

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-23:193	SUBJECT PROPERTY:	939 - 943 CONCESSION 6 W, FLAMBOROUGH
ZONE:	A1 (Agriculture)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended by By-law No. 15-173

APPLICANTS: **Owner:** PETER & JACOB KRALT
 Agent: KEVIN WEBSTER DESIGNS INC. C/O KEVIN WEBSTER

The following variances are requested:

1. The existing Single Detached Dwellings, including the proposed addition/ alteration, shall be permitted instead of the requirement that in any zone where a single detached dwelling is permitted, no more than one such dwelling shall be erected on a lot.

PURPOSE & EFFECT: So as to permit an addition to the existing Single Detached Dwelling on a lot containing two Single Detached Dwellings.

Notes:

- i) Be advised, there is insufficient information within Building Records to determine if the Single Detached Dwelling(s) have existed prior to the passing of Flamborough Zoning By-Law 90-145-Z on November 5, 1990 or any such applicable Zoning By-Law prior to this date. As such, an Applicable Law Review to determine the establishment of a Legal Non-Conforming Use may be required to determine if the dwellings have been legally established and existed continuously prior to the By-Law.
- ii) In addition to the above, insufficient information has been provided to determine Building Height of the proposed Second Storey Addition. Elevation drawings indicate height from finished grade to below the roof line but does not include the height of the building to its highest point; as such, height cannot be determined. Should the height of the proposed addition exceed the 10.5 metres permitted under Section 12.1.3.3 c), additional variances may 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, August 24, 2023
TIME:	10:20 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-23:193, 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

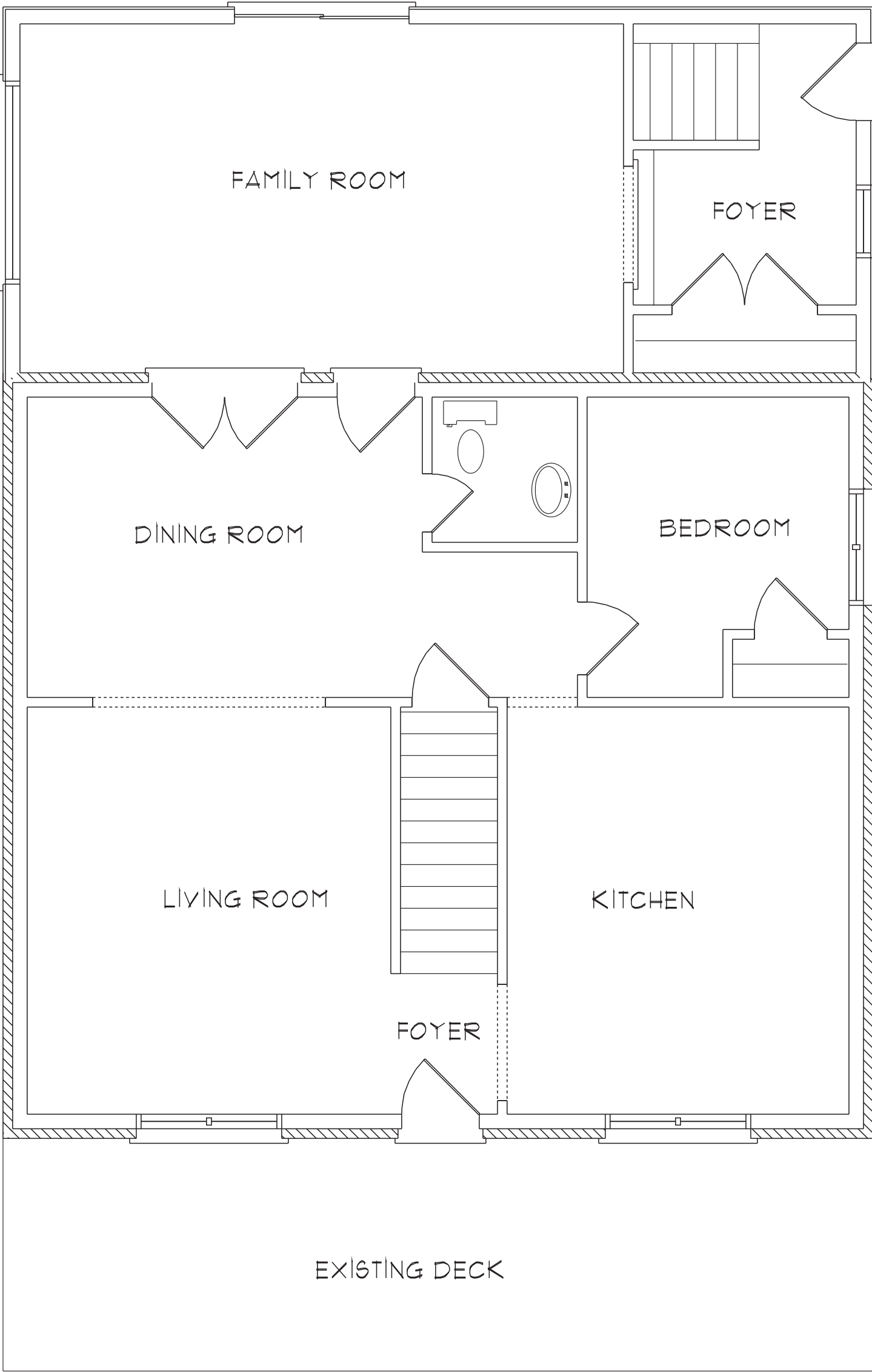
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.



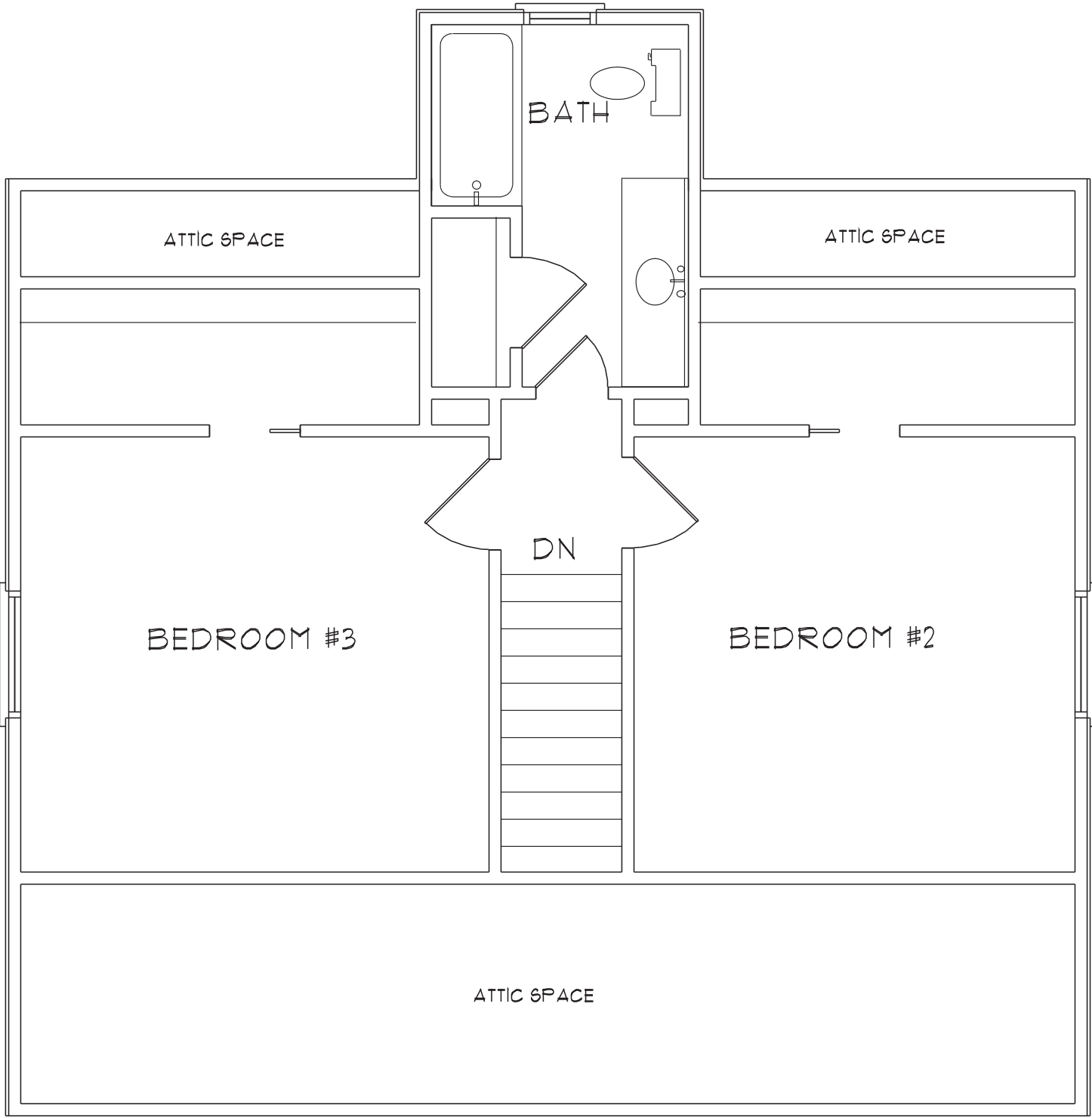
SITE PLAN

I	ISSUED FOR REVIEW	01/26/23	KW
NO.	DESCRIPTION	DATE	BY
REVISED:			
Kevin Webster Designs Inc.			
RESIDENTIAL & COMMERCIAL DESIGN, DRAFTING & CONSULTING			
68 North Valley Dr, Welland, Ontario L3C 7L6 (905)639-2003			
PROJECT NO. 202302		DATE: JAN. 2023	
BUILDER:			
PROJECT NAME: KRALT RESIDENCE 943 CONCESSION 6 W HAMILTON, ONT.			
MODEL:			
DRAWING: SITE PLAN			
DRAWN BY: KW.		CHECKED BY: KW.	
SCALE: 1/4"=1'-0"		PAGE: SP1	



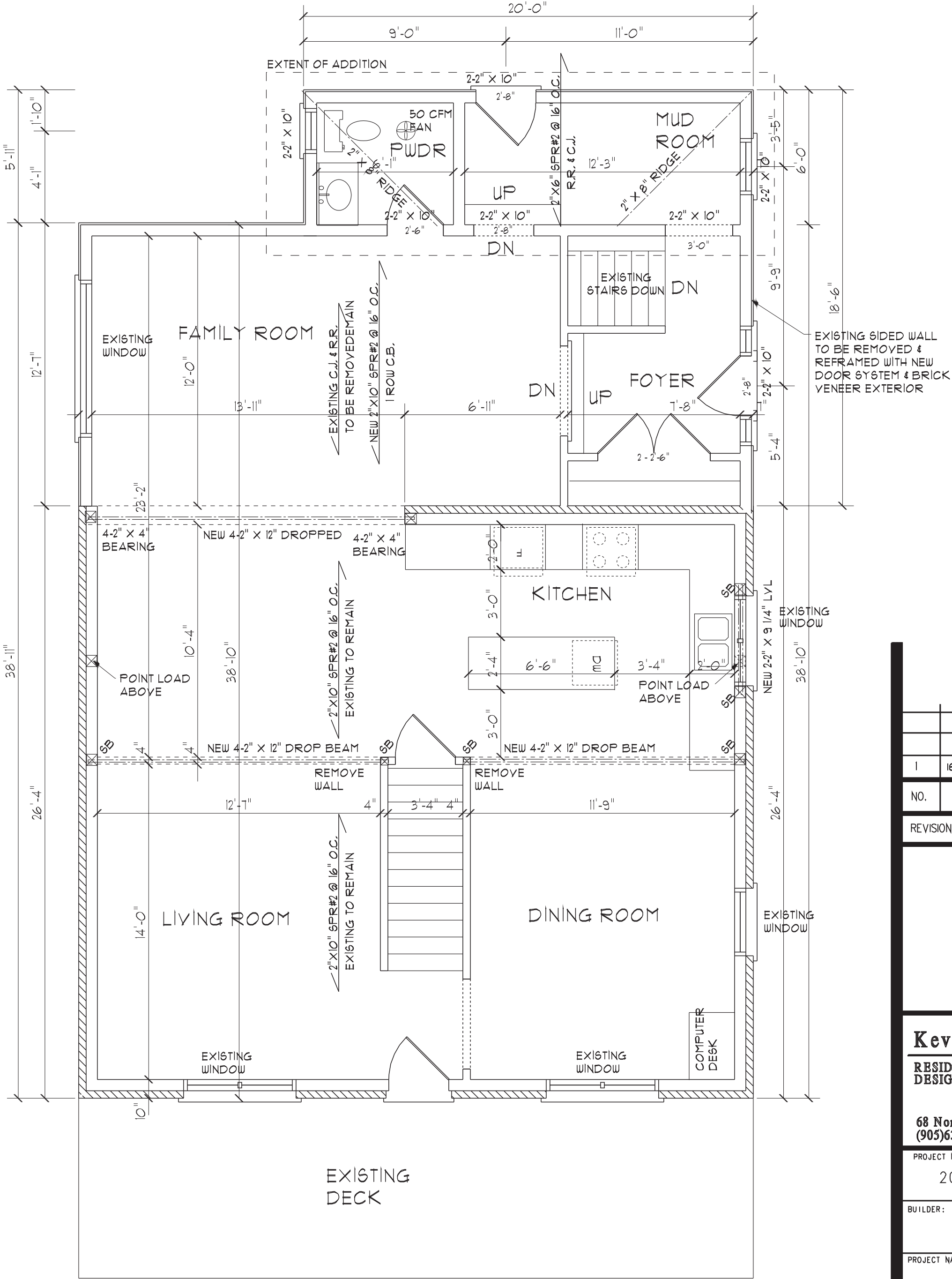
EXISTING GROUND FLOOR PLAN

I	ISSUED FOR REVIEW	01/26/23	KW
NO.	DESCRIPTION	DATE	BY
REVISIONS			
Kevin Webster Designs Inc. RESIDENTIAL & COMMERCIAL DESIGN, DRAFTING & CONSULTING 68 North Valley Dr, Welland, Ontario L3C 7L6 (905)639-2009			
PROJECT NO. 202302		DATE: JAN. 2023	
BUILDER:			
PROJECT NAME: KRALT RESIDENCE 943 CONCESSION 6 W HAMILTON, ONT.			
MODEL:			
DRAWING: EXISTING PLANS			
DRAWN BY: K.W.		CHECKED BY: K.W.	
SCALE: 1/4"=1'-0"		PAGE: 1	



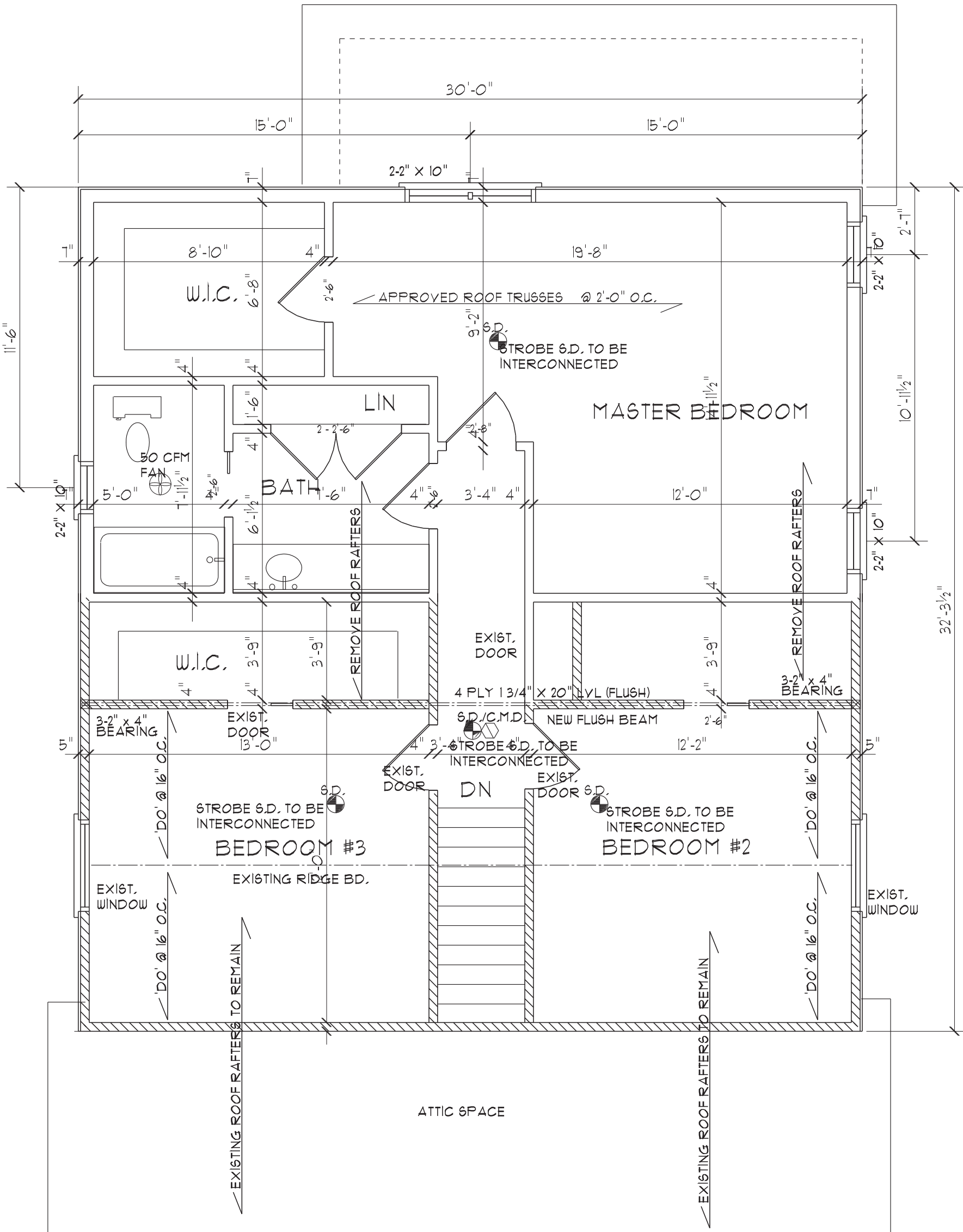
EXISTING SECOND FLOOR PLAN

I	ISSUED FOR REVIEW	01/26/23	KW
NO.	DESCRIPTION	DATE	BY
REVISIONS			
Kevin Webster Designs Inc. RESIDENTIAL & COMMERCIAL DESIGN, DRAFTING & CONSULTING 68 North Valley Dr, Welland, Ontario L3C 7L6 (905)639-2009			
PROJECT NO. 202302		DATE: JAN. 2023	
BUILDER:			
PROJECT NAME: KRALT RESIDENCE 943 CONCESSION 6 W HAMILTON, ONT.			
MODEL:			
DRAWING: EXISTING PLANS			
DRAWN BY: K.W.		CHECKED BY: K.W.	
SCALE: 1/4"=1'-0"		PAGE: 2	



PROPOSED GROUND FLOOR PLAN

I	ISSUED FOR REVIEW	01/26/23	KW
NO.	DESCRIPTION	DATE	BY
REVISIONS			
Kevin Webster Designs Inc.			
RESIDENTIAL & COMMERCIAL DESIGN, DRAFTING & CONSULTING			
68 North Valley Dr, Welland, Ontario L3C 7L6 (905)639-2009			
PROJECT NO. 202302		DATE: JAN. 2023	
BUILDER:			
PROJECT NAME: KRALT RESIDENCE 943 CONCESSION 6 W HAMILTON, ONT.			
MODEL:			
DRAWING: PROPOSED GROUND FLOOR PLANS			
DRAWN BY: K.W.		CHECKED BY: K.W.	
SCALE: 1/4"=1'-0"		PAGE: 3	

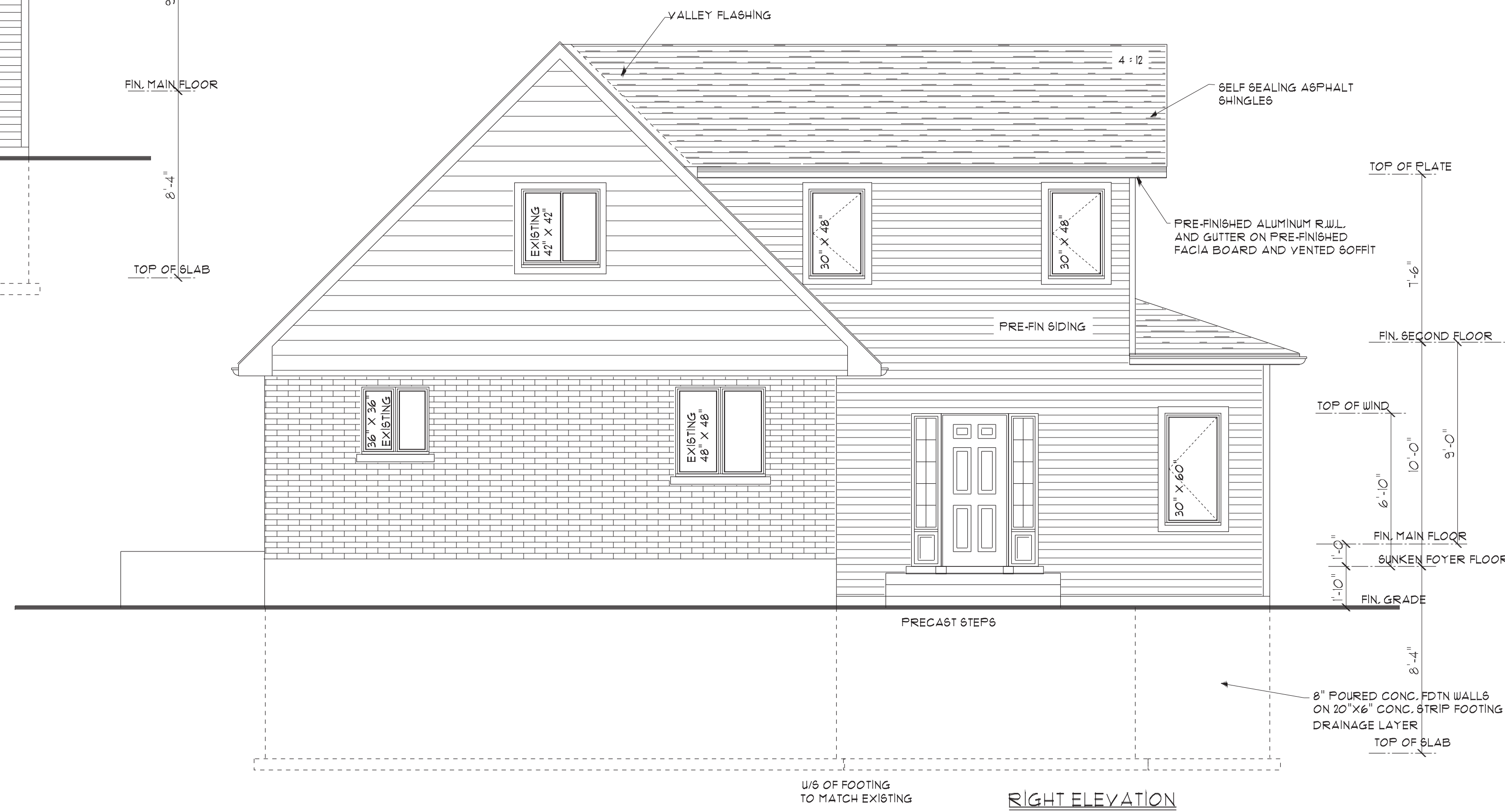
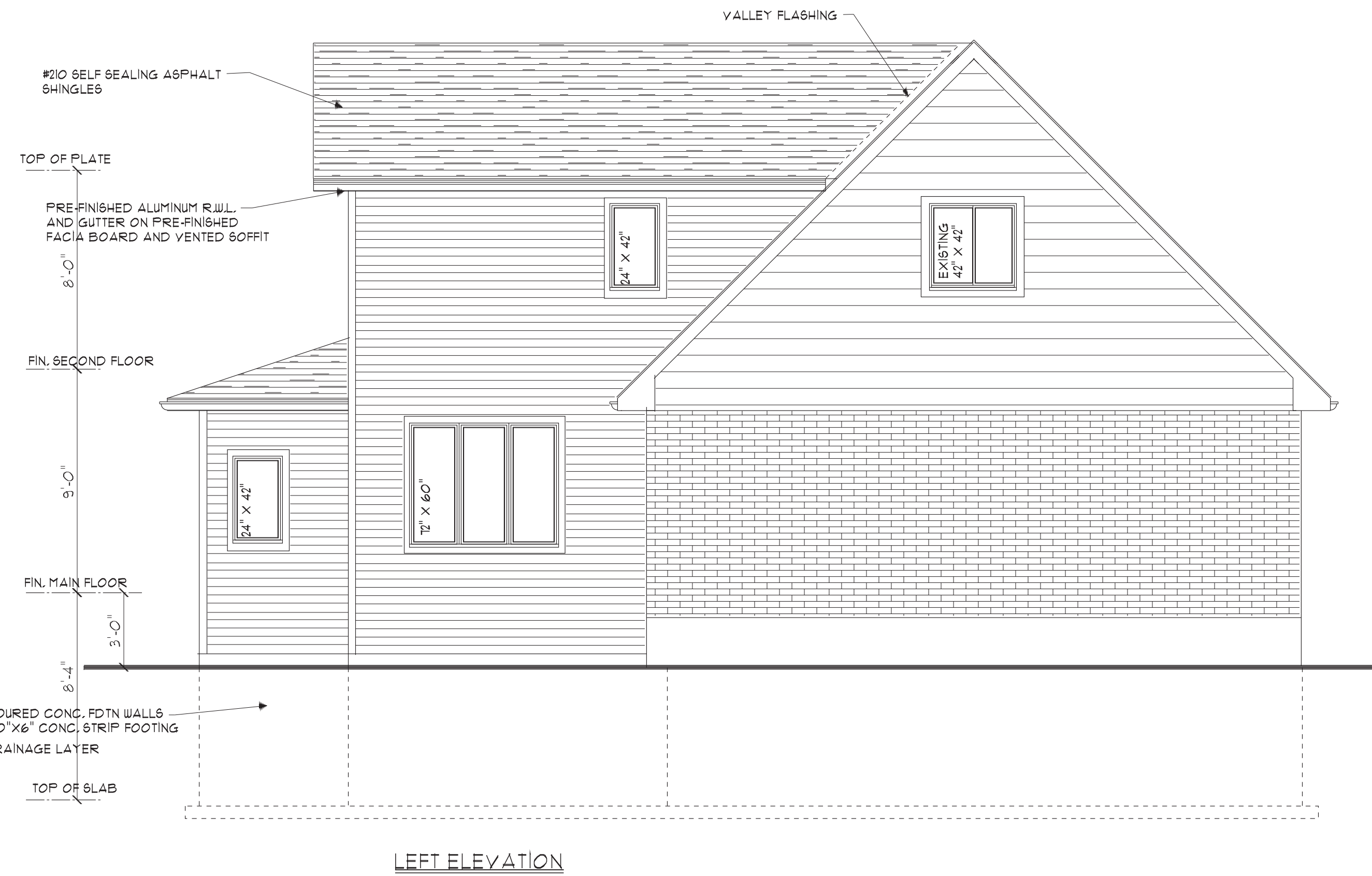
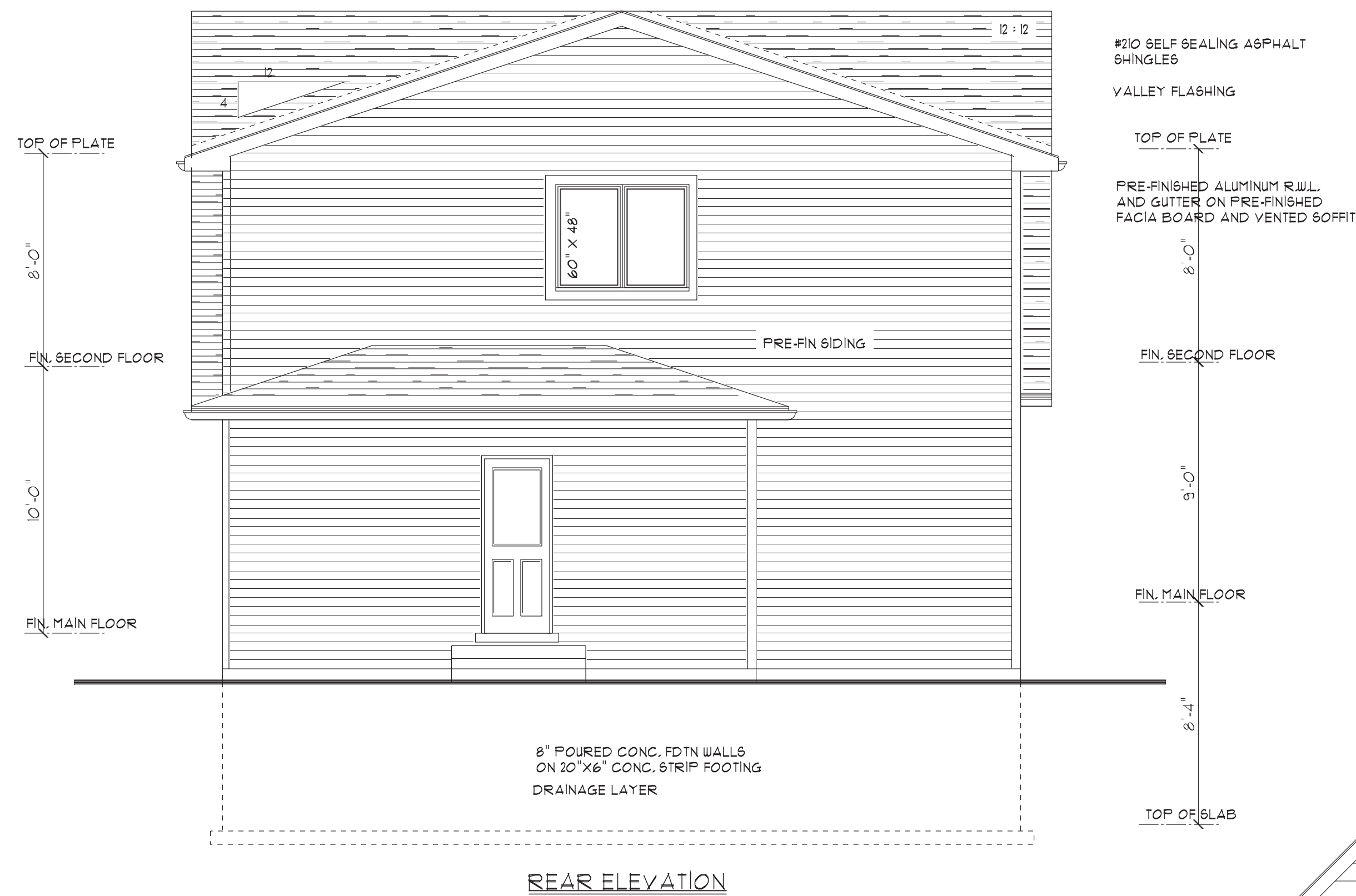


PROPOSED SECOND FLOOR PLAN

I	ISSUED FOR REVIEW	01/26/23	KW
NO.	DESCRIPTION	DATE	BY
REVISIONS			
Kevin Webster Designs Inc.			
RESIDENTIAL & COMMERCIAL DESIGN, DRAFTING & CONSULTING			
68 North Valley Dr, Welland, Ontario L3C 7L6 (905)639-2009			
PROJECT NO. 202302		DATE: JAN. 2023	
BUILDER:			
PROJECT NAME: KRALT RESIDENCE 943 CONCESSION 6 W HAMILTON, ONT.			
MODEL:			
DRAWING:			
PROPOSED SECOND FLOOR PLANS			
DRAWN BY: K.W.		CHECKED BY: K.W.	
SCALE: 1/4"=1'-0"		PAGE: 4	



I	ISSUED FOR REVIEW	01/26/23	KW
NO.	DESCRIPTION	DATE	BY
REVISED			
Kevin Webster Designs Inc.			
RESIDENTIAL & COMMERCIAL DESIGN, DRAFTING & CONSULTING			
66 North Valley Dr, Welland, Ontario L3C 7L6 (905)639-2009			
PROJECT NO. 202302		DATE: JAN. 2023	
BUILDER:			
PROJECT NAME: KRALT RESIDENCE 943 CONCESSION 6 W HAMILTON, ONT.			
MODEL:			
DRAWING:			
PROPOSED BASEMENT FLOOR PLANS			
DRAWN BY: K.W.		CHECKED BY: K.W.	
SCALE: 1/4" = 1'-0"		PAGE: 5	



I	ISSUED FOR REVIEW	01/26/23	KW
NO.	DESCRIPTION	DATE	BY
REVISIONS			
Kevin Webster Designs Inc.			
RESIDENTIAL & COMMERCIAL DESIGN, DRAFTING & CONSULTING			
68 North Valley Dr, Welland, Ontario L3C 7L6 (905)639-2009			
PROJECT NO. 202302		DATE: JAN. 2023	
BUILDER:			
PROJECT NAME: KRALT RESIDENCE 943 CONCESSION 6 W HAMILTON, ONT.			
MODEL:			
DRAWING:			
PROPOSED EXTERIOR ELEVATIONS			
DRAWN BY: K.W.		CHECKED BY: K.W.	
SCALE: 1/4"=1'-0"		PAGE: 6	

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 _____

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 be sent by email.

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	943 6th Concession West, Flamborough, Ont		
Assessment Roll Number			
Former Municipality	Flamborough		
Lot		Concession	6
Registered Plan Number		Lot(s)	4
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 allow an extension to the original dwelling, for a legal non conforming property that contains 2 dwellings

☐ Second Dwelling Unit

☐ Reconstruction of Existing Dwelling

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

Both dwellings exist & require an addition to the original dwelling, where only 1 dwelling is allowed on the property

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

☒ Yes

☐ No

If yes, please provide an explanation:

The property has 2 dwellings existing on the same lot, we require an addition to the original dwelling, the property is considered legal non conforming

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
82 m	1100 m	90200 sq. m	20m

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
Original dwelling	24.5 m	885 m	11/61 m	01/01/1972
Second dwelling	21.0 m	902 m	59/3 m	01/01/1985
greenhouses	48.0 m	717 m	5/113 m	01/01/1975
shed	47 m	872 m	12/65 m	01/01/1995

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
original dwelling	24.5 m	883 m	11/61 m	11/01/2023
second dwelling	21.0 m	902 m	59/3 m	01/01/1985
greenhouses	48.0 m	717 m	5/113 m	01/01/1975
shed	47 m	872 m	12/65 m	01/01/1995

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
Original dwelling	116 sq m	171 sq	1 1/2	7.5 m
Second dwelling	160 sq. m	160 sq. m	1	6.0 m
greenhouses	10800 sq m	10800 sq. m	1	6.0 m
shed	20	20	1	3.5 m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Original dwelling	128 sq m	224 sq. m	2	7.5 m
Second dwelling	160 sq m	160 sq m	1	6.0 m
greenhouses	10800 sq m	10800 sq m	1	6.0 m
shed	20	20	1	3.5 m

- 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, agricultural
- 4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):
Agricultural

7 HISTORY OF THE SUBJECT LAND

- 7.1 Date of acquisition of subject lands:
1972
- 7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
Single detached dwelling
- 7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
single detached dwelling
- 7.4 Length of time the existing uses of the subject property have continued:
Since 1972
- 7.5 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): Agricultural

Rural Settlement Area: A1

Urban Hamilton Official Plan designation (if applicable) _____

Please provide an explanation of how the application conforms with the Official Plan.
Both dwellings are existing, require extension for growing family

- 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: A1

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: 2

8.2 Number of Dwelling Units Proposed: 2

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
-
-