



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-24:47	SUBJECT PROPERTY:	79 Markland Street, Hamilton
ZONE:	“C” (Urban Protected Residential)	ZONING BY-LAW:	Zoning By-law former City of Hamilton 6593, as Amended

APPLICANTS: Applicant: Michael Baytman
 Agent: Chris Cavacuiti

The following variances are requested:

1. No accessory building shall exceed 4.5 metres in height instead of the requirement that no accessory building shall exceed 4.0 metres in height.
2. Every accessory building over 4.0 metres in height shall be at least 1.0 metres from the nearest lot line instead of the required setback of 3.0 metres from the nearest lot line.
3. An accessory building shall be permitted to be erected in a front yard instead of the requirement that no accessory building shall be erected in a front yard.
4. Every required parking space, other than a parallel parking space shall have dimensions not less than 3.91 metres wide and 5.94 metres long. Instead of the required minimum parking space dimensions of 2.7 metres wide and 6.0 metres long.
5. Two required parking spaces may be located in the front yard instead of the requirement that only one of the required parking spaces may be located in the front yard.
6. A landscape strip shall not be required to be provided within the required side yard adjacent to a Secondary Dwelling Unit – Detached. Instead of the requirement that a landscape strip limited to sod, ground cover, permeable pavers or a planting strip shall be provided within the required side yard adjacent to a Secondary Dwelling Unit – Detached.
7. A minimum distance of 6.35 metres shall be required between the rear wall of the principle dwelling and the Secondary Dwelling Unit - Detached instead of the required minimum distance of 7.5 metres.

PURPOSE & EFFECT: To facilitate the construction of a building (Detached Garage) accessory to an existing single detached dwelling and a rear yard Secondary Dwelling Unit Detached.

Notes:

1. The proposed development shall be in accordance with Section 18 (4) (v) of the Former Hamilton Zoning By-law 6593.
2. Insufficient information was provided to determine front yard landscaping. Additional variances may be required if compliance with the By-law cannot be achieved.
3. Insufficient information regarding eaves, gutters, unobstructed path, ground floor area and landscaping for the proposed Secondary Dwelling Unit – Detached was unable to be determined. Additional variances may be required if compliance with the By-law cannot be achieved.

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:	1:20 p.m.
PLACE:	City Hall Council Chambers (71 Main St. W., Hamilton)

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, as noted above.

FURTHER NOTIFICATION


If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-24:47, you must submit

HM/A-24:47

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.



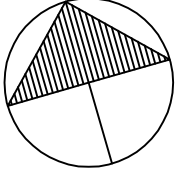
 **Subject Lands**

DATED: March 21, 2024

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

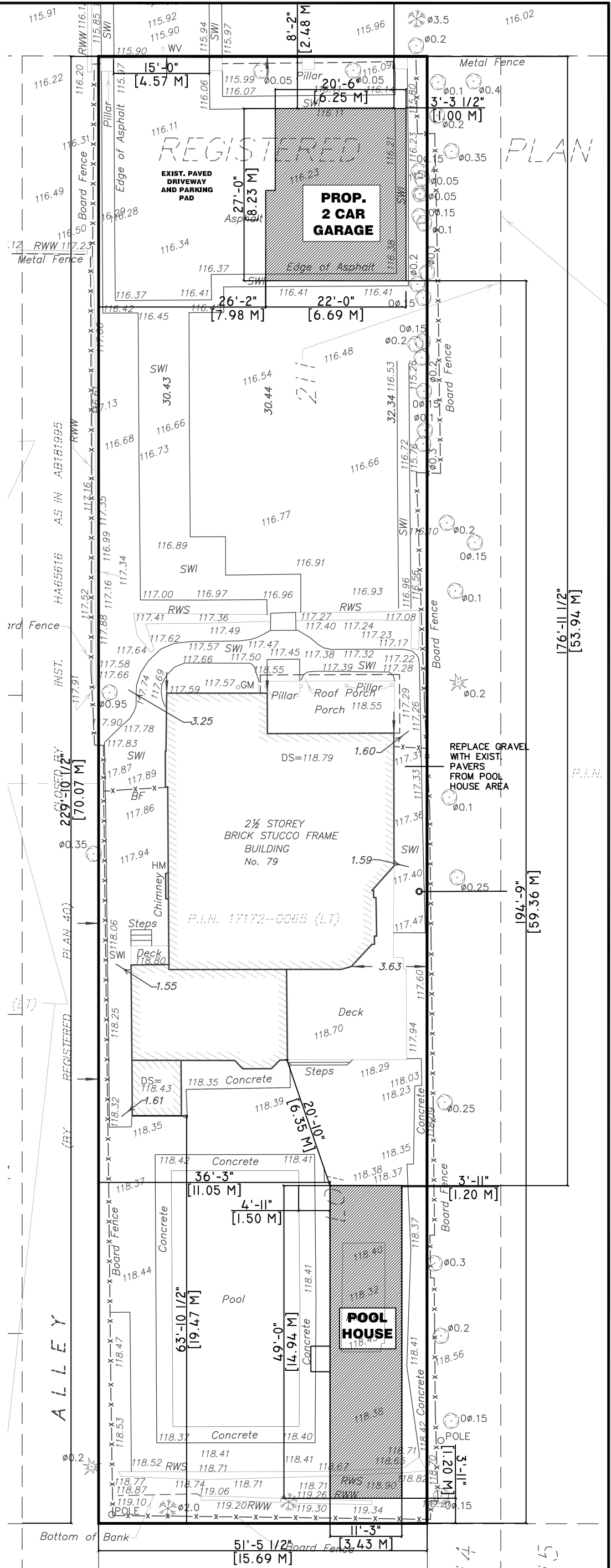
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, 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.

CONSTRUCTION NORTH



STATISTICS

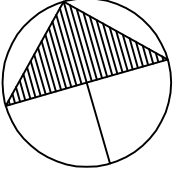
LOT AREA	1,098 .9 SQ. M
EXIST. LOT COVERAGE	165.7 SQ. M
PROPOSED ADDITIONAL COVERAGE	
GARAGE	68.1 SQ. M
POOL HOUSE	51.2 SQ. M
TOTAL PROP.	119.3 SQ. M
TOTAL. PROPOSED LOT COVERAGE	
	238 .6 SQ. M
	21.7 %
TOTAL BACKYARD AREA	
	305.12 SQ. M
PROPOSED YARD COVERAGE	
	16.8%



GENERAL NOTES:

- FEATURE OF CONSTRUCTION NOT FULLY SHOWN ARE TO BE THE SAME CHARACTER AS THOSE NOTED FOR SIMILAR CONDITIONS
- UNLESS SPECIFICALLY NOTED OTHERWISE ON THE DRAWING, NO PROVISION HAS BEEN MADE ON THE DRAWINGS FOR CONDITIONS OCCURRING DURING CONSTRUCTION.
- THE CONTRACTOR IS TO PROVIDE ALL NECESSARY BRACING AND SHORING REQUIRED FOR STRESS AND INSTABILITY OCCURRING FROM ANY CAUSE DURING CONSTRUCTION. THE CONTRACTOR SHALL ACCEPT RESPONSIBILITY FOR SUCH MEASURES. IT SHALL ALSO BE RESPONSIBILITY OF CONTRACTOR TO PROVIDE ALL NECESSARY BRACING, SHORING AND SHEET PILING OR OTHER TEMPORARY SUPPORT TO SAFEGUARD EXISTING OR ADJACENT STRUCTURES AFFECTED BY THE WORK

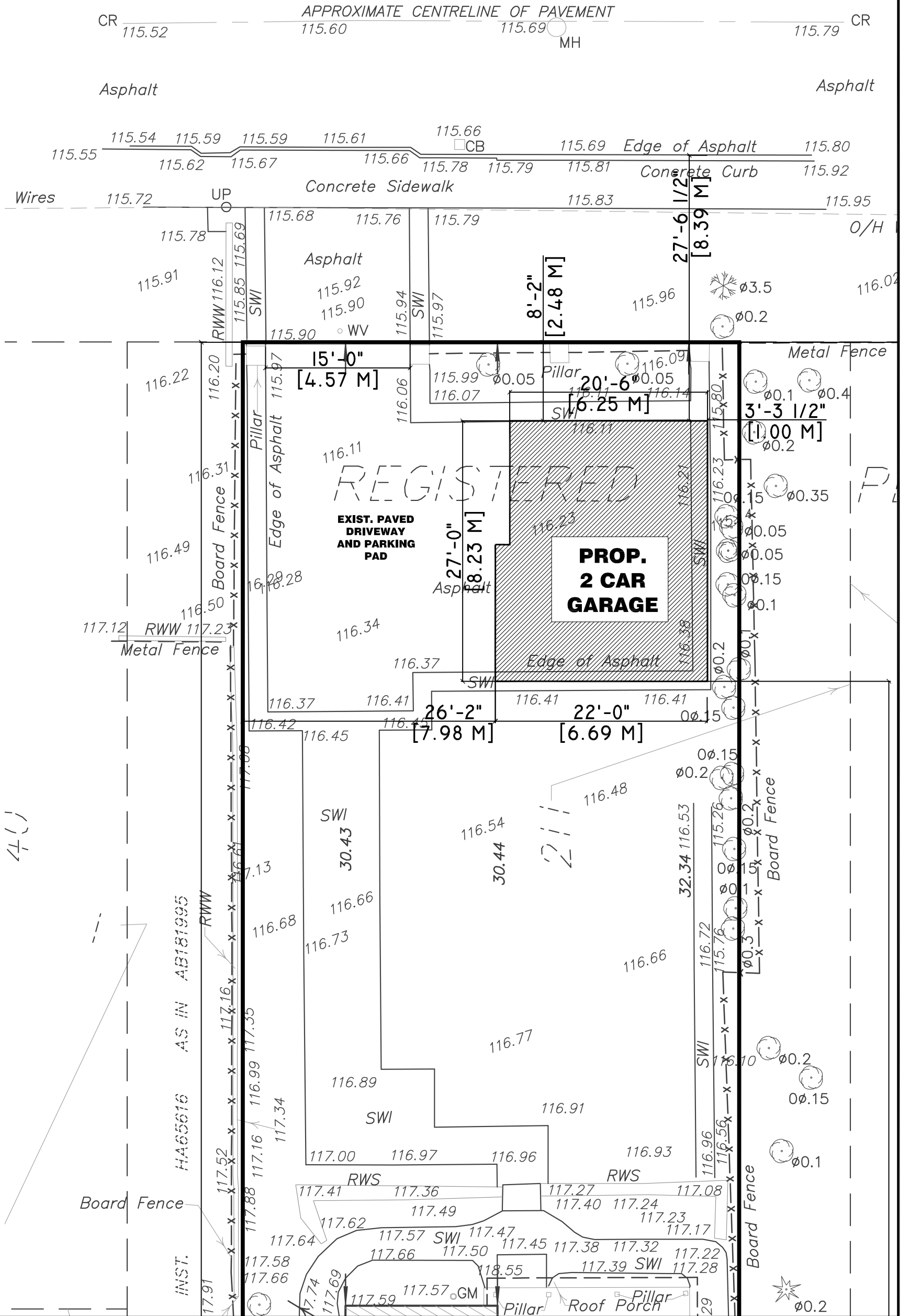
DRAWING NO. A1	DRAWING TITLE SITE PLAN	CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS ON SITE. ALL DRAWINGS ARE THE PROPERTY OF THE ARCHITECT AND MAY NOT BE USED WITHOUT HIS PERMISSION. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNTIL COUNTERSIGNED BY THE ARCHITECT. DRAWINGS ARE NOT TO BE SCALED.	<p>ONTARIO ASSOCIATION OF ARCHITECTS MICHAEL I. BAYTMAN LICENCE 5574</p>	<p>MIBA MICHAEL I. BAYTMAN, ARCHITECT</p>					
DRAWN BY MIB	PROJECT ADDRESS GARAGE ADDITION 79 MARKLAND ST. HAMILTON, ON	<table border="1"> <tr> <td>No.</td> <td>Date</td> <td>ISSUED FOR BUILDING PERMIT</td> </tr> <tr> <td>1</td> <td>NOV. - / -</td> <td></td> </tr> </table>			No.	Date	ISSUED FOR BUILDING PERMIT	1	NOV. - / -
No.	Date	ISSUED FOR BUILDING PERMIT							
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SCALE 1: 200									
DATE APR 05 /23									
PROJECT NO. 23-03									



MARKLAND STREET

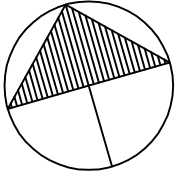
(DEDICATED BY REGISTERED PLAN 1270)

P.I.N. 17172--0142 (LT)



DRAWING NO. A2	DRAWING TITLE SITE PLAN	CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS ON SITE. ALL DRAWINGS ARE THE PROPERTY OF THE ARCHITECT AND MAY NOT BE USED WITHOUT HIS PERMISSION. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNTIL COUNTERSIGNED BY THE ARCHITECT. DRAWINGS ARE NOT TO BE SCALED.	<p>ONTARIO ASSOCIATION OF ARCHITECTS MICHAEL I. BAYTMAN LICENCE 5574</p>	<p>MIBA MICHAEL I. BAYTMAN, ARCHITECT</p>					
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SCALE 1 : 125									
DATE APR 11 /22									
PROJECT NO. 23-03									

CONSTRUCTION NORTH



INST.

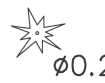
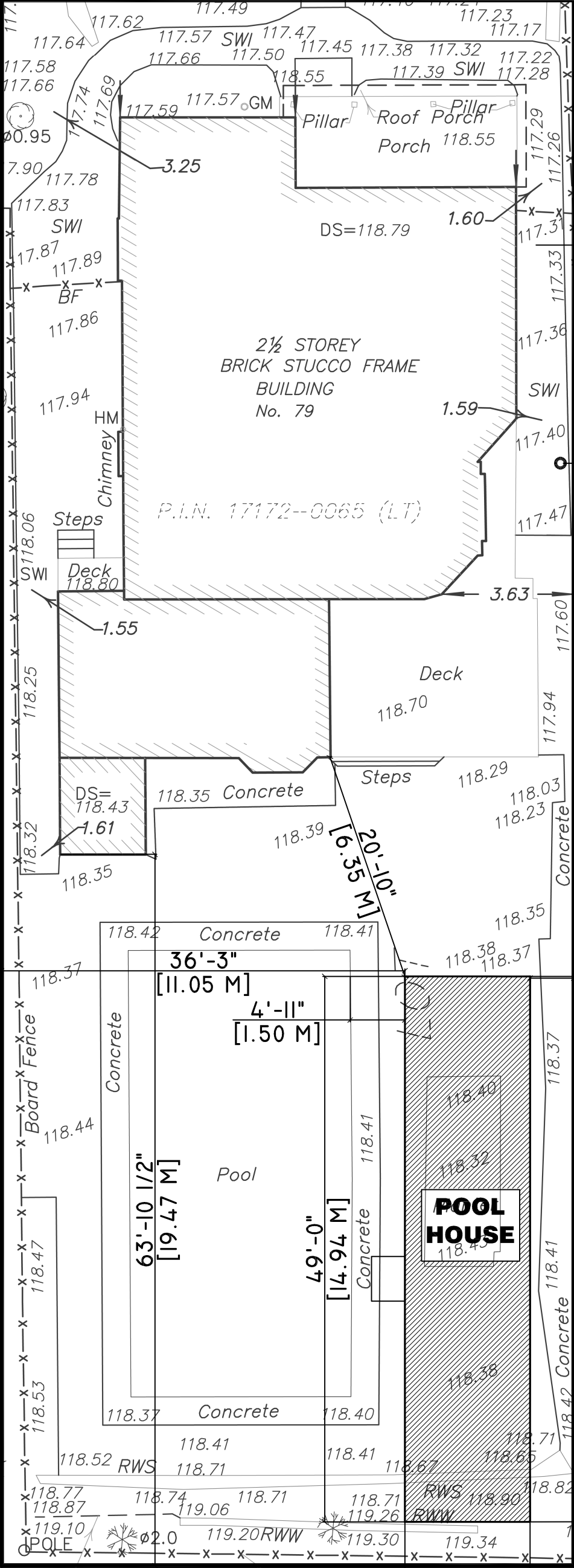
229'-10 1/2" [70.07 M]

(BY REGISTERED PLAN 40)

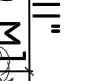
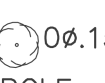
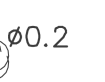
ALLEY

Bottom of Bank

0030 (LT)



REPLACE GRAVEL WITH EXIST. PAVERS FROM POOL HOUSE AREA



2 1/2 STOREY BRICK STUCCO FRAME BUILDING No. 79

P.I.N. 17172--0065 (LT)

Concrete 118.35

POOL HOUSE

51'-5 1/2" [15.69 M]

194'-9" [59.36 M]

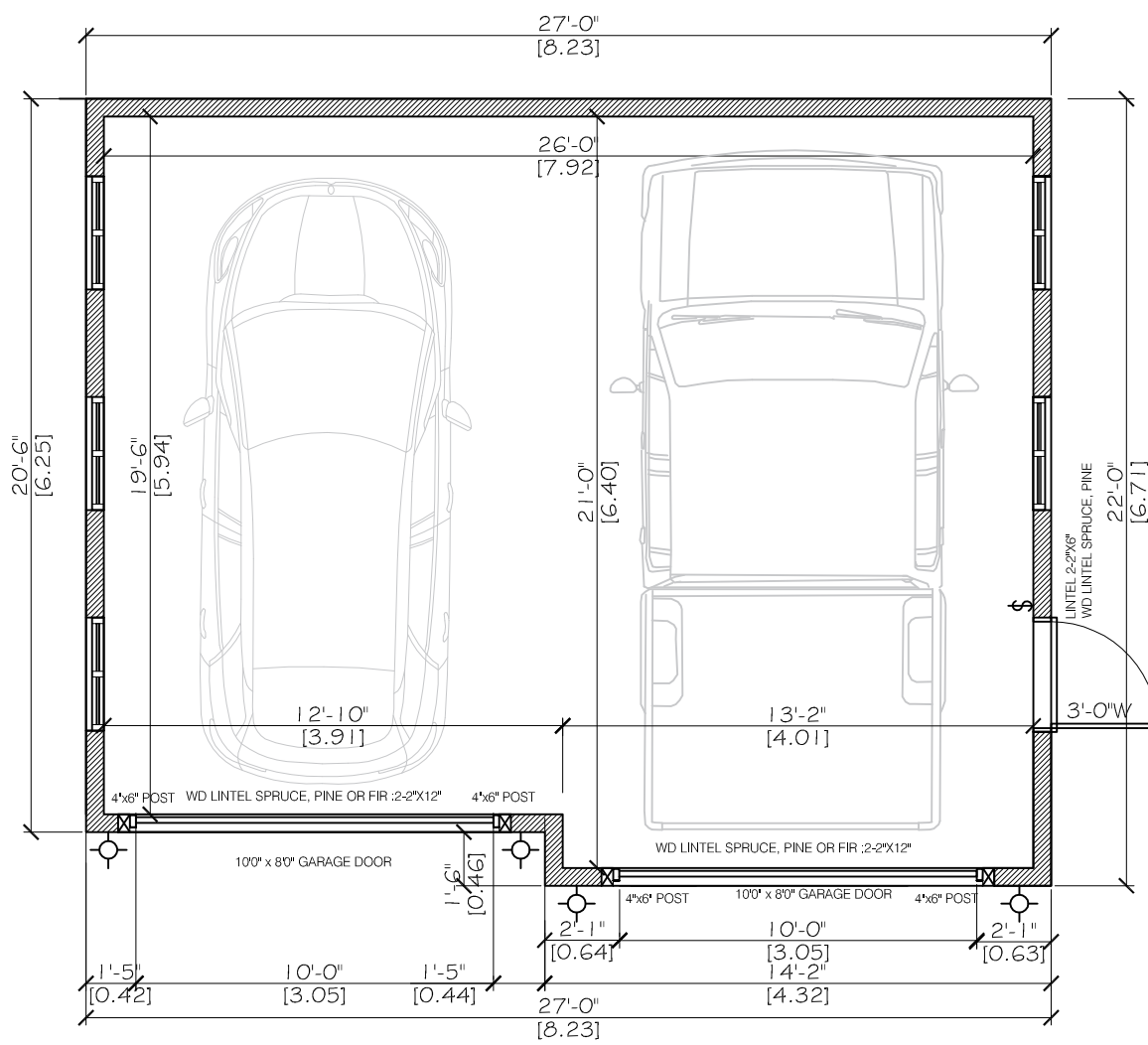
176'-[53.]

P.I.N.

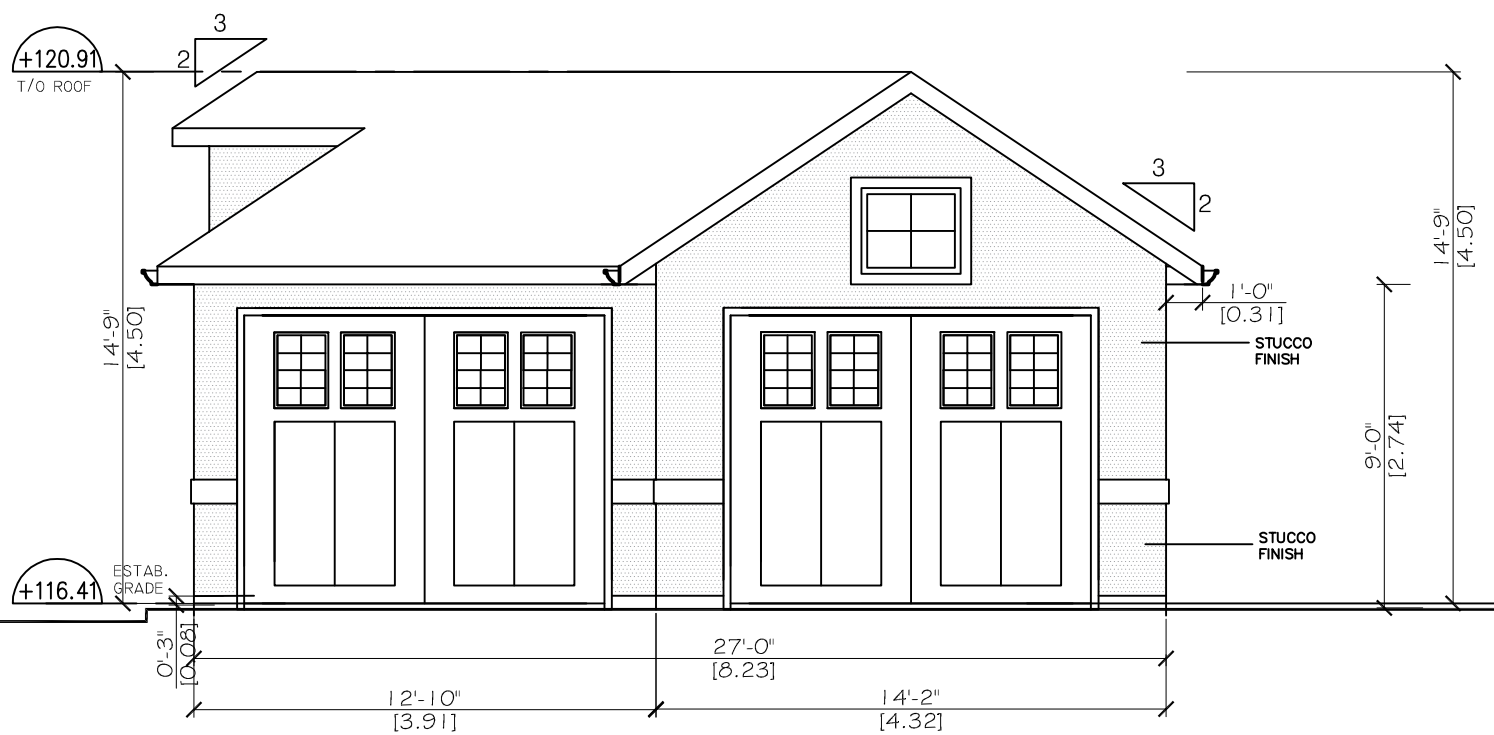
DRAWING NO. A3	DRAWING TITLE SITE PLAN	CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS ON SITE. ALL DRAWINGS ARE THE PROPERTY OF THE ARCHITECT AND MAY NOT BE USED WITHOUT HIS PERMISSION. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNTIL COUNTERSIGNED BY THE ARCHITECT. DRAWINGS ARE NOT TO BE SCALED.						
DRAWN BY MIB	PROJECT ADDRESS GARAGE AND POOL HOUSE 79 MARKLAND ST. HAMILTON, ON	<table border="1"> <tr> <td>No.</td> <td>Date</td> <td>ISSUED FOR BUILDING PERMIT</td> </tr> <tr> <td>1</td> <td>NOV. - / -</td> <td></td> </tr> </table>			No.	Date	ISSUED FOR BUILDING PERMIT	1
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SCALE 1 : 125								
DATE APR 11 /22								
PROJECT NO. 23-03								

214
215

P.I.N. 17172--0036 (LT)

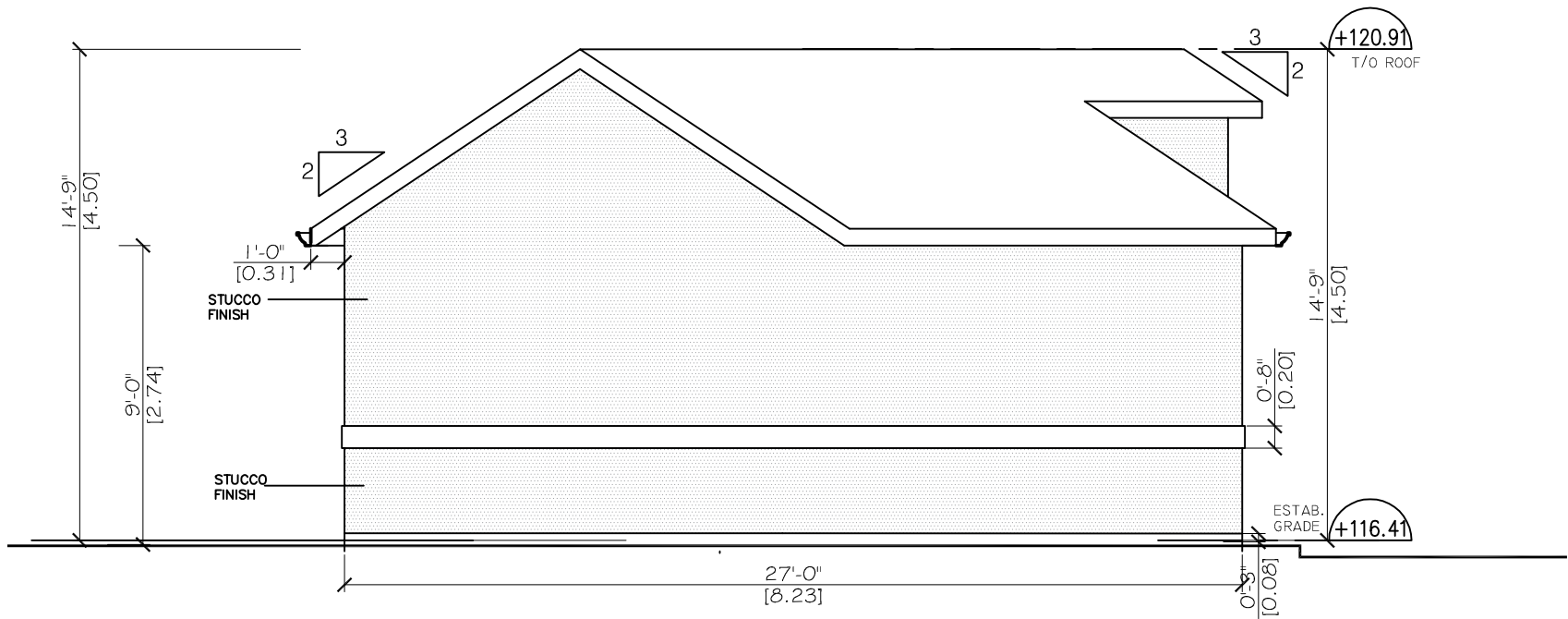


1 GARAGE FLOOR PLAN
 A3 SCALE: 1/16" : 1'



2 WEST GARAGE ELEVATION
 A3 SCALE: 1/16" : 1'

DRAWING NO. A4	DRAWING TITLE PROPOSED GARAGE	CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS ON SITE. ALL DRAWINGS ARE THE PROPERTY OF THE ARCHITECT AND MAY NOT BE USED WITHOUT HIS PERMISSION. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNTIL COUNTERSIGNED BY THE ARCHITECT. DRAWINGS ARE NOT TO BE SCALED.							
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SCALE 3/16" : 1'									
DATE APR 05 /23									
PROJECT NO. 23-03									



1 EAST GARAGE ELEVATION
 A4 SCALE: 1/16" :1'

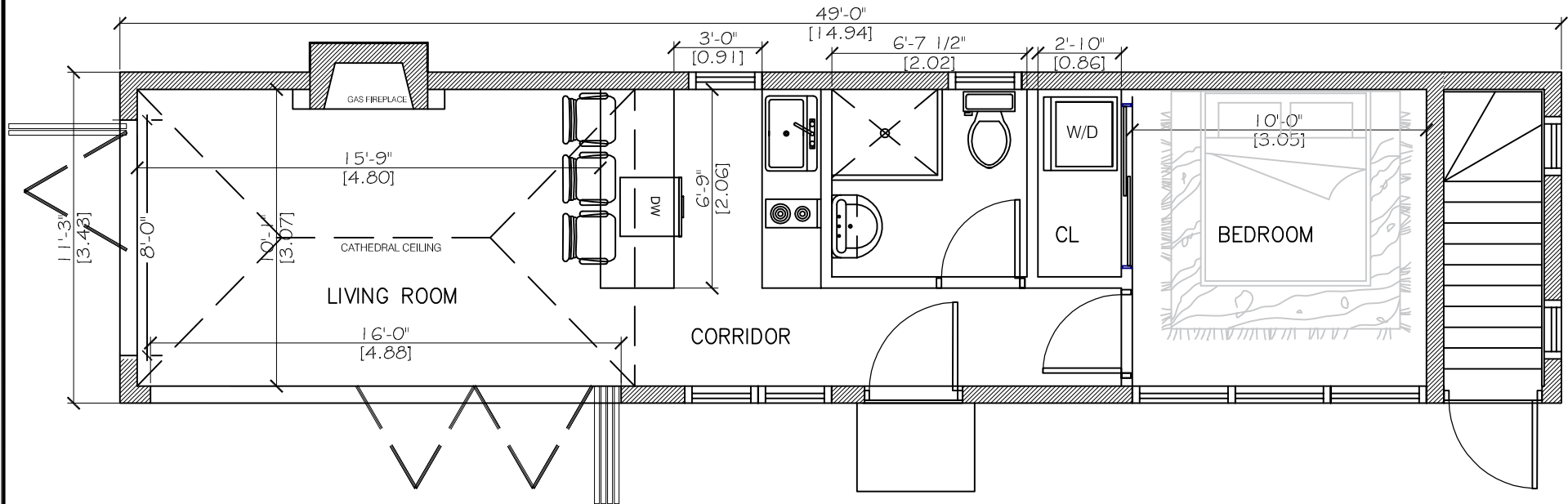


2 NORTH GARAGE ELEVATION
 A4 SCALE: 1/16" :1'

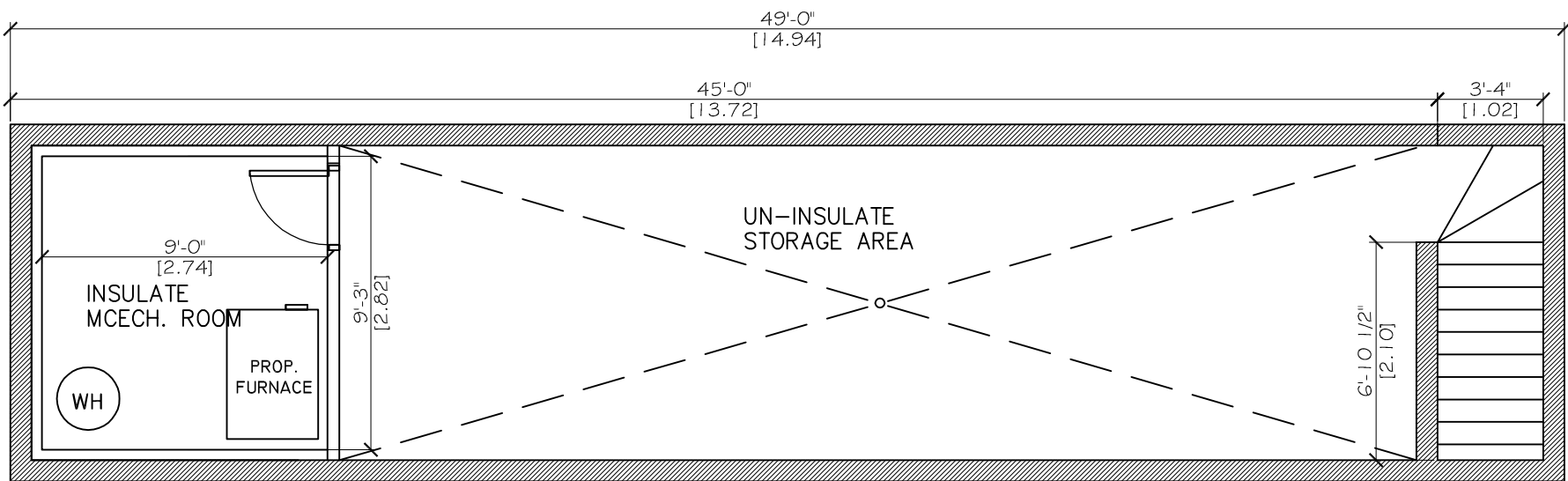


3 SOUTH GARAGE ELEVATION
 A4 SCALE: 1/16" :1'

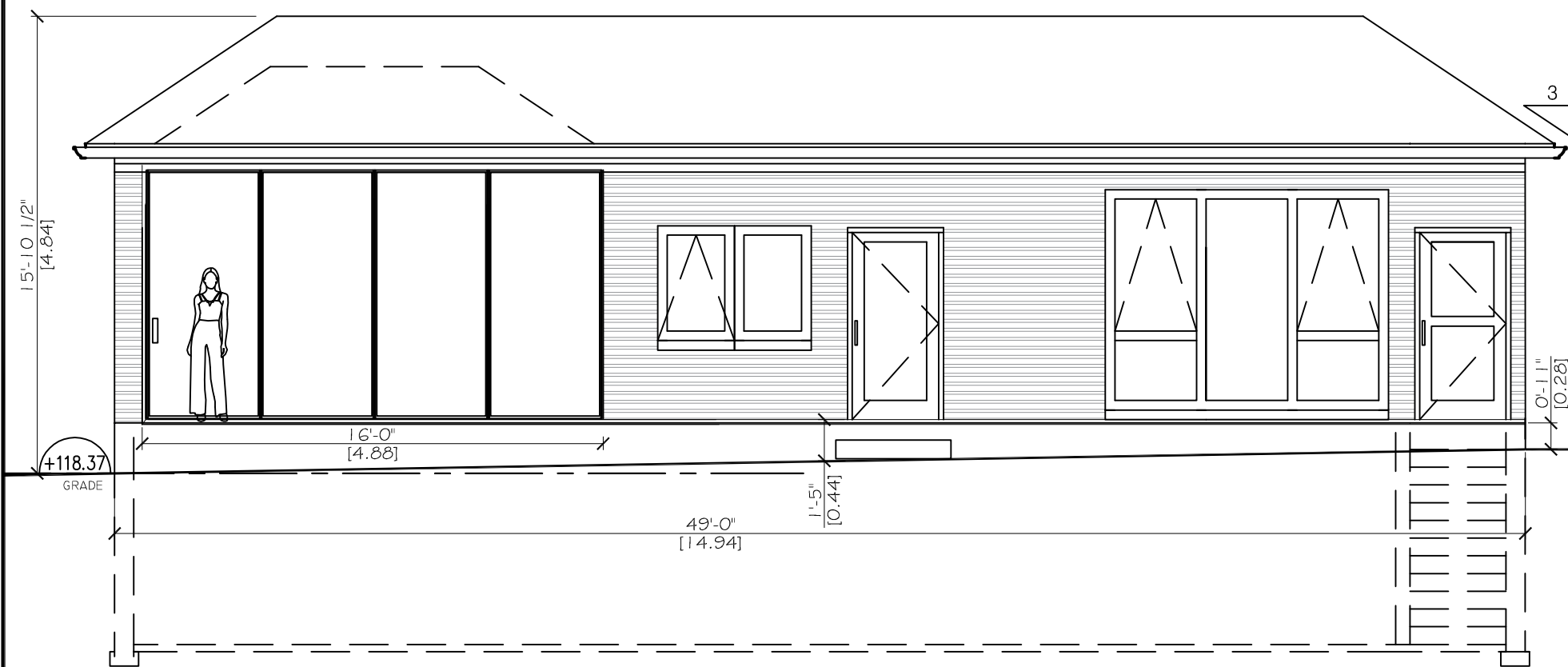
DRAWING NO. A5	DRAWING TITLE PROPOSED GARAGE	<small>CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS ON SITE. ALL DRAWINGS ARE THE PROPERTY OF THE ARCHITECT AND MAY NOT BE USED WITHOUT HIS PERMISSION. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNTIL COUNTERSIGNED BY THE ARCHITECT. DRAWINGS ARE NOT TO BE SCALED.</small>							
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SCALE 3/16" : 1'									
DATE APR 05 /23									
PROJECT NO. 22-03									



1 GROUND FLOOR PLAN
A7 SCALE: 1/16" : 1'

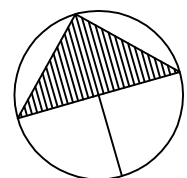


2 BASEMENT FLOOR PLAN
A7 SCALE: 1/16" : 1'

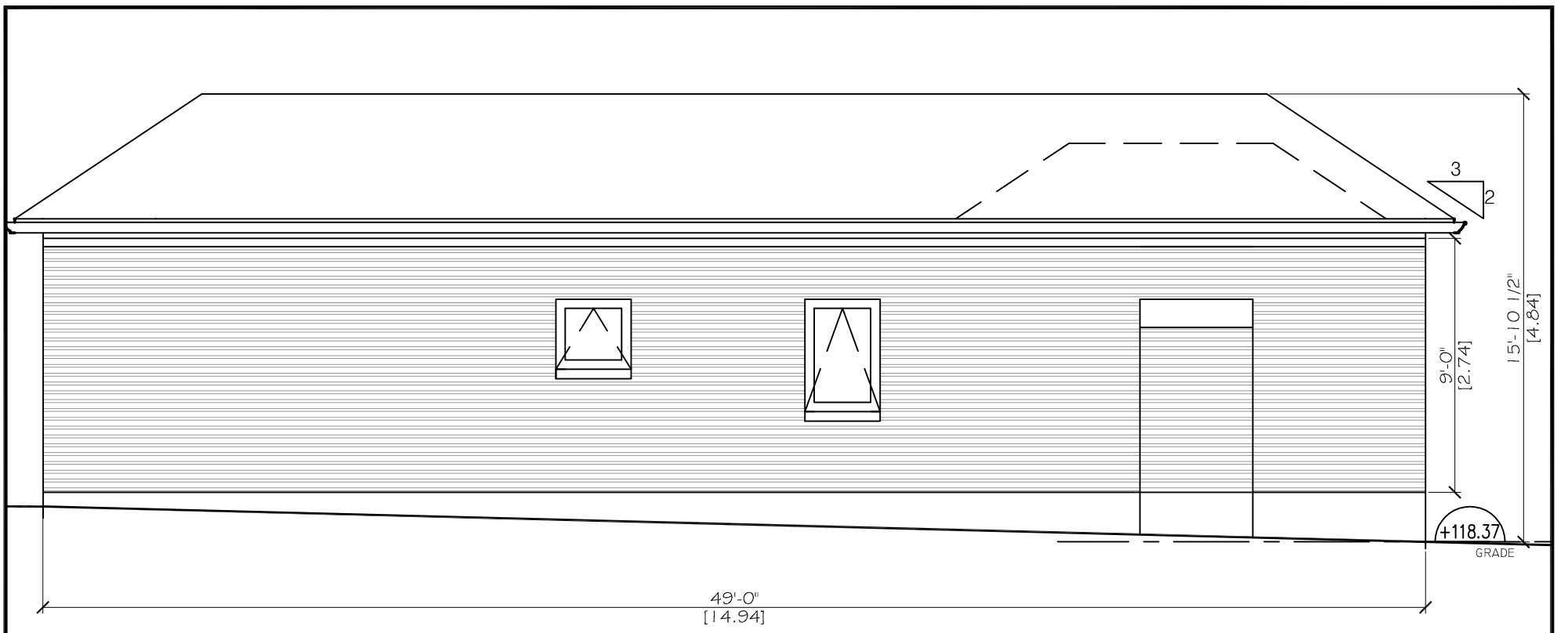


3 WEST POOL HOUSE ELEVATION
A7 SCALE: 1/16" : 1'

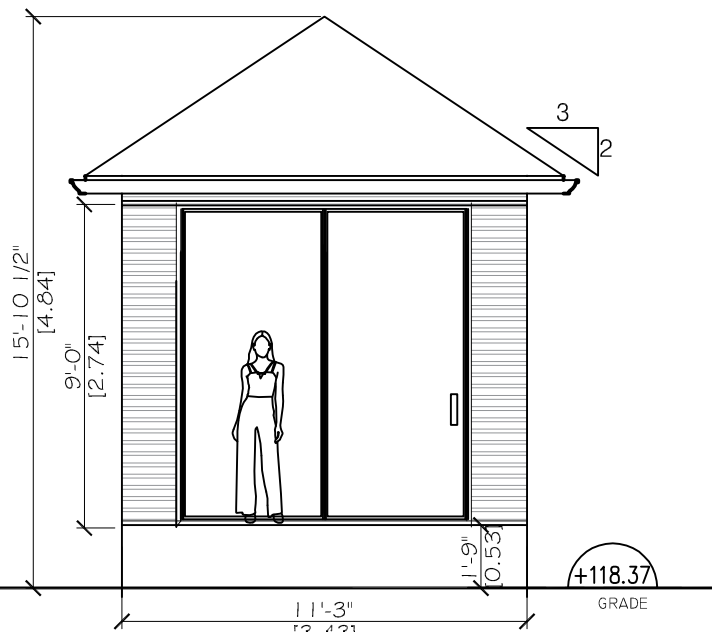
CONSTRUCTION NORTH



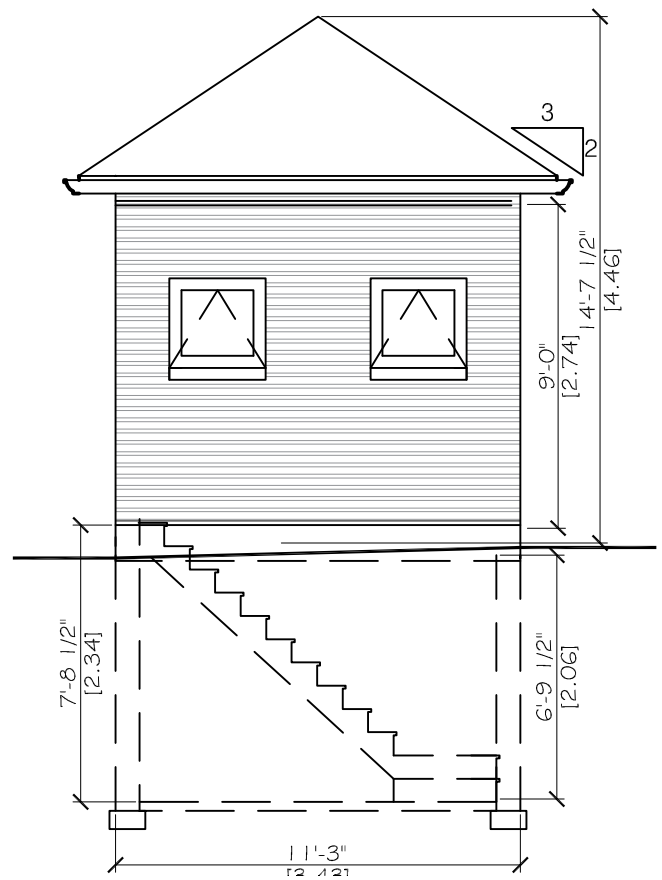
DRAWING NO. A6	DRAWING TITLE PROPOSED POOL PLANS AND ELEVATION	CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS ON SITE. ALL DRAWINGS ARE THE PROPERTY OF THE ARCHITECT AND MAY NOT BE USED WITHOUT HIS PERMISSION. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNTIL COUNTERSIGNED BY THE ARCHITECT. DRAWINGS ARE NOT TO BE SCALED.							
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1 EAST POOL HOUSE ELEVATION
A9 SCALE: 1/16" : 1'



2 NORTH POOL HOUSE ELEVATION
A9 SCALE: 1/16" : 1'



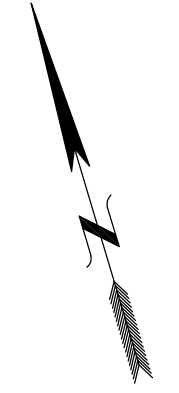
3 SOUTH POOL HOUSE ELEVATION
A9 SCALE: 1/16" : 1'

DRAWING NO. A7	DRAWING TITLE PROPOSED POOL HOUSE	CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS ON SITE. ALL DRAWINGS ARE THE PROPERTY OF THE ARCHITECT AND MAY NOT BE USED WITHOUT HIS PERMISSION. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNTIL COUNTERSIGNED BY THE ARCHITECT. DRAWINGS ARE NOT TO BE SCALED.						
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1	NOV. - / -	ISSUED FOR BUILDING PERMIT						
SCALE 3/16" : 1'								
DATE APR 05 /23								
PROJECT NO. 22-03				1048 BROADVIEW AVENUE UNIT 604 TORONTO ONTARIO M2N 0B9 TEL (416) 579-1791 FAX (416) 630-5714				

MARKLAND STREET

(DEDICATED BY REGISTERED PLAN 1270)
P.L.N. 17172-0142 (LT)

TOPOGRAPHIC SURVEY OF
PART OF LOT 211
REGISTERED PLAN 1270
CITY OF HAMILTON



SCALE 1 : 200



ALEX MARTON LTD.
ONTARIO LAND SURVEYORS

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THE REPRODUCTION, ALTERATION OR USE OF THIS REPORT,
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ALEX MARTON LTD. IS STRICTLY PROHIBITED.

METRIC

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

BENCHMARK NOTE

ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE REFERRED
TO THE CITY OF HAMILTON BENCHMARK No.115
HAVING AN ELEVATION OF 106.813 METRES.
LOCATED ON NUMBER 181 HERKIMER STREET, AT SOUTHWEST CORNER OF QUEEN
STREET SOUTH, PLATE IN EAST BRICK WALL NEAR NORTHEAST CORNER.

LEGEND

Symbol	Denotes	Description
MH	"	MANHOLE
CB	"	CATCH BASIN
WV	"	WATER VALVE
GM	"	GAS METER
SWI	"	INTERLOCKING PAVEMENT
UP	"	UTILITY POLE
DS	"	DOOR SILL
CR	"	CENTERLINE
HM	"	HYDRO METER
O/H	"	OVERHEAD
RWS	"	STONE RETAINING WALL
BF	"	BOARD FENCE
⊙	"	DECIDUOUS TREE
★	"	CONIFEROUS TREE

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
THE FIELD OBSERVATIONS REPRESENTED ON THIS PLAN
WERE COMPLETED ON THE 11TH DAY OF MARCH, 2021.

APRIL 5, 2021
DATE

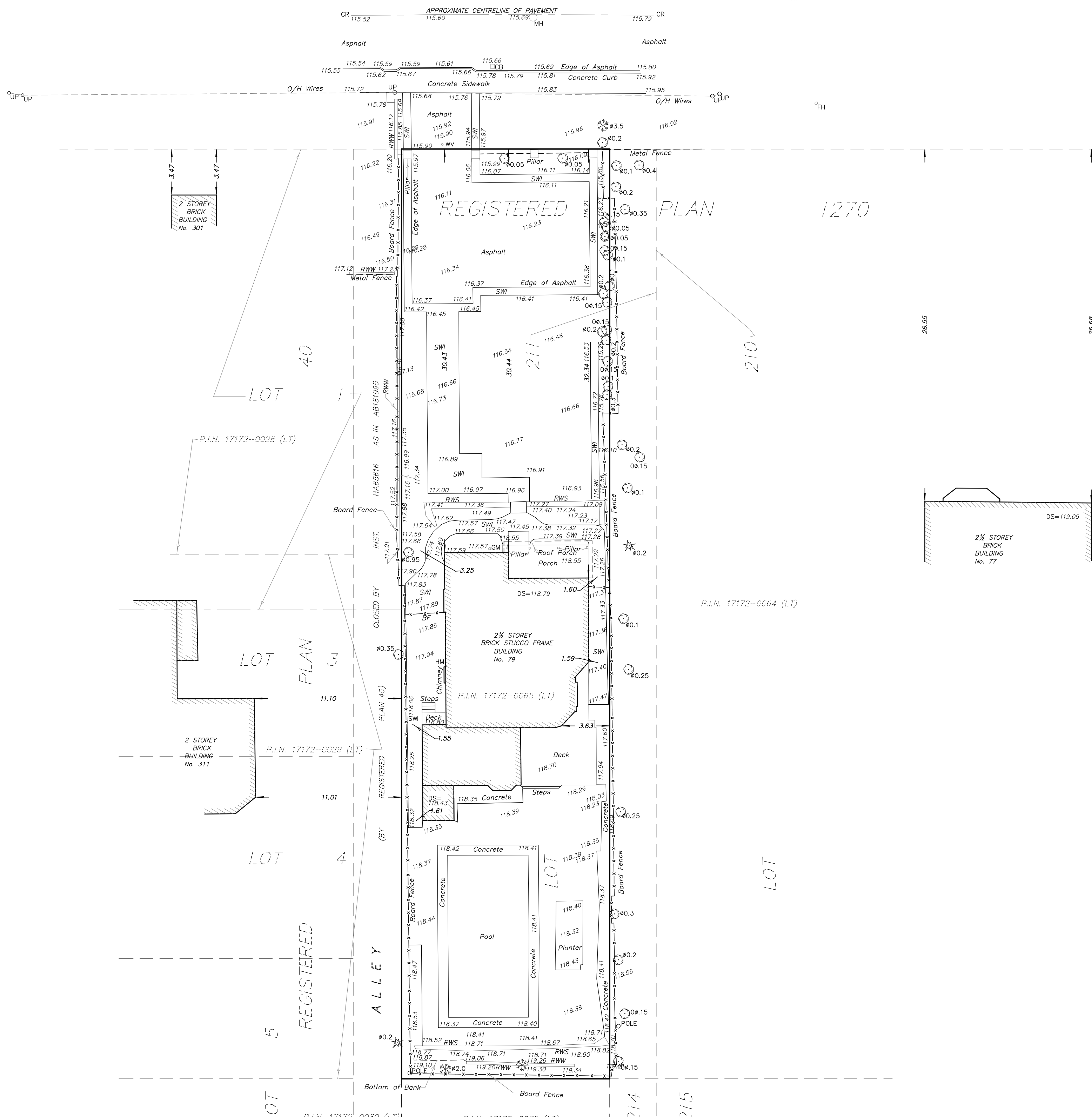
Alex Marton
ALEX MARTON
ONTARIO LAND SURVEYOR

CAUTION

THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE
USED FOR MORTGAGE OR TRANSACTION PURPOSES.

ALEX MARTON LIMITED
ONTARIO LAND SURVEYORS
160 APPLEWOOD CRESCENT, UNIT 8,
CONCORD, ONTARIO, L4K 4H2
PHONE: 905-879-9889 FAX: 905-879-0770
E-MAIL: alex@amsurveying.ca
WEBSITE: www.amsurveying.ca

PARTY CHIEF: F.V.W.	FILE NAME: 2021-100.DWG
DRAWN : A.K.	PLOT SCALE: 1:200
CHECKED : A.M.	PROJECT No. 2021-100

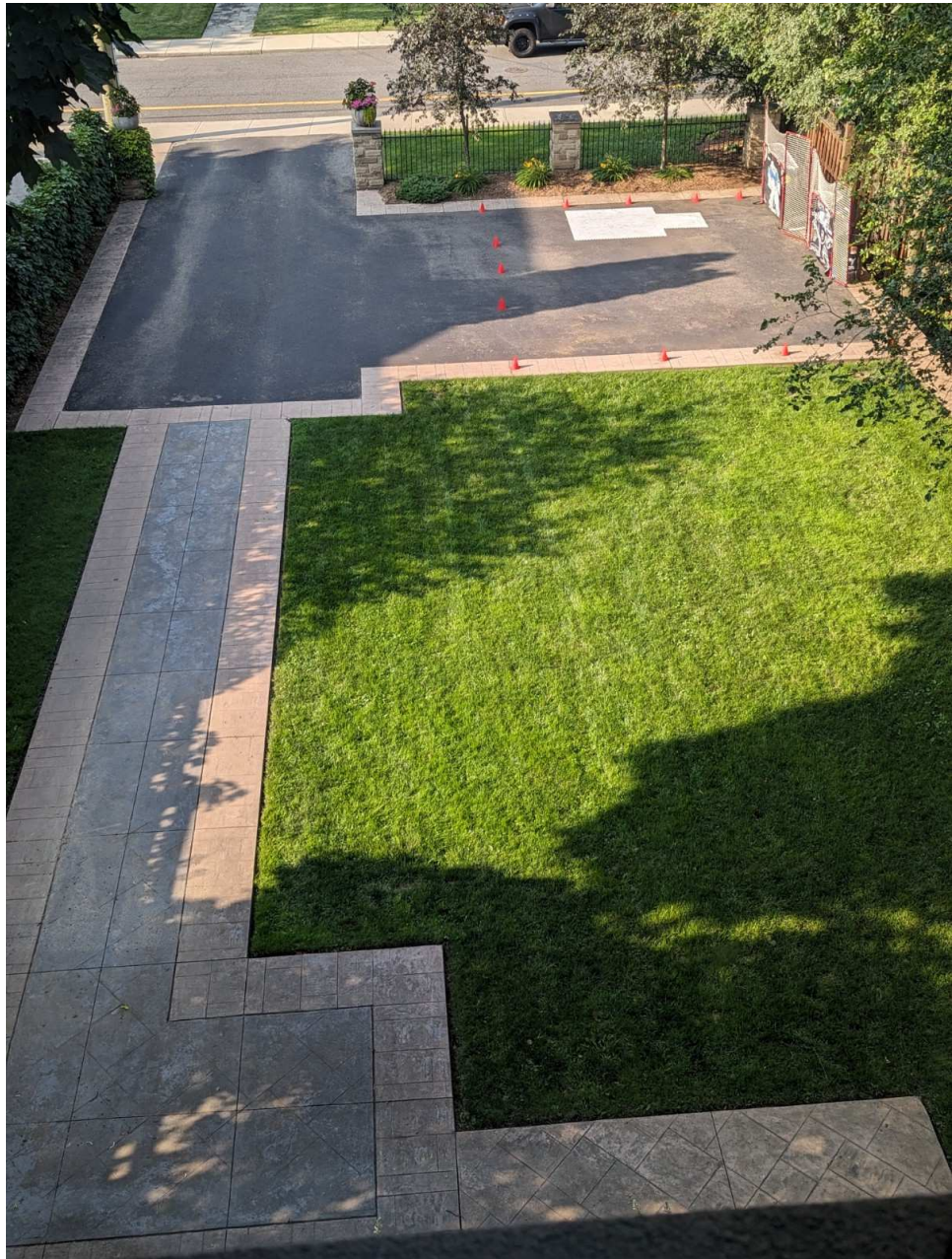




**MICHAEL I. BAYTMAN
ARCHITECT**



79 Markland Street Garage Proposal Site Study



**MICHAEL I. BAYTMAN
ARCHITECT**



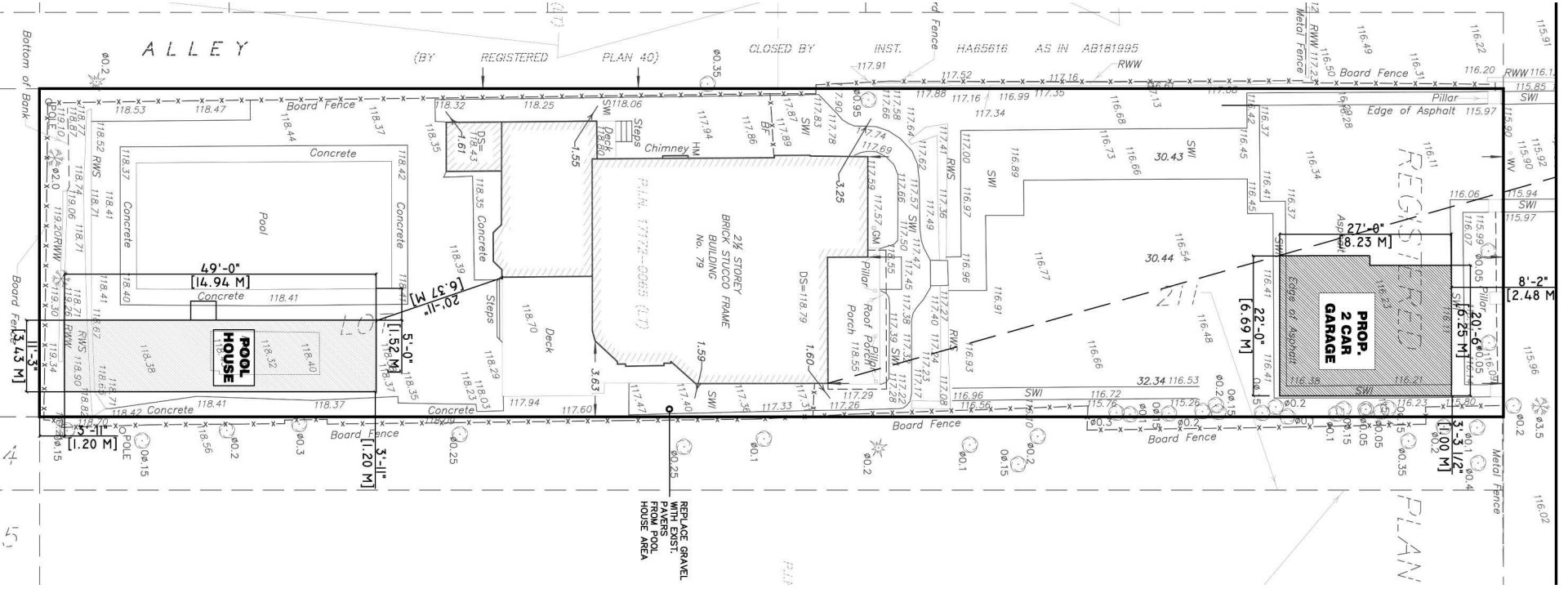
ALLEY

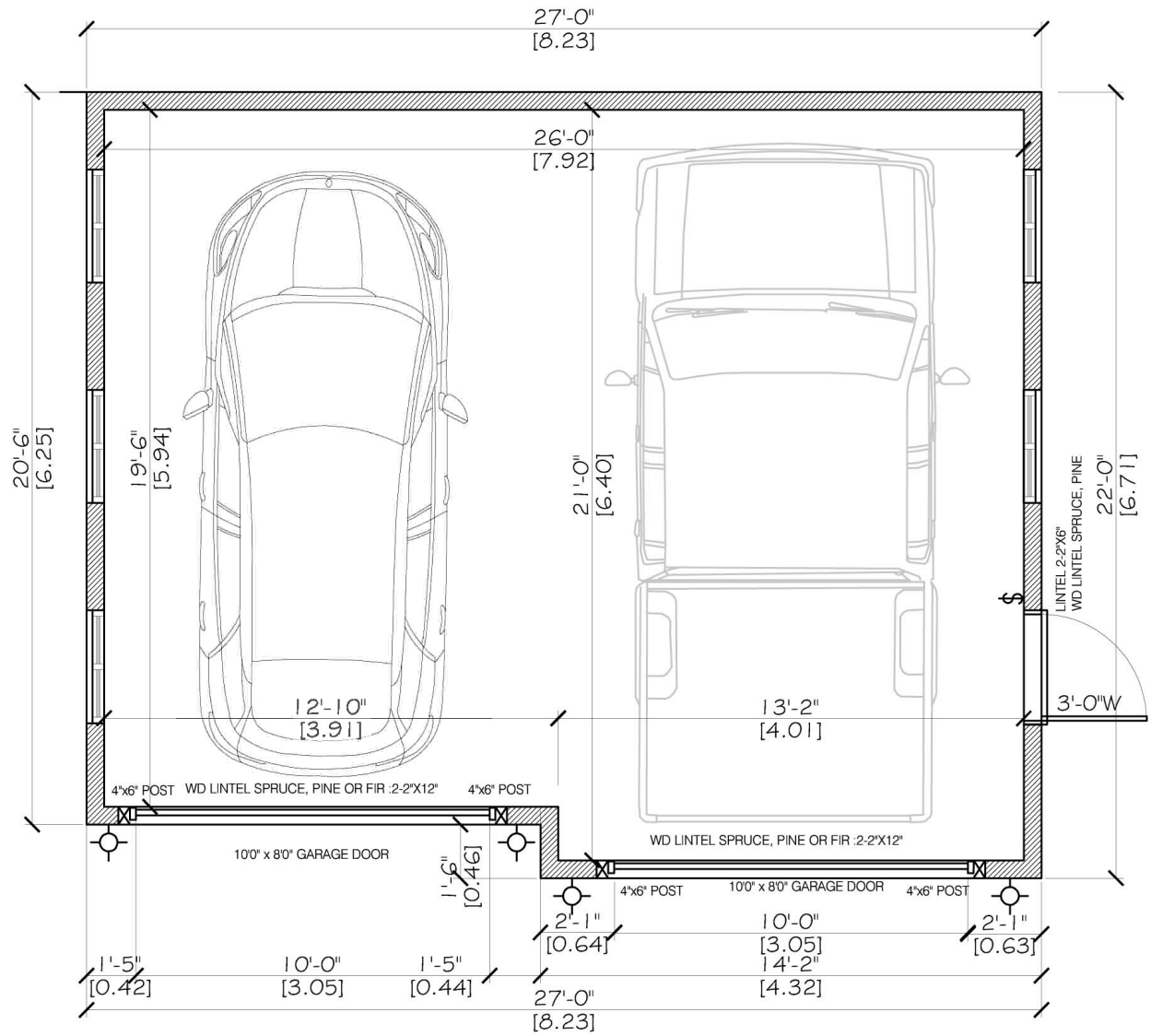
2 1/2 STOREY
BRICK STUCCO FRAME
BUILDING
No. 79

PROP.
2 CAR
GARAGE

REPLACE GRAVEL
WITH EXIST.
PAVERS FOR
POOL
HOUSE AREA

MICHAEL I. BAYTMAN
ARCHITECT





**MICHAEL I. BAYTMAN
ARCHITECT**





**MICHAEL I. BAYTMAN
ARCHITECT**





**MICHAEL I. BAYTMAN
ARCHITECT**





**MICHAEL I. BAYTMAN
ARCHITECT**





**MICHAEL I. BAYTMAN
ARCHITECT**





**MICHAEL I. BAYTMAN
ARCHITECT**





**MICHAEL I. BAYTMAN
ARCHITECT**





**MICHAEL I. BAYTMAN
ARCHITECT**





**MICHAEL I. BAYTMAN
ARCHITECT**





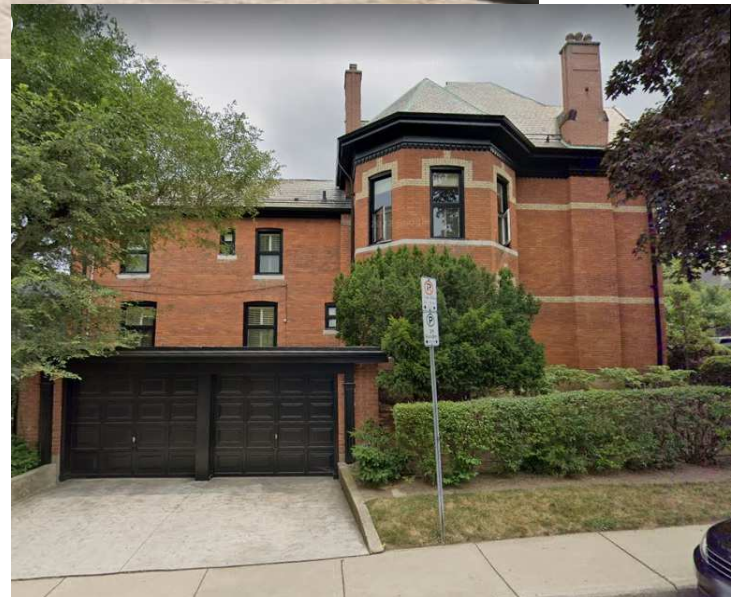
**MICHAEL I. BAYTMAN
ARCHITECT**





**MICHAEL I. BAYTMAN
ARCHITECT**





**MICHAEL I. BAYTMAN
ARCHITECT**





**MICHAEL I. BAYTMAN
ARCHITECT**





**MICHAEL I. BAYTMAN
ARCHITECT**





**MICHAEL I. BAYTMAN
ARCHITECT**





**MICHAEL I. BAYTMAN
ARCHITECT**





Ultra-Grain® eliminates the ongoing maintenance and staining requirements of real wood doors. They won't rot, warp, crack or shrink. The paint system carries a Limited Lifetime Warranty. Ultra-Grain® is available on two of Clopay's most energy-efficient insulated steel garage door models in a variety of styles and colours to fit your home style and budget.

These doors are ideal for Southern

Ontario's harsh weather conditions. With R-values up to 18.4, the doors are built to provide year-round comfort, long-lasting beauty, durability and quiet operation.

For more details about these and other garage doors please drop by our showroom, give us a call or fill out the contact form.

**MICHAEL I. BAYTMAN
ARCHITECT**



Recessed panel steel insulated shaker style Carriage House garage doors, Dark Grey colour



Carriage House Garage Doors With Overlay

A vintage look with more Craftsman style workmanship

Steel doors fashioned to resemble the elegant wood designs of traditional carriage house doors. Notice the additional layered accents in the photos.



**MICHAEL I. BAYTMAN
ARCHITECT**



Fixed windows to match window material of the house

ROUSSEL EAVESTROUGH

6" Half Round Aluminum



MICHAEL I. BAYTMAN
ARCHITECT



Half round seamless eavestrough and round
downspouts



**MICHAEL I. BAYTMAN
ARCHITECT**



**GAF Timberline Armorshield II 33.33-sq ft Asphalt
Charcoal Laminated Architectural Roof Shingles**



Mailing Address:
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Planning and Economic Development Department
Planning Division
71 Main Street West, 4th Floor, Hamilton, Ontario, L8P 4Y5
Phone: 905-546-2424 ext. 1202

November 21, 2023

FILE: HP2023-041

Chris and Jennifer Cavacuiti
79 Markland Street
Hamilton, ON L8P 3J7

Re: Notice of Council Decision for Heritage Permit Application HP2023-041 for 79 Markland Street, Hamilton (Ward 2), Durand-Markland Heritage Conservation District, Designated under Part V of the *Ontario Heritage Act* (By-law No. 94-184)

Please be advised that Council, at its meeting of November 8, 2023, made the following decision as part of Planning Committee Report 23-018, Item 5(e):

- “(i) That Heritage Permit Application HP2023-041, for the erection of a front detached accessory structure on the designated property at 79 Markland Street, Hamilton (Durand-Markland Heritage Conservation District), as shown in Appendix “A” attached to Report PED23223, be approved, subject to the approval of any required Planning Act applications and the following Heritage Permit conditions:
- (1) That the final details for the proposed stucco be submitted to the satisfaction and approval of the Director of Planning and Chief Planner, prior to installation;
 - (2) That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;
 - (3) That construction and site alterations, in accordance with this approval, shall be completed no later than November 30, 2025. If the construction and site alterations are not completed by November 30, 2025, then this approval expires as of that date, and no alterations shall be undertaken without a new approval issued by the City of Hamilton.”

Re: Notice of Council Decision for Heritage Permit November 21, 2023
Application HP2023-041 for 79 Markland Street, Page 2 of 2
Hamilton (Ward 2), Durand-Markland Heritage
Conservation District, Designated under Part V of the
***Ontario Heritage Act* (By-law No. 94-184)**

Please note that this property is designated under Part V of the *Ontario Heritage Act*, and that this permit is only for the above-noted alterations. Any departure from the approved plans and specifications is prohibited, and could result in penalties, as provided for by the *Ontario Heritage Act*. The terms and conditions of this approval may be appealed to the Ontario Land Tribunal within 30 days of your receipt of this permit.

The issuance of this permit under the *Ontario Heritage Act* is not a waiver of any of the provisions of any By-law of the City of Hamilton, the requirements of the *Building Code Act*, the *Planning Act*, or any other applicable legislation.

If you have any further questions, please feel free to contact myself at 905-546-2424 ext. 1202 or via email at Alissa.Golden@hamilton.ca.

Yours truly,



Alissa Golden
Program Lead, Cultural Heritage

cc: Chantal Costa, Plan Examination Secretary
Aleah Whalen, Legislative Coordinator
Councillor Cameron Kroetsch, Ward 2

December 12th, 2023

Dear Hamilton City Staff

I live at 301 Bay St. S and share a property line with Chris and Jenn Cavacuti at 79 Markland St. S. This letter is to confirm that Chris and Jenn have informed me of their proposal to construct a 2-car garage on their property.

I am writing this letter to confirm that I am in support of this proposal.

Sincerely,

Ardyth Brott, LL.B.
301 Bay St. S
(905) 317-3568

Nov 27, 2023

Dear Hamilton City Staff

We live at 311 Bay St South, and we share our property line with Chris and Jenn at 79 Markland Street. This letter is to confirm that Chris and Jenn have shown us their proposal for constructing a 2-car garage and a pool house.

We are writing this letter to confirm that we do not object to these proposals.

Sincerely,

James Stennett and Keyna Bracken
311 Bay Street South, Hamilton, L8P3J7

July 7, 2023

Dear Hamilton, Municipal Heritage Committee

My wife and I live directly across the street from Chris and Jenn (79 Markland St)

This letter is to confirm that Chris and Jenn have shown us their proposal for constructing a 2-car garage and that we are in support of this proposal.

Chris and Jenn have 2 cars and a truck. The proposed garage would improve the external aesthetic of their home as it would allow them to park two of their vehicles in a garage rather than the driveway.

If you have any questions or concerns, we can be reached at:

hcaughey@cogeco.ca

C: (905) 527-8514

Best Regards,

Hugh Caughey



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)	Chris Cavacuiti	
Applicant(s)	Michael Baytman	
Agent or Solicitor		

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	79 Markland Street, Hamilton', ON L8P 3J7		
Assessment Roll Number			
Former Municipality			
Lot	211	Concession	
Registered Plan Number	1270	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:

Proposed freestanding 2-car garage in the front yard and Pool House in the backyard.
The Heritage Department already issued a permit for this project.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

Other than the front yard, there are no other options for the garage's location. Due to location and size of the existing pool very few Pool House configuration options remain, and all will requires similar variances. To match the existing home a higher pitch roof is required witch results in an increased height

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
15.69m	70.07m	1,098.9m sq	20.2m

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 detached house	30.43m	19.47m	1.55 and 1.59	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
2 car garage	2.48m	59.36m	1.0m and 7.98m	
Pool House	53.94m	1.2m	1.2m and 11.05m	

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 detached house	165.7m sq	321.8m sq	2.5	approx 12m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
2 car garage	68.1m sq	68.1m sq	1	4.5m
Pool House	51.2m sq	51.2m sq	1	4.84m

- 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 dwellings

7 HISTORY OF THE SUBJECT LAND

- 7.1 Date of acquisition of subject lands:
- Jun 30, 2022
- 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 Construction
- 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.
- Existing complying use
- 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):

Variance 1

No accessory building shall exceed 4.0 meters in height.

Proposed Garage will be 4.5m and Proposed Pool House will be 4.8m

Variance 2

Accessory building over 4.0 meters in height shall be 3m from property line.

Proposed Garage will be located 1.0 meter from the side lot line and Proposed Pool house 1.2 meters from the side and rear lot line

Variance 3

No accessory building shall be erected in a front yard or required side yard.

Proposed 2 Car Garage will be located within the front yard

Variance 4

Parking space must not less than 2.7 metres wide and 6.0 metres long. One of the two proposed spaces will be 3.91m x 5.94m

Variance 5

Only one parking spaces is permitted in the front yard,

Proposed 2 parking spaces in the front yard.

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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