



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.:	A-24:57	SUBJECT PROPERTY:	3 Desjardins Court, 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: Allison Henderson & Dan Priljeva
Agent: Jenny Bogнар

The following variances are requested:

1. A Maximum Floor Area Ratio of 0.7604 (76.04%) shall be permitted instead of the Maximum Floor Area Ratio of 0.45 (45%);
2. A Maximum Height of 2 storeys and 9.34 metres shall be permitted instead of the Maximum Height of 2 storeys and 9.0 metres in height;
3. A Minimum of 2 Parking Spaces shall be permitted instead of the Minimum required 3 Parking Spaces for each Class A dwelling unit, for the first 8 habitable rooms in the dwelling unit plus 0.5 parking space for each additional habitable room.

PURPOSE & EFFECT: So as to permit an Addition to the Existing Single Family Dwelling notwithstanding that:

Notes:

- i) Please note, insufficient information has been provided to confirm the length of the proposed parking spaces. Be advised, there appears to be sufficient space to accommodate the Minimum Required length of 6.0 metres for a parking space, however dimensions have not been provided on the plans. As such, should parking spaces not conform to required Parking Standards under Section 18a (7), 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.

A-24:57

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

DATE:	Tuesday, April 23, 2024
TIME:	1:15 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

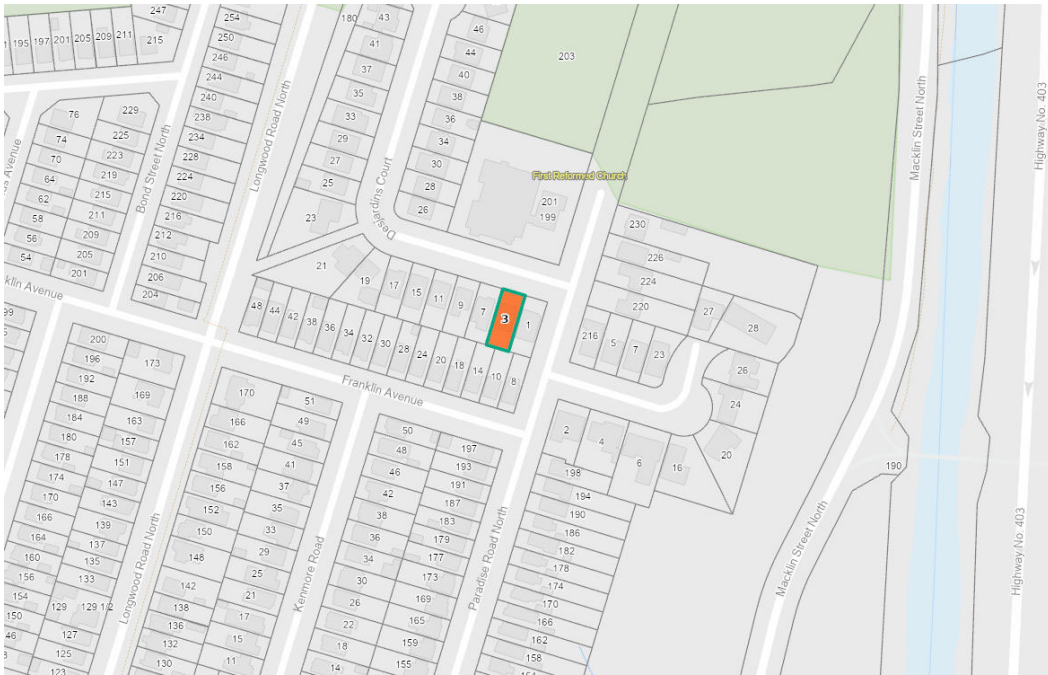
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. Written comments must be received no later than noon April 19, 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 A-24:57, 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: April 4, 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

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E-mail: cofa@hamilton.ca

IN-PERSON 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

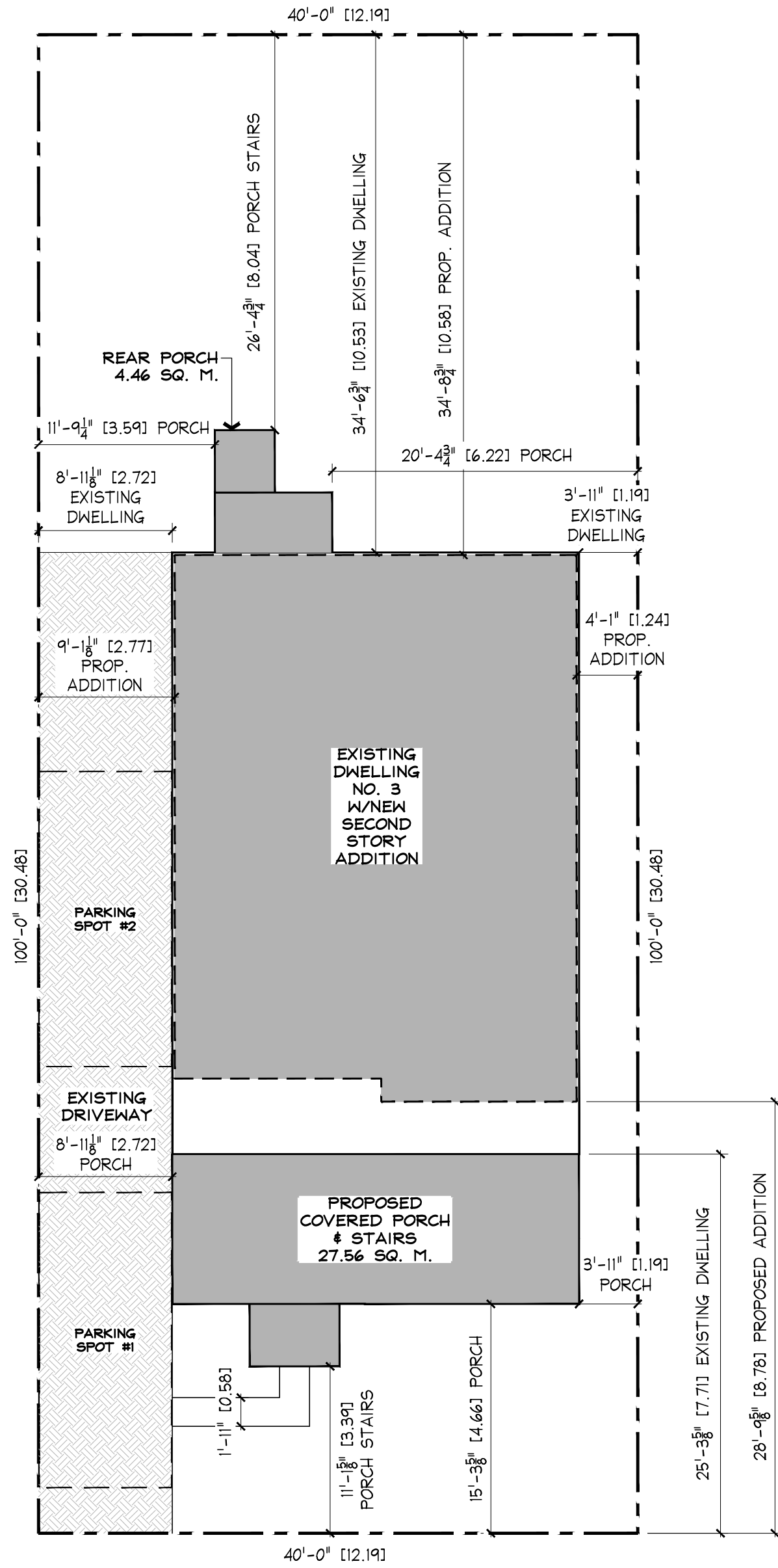
Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating in person at the Hearing.

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.

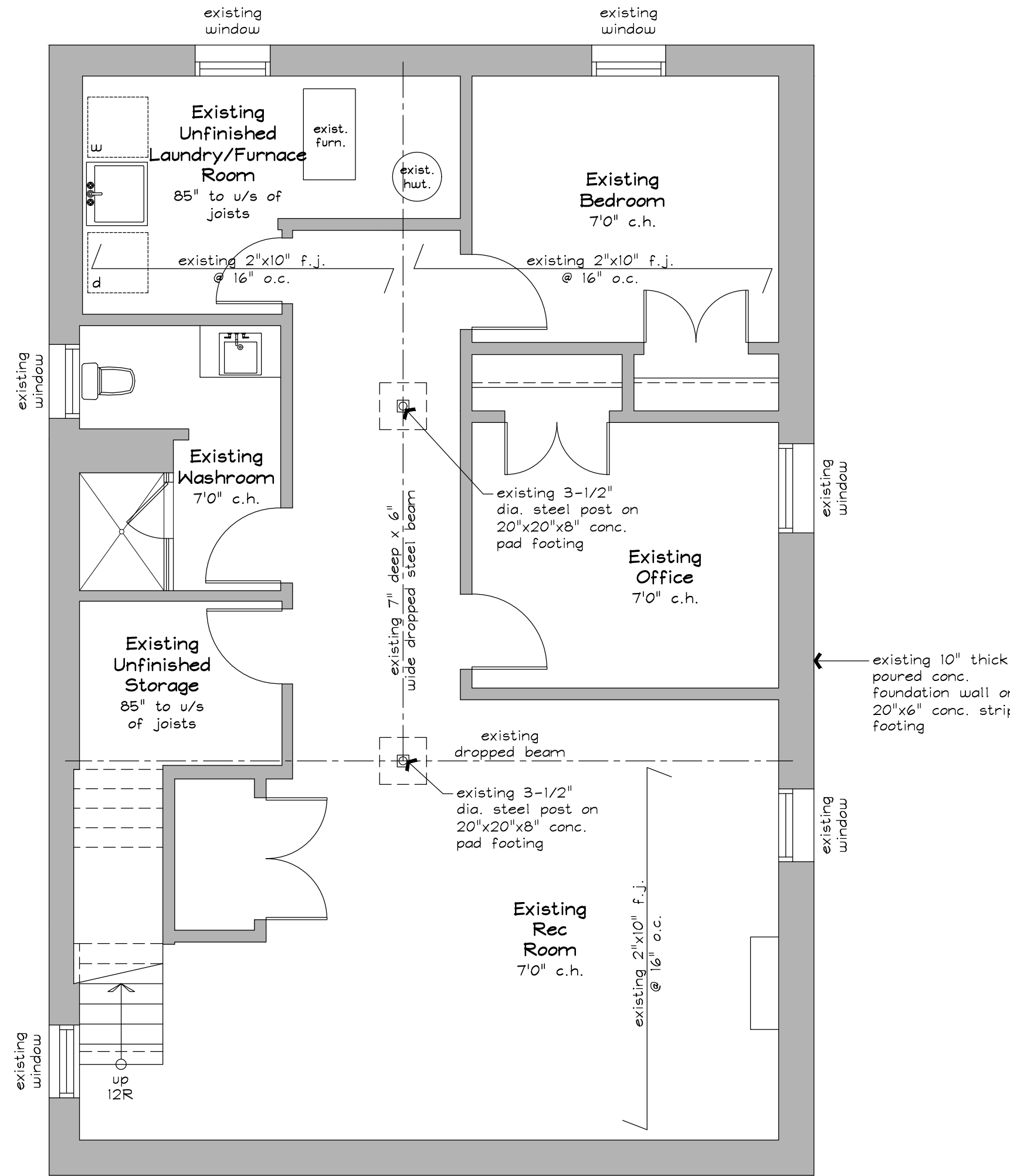
We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca



DESJARDINS COURT

LOT AREA: 4000.00 SQ. FT. (371.61 SQ. M.)
PROPOSED GFA: 3041.82 SQ. FT. (282.59 SQ. M.) = 76.04%
FRONT YARD AREA (MINUS FRONT PORCH & WALKWAY): 64.39 SQ. M.
AREA OF DRIVEWAY IN FRONT YARD: 20.93 SQ. M.
REMAINING LANDSCAPING AREA: 43.36 SQ. M. = 67.49%

1 SITE PLAN
A1 1:100



Existing Basement Floor Area 101.29 sq. m.
(minus Furnace/Laundry Area 8.54 sq. m.)
= 998.36 sq. ft. (92.75 sq. m.)

2 EXISTING BASEMENT PLAN
A1 1/4" = 1'-0"

THE HENDERSON-
PRILJEVA RESIDENCE
3 DESJARDINS COURT
HAMILTON, ON
L8S 3R7

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

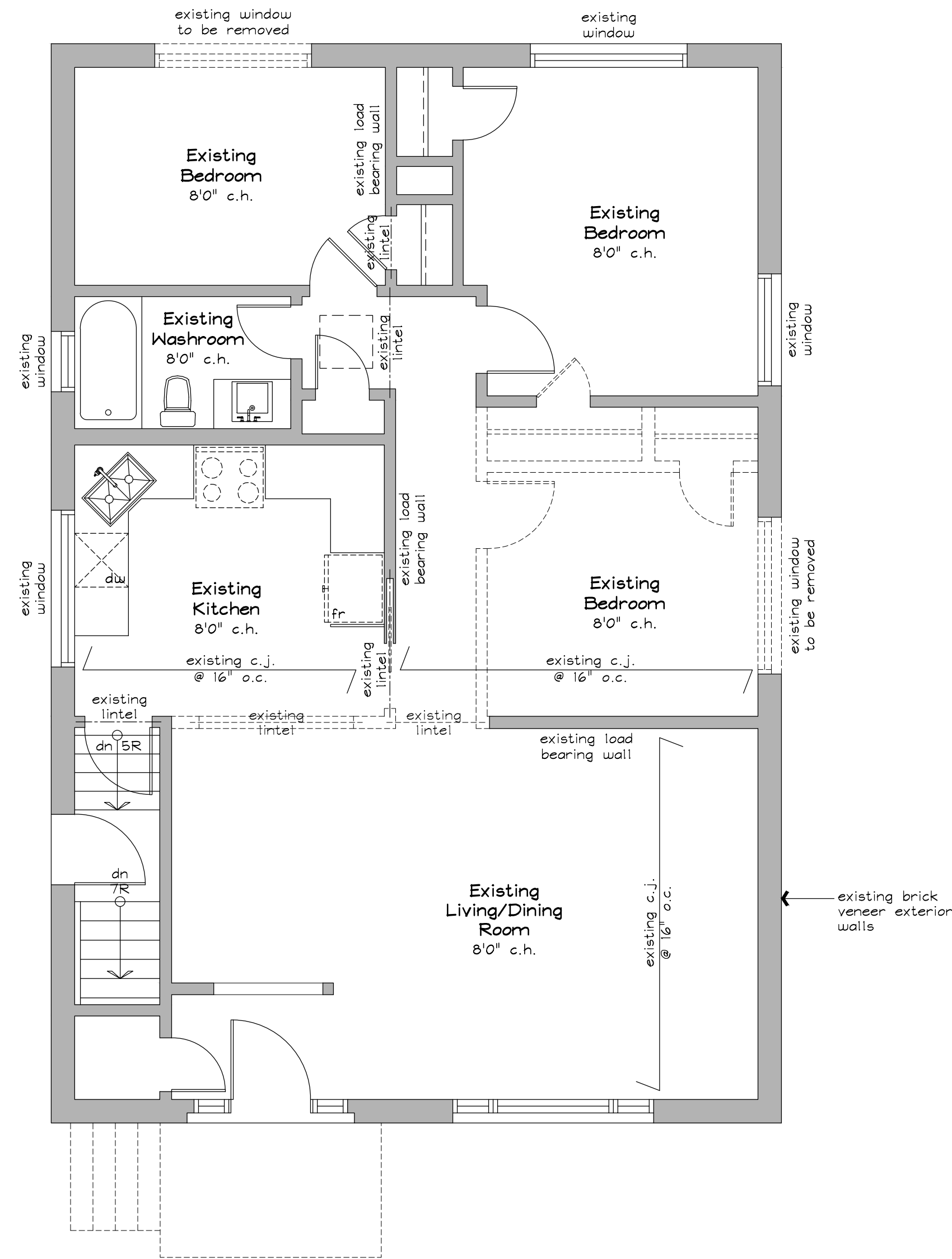
FOR C. OF A.
02.23.24 signature required
Jennifer Bognar reviews and takes responsibility for the
design work described in this document
firm bcin 103416 individual bcin 33001

DATE	ISSUE DESCRIPTION
10.11.23	ISSUED FOR REVIEW
10.22.23	ISSUED FOR REVIEW
10.26.24	ISSUED FOR REVIEW
02.23.24	ISSUED FOR REVIEW

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
REVISIONS MADE BY THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE
DESIGNER'S LIABILITY 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.
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TEMPORARY SUPPORTS TO MAINTAIN ALL EXISTING OR NEWER STRUCTURES AFFECTED BY THIS
WORK.
ALL DRAWINGS AND RELATED DOCUMENTS SHALL REMAIN THE PROPERTY AND COPYRIGHT OF JB
DRAFTING AND DESIGN. UNLESS LATEST REVISED DRAWINGS, DO NOT SCALE DRAWINGS.

SITE PLAN &
EXISTING
BASEMENT

SHEET
A1 OF 9



Existing First Floor Area: 1090.28 sq. ft. (101.29 sq. m.)

1 EXISTING/DEMO FIRST FLOOR PLAN
A2 1/4" = 1'-0"

THE HENDERSON-
PRILJEVA RESIDENCE
3 DESJARDINS COURT
HAMILTON, ON
L8S 3R7

**drafting
+ design**

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

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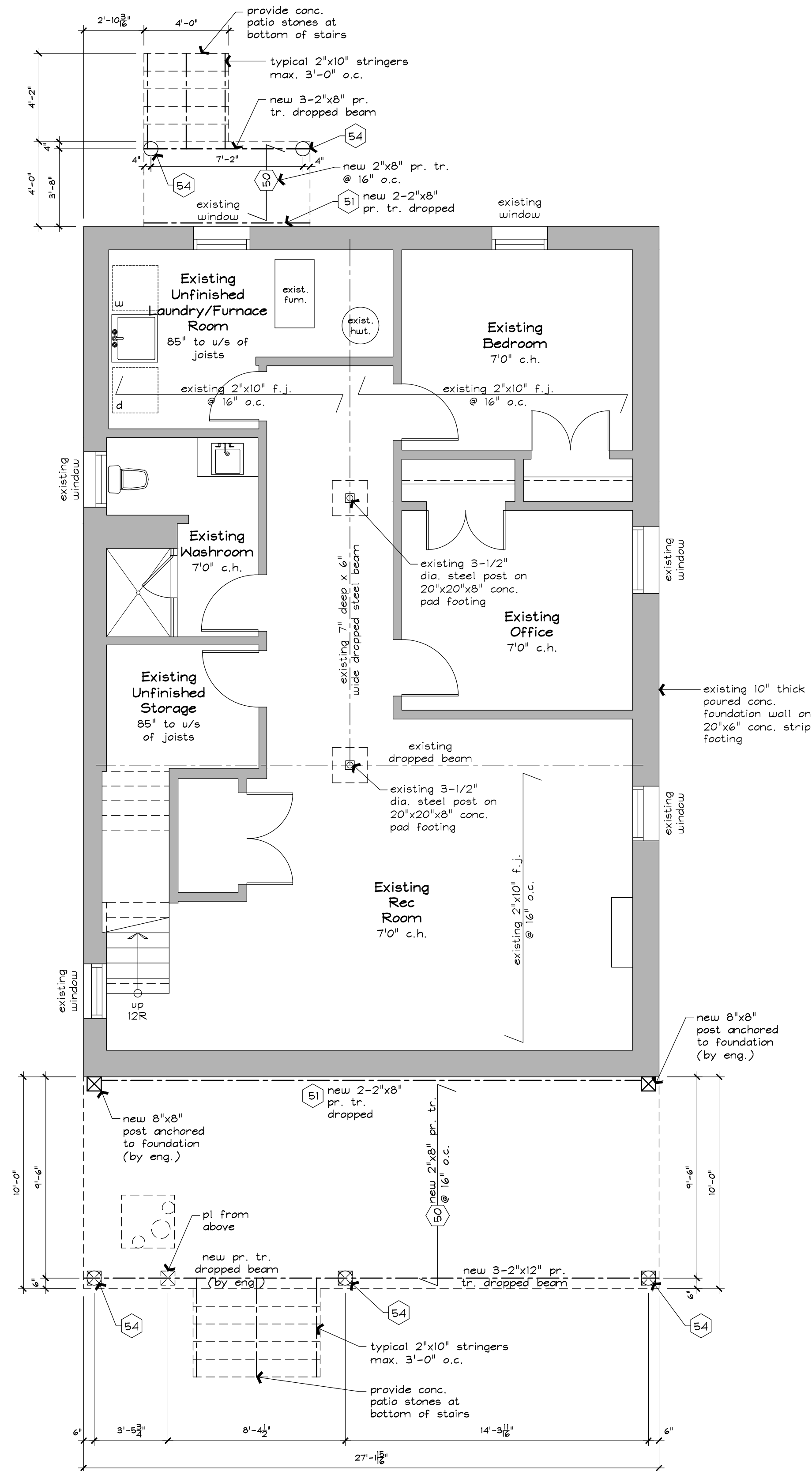
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EXISTING/DEMO
FIRST FLOOR
PLAN

SHEET

A2

OF 9



Existing Basement Floor Area 101.29 sq. m.
(minus Furnace/Laundry Area 8.54 sq. m.)
= 998.36 sq. ft. (92.75 sq. m.)

1 PROPOSED BASEMENT/FOUNDATION PLAN
A3 1/4" = 1'-0"

THE HENDERSON-
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HAMILTON, ON
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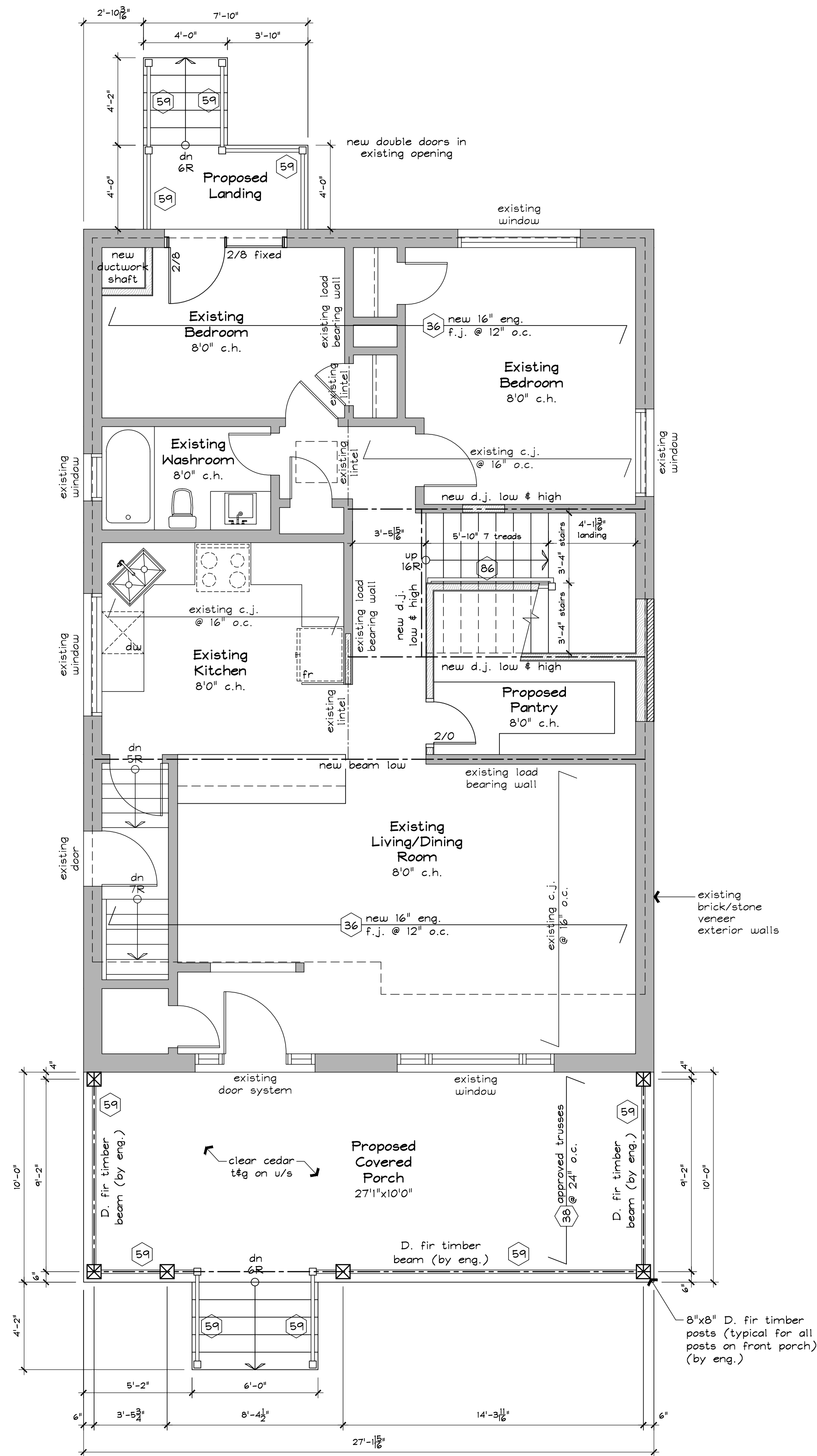
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PROPOSED
BASEMENT/FOUNDATION
PLAN

SHEET

A3
OF 9



Existing First Floor Area: 1090.28 sq. ft. (101.29 sq. m.)

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

THE HENDERSON-
PRILJEVA RESIDENCE
3 DESJARDINS COURT
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+ design**
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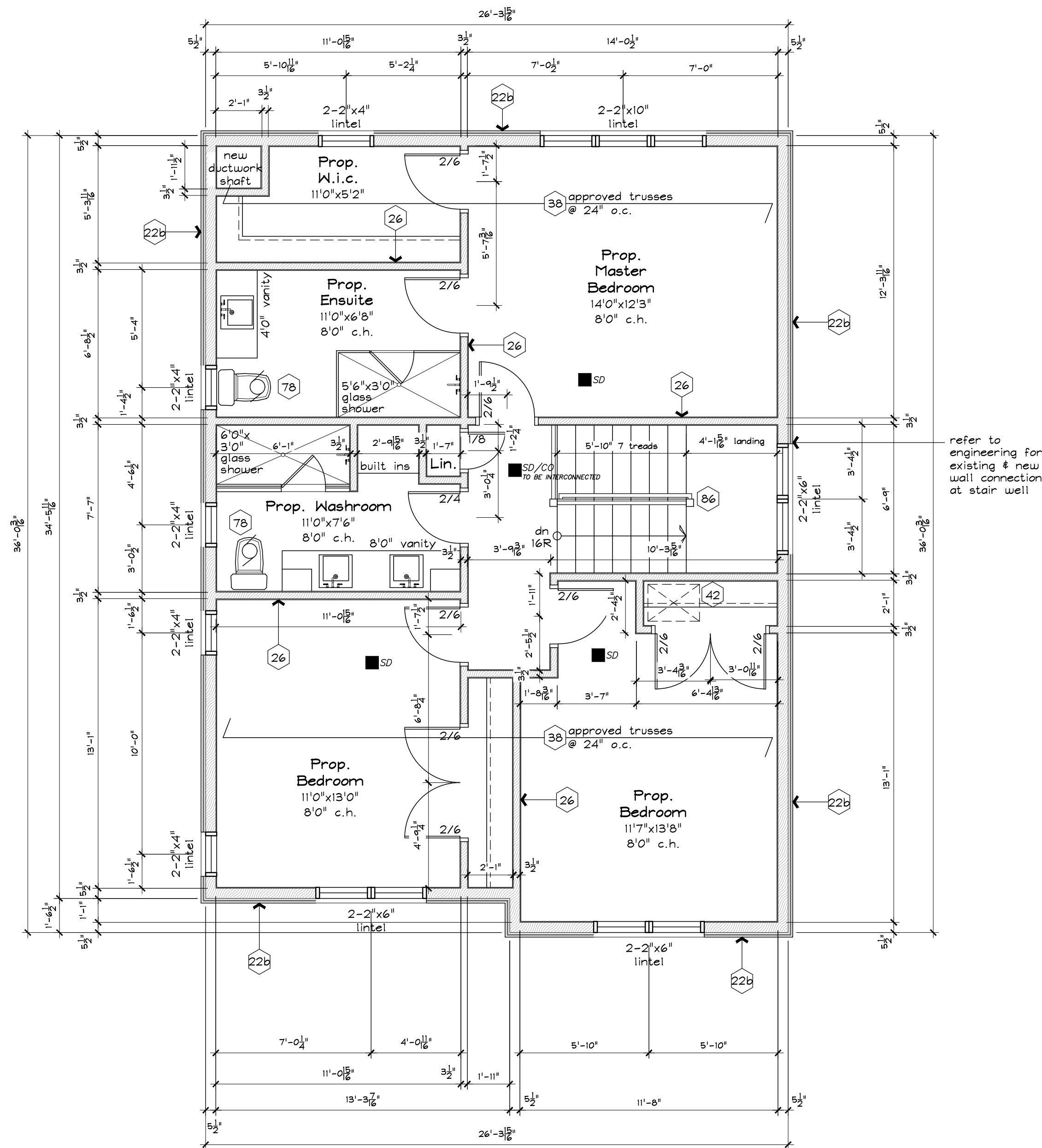
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PROPOSED FIRST
FLOOR PLAN

SHEET

A4

OF 9



Second Floor Area: 953.18 sq. ft. (88.55 sq. m.)

1 PROPOSED SECOND FLOOR PLAN
A5 1/4" = 1'-0"

THE HENDERSON-
PRILJEVA RESIDENCE
3 DESJARDINS COURT
HAMILTON, ON
L8S 3R7

**drafting
+ design**
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Hamilton, ON L8T 3C3
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signature required
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PROPOSED SECOND
FLOOR PLAN



SHEET

A6

OF 9



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+ design**

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

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SHEET

A7

OF 9

Minor Variance Application

Project: 3 Desjardins Court, Hamilton

Reasons for Needing Variances

Variance #1

Variance for a GFA of 76.04% instead of the allowable 45%.

Dan and Allison are in need of more space in their house for various reasons. They have two growing children and they are in need of some more dedicated work space for their semi-remote jobs as well as a main floor spare room for aging family to stay when visiting.

These above needs combined with a small lot size, brings the GFA higher than what is allowed.

We have provided various wall planes along the new second floor front wall to add depth to the house and decrease the scale and massing of the addition.

We feel that this design and request is in keeping with the neighborhood character as many of these older homes are being expanded and made larger to keep up with the young families moving into this area.

Variance #2

Variance for 2 legal parking spaces as opposed to the 3 that are required.

The parking situation on this lot is in fact not changing at all. Currently there is only 2 legal parking spots.

The proposed use of the dwelling will remain as habitation for one family and the proposed addition will not increase the need for more parking.

We feel this request is minor in nature as we are not making the existing situation worse or taking away an existing spot and feel that is in keeping with majority of the dwellings in this area.

Variance #3

Variance for an overall building height of 9.34m. for an addition instead of the required 9.0m.

The client desires a decent sloped roof that is not too low, to shed snow and rain easily. The existing dwelling is slightly raised out of the ground so with the addition of a standard 8 foot second floor, we are slightly over the allowable height.

We are only over the allowable by about 13", and this change does not change the massing or scale of the home drastically.

We feel this is minor in nature and is in keeping with the look and feel of the surrounding homes.



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)	Allison Henderson & Dan Priljeva	<div></div>
Applicant(s)	Jenny Bognar	
Agent or Solicitor	As per applicant	
		E-mail:

1.2 Primary contact ☒ Applicant ☐ Owner ☐ Agent/Solicitor

1.3 Sign should be sent to ☐ Applicant ☒ Owner ☐ 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.

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	3 Desjardins Court		
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:

Variance #1 - Gross floor area of 76.04% instead of maximum 45%

Variance #2 - Overall height of 9.34m. instead of maximum 9.0m.

Variance #3 - 2 parking spaces instead of the required 3 for 9 habitable rooms

☐ 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
12.19m.	30.48 m.	371.61 sq. m.	20.0 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	7.71 m.	10.53 m.	2.72 m./1.19 m.	1950's

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Addition	8.78 m.	10.58 m.	2.77 m./1.24 m.	
Front Porch	3.39 m.	n/a	2.72 m./1.19 m.	
Rear Porch	n/a	8.04 m.	3.59 m./6.22 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	101.29 sq. m.	194.04 sq. m.	1	4.01 m.

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Exist Dwelling w/ Addition	101.29 sq. m.	282.59 sq. m.	2	9.34 m.
Front Porch	27.56 sq. m.	n/a	1	4.78 m.
Rear Porch	4.46 sq. m.	n/a	1	0.98 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 dwelling

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

June 2005

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

SFD

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

SFD

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? C/S-1364

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):

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
-
-