



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-24:25	SUBJECT PROPERTY:	8 ORCHARD DRIVE, FLAMBOROUGH
ZONE:	"R1-6" (Urban Residential (Single Detached))	ZONING BY-LAW:	Zoning By-law former Town of Flamborough 90-145-Z, as Amended

APPLICANTS: Owner: MATT AND ERICA GARTNER
Applicant: MATT AND ERICA GARTNER

The following variances are requested:

1. A maximum lot coverage of 18.61% shall be permitted instead of the permitted maximum lot coverage of 15%.

PURPOSE & EFFECT: To Permit the construction of a two (2) storey front yard addition to an existing single detached dwelling.

Notes:

1. All fencing shall be in accordance with Section 5.6 in the Flamborough Zoning By-law 90-145-Z.
2. A new attached garage is proposed with the front yard addition. Insufficient information was provided to determine zoning compliance for proposed parking. Additional variances may be required if compliance cannot be achieved.
3. Insufficient information was provided to determine zoning compliance for yard encroachments. Additional variances may be required if compliance cannot be achieved.
4. Insufficient information was provided to determine zoning compliance for the maximum floor space. Additional Variances may be required if zoning conformity cannot be achieved.
5. Please be advised it appears the proposed minimum side yard setback does not further aggravate the existing setback condition. However, a dimension was not provided from the proposed front yard addition to the interior side lot line, additional variances may be required if compliance cannot be achieved.

FL/A-24:25

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:	Tuesday, March 12, 2024
TIME:	2:25 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (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

PUBLIC INPUT

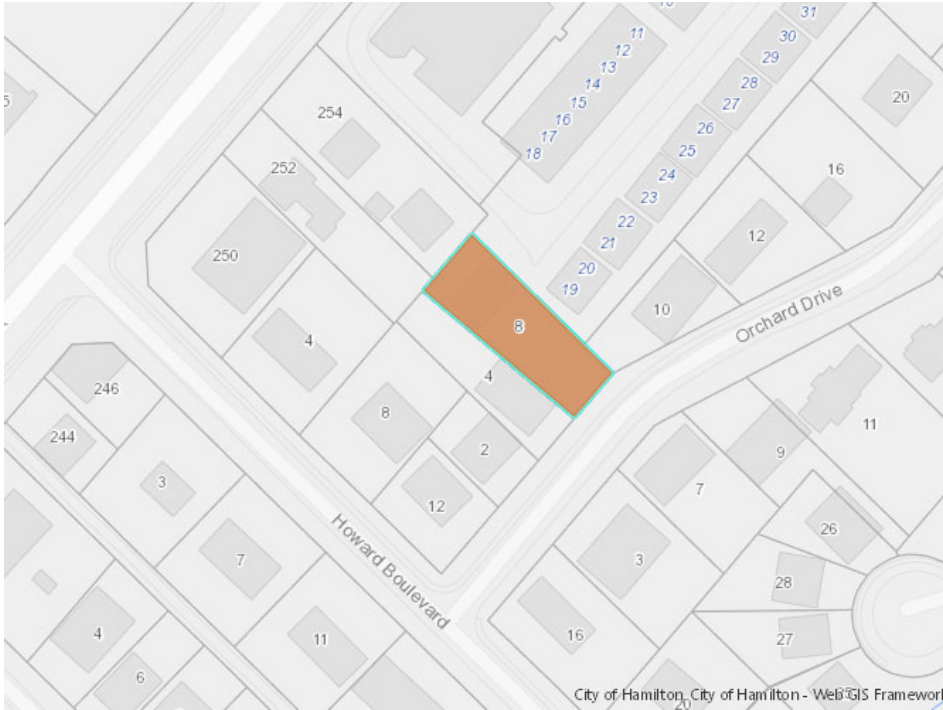
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon March 8, 2024

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, registration to participate virtually must be received no later than noon March 11, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding FL/A-24:25, 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.



DATED: February 22, 2024

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

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221

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 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 on the date listed on the Notice of Public Hearing.**

Comments are available the Friday 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 on the day listed on the Notice of Public 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.

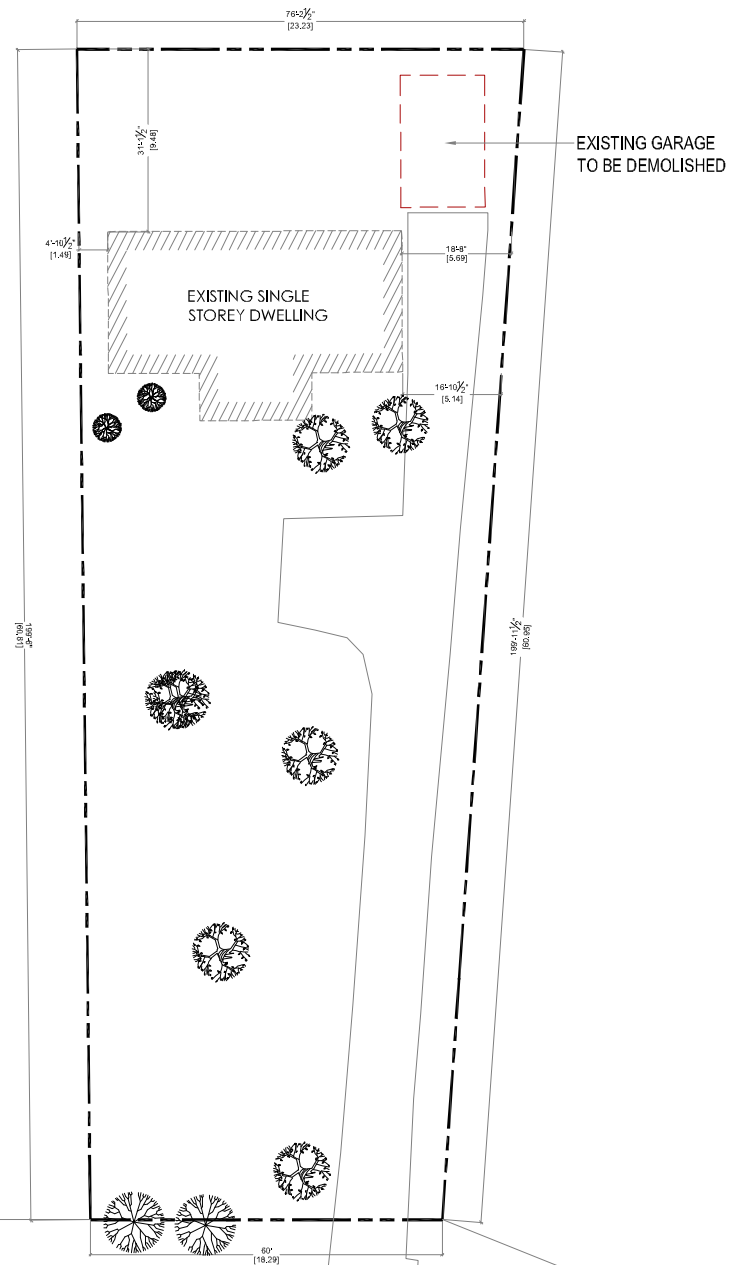
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

2. In person Oral Submissions

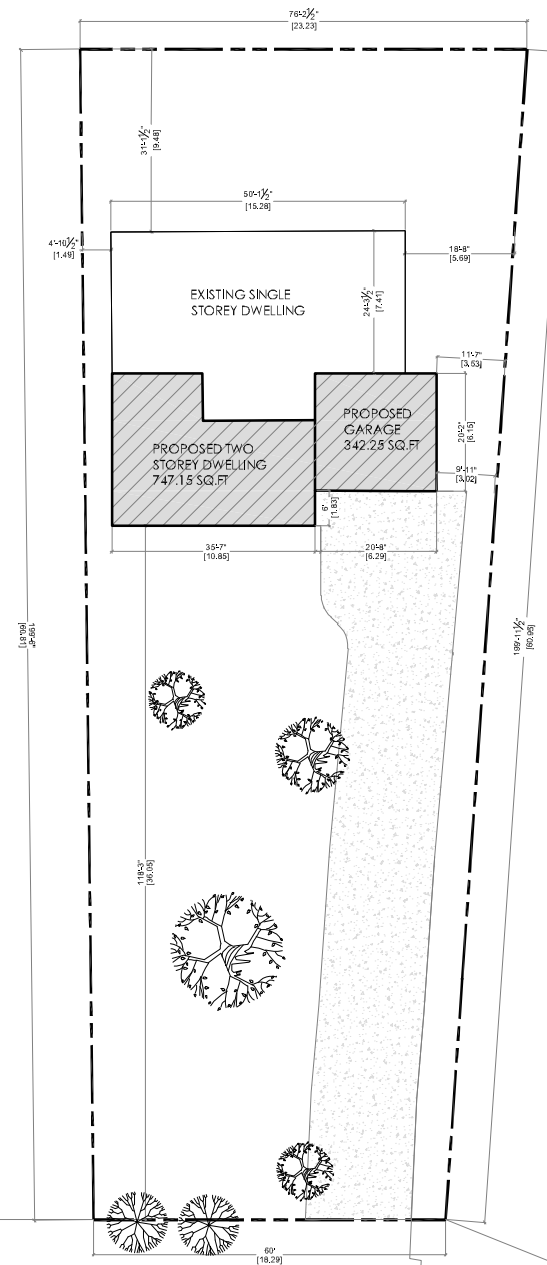
Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **no less than 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.



A1.2 EXISTING PLAN
SCALE: 1/32" = 1'-0"



LOT AREA : 13586.83 SQ.FT
EXISTING HOUSE : 1366.60 SQ.FT

NEW ADDITION : 1161.78 SQ.FT
TOTAL AREA : 1366.60+1161.78 = 2528.38 SQ.FT
LOT COVERAGE = 2528.38 / 13586.83 = 18.61%
MINOR VARIANCE REQUIRED = 18.61 - 15 = 3.61%

EXISTING ROOF HEIGHT: TOP OF THE ROOF = 13'0" FROM GRADE LVL
PROPOSED TOP OF THE ROOF FROM GRADE LVL = 26'6"

A1.2 PROPOSED PLAN
SCALE: 1/32" = 1'-0"

No	Date	Revision

IT IS THE RESPONSIBILITY OF THE APPROPRIATE CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS ON SITE AND REPORT ALL ERRORS AND OR OMISSIONS TO THE DESIGNERS.

ALL CONTRACTORS MUST COMPLY WITH ALL PERTINENT ONTARIO BUILDING CODES AND BY-LAWS.

DO NOT SCALE DRAWINGS.

THIS DRAWING MAY NOT BE USED FOR CONSTRUCTION UNTIL SIGNED.

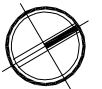
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KINESIS DESIGN INC
ARCHITECTURE. INTERIORS
45-2 CLAY BRICK COURT,
BRAMPTON, ON. L6V 4M7

647.880.5654
kinesisdesigninc@gmail.com

PROJECT NORTH



PROJECT
PROPOSED HOUSE
ADDITION AT
8 ORCHARD DRIVE,
WATERDOWN, ON.

DRAWING TITLE
PROPOSED PLANS

SCALE 1/32" = 1'-0"	DATE 01/14/24
DRAWN DK	SHEET NO A1.2



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)	MATT GARTNER ERICA GARTNER
Applicant(s)	MATT GARTNER ERICA GARTNER
Agent or Solicitor	

E-mail:

1.2 Primary contact

Applicant

Owner
 Agent/Solicitor

1.3 Sign should be sent to

Applicant

Owner
 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.

1.6 Payment type

In person
 Cheque

Credit over phone*

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	8 ORCHARD DRIVE, WATERDOWN ON L8B 0G2		
Assessment Roll Number	2518303330136000000		
Former Municipality	FLAMBOROUGH		
Lot	23	Concession	
Registered Plan Number	894	Lot(s)	23
Reference Plan Number (s)	62R5485	Part(s)	2

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:

INCREASE LOT COVERAGE PERCENTAGE FOR EXPANSION OF EXISTING STRUCTURE

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

CONSTRAINED BY DIMENSIONS AND CURRENT LOT COVERAGE PERCENTAGE

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
60	200	0.32 ACRES	12 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
SINGLE FAMILY DWELL	43.99	9.48	1.49 & 5.14	01/01/1952

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
EXPANSION / ADDITION	36.05	9.48	1.49 & 3.02	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
SINGLE DWELLING	1333	1333	1	ROOF LINE

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
EXPANSION / ADDITION	1089.40	1836.55	2	ROOF LINE

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 FAMILY DWELLING

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):
RESIDENTIAL, RETAIL

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:
PURCHASE - JUNE 17, 2022

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

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

7.4 Length of time the existing uses of the subject property have continued:
SINCE 1952 ONWARDS

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) NEIGHBOURHOOD

Please provide an explanation of how the application conforms with the Official Plan.
PROPOSING RESIDENTIAL USE IN NEIGHBOURHOOD

7.6 What is the existing zoning of the subject land? R1-6

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: _____

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 0

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

EXPANSION/ADDITION OF HOME FOR SINGLE FAMILY DWELLING USE

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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