

## **NOTICE OF PUBLIC HEARING** **Minor Variance**

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**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
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**APPLICATION NO.:** FL/A-21:169

**APPLICANTS:** Owner Murray Hall

**SUBJECT PROPERTY:** Municipal address **98 Flamboro St., Flamborough**

**ZONING BY-LAW:** Zoning By-law 90-145-Z, as Amended

**ZONING:** "R1" (Urban Residential (Single Detached) Zone

**PROPOSAL:** To permit the construction an attached garage addition comprising 44.6 square metres of gross floor area for an 88 square metre single detached dwelling, notwithstanding that:

1. The minimum exterior yard shall be 0 metres instead of the minimum required 7.5 metres.

**NOTES:**

1. The variance was written as requested by the applicant.
2. The existing building is identified in the City of Hamilton's Heritage Inventory.
3. The property s a corner lot with frontage along Flamboro Street. The flankage lot line (exterior side lot line) is along Nancy Street.
4. Flamborough Zoning By-law 90-145-Z requires the provision of one (1) parking space with minimum dimensions of 2.6m x 5.8m for a single detached dwelling. The applicant's site plan does not identify parking spaces. In addition, the Zoning By-law does not permit the required parking space for a single detached dwelling to be located within the required front yard. Therefore, the required parking space (i.e. 1 parking space) shall be located within the proposed attached garage. It is further noted that the proposed attached garage would be of suitable size to accommodate one or two parking spaces.

This application will be heard by the Committee as shown below:

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**DATE:** Thursday, June 3rd, 2021  
**TIME:** 2:05 p.m.  
**PLACE:** Via video link or call in (see attached sheet for details)  
To be streamed at  
[www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

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## **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 or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

## **MORE INFORMATION**

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: May 18th, 2021.

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

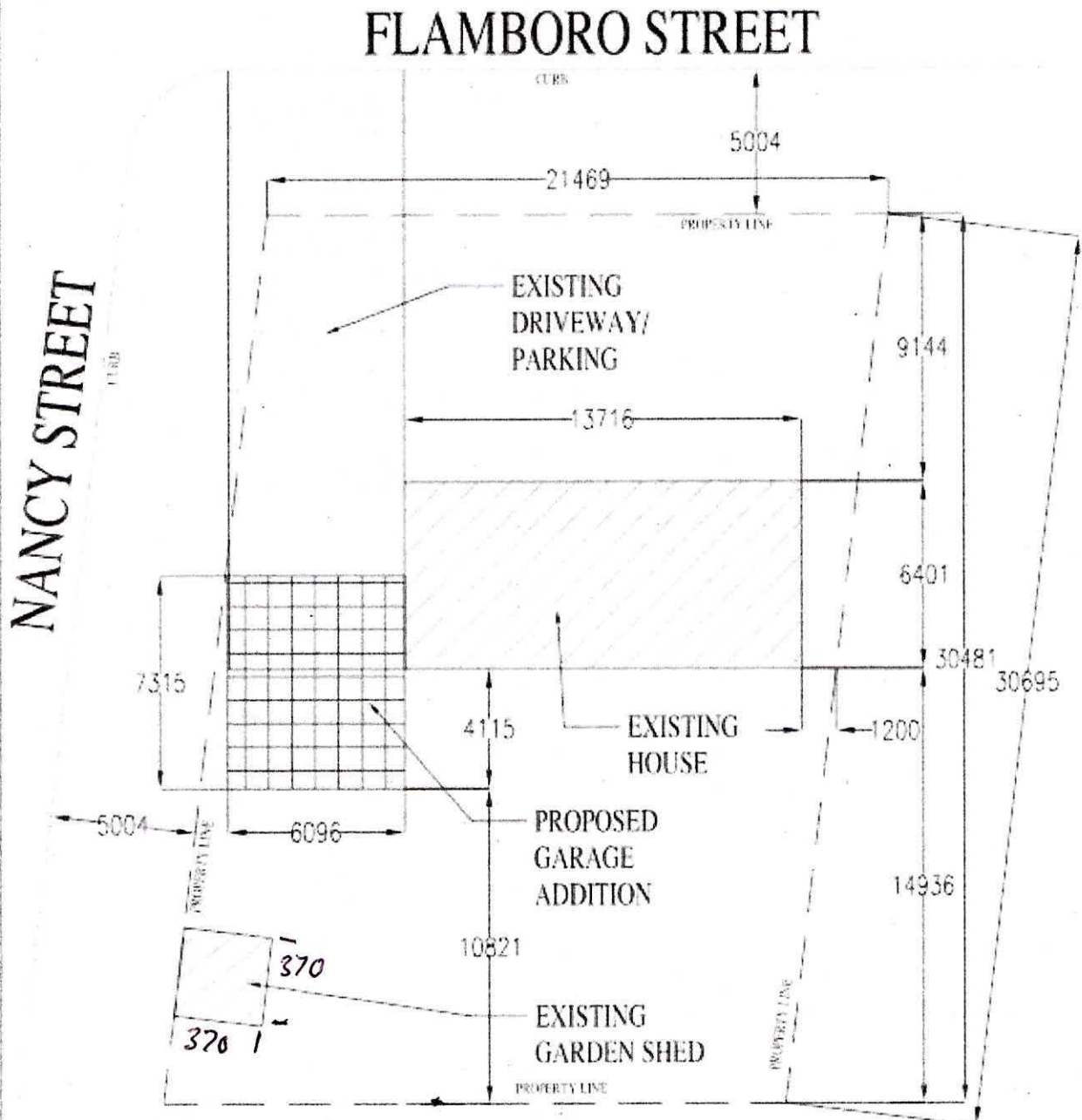
***Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.***

98 Flamboro Street  
Waterdown Ontario  
L0R2H0

PROPOSED VARIANCE

- PROPOSED 0m EXTERIOR SIDE YARD SETBACK

Lot Area = 65458 m<sup>2</sup>  
Current Building Area = 8858 m<sup>2</sup>  
PROPOSED BUILDING AREA = 132.6 sq. m.  
PROPOSED HEIGHT 5.9m MAX  
ZONED - RESIDENTIAL - R1



**PROPOSED SITE PLAN**

SCALE: 1:150



Hamilton

**Committee of Adjustment**

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

Phone: (905) 546-2424 ext. 4221

Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**APPLICATION FOR A MINOR VARIANCE**

FOR OFFICE USE ONLY.

APPLICATION NO. \_\_\_\_\_ DATE APPLICATION RECEIVED \_\_\_\_\_

PAID \_\_\_\_\_ DATE APPLICATION DEEMED COMPLETE \_\_\_\_\_

SECRETARY'S  
SIGNATURE \_\_\_\_\_

**The Planning Act**

**Application for Minor Variance or for Permission**

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

1, 2	NAME	ADDRESS	
Registered Owners(s)	MURRAY HALL		
Applicant(s)*	"		
Agent or Solicitor			E-mail: "
			Phone:
			E-mail:

**Note:** Unless otherwise requested all communications will be sent to the agent, if any.

3. Names and addresses of any mortgagees, holders of charges or other encumbrances:

NONE



Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

4. Nature and extent of relief applied for:

EXTERIOR SIDEYARD SETBACK REDUCTION TO 0m

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

EXISTING HOUSE LOCATION WILL NOT ALLOW A GARAGE TO BE BUILT.

6. Legal description and Address of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):

98 Flamboro St  
plan M9 Lot 4 corner 0.21AC 76.59FR 120.000  
PCL 4-1

7. PREVIOUS USE OF PROPERTY

Residential ☒ Industrial ☐ Commercial ☐

Agricultural ☐ Vacant ☐

Other \_\_\_\_\_

- 8.1 If Industrial or Commercial, specify use \_\_\_\_\_

- 8.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes ☐ No ☒ Unknown ☐

- 8.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes ☐ No ☒ Unknown ☐

- 8.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes ☐ No ☒ Unknown ☐

- 8.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes ☐ No ☐ Unknown ☒

- 8.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?

Yes ☐ No ☒ Unknown ☐

- 8.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes ☐ No ☒ Unknown ☐

- 8.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?

Yes ☐ No ☒ Unknown ☐

- 8.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?

Yes ☐ No ☒ Unknown ☐

- 8.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes ☐ No ☒ Unknown ☐

- 8.11 What information did you use to determine the answers to 9.1 to 9.10 above?

OWNER AND PREVIOUS OWNER KNOWLEDGE

- 8.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes ☐ No ☒

9. **ACKNOWLEDGEMENT CLAUSE**

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property identified in this Application – by reason of its approval to this Application.

March 22/2021

Date

Signature Property Owner

Murphy Hall  
Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>21.469 m</u>
Depth	<u>30.695 m</u>
Area	<u>654 sq. m.</u>
Width of street	<u>8.5 m</u>

11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: 88 sq. m. AREA, 1 STOREY, 13.7 x 6.4 m, 5.9 m TALL

Proposed

132.6 sq. m. AREA, 1 STOREY, 19.7 m x 10.5 m, 5.9 m TALL

12. Location of all buildings and structures on or proposed for the subject lands: (Specify distance from side, rear and front lot lines)

Existing:	<u>9.144 m FROM FRONT</u>	<u>1.2 m FROM INTERIOR SIDE YARD</u>
	<u>14.9 m FROM BACK</u>	<u>6 m FROM EXTERIOR SIDE YARD</u>

Proposed:

<u>9.144 m FROM FRONT</u>	<u>1.2 m FROM INTERIOR SIDE YARD</u>
<u>10.8 m FROM BACK</u>	<u>0 m FROM EXTERIOR SIDE YARD</u>

13. Date of acquisition of subject lands: May 03 / 2018
14. Date of construction of all buildings and structures on subject lands: \_\_\_\_\_
15. Existing uses of the subject property:  
RESIDENTIAL.
16. Existing uses of abutting properties:  
RESIDENTIAL.
17. Length of time the existing uses of the subject property have continued:  
UNKNOWN
18. Municipal services available: (check the appropriate space or spaces)
- |                |          |           |          |
|----------------|----------|-----------|----------|
| Water          | <u>✓</u> | Connected | <u>✓</u> |
| Sanitary Sewer | <u>✓</u> | Connected | <u>✓</u> |
| Storm Sewers   | <u>✓</u> |           |          |
19. Present Official Plan/Secondary Plan provisions applying to the land:  
NONE
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
NONE
21. Has the owner previously applied for relief in respect of the subject property?  
☐ Yes ☒ No  
If the answer is yes, describe briefly.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?  
☐ Yes ☒ No
23. Additional Information
24. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.