



Hamilton

COMMITTEE OF ADJUSTMENT

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

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-24:45	SUBJECT PROPERTY:	135 Flatt Ave., Hamilton
ZONE:	C/S-1822 (Urban Protected Residential)	ZONING BY-LAW:	Zoning By-law former City of Hamilton 6593, as Amended

APPLICANTS: Owner: J. Fede
Agent: Sarah Brown Home Design Inc. c/o S. Brown

The following variances are requested:

1. A minimum side yard width along the northern lot line of 0.2m whereas the by-law requires a minimum 1.2m side yard.

PURPOSE & EFFECT: To permit the construction of a attached garage and attached unenclosed porch in the rear yard.

Notes:

- i) The existing parking required must be maintained on the site.
- ii) Variances written as requested by applicant.
- iii) 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:	Tuesday, April 9, 2024
TIME:	1:15 p.m.
PLACE:	City Hall Council Chambers (71 Main St. W., Hamilton)

HM/A-24:45

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

PUBLIC INPUT

Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. 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. Written comments must be received no later than noon **April 5, 2024**

Orally: If you would like to speak to this item at the hearing you may do so by attending in person. 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.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-24:45, 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: March 21, 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.

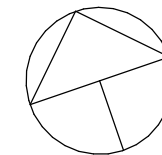
135 FLATT AVENUE, HAMILTON

ZONE: C/S-1822 URBAN PROTECTED RESIDENTIAL

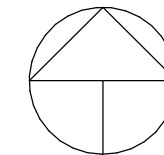
EXISTING USE: SINGLE FAMILY DWELLING

PROPOSED USE: SINGLE FAMILY DWELLING

	REQUIREMENT	PROVIDED
HEIGHT	11.0m	HEIGHT OF EXISTING DWELLING TO REMAIN
		5.06m (PROPOSED GARAGE/MUDROOM)
MIN. FRONT YARD SETBACK	6.0m	3.71m (TO EXISTING DWELLING)
		7.63m (PROPOSED GARAGE/MUDROOM)
MIN. REAR YARD SETBACK	7.5m	14.4m
MIN. SIDE YARD SETBACK	1.2m	0.9m (SOUTH SIDE YARD TO EXISTING DWELLING)
		0.2m (TO PROPOSED GARAGE/MUDROOM INCLUDING EAVE PROJECTION - SUBJECT TO VARIANCE)



TRUE NORTH



PROJECT NORTH



Sarah Brown Home Design Inc.

5780 Highway 3, Cayuga

Ontario N0A 1E0

Phone: 289-776-6303

Email: sarah@sbhomedesigninc.com

PROJECT:

FEDE RESIDENCE

PROJECT ADDRESS:

135 FLATT AVE
HAMILTON, ONTARIO

SHEET SIZE:

11 x 17

SCALE:

1 : 150

DRAWN BY:

SB

PROJECT NO.:

23.014

DATE:

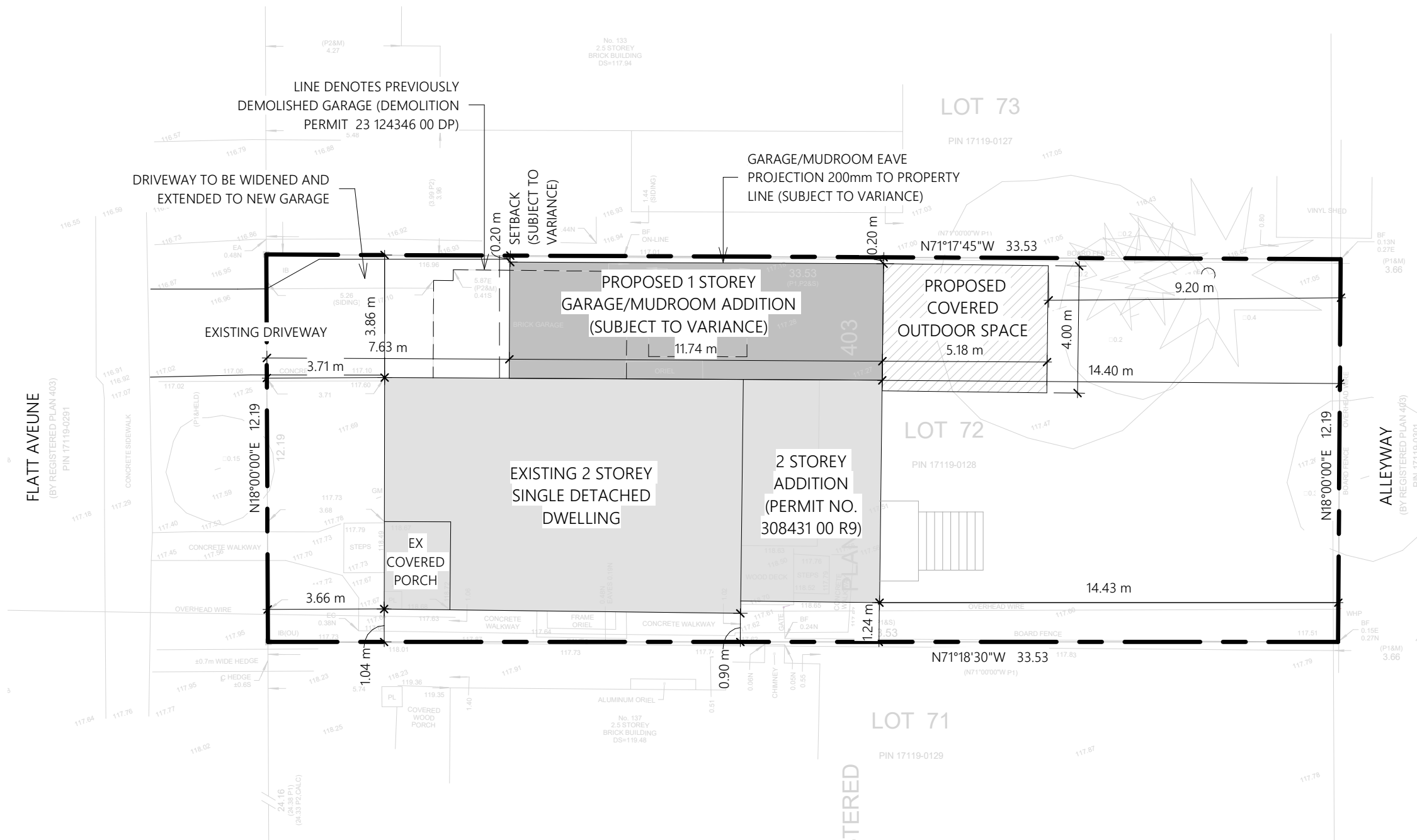
JANUARY 8, 2024

DRAWING NAME:

SITE PLAN

SHEET NO.:

SK1



SURVEYOR'S REAL PROPERTY REPORT
PART 1 - PLAN OF SURVEY SHOWING TOPOGRAPHY OF
LOT 72
REGISTERED PLAN 403
IN THE
CITY OF HAMILTON

SCALE 1 : 100
 0 1 2 3 4 5 10 metres
 THE INTENDED PLOT SIZE OF THIS PLAN IS 810mm IN WIDTH BY 630mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:100 (INCLUDING 15mm BEYOND EACH BORDER)
 MacKAY, MacKAY & PETERS LIMITED - ONTARIO LAND SURVEYORS
 © 2023

KNOWN AS MUNICIPAL No. 135 FLATT AVENUE

PART 2 - REPORT SUMMARY (TO BE READ IN CONJUNCTION WITH PART 1)
 LAND REGISTRY OFFICE TITLE INFORMATION ON SUBJECT PROPERTY INCLUDING BOUNDARIES, EASEMENTS AND RIGHT OF WAYS - JULY 14, 2023
 REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY:
 - NONE

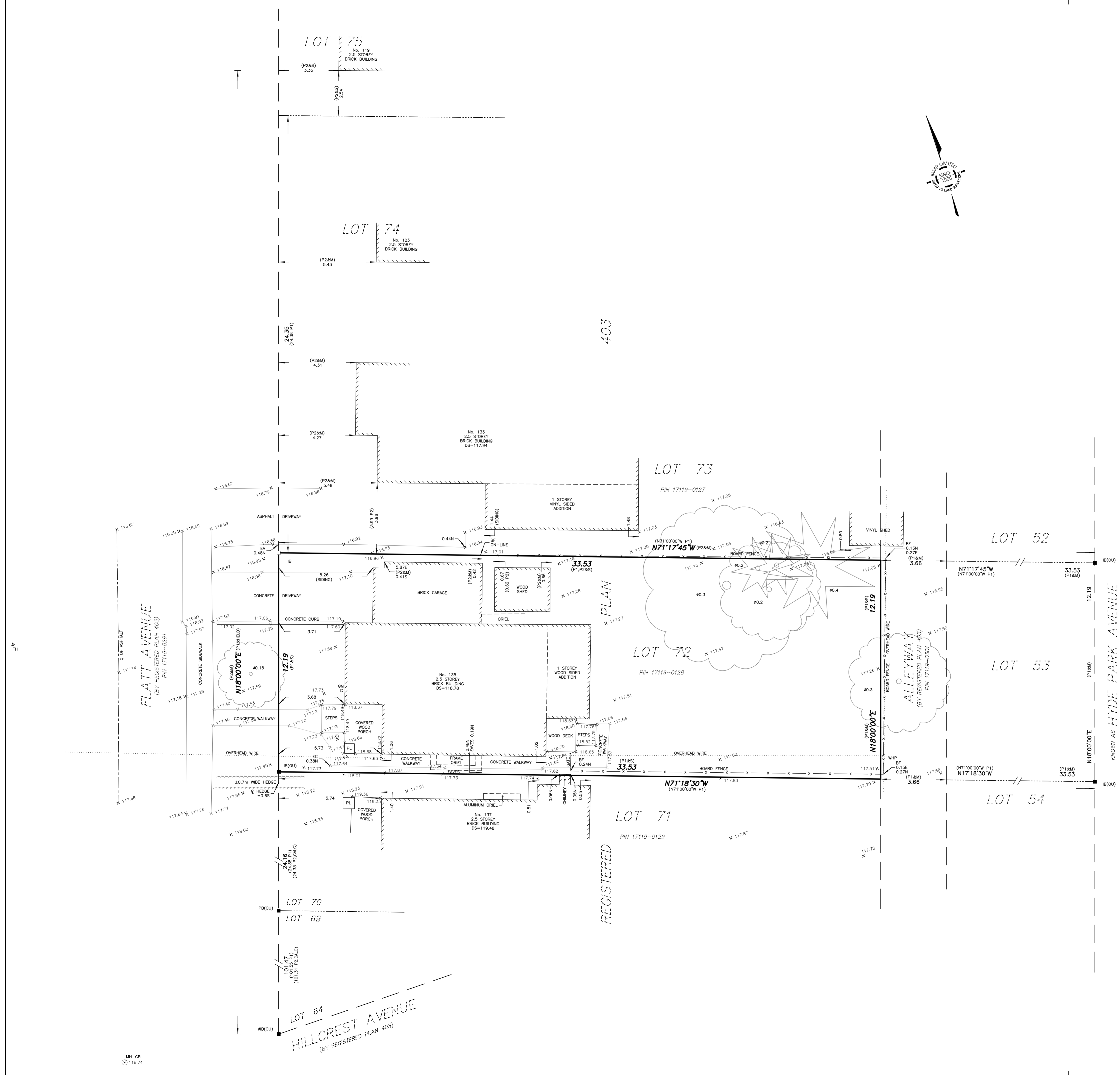
ADDITIONAL REMARKS:
 - REFER TO PART 1 OF SURVEY FOR THE LOCATION OF BUILDINGS, STRUCTURES, FENCES & UTILITIES
 MacKAY, MacKAY & PETERS LIMITED grants JOSHUA ANTHONY FEDE ("The Client"), their solicitor and other related parties permission to use "Original Copies" of the Surveyor's Real Property Report in transactions involving "The Client"

METRIC DISTANCES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

ASSOCIATION OF ONTARIO
 LAND SURVEYORS
 PLAN SUBMISSION FORM
V-60831



THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR IN ACCORDANCE WITH REGULATION 1026, SECTION 29(3)



- LEGEND**
- DENOTES A SURVEY MONUMENT FOUND
 - DENOTES A SURVEY MONUMENT PLANTED
 - IB DENOTES IRON BAR
 - PB DENOTES PLASTIC BAR
 - P1 DENOTES REGISTERED PLAN 403
 - P2 DENOTES PLAN BY GUIDO CONSOLI SURVEYING LTD. DATED AUGUST 4, 1988
 - PIN DENOTES PROPERTY IDENTIFICATION NUMBER
 - (OU) DENOTES ORIGIN UNKNOWN
 - DS DENOTES DOOR SILL
 - ⊕ DENOTES CENTRELINE
 - WHP DENOTES WOOD HYDRO POLE
 - PL DENOTES PILLAR
 - GM DENOTES GAS METER
 - MH-CB DENOTES MANHOLE CATCH BASIN COMBINATION
 - FH DENOTES FIRE HYDRANT
 - BF DENOTES BOARD FENCE
 - EC DENOTES EDGE OF CONCRETE
 - EA DENOTES EDGE OF ASPHALT
 - DENOTES DECIDUOUS TREE SCALED TO CANOPY TRUNK SIZE SHOWN IN METRES
 - ⊙ DENOTES CONIFEROUS TREE SCALED TO CANOPY TRUNK SIZE SHOWN IN METRES

ALL BUILDING TIES ARE TO FOUNDATION AND ARE PERPENDICULAR TO PROPERTY LINES UNLESS OTHERWISE NOTED

BENCHMARK NOTE
 BENCHMARK No. 0011965U645
 ELEVATION = 100.143 METRES (CGVD28:78 ADJUSTMENT)
 CITY OF HAMILTON BENCHMARK HOUSE No. 173 DUNDURN STREET SOUTH
 AT SOUTHEAST CORNER OF INTERSECTION OF HILL STREET
 PLATE IN NORTH BRICK WALL AT WESTERLY CORNER

BEARING REFERENCE
 BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE EASTERLY LIMIT OF FLATT AVENUE AS SHOWN ON REGISTERED PLAN 403 HAVING A BEARING OF N18°00'00"E

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON THE 30th DAY OF AUGUST, 2023.

AUGUST 31, 2023
 DATE

MMP
 MacKay, MacKay & Peters Limited
 LAND SURVEYORS & MAPPERS
 SINCE 1906

3380 South Service Road
 Unit 101
 Burlington, ON
 L7N 3J5
 (905) 639-1375
 halton@mmplimited.com
 mmplimited.com

DRAWN BY: G.S.
 PARTY CHIEF: C.M.
 CHECKED BY: FK
 PROJECT No.: 23-167



Sarah Brown Home Design Inc.

5780 Highway 3, Cayuga

Ontario N0A 1E0

Phone: 289-776-6303

Email: sarah@sbhomedesigninc.com

PROJECT:

FEDE RESIDENCE

PROJECT ADDRESS:

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HAMILTON, ONTARIO

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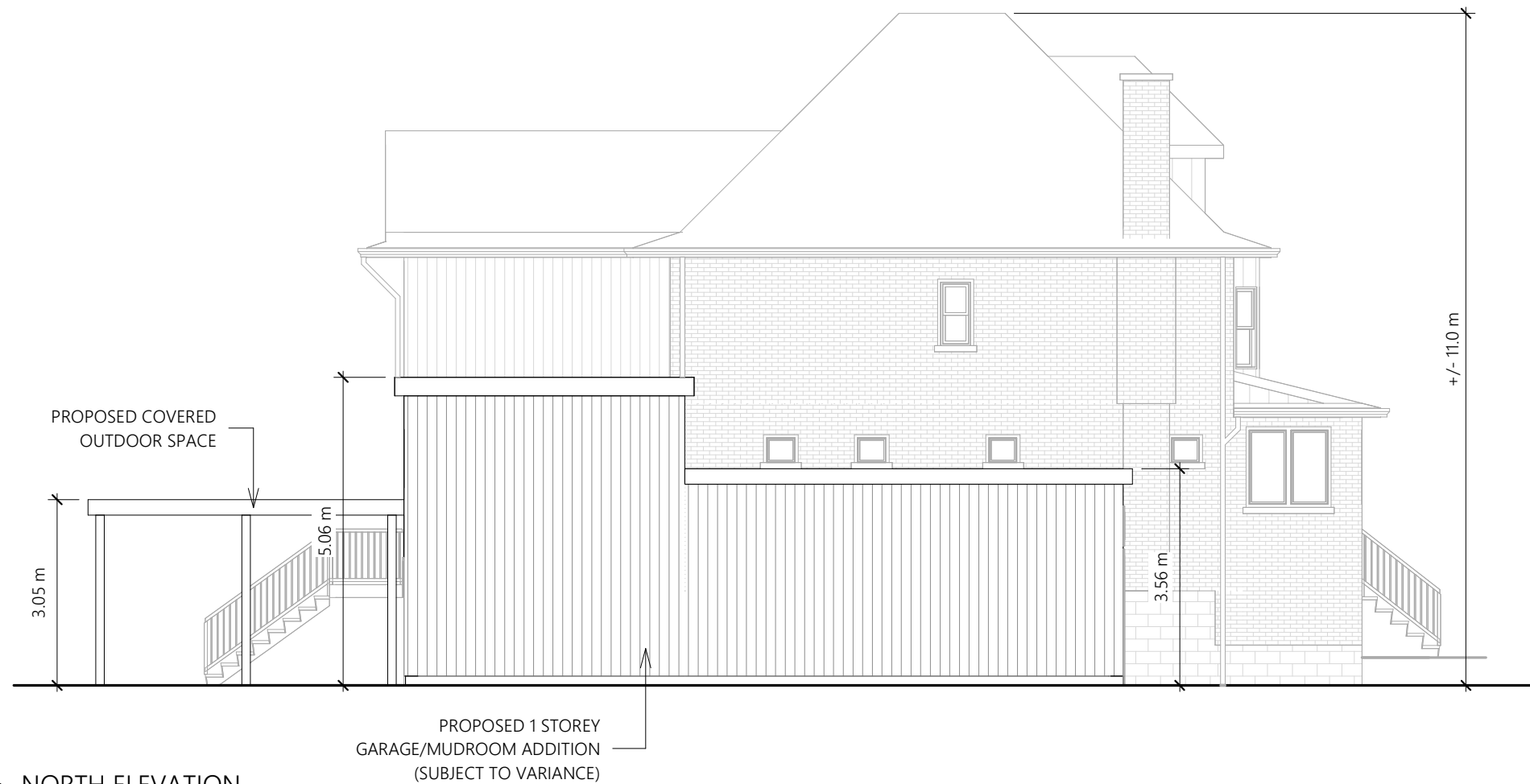
JANUARY 8, 2024

DRAWING NAME:

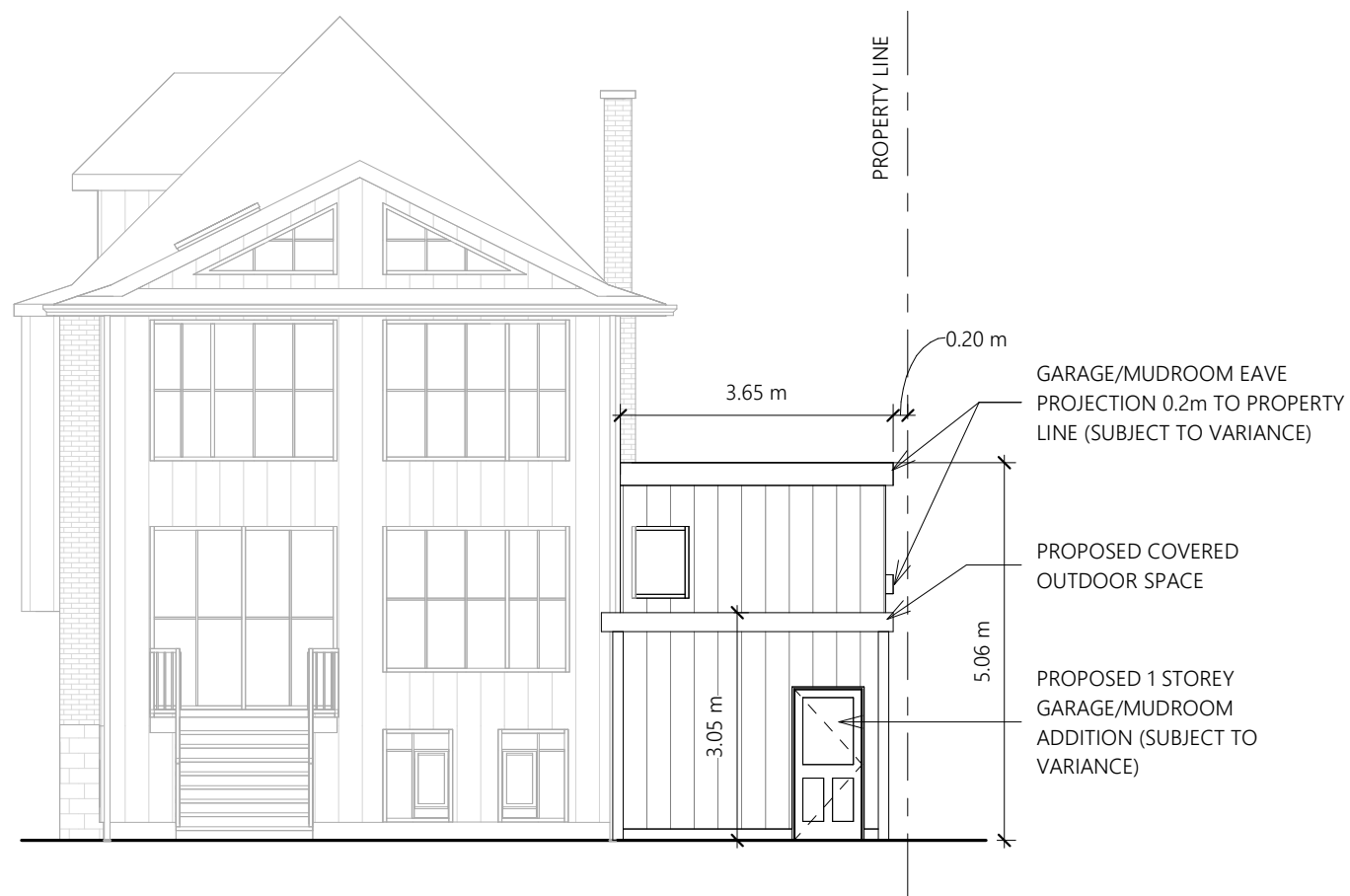
ELEVATIONS

SHEET NO.:

SK2



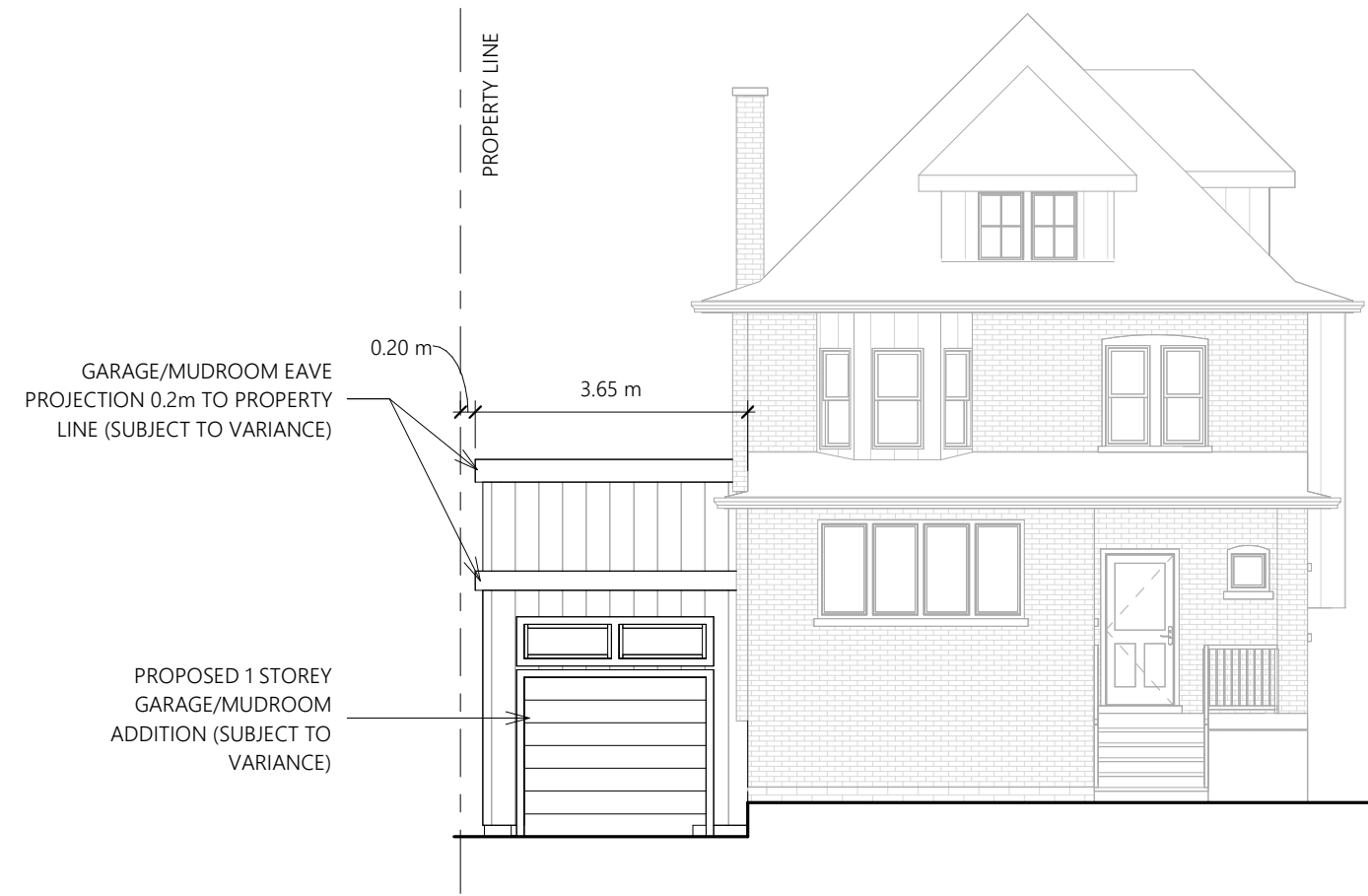
1 NORTH ELEVATION
1:100



2 EAST ELEVATION
1:100



1 SOUTH ELEVATION
1 : 100



2 WEST ELEVATION
1 : 100



Sarah Brown Home Design Inc.
5780 Highway 3, Cayuga
Ontario N0A 1E0
Phone: 289-776-6303
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PROJECT:
FEDE RESIDENCE

PROJECT ADDRESS:
135 FLATT AVE
HAMILTON, ONTARIO

SHEET SIZE:
11 x 17

SCALE:
1 : 100

DRAWN BY:
SB

PROJECT NO.:
23.014

DATE:
JANUARY 8, 2024

DRAWING NAME:
ELEVATIONS

SHEET NO.:

SK3



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)	Joshua Fede Analisa Persi	[REDACTED]
Applicant(s)	Joshua Fede Analisa Persi	
Agent or Solicitor	Sarah Brown Home Design Inc. - Sarah Brown	

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

Credit over phone*

Cheque

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	135 Flatt Avenue, Hamilton ON L8P 4N2		
Assessment Roll Number			
Former Municipality	Hamilton		
Lot	72	Concession	
Registered Plan Number	403	Lot(s)	
Reference Plan Number (s)		Part(s)	1

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 construct a new garage mudroom on north side of existing dwelling 0.2m side yard setback.

Relief from minimum 1.2m side yard setback.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

The minimum 1.2m side yard setback would make the garage/mudroom too narrow and unusable.

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
12.19m	33.53m	408.9m ²	17.5m

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 Dwelling	3.66	17.43	0.90m (South) & 3.86m (North)	01/01/1926

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Garage/Mudroom addition	7.63m	14.4m	0.2m (North)	
Covered Outdoor Space		9.2m	0.2m (North)	

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 Family Dwelling	110.5m ²	346.1m ²	2.5	11.0m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Garage/Mudroom addition	43.0m ²	43.0m ²	1	4.8m
Covered Outdoor Space	20.7m ²	20.7m ²	1	3.05m

- 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 detached dwelling

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

Single detached dwelling

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

June 8th 2023

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:

98 years

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.

This application is in keeping with the existing residential use of the property and does not negatively affect the surrounding neighbourhood

7.6 What is the existing zoning of the subject land? C/S-1822

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: 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
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