



Hamilton

## COMMITTEE OF ADJUSTMENT

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>FL/A-23:215</b>	<b>SUBJECT PROPERTY:</b>	1366 HWY 6, FLAMBOROUGH
<b>ZONE:</b>	"A2" (Rural)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:**      **Owner:** ROSE PAPASTAMOS  
                             **Agent:** MARCON CONSTRUCTION LTD. C/O MARK DEBOER

The following variances are requested:

1. To permit a maximum height of 6.5 metres for the accessory building (detached garage) instead of the required 4.5 metres;

**PURPOSE & EFFECT:** To facilitate the reconstruction of a detached garage in the rear yard of a single-family dwelling.

**Notes:**

- i. Variances have been written exactly as requested by the applicant.

**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:

<b>DATE:</b>	<b>Thursday, September 7, 2023</b>
<b>TIME:</b>	<b>9:55 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>



For more information on this matter, including access to drawings illustrating this request and other information submitted:

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> 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.

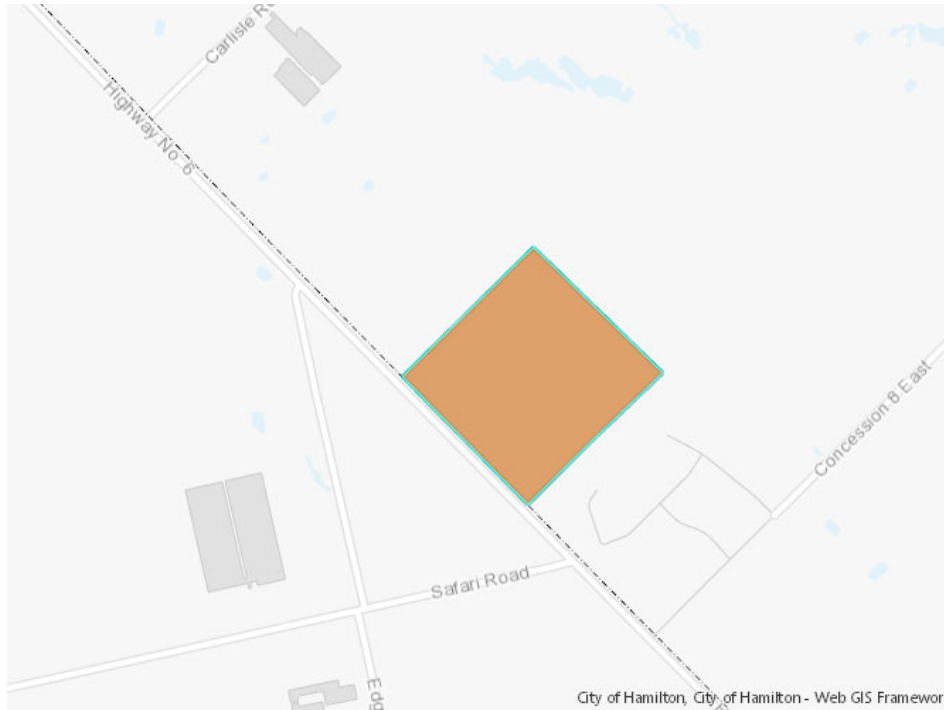
**Orally:** If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.

## **FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding FL/A-23:215, you must submit a written request to [cofa@hamilton.ca](mailto: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](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.





DATED: August 22, 2023

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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.



## 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](mailto: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](http://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](mailto: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 (2<sup>nd</sup> floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.**

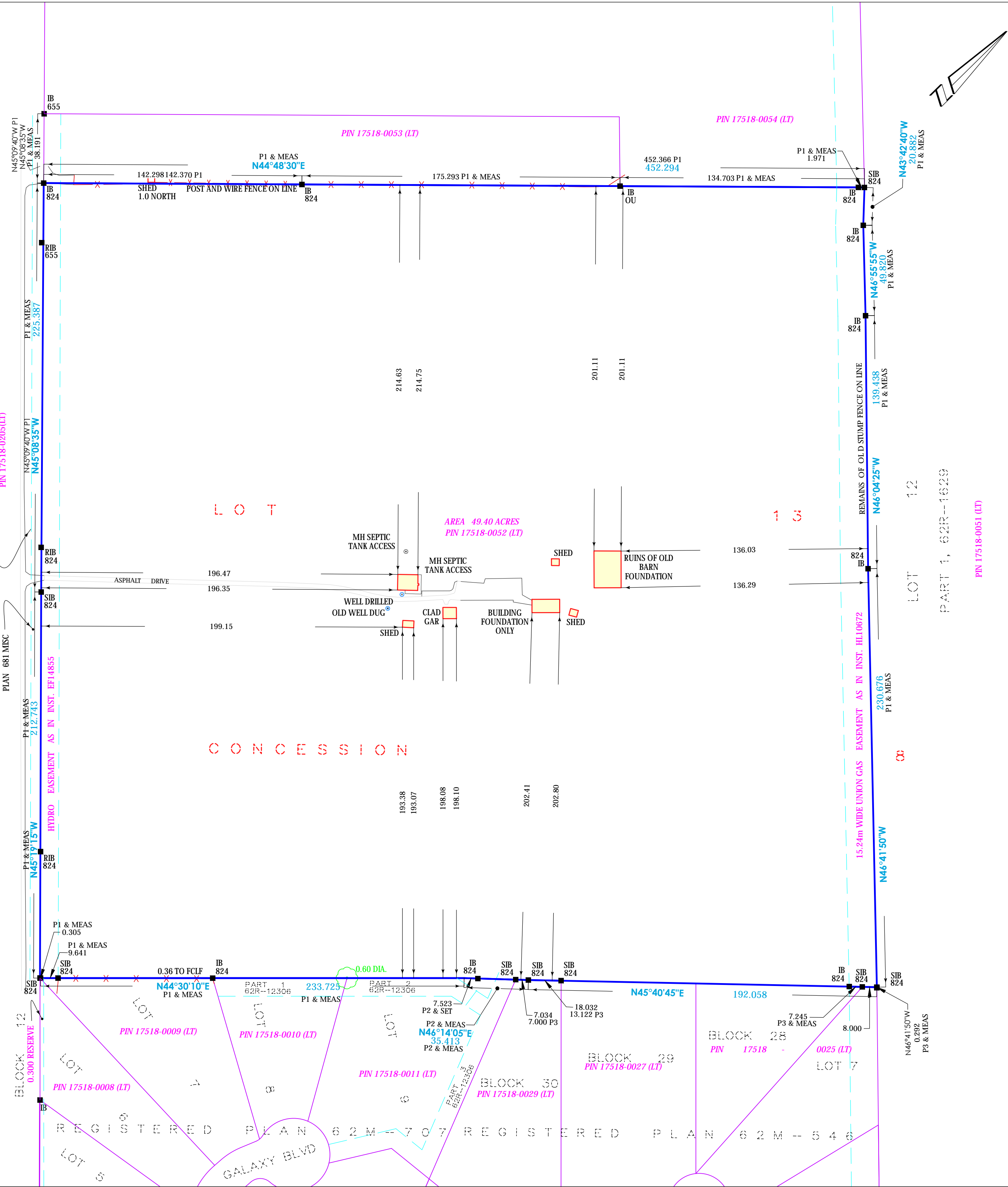
We hope this is of assistance and if you need clarification or have any questions, please email [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by phone at 905-546-2424 ext. 4221.

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.



THE KINGS'S HIGHWAY 6

ROAD ALLOWANCE BETWEEN TOWNSHIPS OF EAST AND WEST FLAMBOROUGH



SUMMARY REPORT:

CLIENT:  
THIS PLAN WAS PREPARED FOR ROSE PAPASTAMOS  
AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY  
FOR USE BY OTHER PARTIES.

DESCRIPTION OF PROPERTY:  
PIN 17518-0052(LT)  
PART OF LOT 13, CONCESSION 8  
CITY OF HAMILTON

EASEMENTS:  
SUBJECT TO EASEMENT AS IN EF14855 IN FAVOUR OF HYDRO ONE.  
SUBJECT TO EASEMENT AS IN HL106792 IN FAVOUR OF UNION GAS.

SURVEYOR'S REAL PROPERTY REPORT  
PLAN OF SURVEY OF  
PART OF LOT 13  
CONCESSION 8  
(TOWNSHIP OF EAST FLAMBOROUGH)  
CITY OF HAMILTON

SCALE 1 : 1500  
0 15 30 60 90 metres

VAN HARTEN SURVEYING INC.  
THE INTENDED PLOT SIZE OF THIS PLAN IS 610 mm  
IN WIDTH BY 457 mm IN HEIGHT WHEN PLOTTED AT  
A SCALE OF 1:1500

LEGEND:

—□—	DENOTES SURVEY MONUMENT SET
—■—	DENOTES SURVEY MONUMENT FOUND
SIB	DENOTES .025 X .025 X 1.20 STANDARD IRON BAR
IB	DENOTES .015 X .015 X 0.60 IRON BAR
SSIB	DENOTES .025 X .025 X 0.60 SHORT STANDARD IRON BAR
RP	DENOTES .015 DIA. X 0.07 ROUND IRON BAR WITH STAMPED WASHER
PB	DENOTES .025 X .025 X 0.30 PLASTIC BAR
CC	DENOTES CUT CROSS
WT	DENOTES WITNESS
OU	DENOTES ORIGIN UNKNOWN
VH	DENOTES VAN HARTEN SURVEYING INC., O.L.S.'S
824	DENOTES A.T. MCILAREN LTD., O.L.S.'S
P1	DENOTES PLAN OF SURVEY DATED FEB. 8, 202(FILE NO. 29682) BY (824)
P2	DENOTES DEPOSITED PLAN 62R-12300 BY (824)
P3	DENOTES REGISTERED BY 62M-546 BY (824)

NOTES:

- BEARINGS ARE GRID BEARINGS AND ARE DERIVED FROM GPS OBSERVATIONS AND ARE REFERRED TO THE UTM PROJECTION, ZONE 17. NAD 83-CSRS (2010) ADJUSTMENT.
- DISTANCES SHOWN ON THE PLAN ARE ADJUSTED GROUND DISTANCES AND CAN BE CONVERTED TO UTM GRID DISTANCES BY MULTIPLYING BY AN AVERAGED COMBINED SCALE FACTOR OF 0.999595.
- THE ORIGINAL VERSION OF THIS PLAN WAS PREPARED IN COLOUR.

BEARING COMPARISONS:

FOR THE PURPOSES OF BEARING COMPARISONS, PREVIOUS SURVEYS HAVE BEEN  
ROTATED TO UTM BEARINGS BY THE ANGLES SHOWN BELOW.

PLAN	ROTATION FOR NORTHEAST BEARINGS
P1	-1°02'05"
P2	-0°42'55"

METRIC:

DISTANCES ON THIS PLAN ARE MEASURED IN METRES AND CAN BE CONVERTED TO  
FEET BY DIVIDING BY 0.3048.

SURVEYOR'S CERTIFICATE

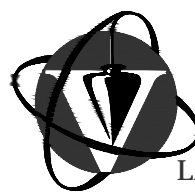
- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS  
ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
  - THIS SURVEY WAS COMPLETED ON THE 18th OF MAY 2022.

DATE: JULY 8, 2022

JAMES LAWS  
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN  
SUBMISSION FORM NUMBER 2196123.

© 2022 VAN HARTEN SURVEYING INC.



Van Harten  
SURVEYING INC.  
LAND SURVEYORS AND ENGINEERS

Kitchener/Waterloo Ph: 519-742-8371 Cuelph Ph: 519-821-2763 Orangeville Ph: 519-940-4110

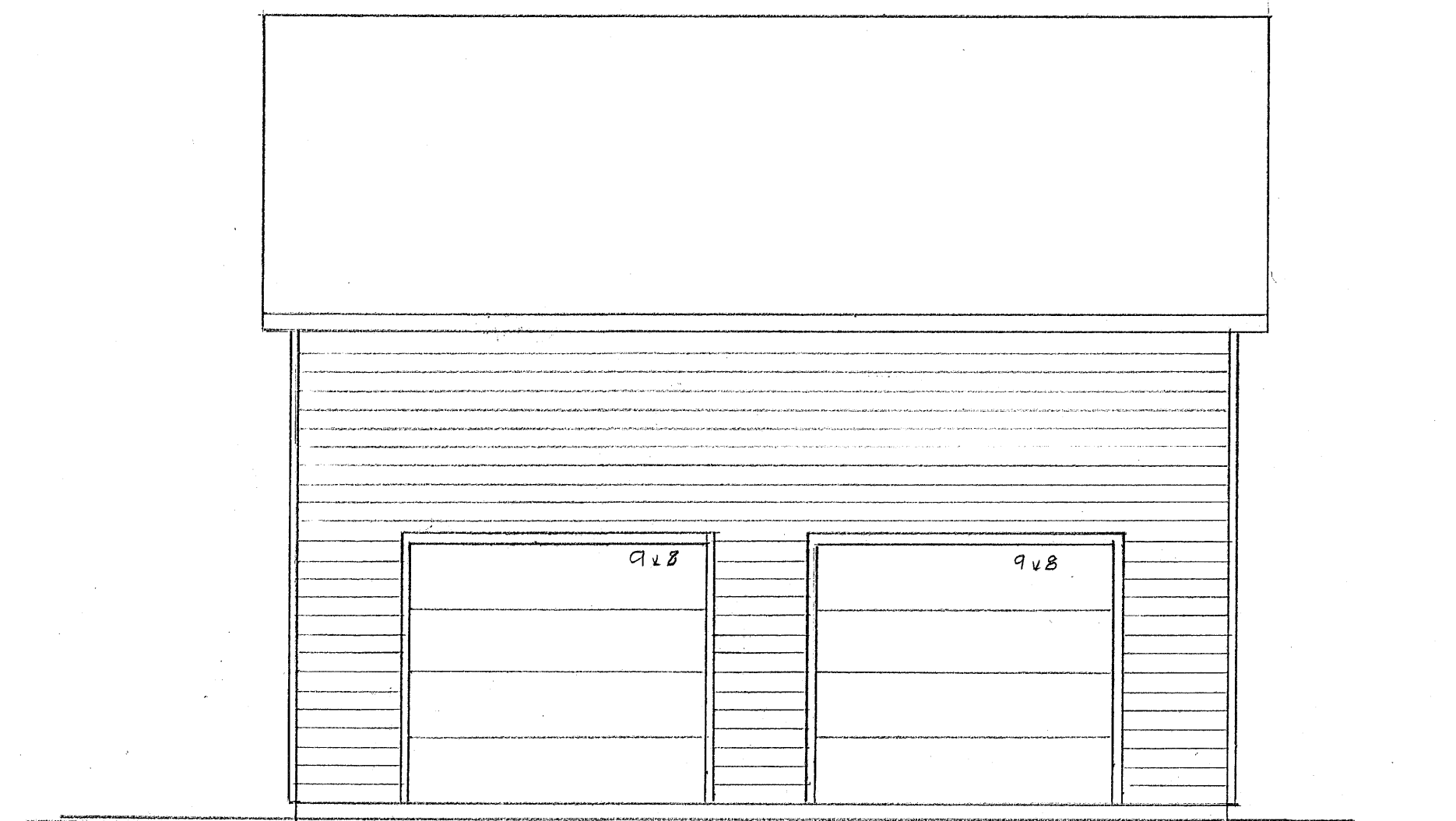
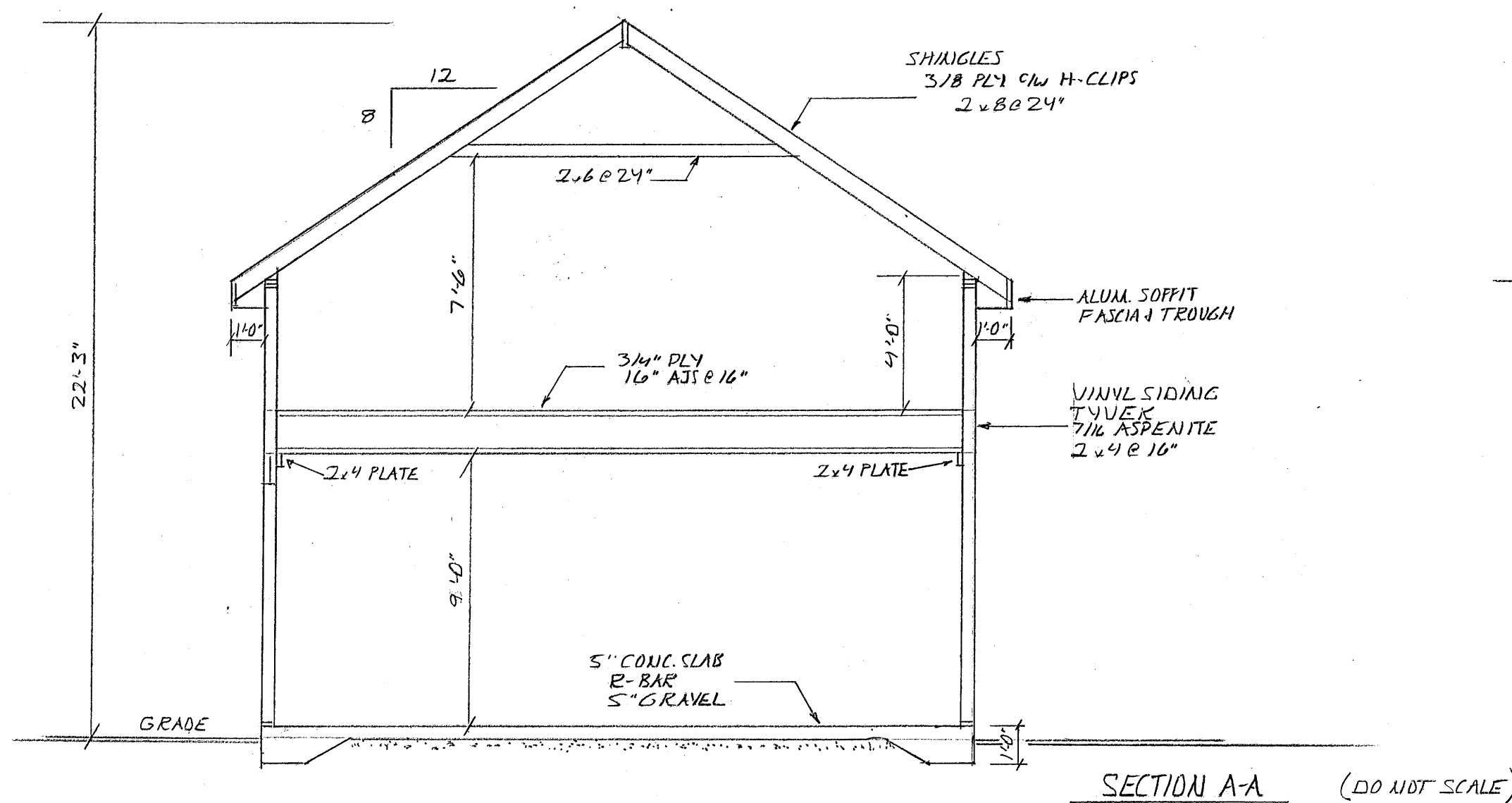
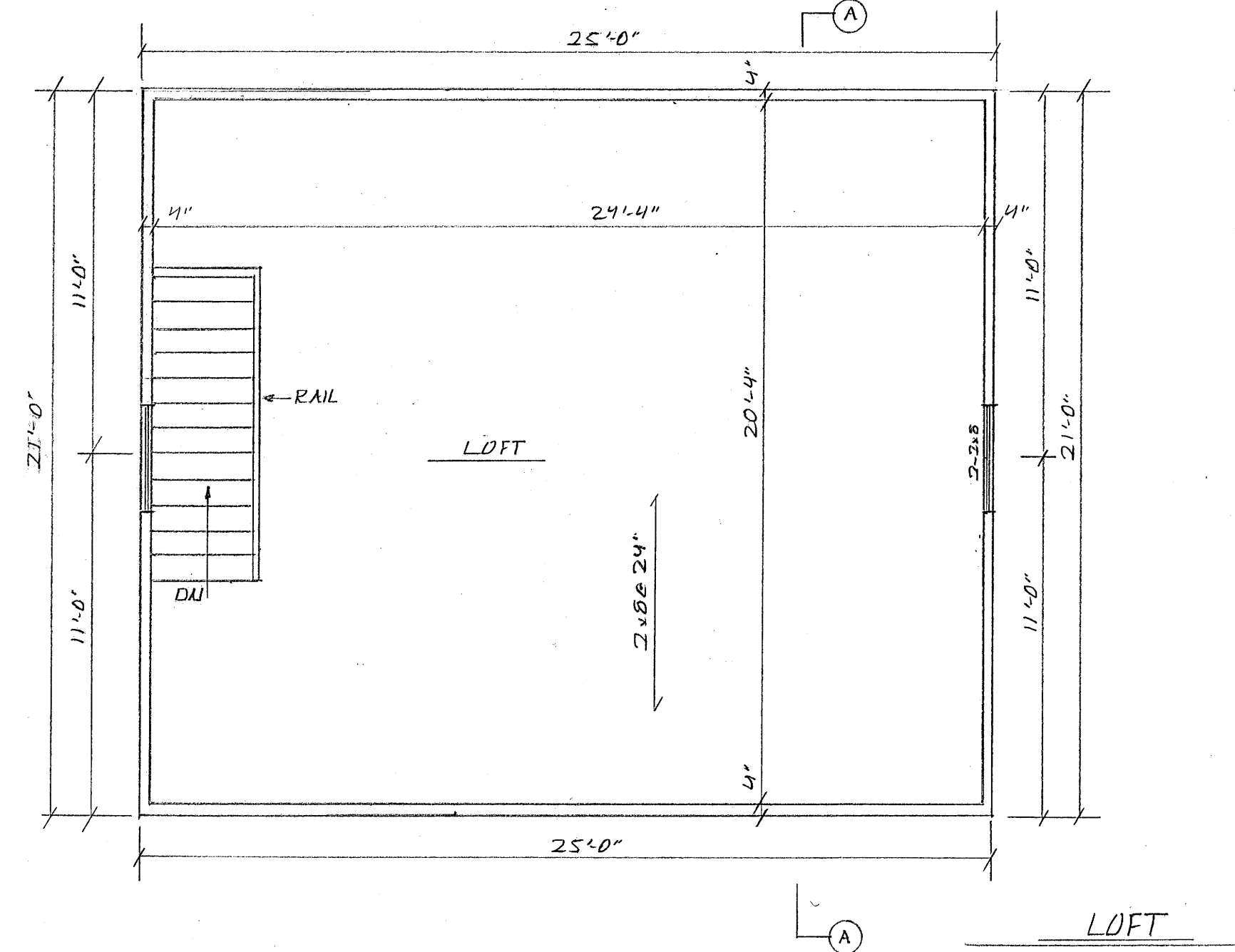
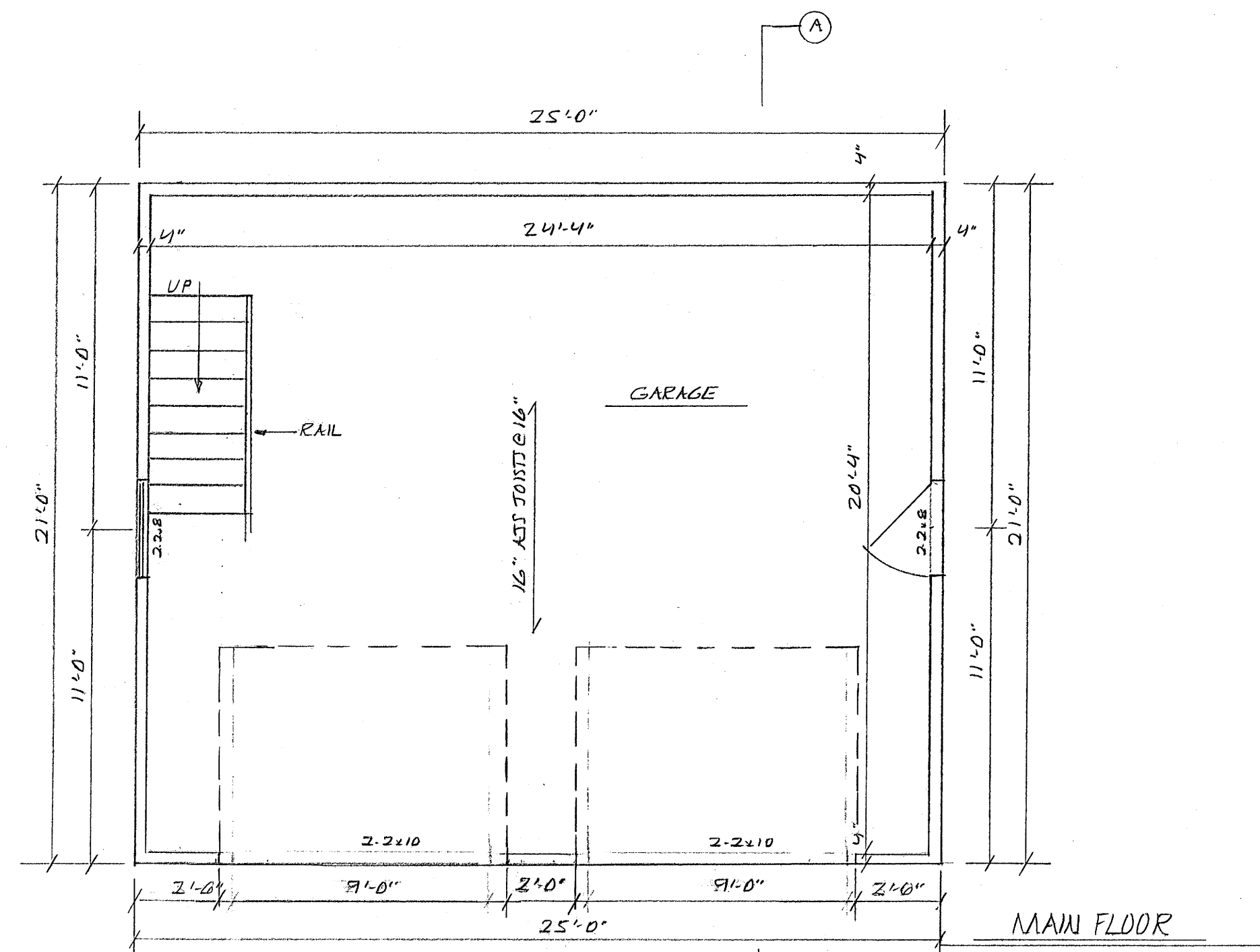
www.vanharten.com info@vanharten.com

DRAWN BY: ARN CHECKED BY: JEB PROJECT No. 31185-22

Jul 27, 2022-5:28:27 PM  
G:\EAST FLAMBOROUGH\CON 8\ACAD\B PT LT 13 (PAPASTAMOS) UTM.dwg

NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE  
OR IN PART WITHOUT THE WRITTEN PERMISSION OF VAN HARTEN SURVEYING INC.

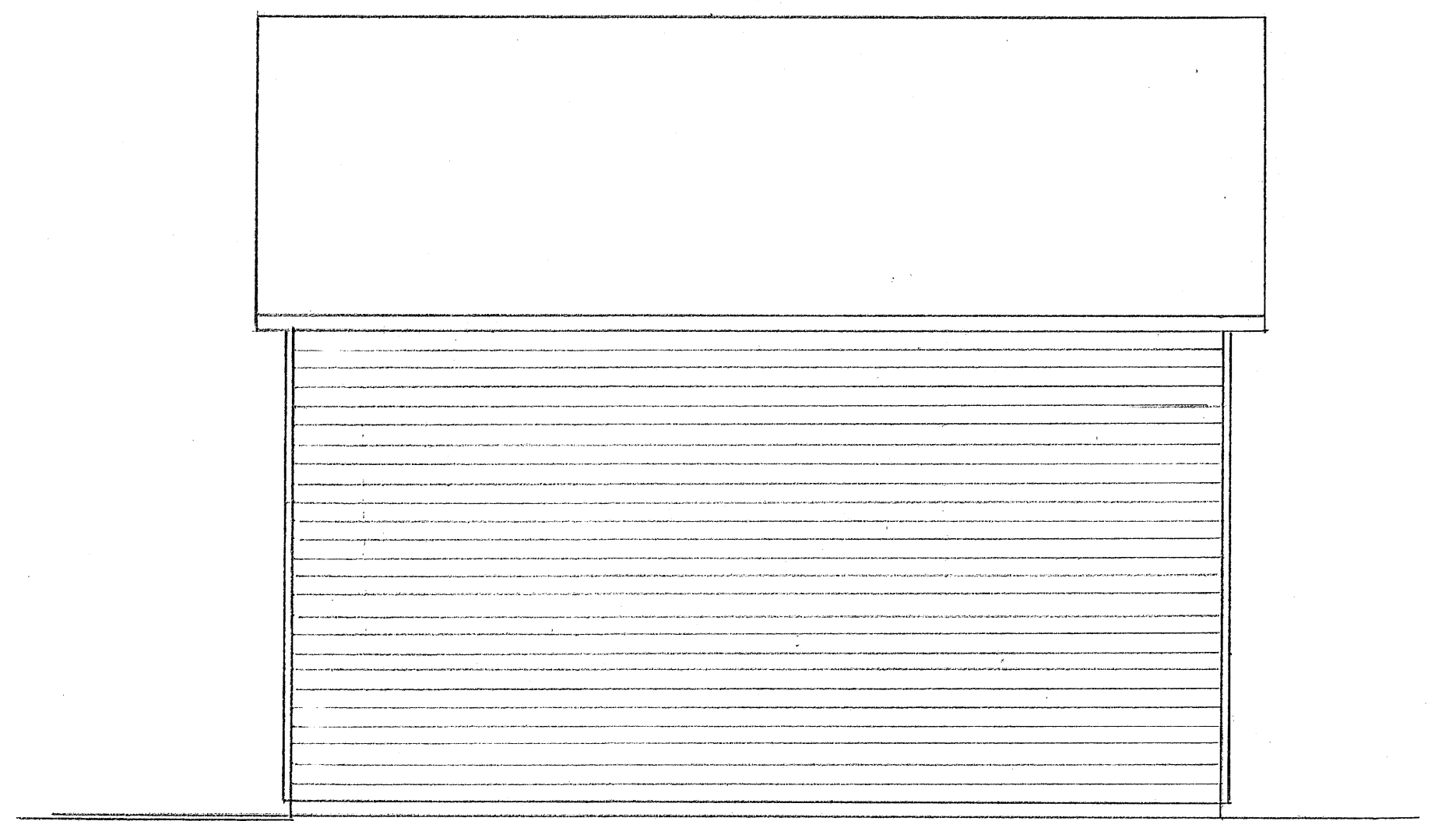




FRONT ELEVATION  
(DO NOT SCALE)



RIGHT ELEVATION  
(DO NOT SCALE)



REAR ELEVATION  
(DO NOT SCALE)



LEFT ELEVATION  
(DO NOT SCALE)

PAPASTAMOS RESIDENCE		
SCALE: 1/4"=1'-0"	APPROVED BY:	DRAWN BY M.D.B.
DATE: 08-02-2022		REVISED 12-07-23
1366 HWY 66 FREELTON		
MARCONI CONSTRUCTION LTD		DRAWING NUMBER 1 OF 1





Committee of Adjustment  
City Hall, 5<sup>th</sup> Floor,  
71 Main St. W.,  
Hamilton, ON L8P4Y5

SCW

Phone: (905) 546-2424 ext. 4221  
Email: [cofa@hamilton.ca](mailto: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 \_\_\_\_\_

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	1366 HWY H6 FREETON		
Assessment Roll Number			
Former Municipality	EAST FLAMBOROUGH		
Lot	PART LOT 13	Concession	8
Registered Plan Number	PIN 17518-0052(LT)	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: REBUILD GARAGE TO MATCH EXISTING.  
HEIGHT TO MATCH EXISTING 21'-3" (6.477)

☐ Second Dwelling Unit

☐ Reconstruction of Existing <sup>GARAGE</sup> Dwelling

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

REBUILD TO MATCH EXISTING

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
438.13m	425.783m	186,548m <sup>2</sup>	



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
GARAGE	219m	225m	198m + 228m	± 1900

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
GARAGE	219m	225m	198 + 228m	

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
FRAME	48.77m <sup>2</sup>	48.77m <sup>2</sup>	1 1/2	6.477m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
FRAME	48.77m <sup>2</sup>	48.77m <sup>2</sup>	1 1/2	6.477m

- 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.):

DETACHED GARAGE

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:

OCT 2022

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

S.F.D

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

S.F.D

7.4 Length of time the existing uses of the subject property have continued:

SINCE CONSTRUCTED

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? A2

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: \_\_\_\_\_

8.2 Number of Dwelling Units Proposed: \_\_\_\_\_

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

RECONSTRUCT GARAGE TO MATCH EXISTING



## 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
- 
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