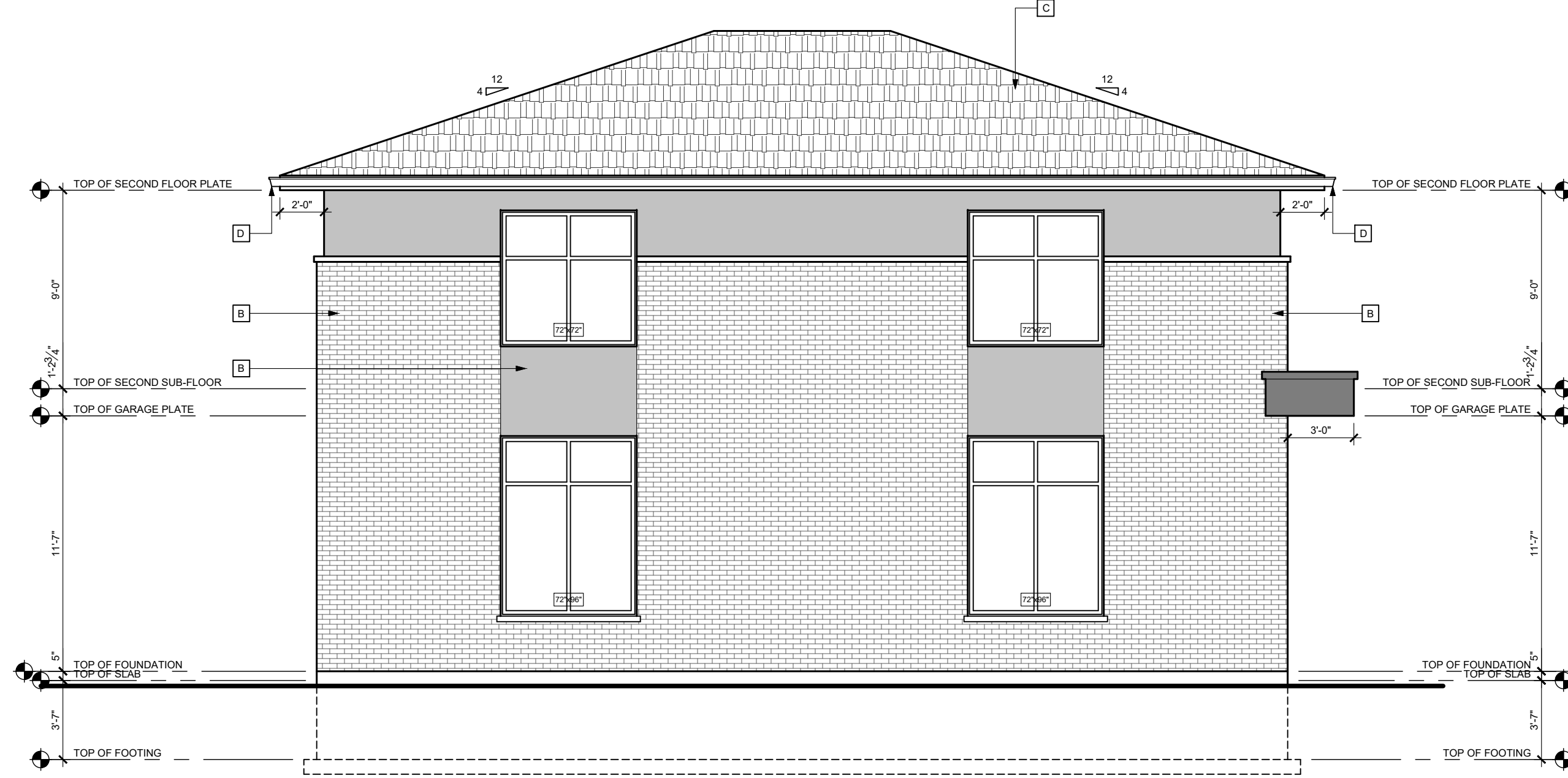
FRONT ELEVATION
 SCALE: 3/16" = 1' - 0"



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



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



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

EXTERIOR FINISH INDEX

| | |
|---|--|
| A | STUCCO FINISH OR SIDING |
| B | BRICK VENEER |
| C | ASPHALT SHINGLES |
| D | 5" PRE-FIN. ALUM. EAVENTROUGH ON 8" WITH PRE-FIN. ALUM. FASCIA CW PRE-FIN. ALUM. DOWNSPOUT |



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 | | | Phone: |
| | | | E-mail: |

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 len@lenangelicdesign.ca

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 | 177 GREEN MOUNTAIN RD E | | |
| Assessment Roll Number | | | |
| Former Municipality | | | |
| Lot | 21 | Concession | 5 |
| 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:

RELIEF FROM HEIGHT REQUIREMENT OF 6m TO PROPOSED 9.05m
RELIEF FROM GROSS FLOOR AREA OF ALL ACCESSORY BUILDINGS REQUIREMENT OF 200m² TO PROPOSED 551.87m²

Second Dwelling Unit Reconstruction of Existing Dwelling

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

DESIRED CEILING HEIGHTS OF 2 STOREY GARAGE DO NOT COMPLY WITH HEIGHT REQUIREMENT
FLOOR AREAS OF EXISTING ACCESSORY BUILDINGS ALREADY EXCEED THE REQUIRED RFA

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 |
|--------------|-----------|-----------------------|-----------------|
| 23.77 | 170.69 | 4050.03m ² | N/A |

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 |
|-------------------|--------------------|-------------------|--------------------|----------------------|
| DWELLING | 21.25 | | 3.33m & 7.94m | N/A |
| SHED | 37.70 | | 3.96m & 16.51m | N/A |
| DETACHED GARAGE | 36.40m | | 0.83m & 17.98m | N/A |
| GREENHOUSE | 90.94m | 49.57m | 2.38m & 14.96m | N/A |

Proposed:

| Type of Structure | Front Yard Setback | Rear Yard Setback | Side Yard Setbacks | Date of Construction |
|-------------------|--------------------|-------------------|--------------------|----------------------|
| DETACHED GARAGE | 133.64m | 23.51m | 3.05m & 8.00m | N/A |
| | | | | |
| | | | | |
| | | | | |

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 |
|-------------------|----------------------|----------------------|-------------------|--------|
| DWELLING | 92.88m ² | 92.88m ² | 1 | N/A |
| SHED | 13.01m ² | 13.01m ² | 1 | N/A |
| DETACHED GARAGE | 35.67m ² | 35.67m ² | 1 | N/A |
| GREENHOUSE | 193.55m ² | 193.55m ² | 1 | N/A |

Proposed:

| Type of Structure | Ground Floor Area | Gross Floor Area | Number of Storeys | Height |
|-------------------|----------------------|----------------------|-------------------|--------|
| DETACHED GARAGE | 163.55m ² | 309.64m ² | 2 | 9.05m |
| | | | | |
| | | | | |
| | | | | |

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

right of way

municipal road, seasonally maintained

other public road

municipal road, maintained all year _____

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 DWELLINGS

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

N/A

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:

SINCE CONSTRUCTION

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

Rural Hamilton Official Plan designation (if applicable): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) _____

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

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

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
-
-