



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.:	HM/A-23:275	SUBJECT PROPERTY:	238 BOND STREET N, HAMILTON
ZONE:	“C/S-1364” (Urban Protected Residential)	ZONING BY-LAW:	Zoning By-law former City of Hamilton 6593, as Amended 96-125

APPLICANTS: **Owner:** MARK ORR
 Agent: JENNY BOGNAR

The following variances are requested:

1. A maximum floor area ratio of 0.72 shall be permitted instead of the maximum 0.45 floor area ratio permitted.
2. A minimum rear yard setback of 1.0m shall be permitted instead of the minimum 1.2m rear yard setback required.
3. A minimum distance of 6.3m shall be permitted between the rear wall of the principle dwelling and the Secondary Dwelling Unit – Detached instead of the minimum required 7.5m distance between the rear wall of the principle dwelling and the Secondary Dwelling Unit – Detached.
4. A minimum side yard setback of 1.2m shall be permitted for a roofed-over unenclosed deck instead of the minimum 1.2m setback required.

PURPOSE & EFFECT: To facilitate the construction of a Secondary Dwelling Unit – Detached for the existing Single-Family Dwelling.

Notes:

The applicant shall ensure that the floor area ratio variance is correct; otherwise, further variances shall be required.

The applicant shall ensure that an eave or gutter shall not extend more than 30.0cm into a required yard; otherwise, further variances shall be required.

HM/A-23:275

The required landscaped strip has not been clearly labelled on the submitted plan. Therefore, the applicant shall ensure that the required 1.2m wide landscaped strip is provided and maintained adjacent to the Secondary Dwelling Unit – Detached; otherwise, further variances shall be required.

The applicant shall ensure that the height dimension is determined from grade as defined in the zoning By-law.

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, November 16, 2023
TIME:	9:15 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

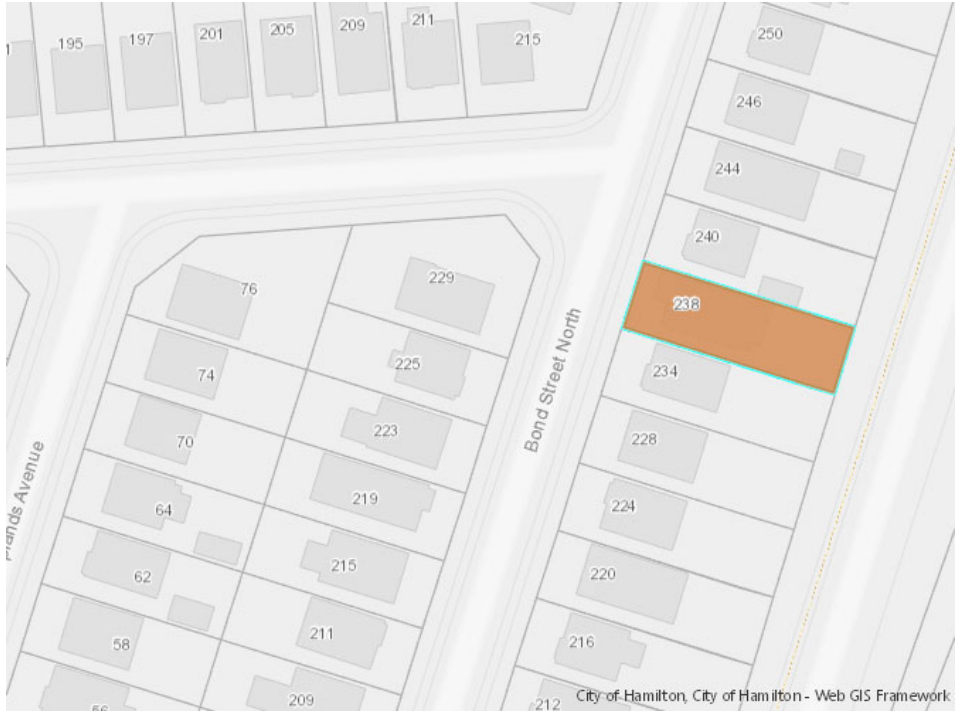
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

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 HM/A-23:275, 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: October 31, 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.



Hamilton

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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.

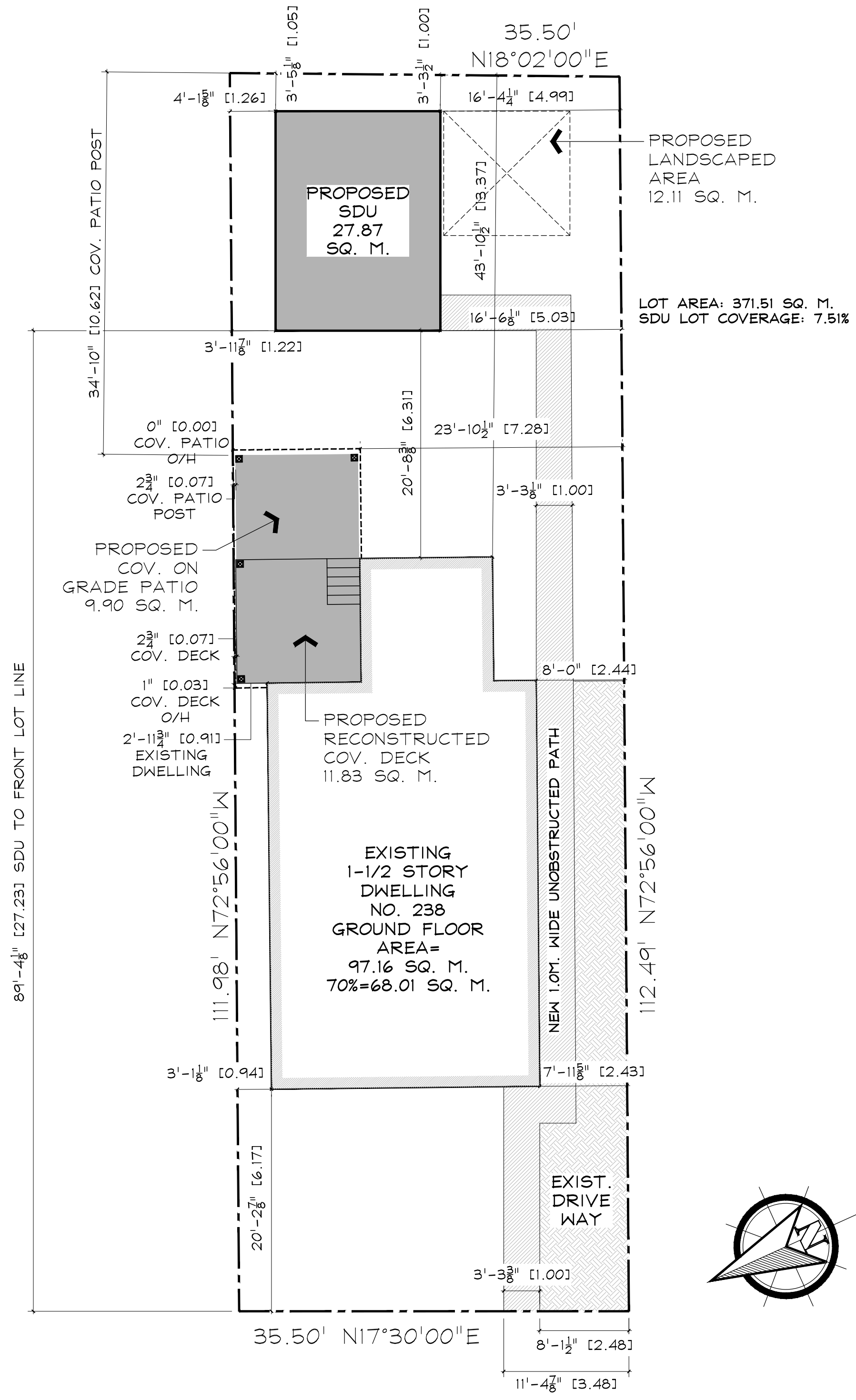
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

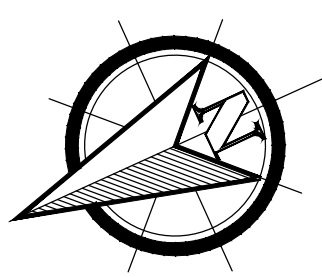
Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

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.



BOND STREET NORTH



1 SITE PLAN
A1 1:100

THE ORR RESIDENCE
238 BOND STREET NORTH
HAMILTON, ON
L8S 3W9

drafting + design

193 East 43rd Street
Hamilton, ON L8T 3C3
jbdraftinganddesign@live.ca
905.517.6027

10.06.23 *Jennifer Bognar* signature required
Jennifer Bognar reviews and takes responsibility for the design work described in this document
firm bcin 103416 individual bcin 33001

DATE	ISSUE DESCRIPTION
06.30.23	ISSUED FOR REVIEW
08.16.23	ISSUED FOR REVIEW
08.28.23	ISSUED FOR REVIEW
10.06.23	ISSUED FOR MV

ALL DIMENSIONS AND INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE AND ANY DISCREPANCIES REPORTED TO THE DESIGNER PRIOR TO CONSTRUCTION AND FABRICATION OF ITS COMPONENTS. SHOULD EXISTING CONDITIONS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED ON THE DRAWINGS, THE DESIGNER MUST BE NOTIFIED IMMEDIATELY. THE DESIGNER IS NOT LIABLE FOR ANY CHANGES MADE BY THE CONTRACTOR WITHOUT THE DESIGNER'S KNOWLEDGE AND PERMISSION.

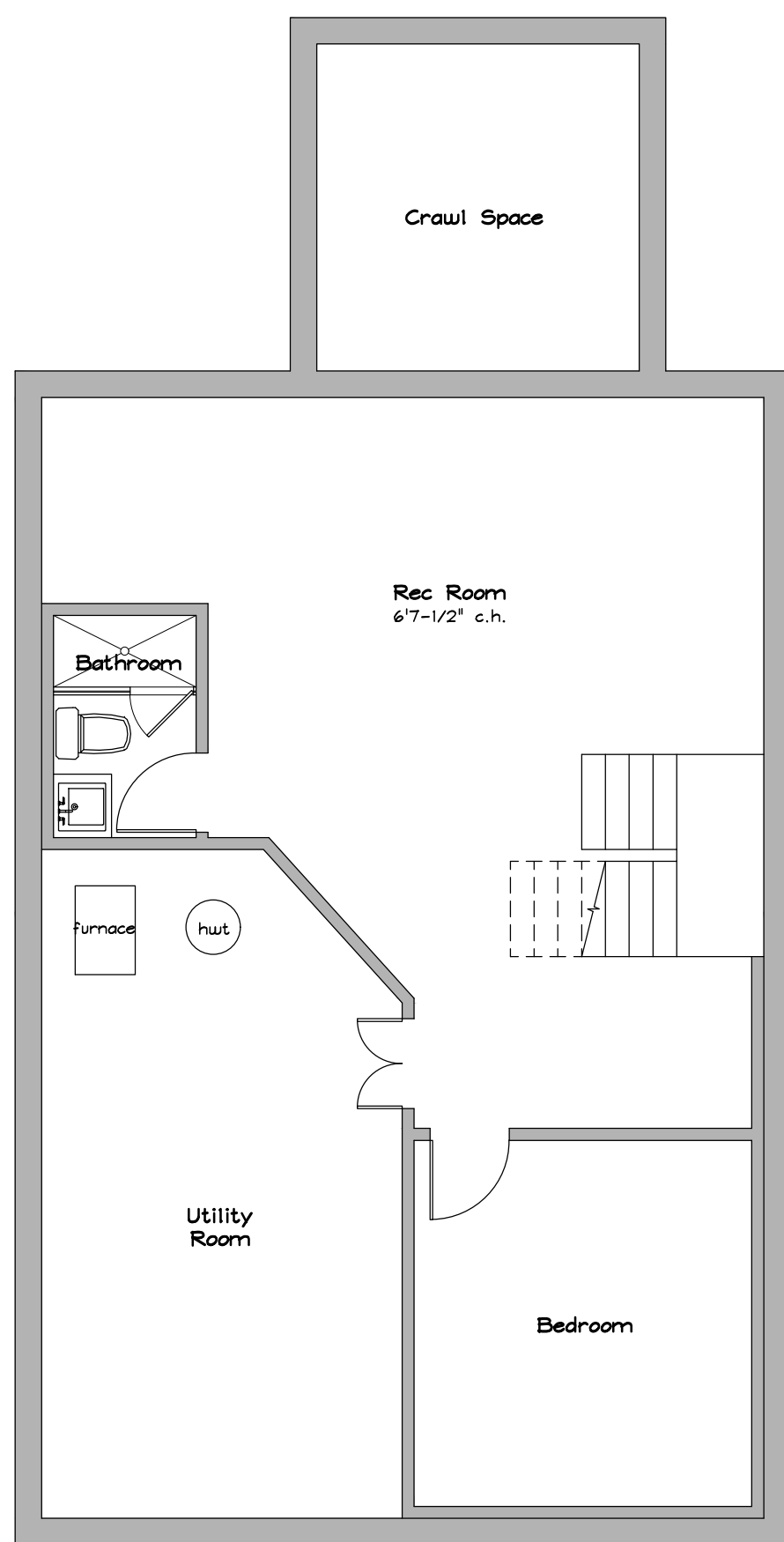
FEATURES OF CONSTRUCTION NOT FULLY SHOWN ARE ASSUMED TO BE THE SAME CHARACTER AS THOSE NOTED FOR SIMILAR CONDITIONS.

UNLESS SPECIFICALLY NOTED OTHERWISE ON THE DRAWINGS, NO PROVISION HAS BEEN MADE IN THE DESIGN FOR CONDITIONS OCCURRING DURING CONSTRUCTION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE ALL NECESSARY BRACING, SHORING, SHEET PILING OR OTHER TEMPORARY SUPPORTS TO SAFEGUARD ALL EXISTING OR ADJACENT STRUCTURES AFFECTED BY THIS WORK.

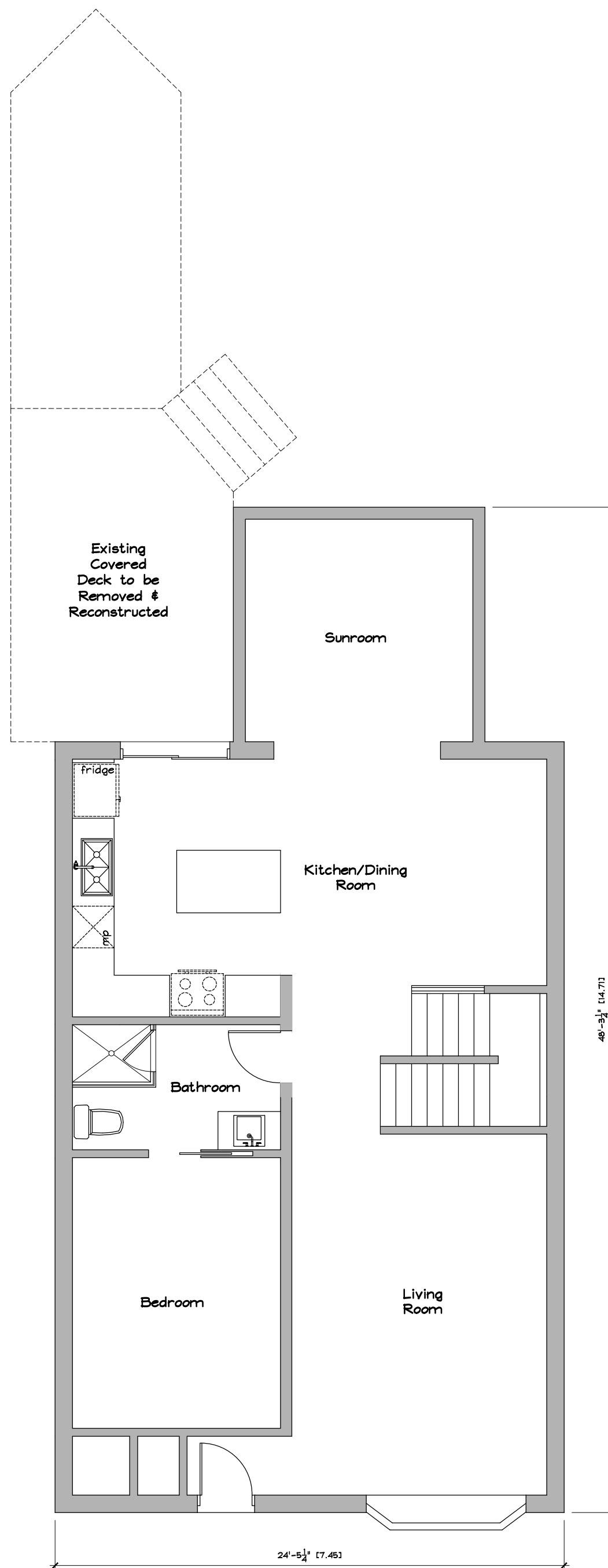
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SITE PLAN

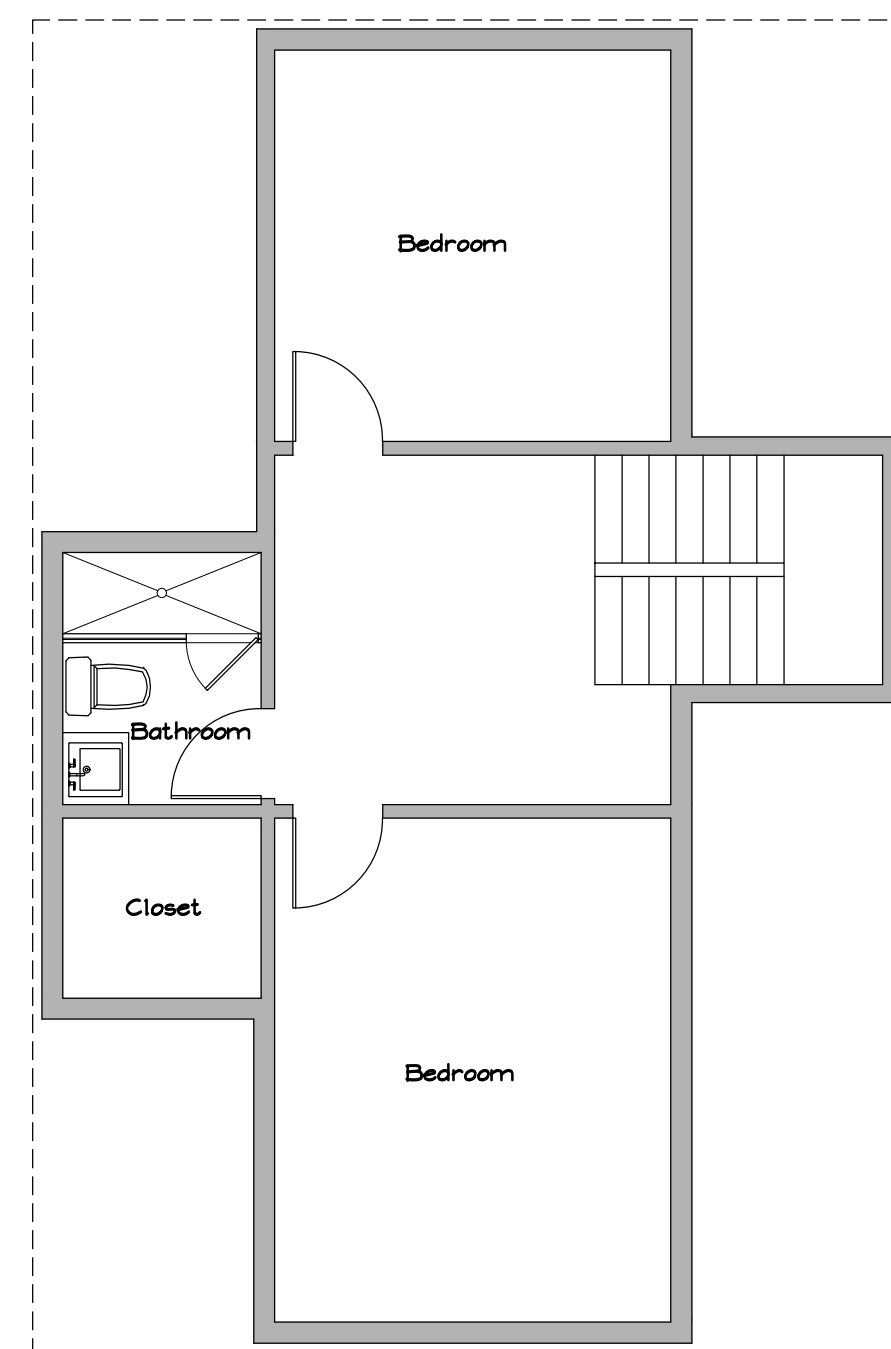
SHEET **A1** OF 5



Existing Basement Floor Area: 855.80 sq. ft. (79.51 sq. m.)



Existing Main Floor: 1045.77 sq. ft. (97.16 sq. m.)



Existing Second Floor: 566.04 sq. ft. (52.59 sq. m.)

1 EXISTING BASEMENT PLAN
A2 3/16" = 1'-0"

2 EXISTING FIRST FLOOR PLAN
A2 3/16" = 1'-0"

3 EXISTING SECOND FLOOR PLAN
A2 3/16" = 1'-0"

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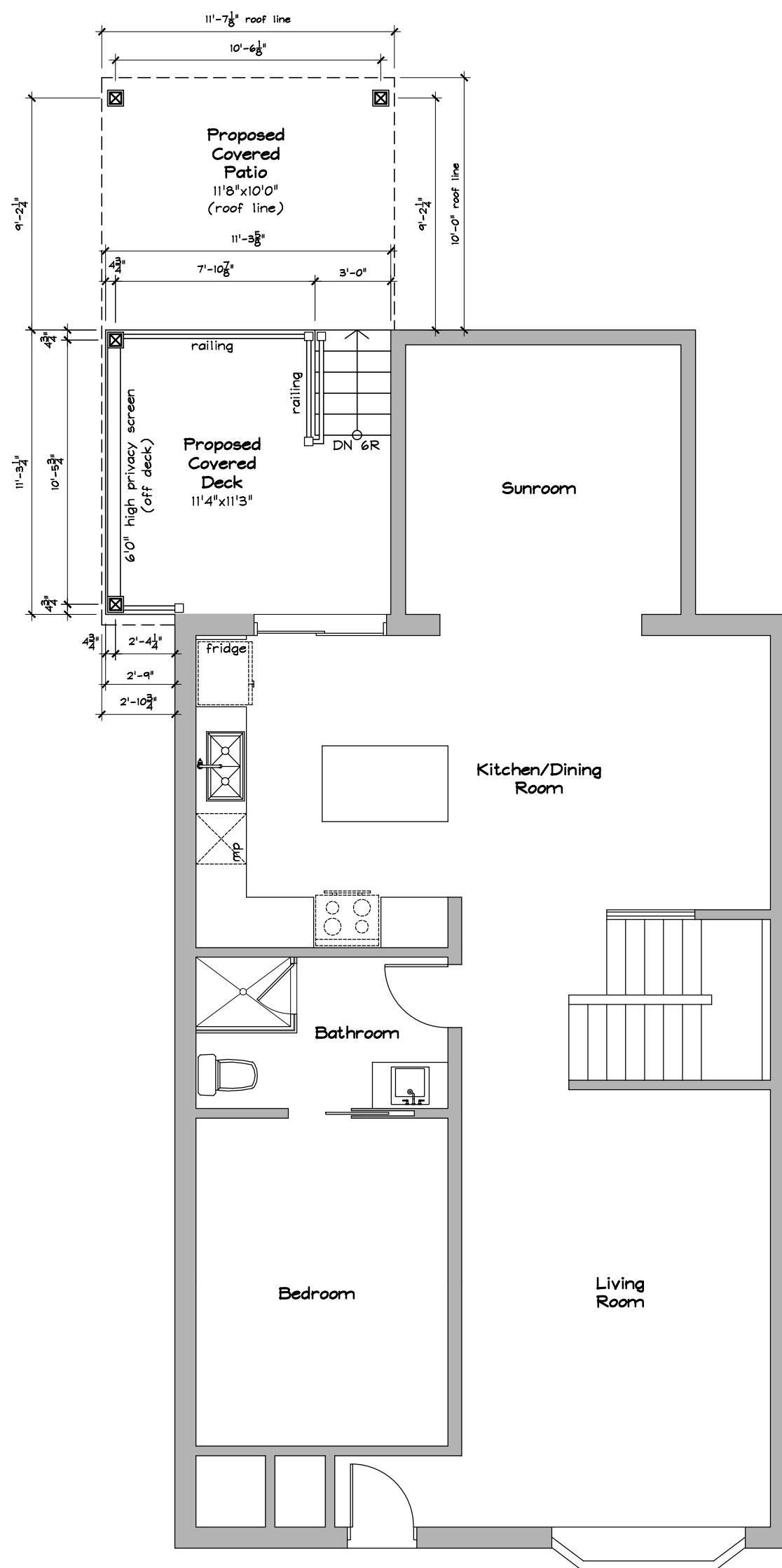
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firm bcin 103416 individual bcin 33001

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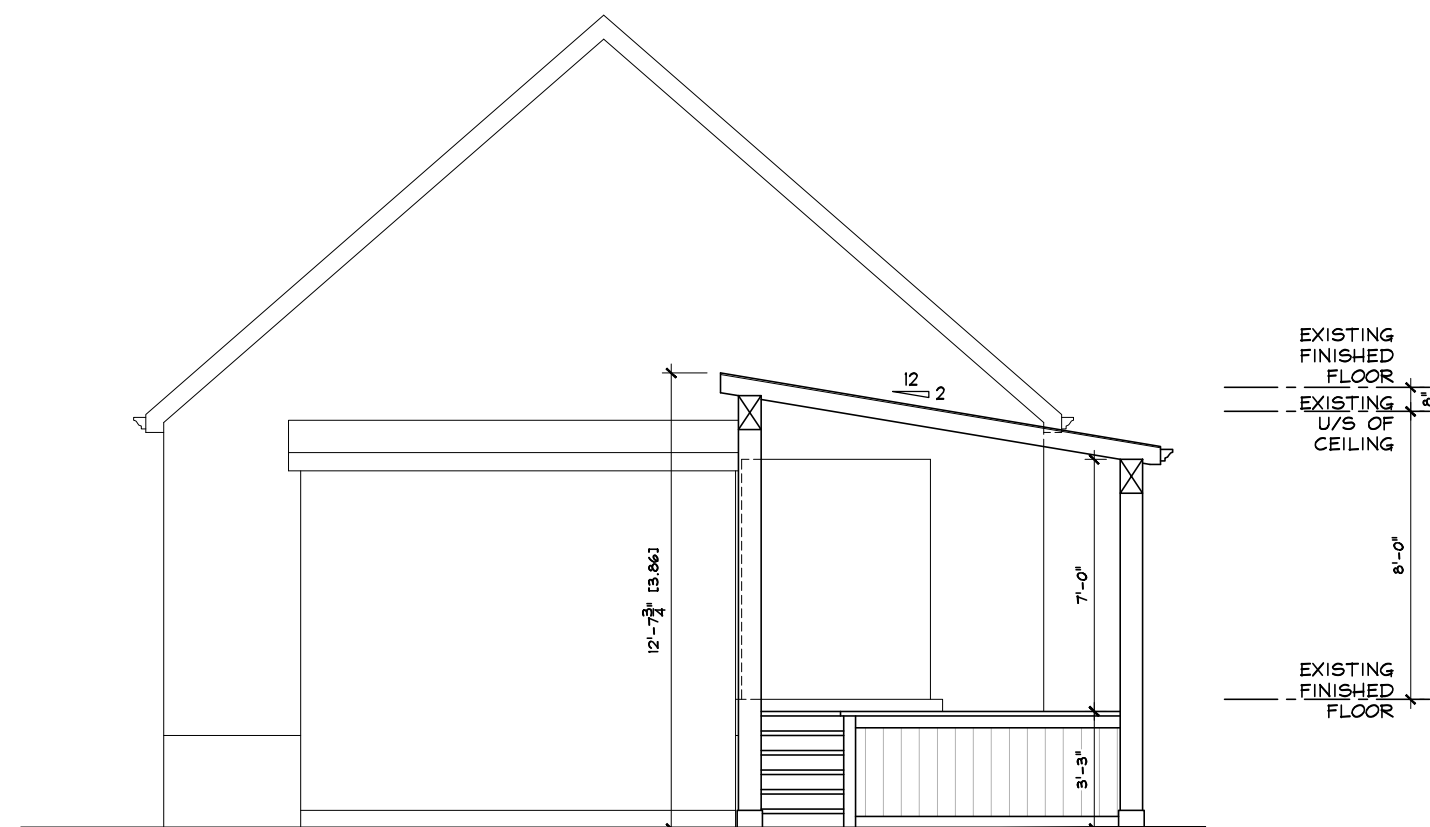
EXISTING MAIN
DWELLING FLOOR PLANS

SHEET
A2 OF 5

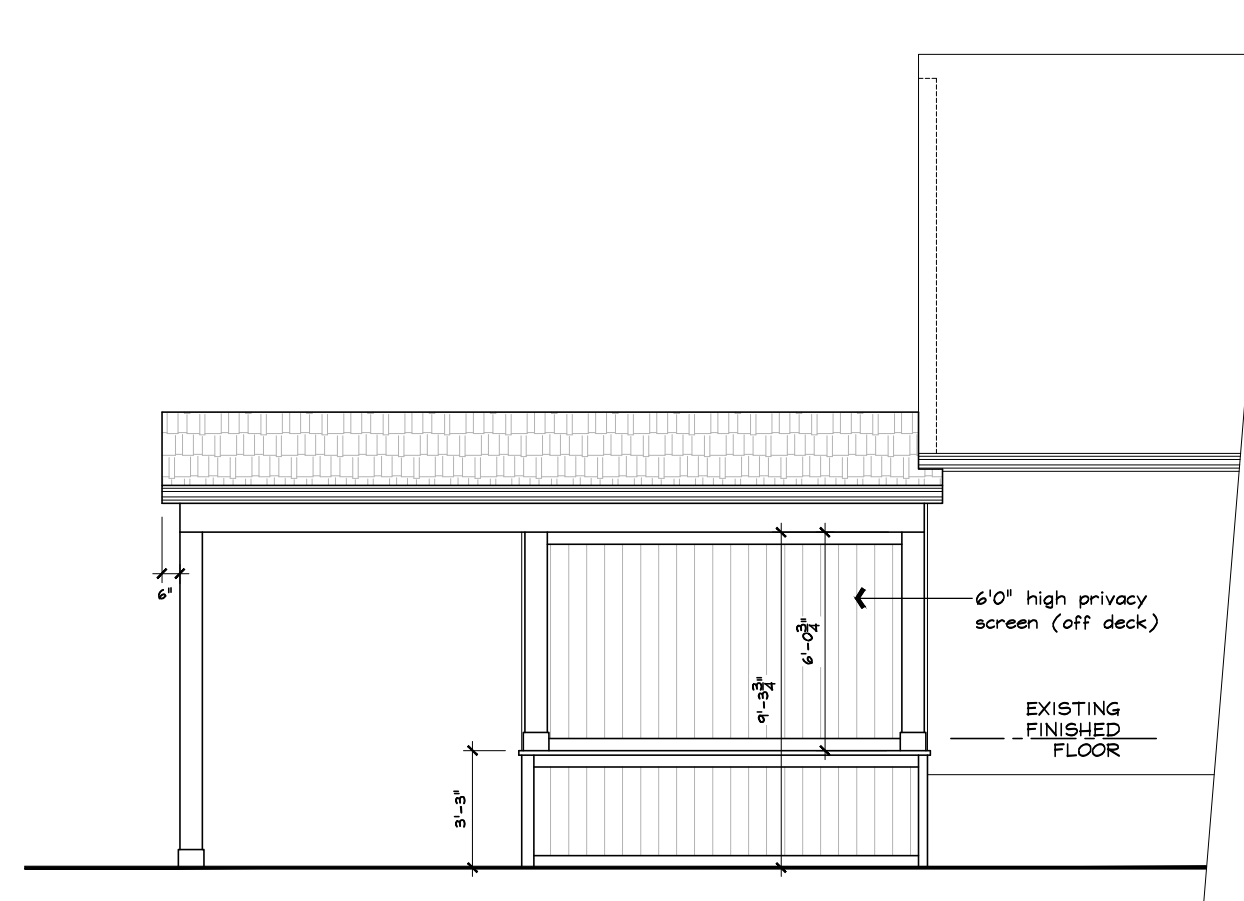


Existing Main Floor: 1045.77 sq. ft. (97.16 sq. m.)

1 PROPOSED DECK PLAN
A3 3/16" = 1'-0"



2 PROPOSED DECK REAR ELEVATION
A3 3/16" = 1'-0"



3 PROPOSED DECK SIDE ELEVATION
A3 3/16" = 1'-0"

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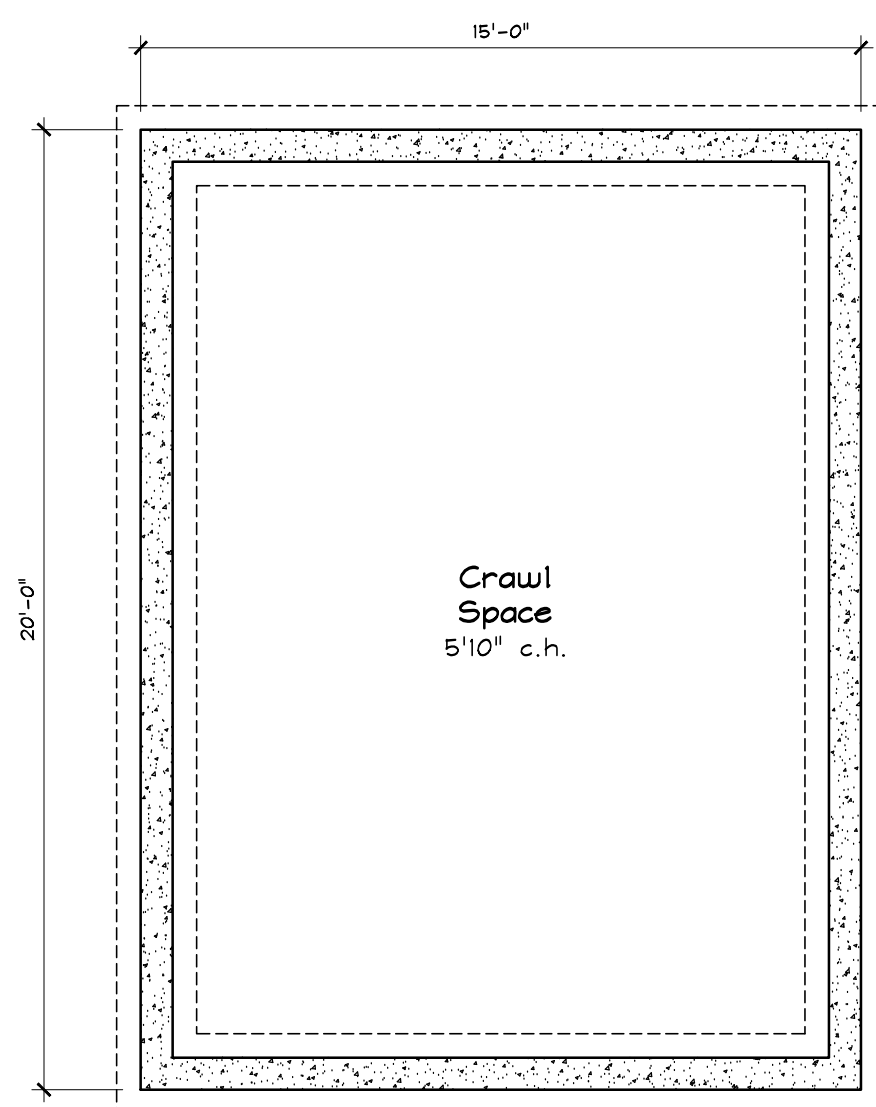
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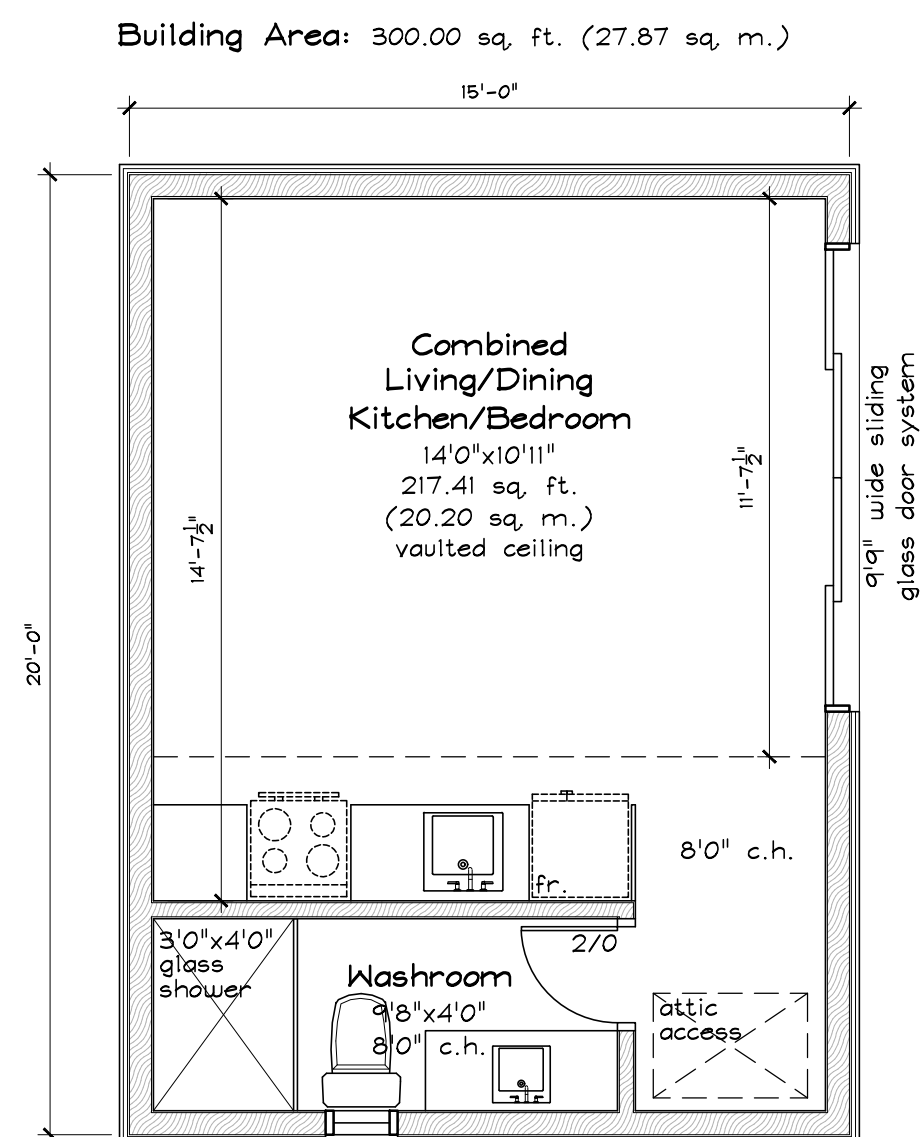
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PROPOSED DECK PLAN
& ELEVATIONS

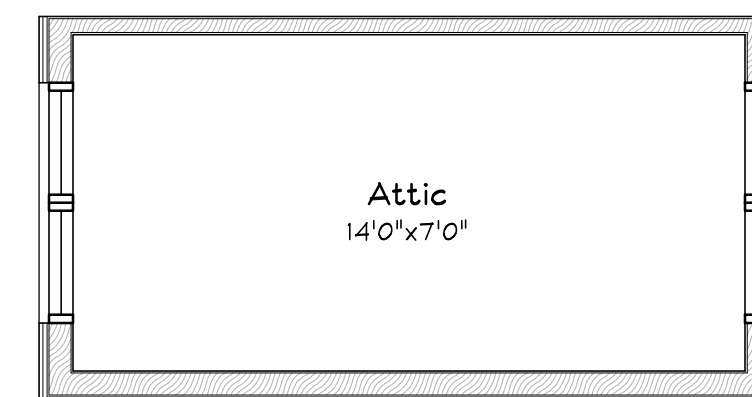
SHEET
A3 OF 5



1 PROPOSED FOUNDATION PLAN
A4 1/4" = 1'-0"



2 PROPOSED FLOOR PLAN
A4 1/4" = 1'-0"



3 PROPOSED ATTIC PLAN
A4 1/4" = 1'-0"

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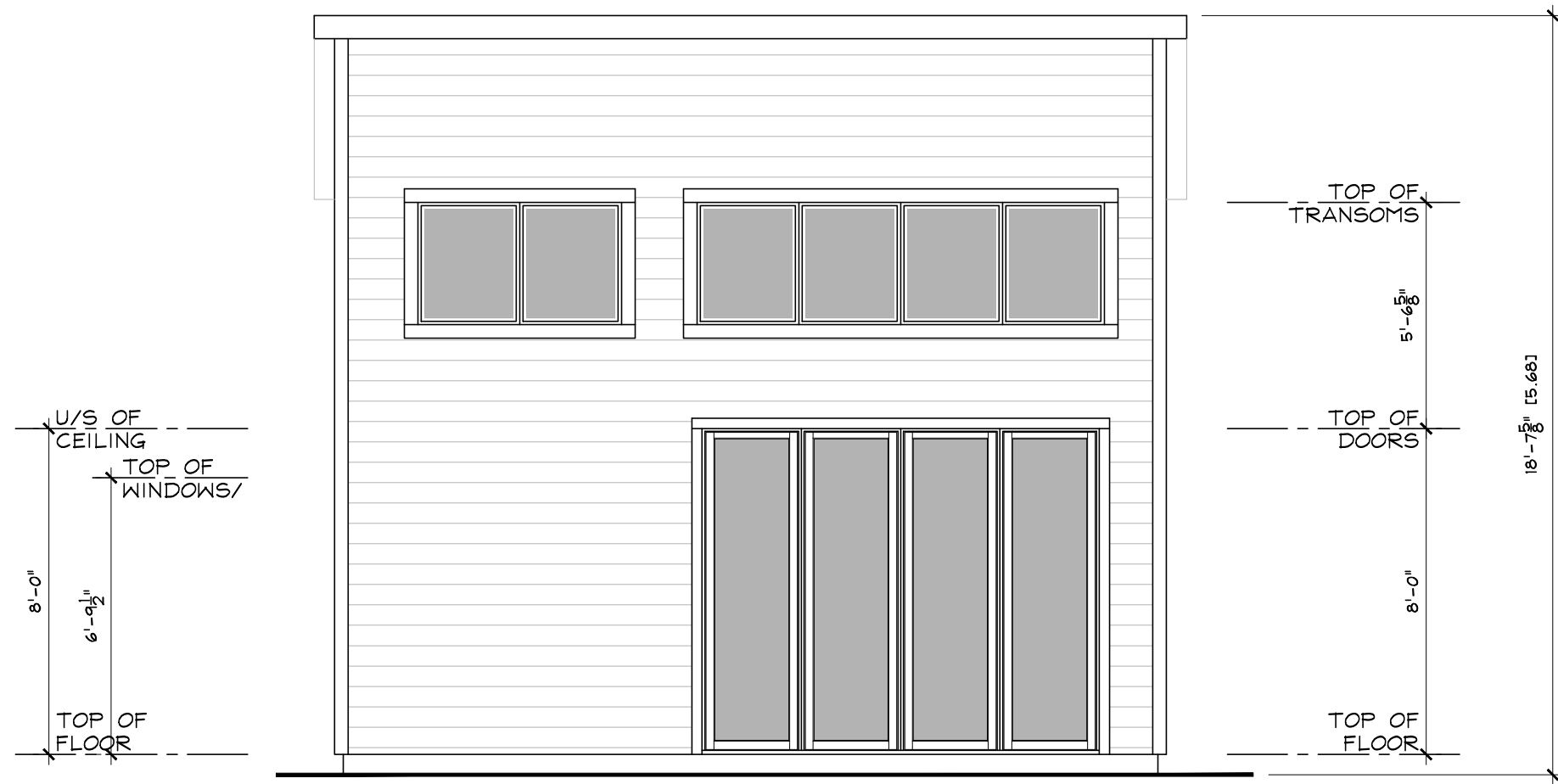
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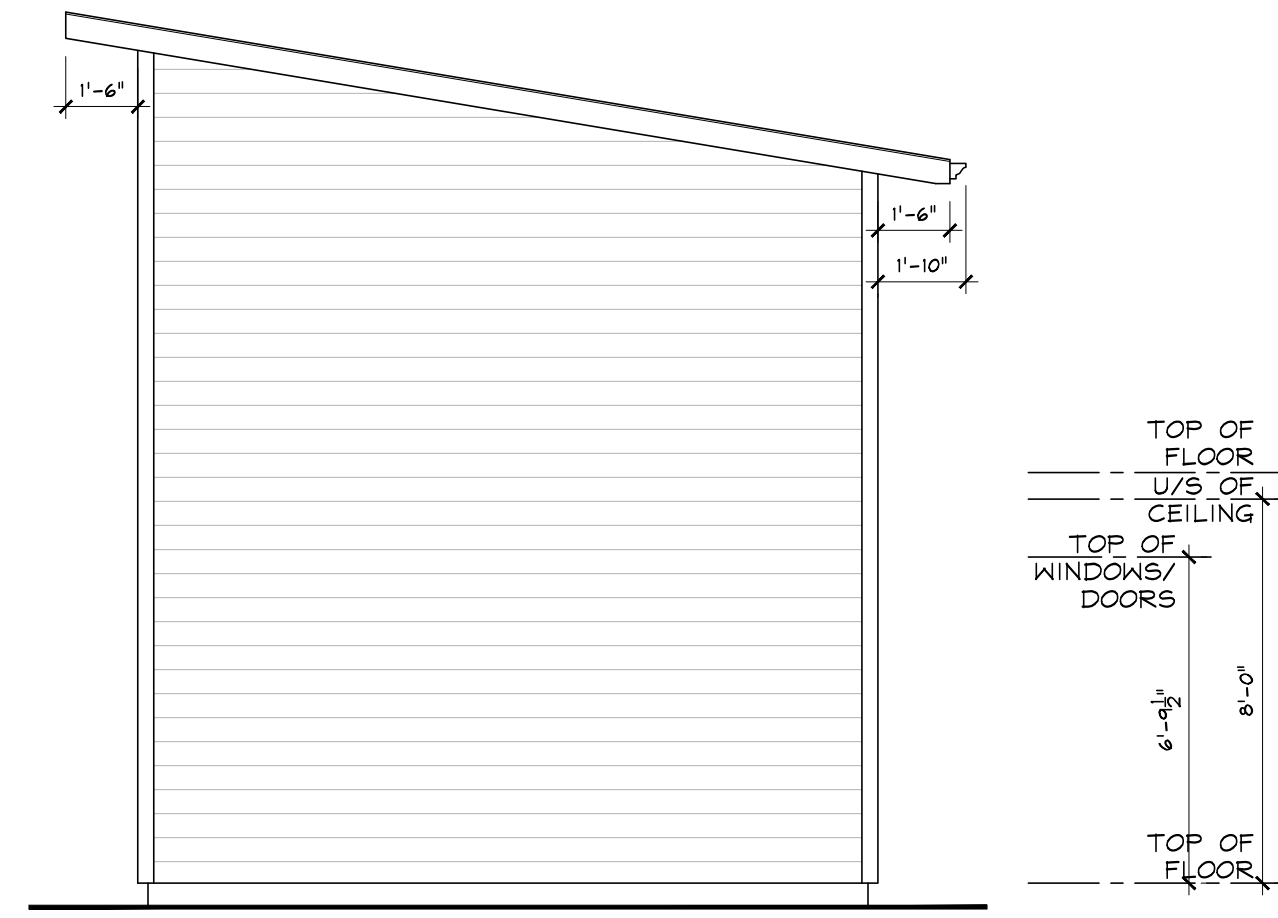
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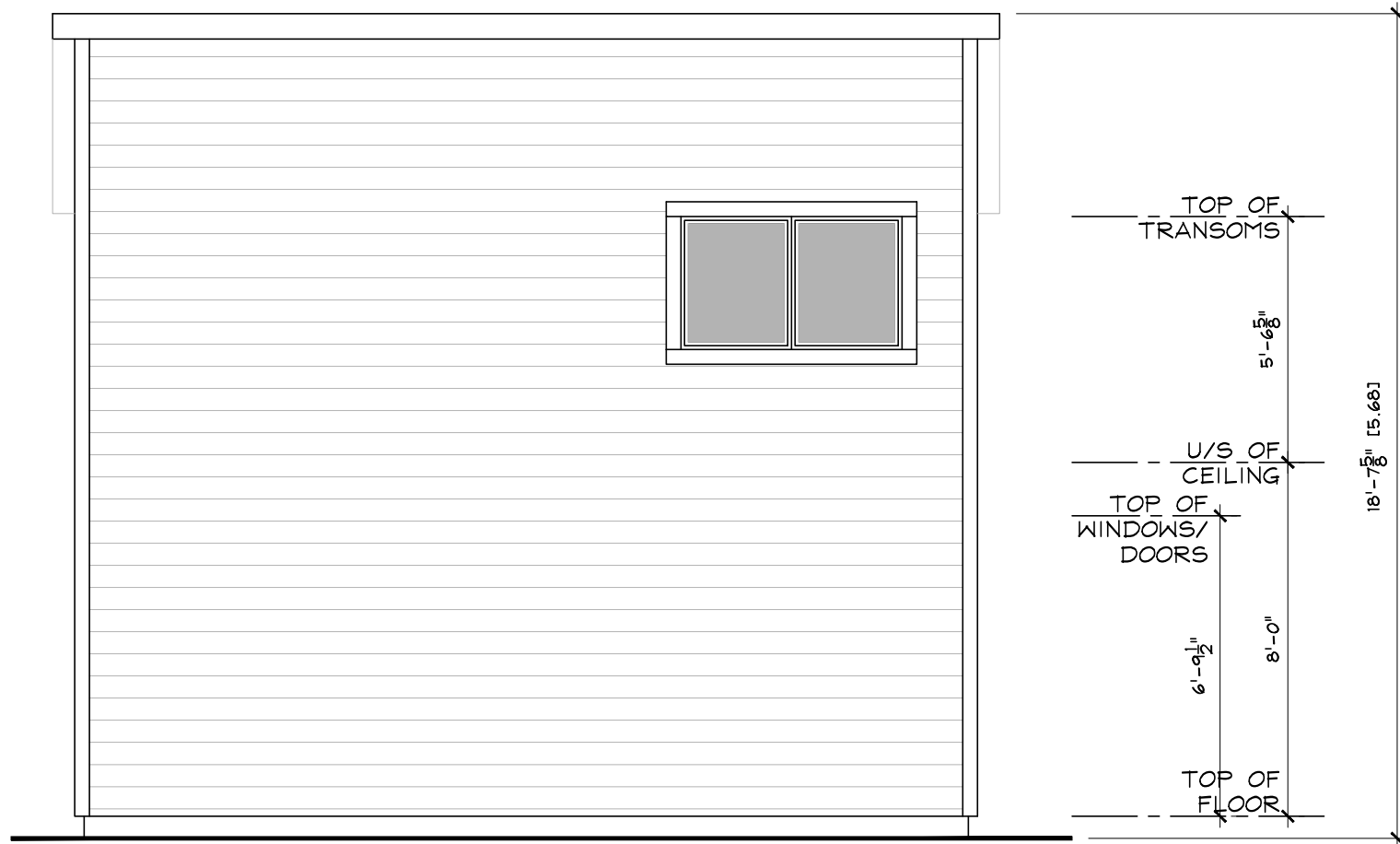
PROPOSED SDU FLOOR PLANS



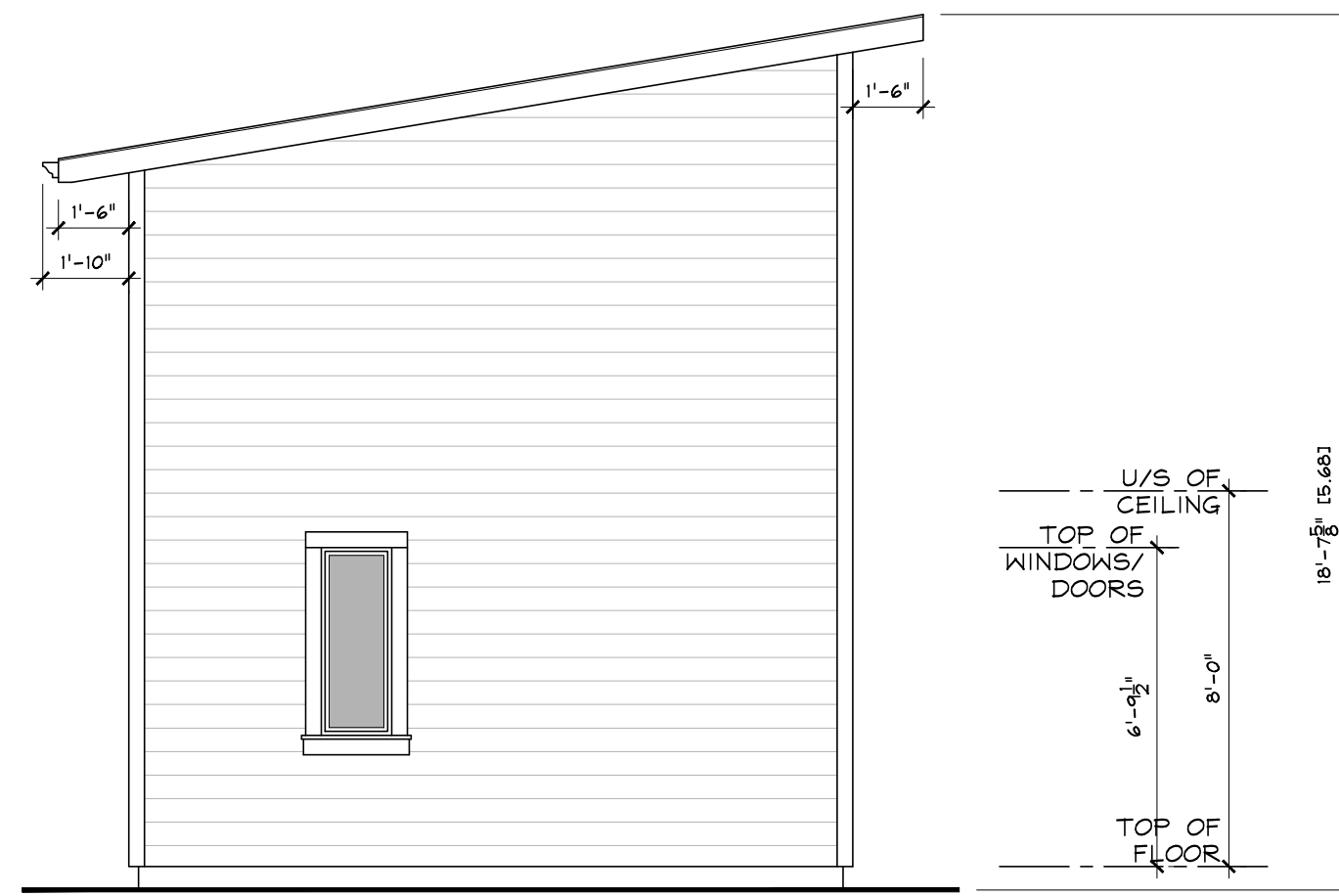
1 FRONT ELEVATION
A5 1/4" = 1'-0"



2 RIGHT SIDE ELEVATION
A5 1/4" = 1'-0"



3 REAR ELEVATION
A5 1/4" = 1'-0"



4 LEFT SIDE ELEVATION
A5 1/4" = 1'-0"

THE ORR
RESIDENCE
238 BOND STREET NORTH
HAMILTON, ON
L8S 3W9

drafting + design
 ■ 193 East 43rd Street ■
 ■ Hamilton, ON ■ L8T 3C3 ■
 ■ jbdraftinganddesign@live.ca ■
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SDU
ELEVATIONS

Minor Variance Supplementary Information - 238 Bond Street North, Dundas

We are kindly requesting a number of variances to facilitate the construction of a detached SDU and reconstruct an existing covered deck to create a new covered deck & patio.

Variances Requested

1. To provide a 1.0m. east(rear) side yard setback to the detached SDU instead of the required 1.2m.
2. To provide a 6.31m. setback in between the detached SDU & the main dwelling instead of the required 7.5m.
3. To provide a north side yard setback of 0.0m. to replace/reconstruct the existing covered deck with a new covered deck & covered patio, instead of the required 1.2m. A variance was received previously (HM/A-04:155) for the existing covered deck at a 0.0m. setback.

The home owner desires to build a detached SDU to provide a living space for his son, who needs his own space. We are proposing a very small, modest unit that will look supplementary to the main dwelling and add value & interest to the lot. We feel we are providing a great unit to help with the intensification that the city so greatly desires.

We chose to reduce the rear yard setback to 1.0m. from 1.2m. so that we could provide more space between the SDU and the main dwelling, although a variance for a reduced setback between the two buildings of 6.31m. is still required. We felt that this reduction on the rear yard setback was fairly minor and that this space behind the SDU is fairly unusable anyways so we'd prefer to give more depth between the two buildings if we could.

Both setbacks still allow for plenty of amenity space in the year yard, for both units.

We are positive that the reduced rear yard setback will have very little effect on anyone as the rear lot line of this property backs onto Longwood Road and is at the top of an incline in comparison to the road so will most likely be barely visible from the road.

The home owner would also like to reconstruct an existing covered deck to create a new covered (smaller) deck and an on grade covered patio. We are reducing the deck area at the floor level but adding a grade level covered patio space.

The existing covered deck currently sits at a 0.0m. setback, as a variance was received in the past. The home owner would like maintain this setback to keep the deck space a useable size. The neighboring property has a detached garage structure in this general location on their property, there for there would be very little negative impact on their property and it's use. However, the home owner would like to provide a privacy screen to ensure privacy for both himself and the neighboring property, if the detached garage should ever cease to exist. Both homeowners have both been satisfied with this setup for years and would like maintain this situation. We feel this request is minor in nature as its not changing the existing situation or making it any worse. Any and all drainage will be directed away from the neighboring property to ensure no negative impacts.

For all the reasons above we feel that these variances are in keeping with the official plan and there for meet the purpose & intent of the bylaw and are minor in nature. We appreciate your time and consideration on this matter.



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		
Registered Owners(s)	Mark Orr		
Applicant(s)	Jenny Bognar		
Agent or Solicitor	As per applicant		
			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 _____

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	238 Bond Street North		
Assessment Roll Number			
Former Municipality	Hamilton		
Lot		Concession	
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:

See attached

Second Dwelling Unit Reconstruction of Existing Dwelling

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

See attached

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
7.45 m.	14.71 m.	371.51 sq. m.	15.0 m.

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	6.17 m.	13.37 m.	0.91 m./ 2.43 m.	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
SDU	n/a	1.0 m.	1.22 m./4.99 m.	
Covered Deck	n/a	10.62 m.	0.0 m./7.28 m.	

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	97.16 sq. m.	229.26 sq. m.	1.5	6.88 m.

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
SDU	27.87 sq. m.	27.87 sq. m.	1	5.68 m.
Covered Deck	21.73 sq. m.	21.73 sq. m.	1	4.16 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

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:

Dec. 11, 1997

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:

Always

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) Neighbourhoods

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

7.6 What is the existing zoning of the subject land? HM/A-04:155

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: HM/A-04:155

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):

Main dwelling unit & D-SDU

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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