



Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>A-24:69</b>	<b>SUBJECT PROPERTY:</b>	86 Lister Ave, Hamilton
<b>ZONE:</b>	“B” (Suburban Agriculture and Residential, etc.)	<b>ZONING BY-LAW:</b>	Zoning By-law former City of Hamilton 6593, as Amended

**APPLICANTS:** Owners: Rigoberto and Irene Rodriguez

The following variances are requested:

1. A maximum accessory building height of 7.9m shall be permitted instead of the maximum 4.0m accessory building height permitted.

**PURPOSE & EFFECT:** To facilitate the construction of a proposed accessory building;

**Notes:**

1. Variance written exactly as requested by applicant.

**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:

<b>DATE:</b>	<b>Tuesday, May 7, 2024</b>
<b>TIME:</b>	<b>1:45 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>City Hall Council Chambers (71 Main St. W., Hamilton)</b>
	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

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

## A-24:69

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221

## PUBLIC INPUT

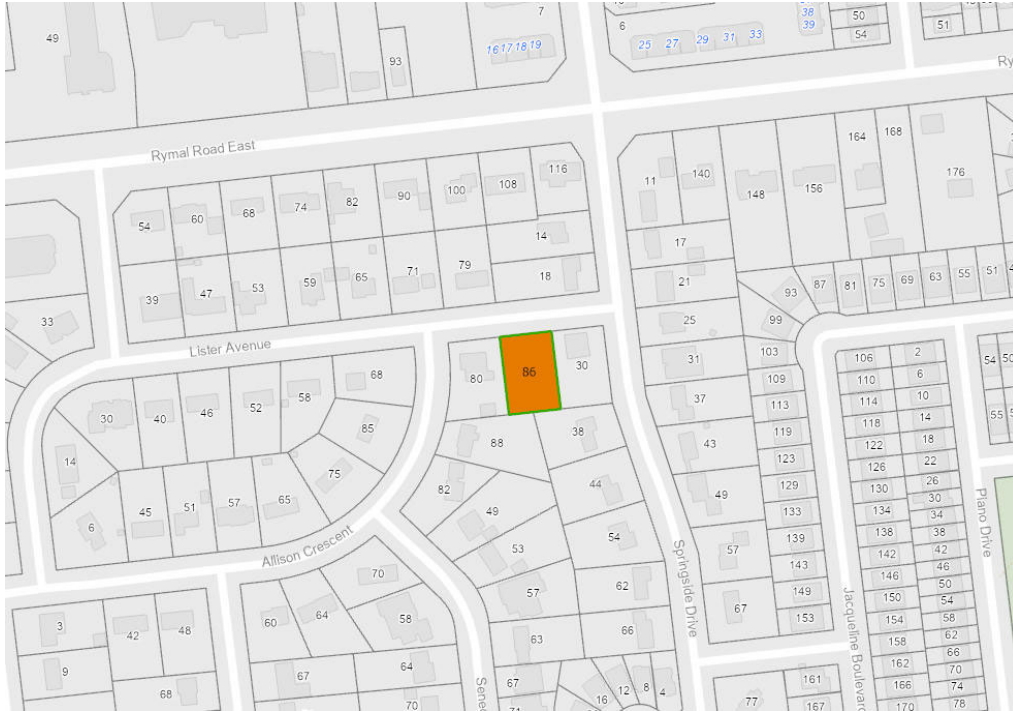
**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon May 3, 2024

**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 May 6, 2024

## FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:69, you must submit a written request to [cofa@hamilton.ca](mailto: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](mailto: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 18, 2024

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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, and may include posting electronic versions.



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### 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](mailto: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](http://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](mailto: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.

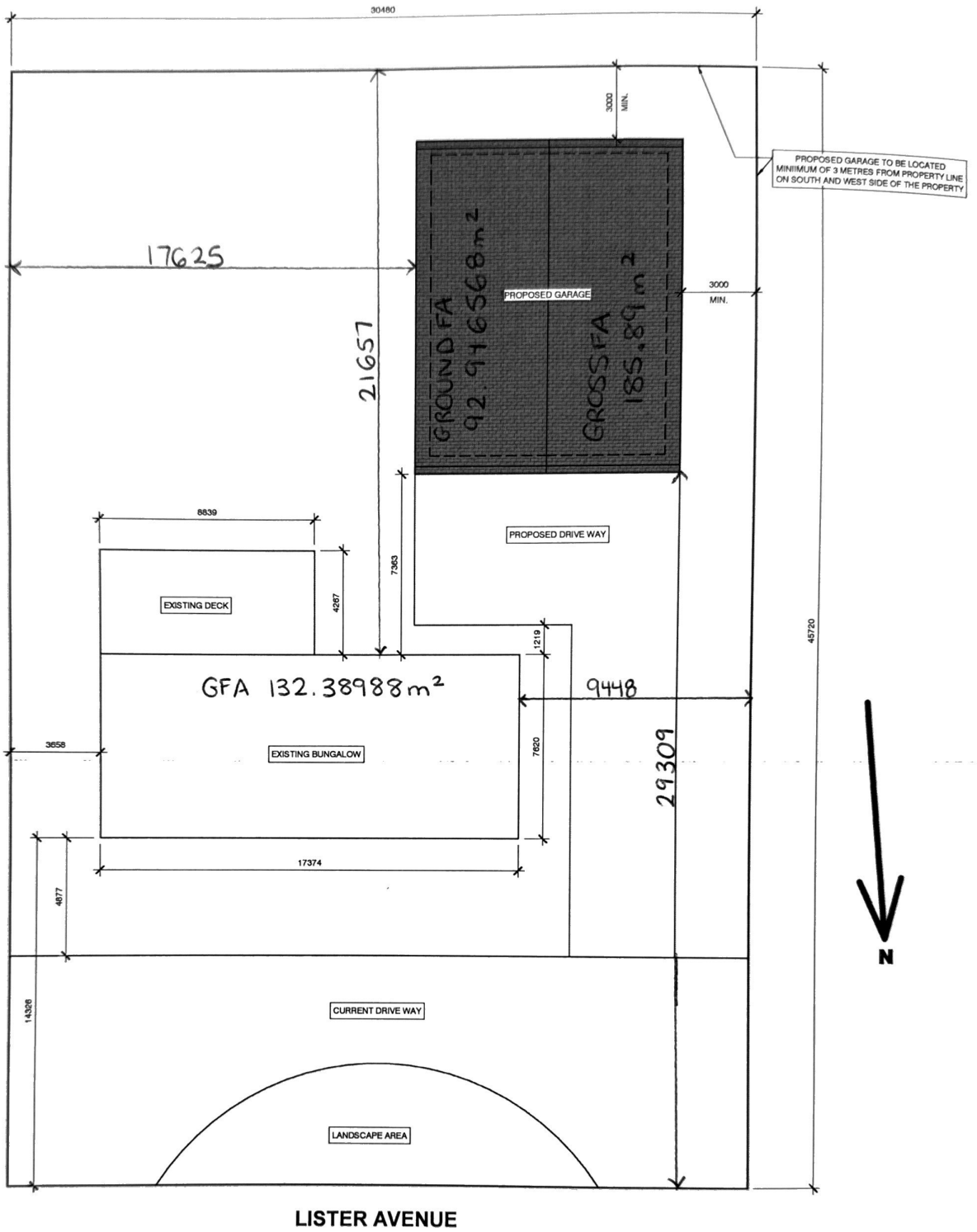
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

##### 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](mailto:cofa@hamilton.ca) or by phone at 905-546-2424 ext. 4221.

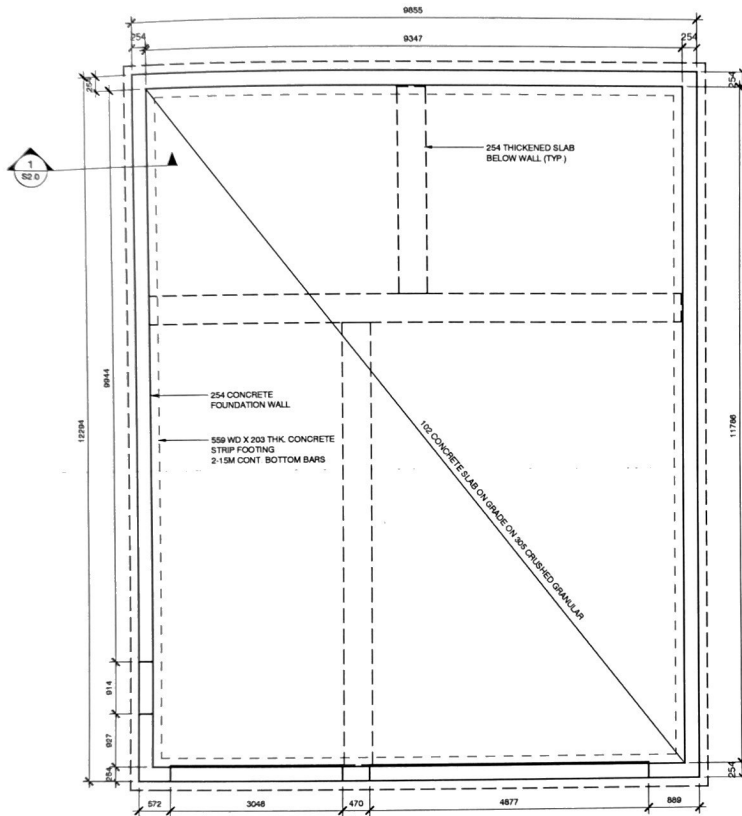
Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.



**SITE PLAN**

1 : 120

TO BE LOCATED  
ON PROPERTY LINE  
OF THE PROPERTY



**FOUNDATION PLAN**

1/50

**NOTE TO CONTRACTOR:**

DO NOT SCALE DRAWINGS  
CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY DISCREPANCIES TO THE ENGINEER BEFORE PROCEEDING WITH THE WORK.  
ALL DRAWINGS REMAIN THE PROPERTY OF THE ENGINEER AND SHALL NOT BE REPRODUCED OR REUSED WITHOUT THE ENGINEER'S WRITTEN PERMISSION.

THE OWNER/ARCHITECT/CONTRACTOR IS ADVISED THAT M.T.E. CONSULTANTS INC. CANNOT CERTIFY ANY COMPONENT OF THE SITE WORKS NOT INSPECTED DURING CONSTRUCTION. IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO NOTIFY M.T.E. CONSULTANTS INC. PRIOR TO COMMENCEMENT OF CONSTRUCTION TO ARRANGE FOR INSPECTION.

ISSUED FOR PERMIT	1	MAR 18, 2024
ISSUANCE	ID	DATE

CLIENT

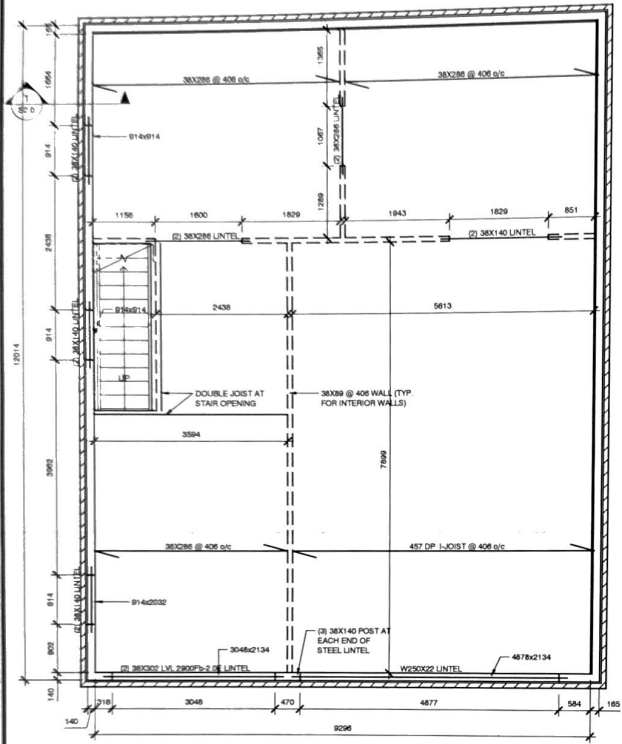
PROJECT  
**NEW DETACHED GARAGE**

86 LISTER AVENUE HAMILTON, ON

DRAWING

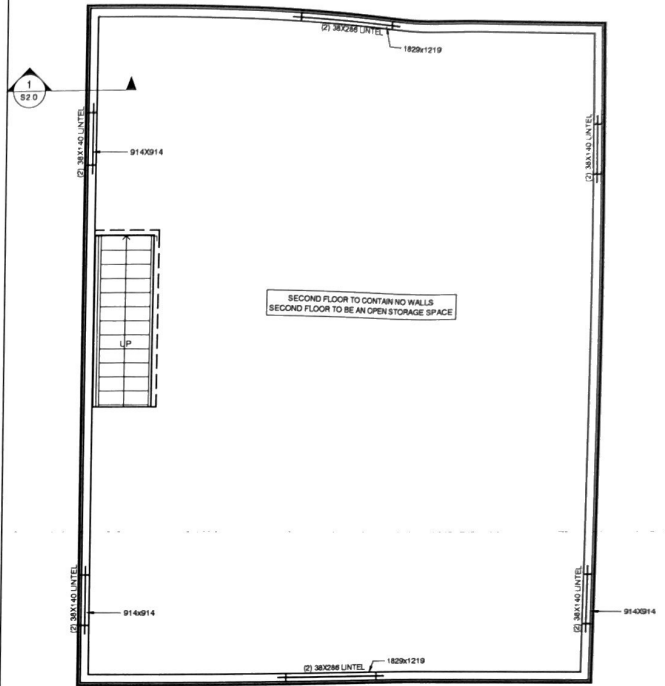
**SITE PLAN AND  
FOUNDATION PLAN**

Project Manager:	.JDO	Date:	FEB 2024
Design By:	.JDO	Project No.:	24001
Drawn By:	.JDO	Drawing No.:	
Scale:	AS NOTED	<b>S1.0</b>	



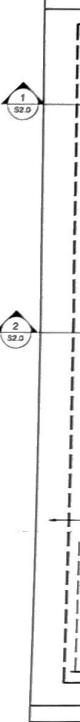
**MAIN FLOOR FRAMING PLAN**

1/50  
NOTES:  
1. ALL DIMENSIONS IN MILLIMETERS UNLESS NOTED OTHERWISE



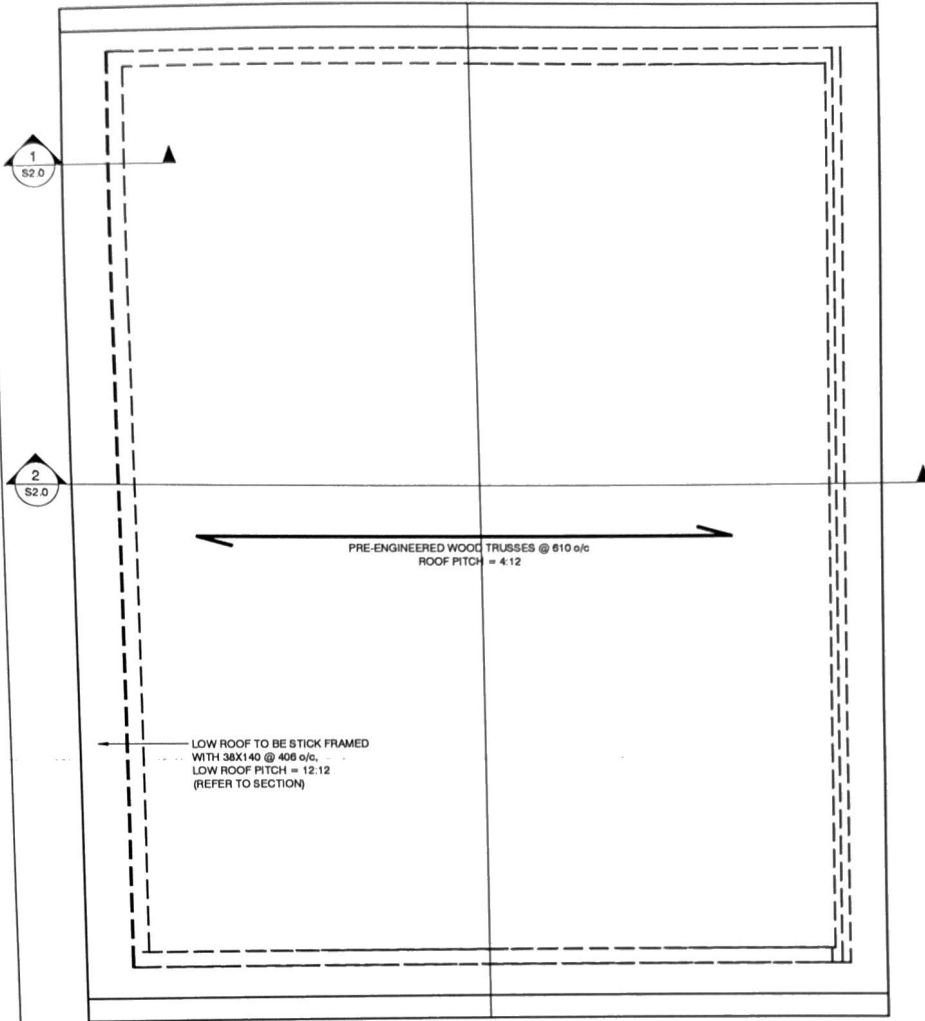
**SECOND FLOOR FRAMING PLAN**

1/50  
NOTES:  
1. ALL DIMENSIONS IN MILLIMETERS UNLESS NOTED OTHERWISE



**ROOF FRAMING PLAN**

1/50  
NOTES:  
1. ALL DIMENSIONS IN MILLIMETERS UNLESS NOTED OTHERWISE



### ROOF FRAMING PLAN

1:50  
**NOTES:**  
 1. ALL DIMENSIONS IN MILLIMETERS UNLESS NOTED OTHERWISE

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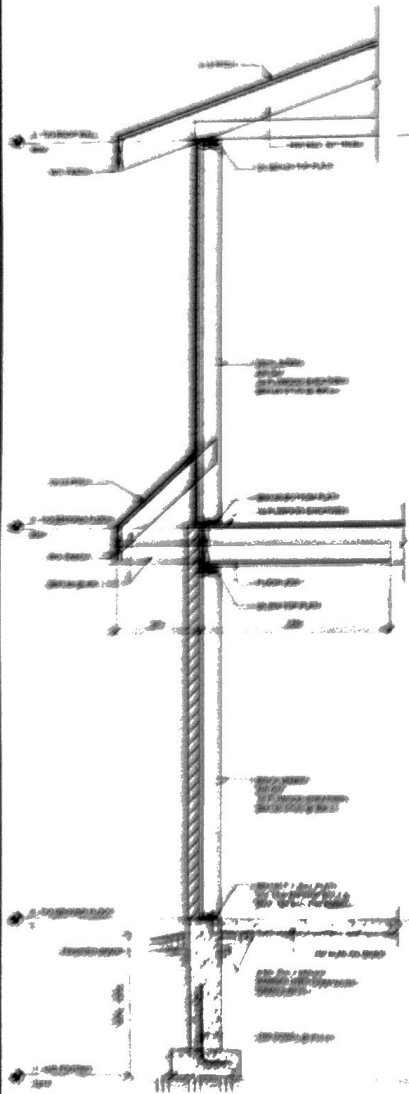
88 LISTER AVENUE HAMILTON, ON

DRAWING

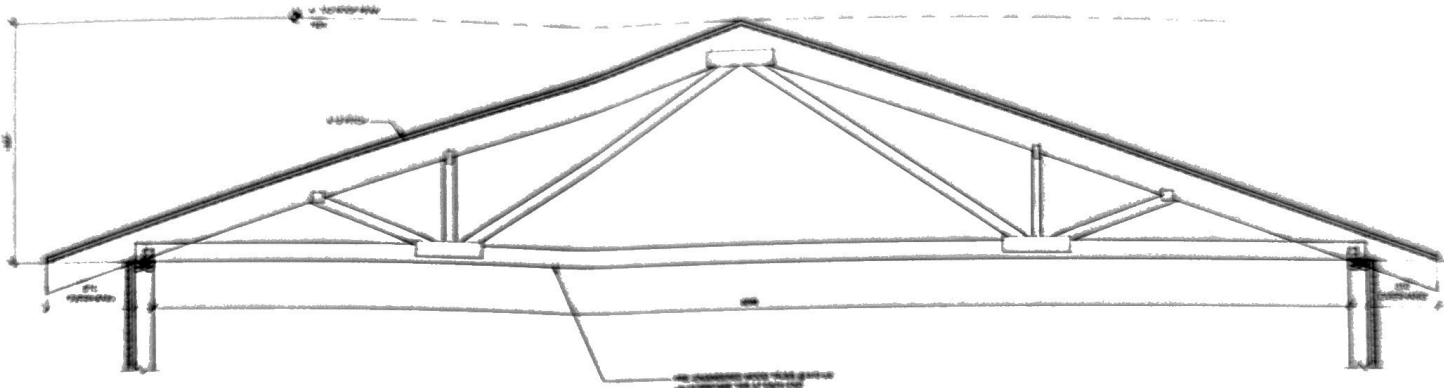
**SECOND FLOOR AND ROOF FRAMING PLAN**

Project Manager:	JDD	Date:	FEB 2024
Design By:	JDD	Project No.:	24001
Drawn By:	JDD	Drawing No.:	<b>S1.1</b>
Scale:	AS NOTED		





1 WALL SECTION  
1/20

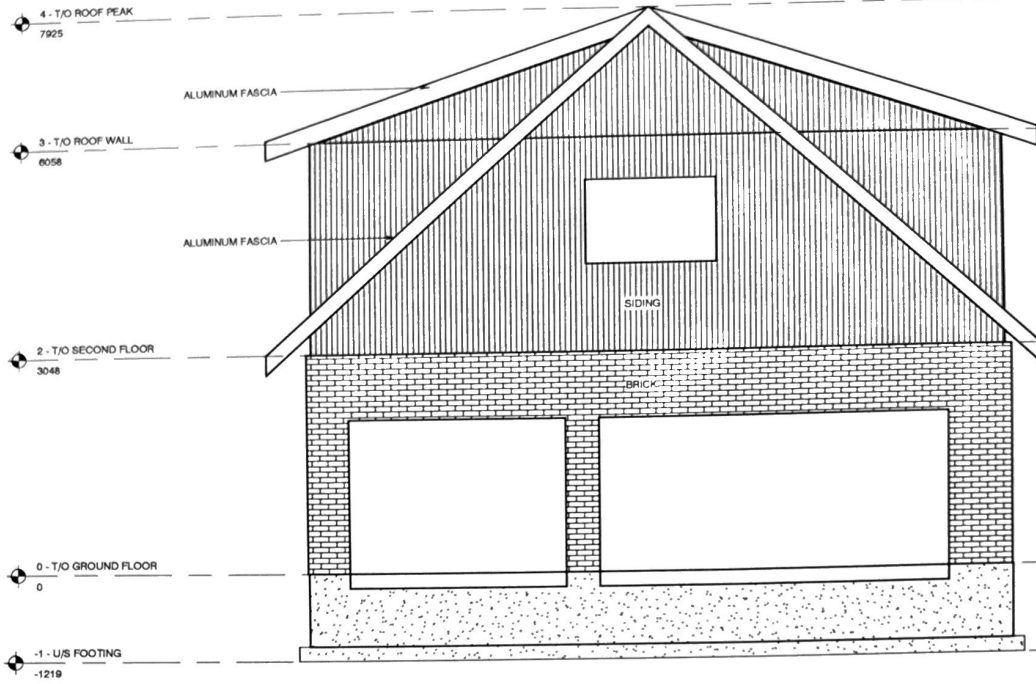


2 TRUSS SECTION  
1/20

**NOTE TO CONTRACTOR:**  
 CONTRACTOR MUST VERIFY ALL CONDITIONS AND MATERIALS SPECIFICATIONS TO THE FRAMEWORK BEFORE PROCEEDING WITH THE WORK.  
 ALL FRAMING SHALL BE PERFORMED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL BUILDING CODE (IBC).  
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE COVERAGE.  
 ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.

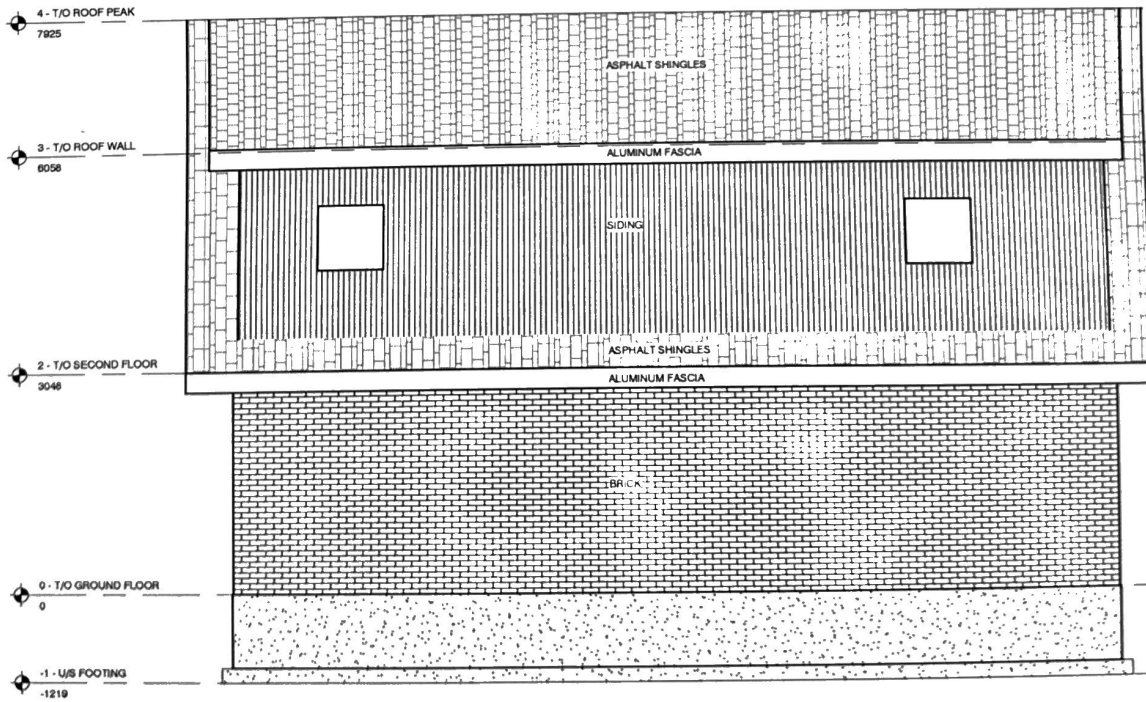
NEW DETACHED GARAGE

FRAMING SECTIONS



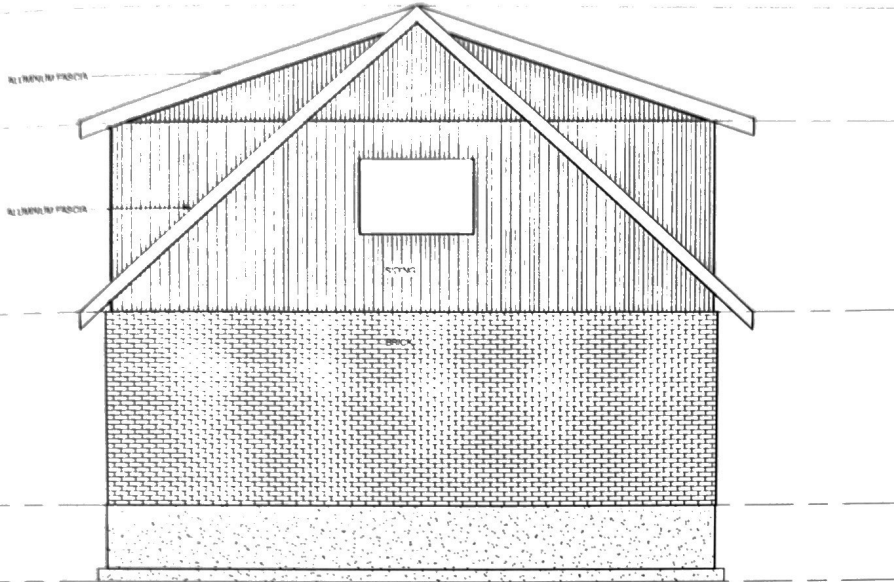
**NORTH ELEVATION**

1 : 50



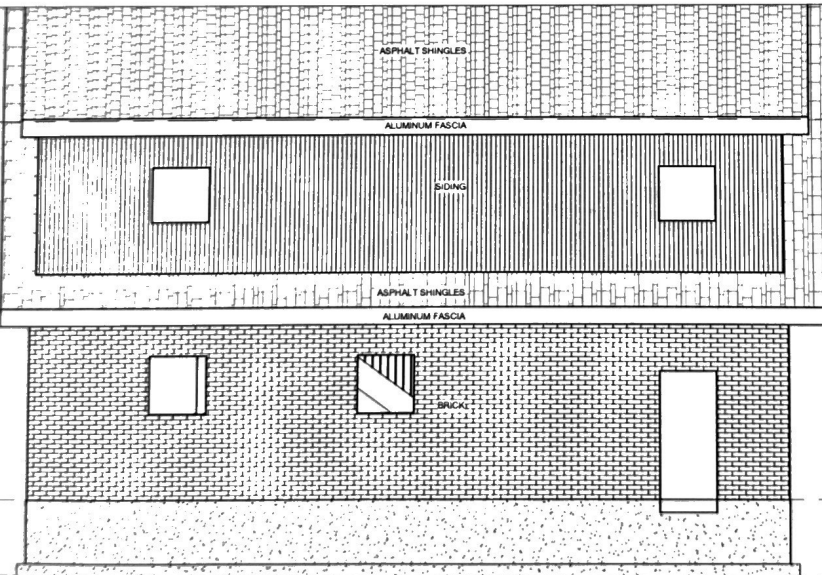
**WEST ELEVATION**

1 : 50



**SOUTH ELEVATION**

1/50



**EAST ELEVATION**

1/50

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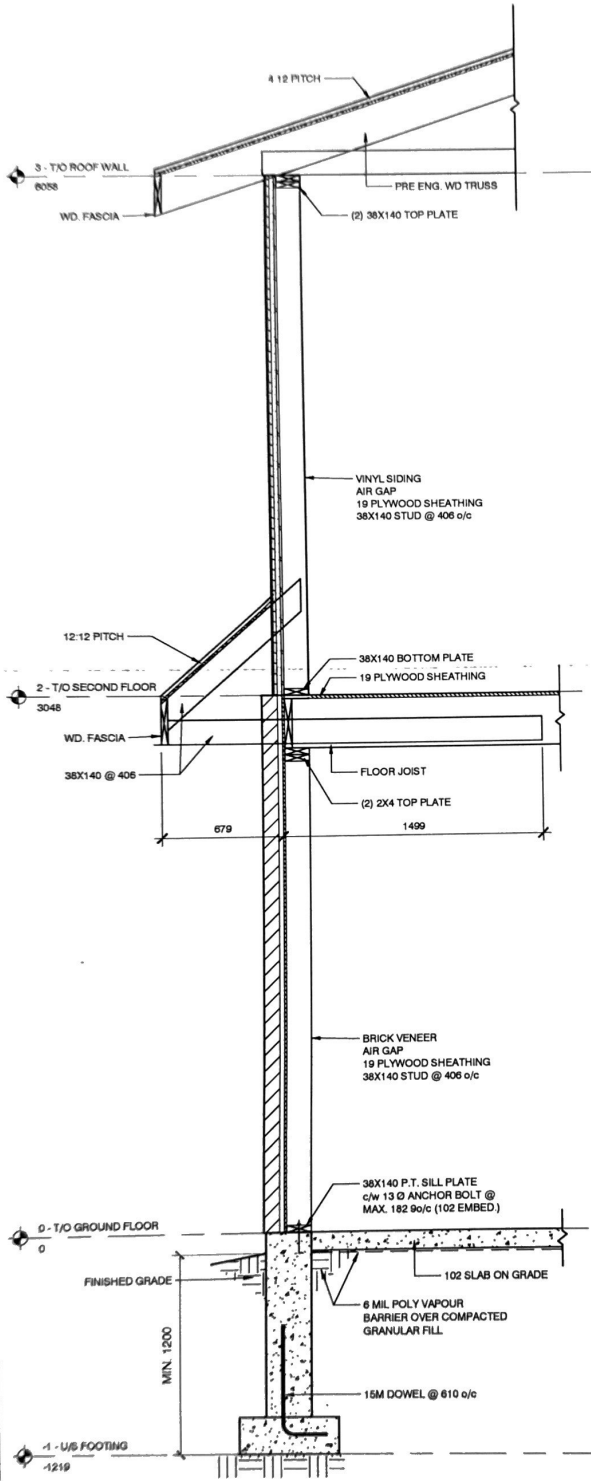
88 LISTER AVENUE

HAMILTON, ON

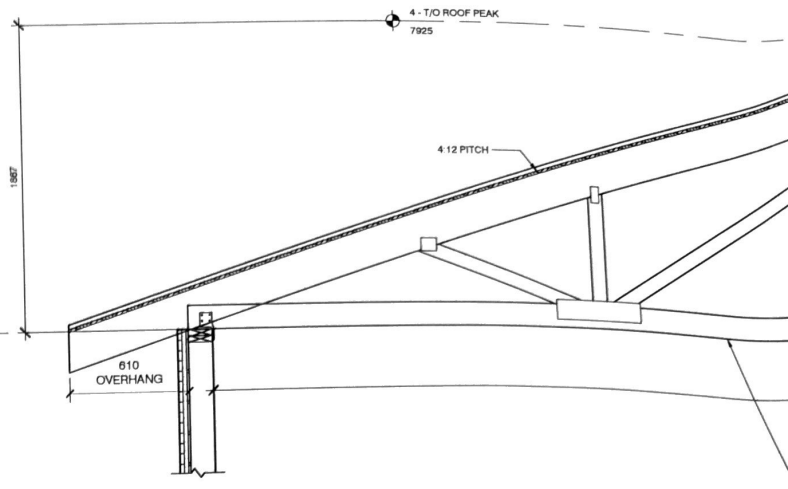
DRAWING

**ELEVATIONS**

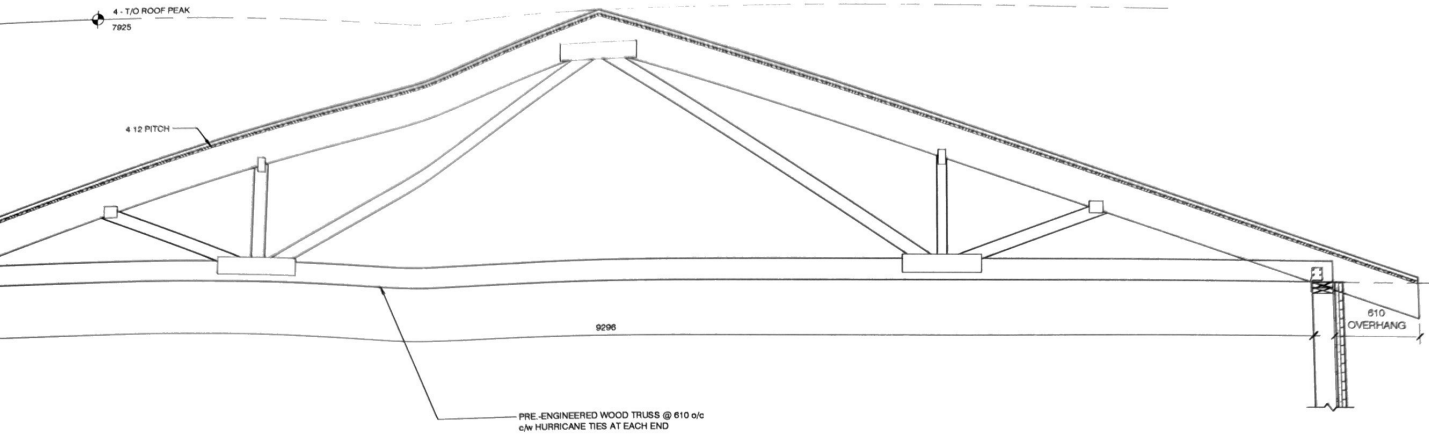
Project Manager:	JDD	Date:	FEB 2024
Design By:	JDD	Project No.:	24001
Drawn By:	JDD	Drawing No.:	<b>S3.0</b>
Scale:	AS NOTED		



1 WALL SECTION  
1:20



2 TRUSS SECTION  
1:20



NOTE TO CONTRACTOR  
 DO NOT SCALE DRAWING  
 CONTRACTORS MUST CHECK ALL DIMENSIONS AND REPORT ANY DISCREPANCIES IMMEDIATELY TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.  
 ALL DRAWINGS REMAIN THE PROPERTY OF THE ARCHITECT AND SHALL NOT BE REPRODUCED OR COPIED WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.  
 THE OWNER/ARCHITECT/ENGINEER SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED AND THE CONSULTANTS INC. PRIOR TO ARRANGING FOR INSPECTION.

SECTION

ISSUED FOR PERMIT

CLIENT

PROJECT

NEW

66 LISTER AVE

DRAWING

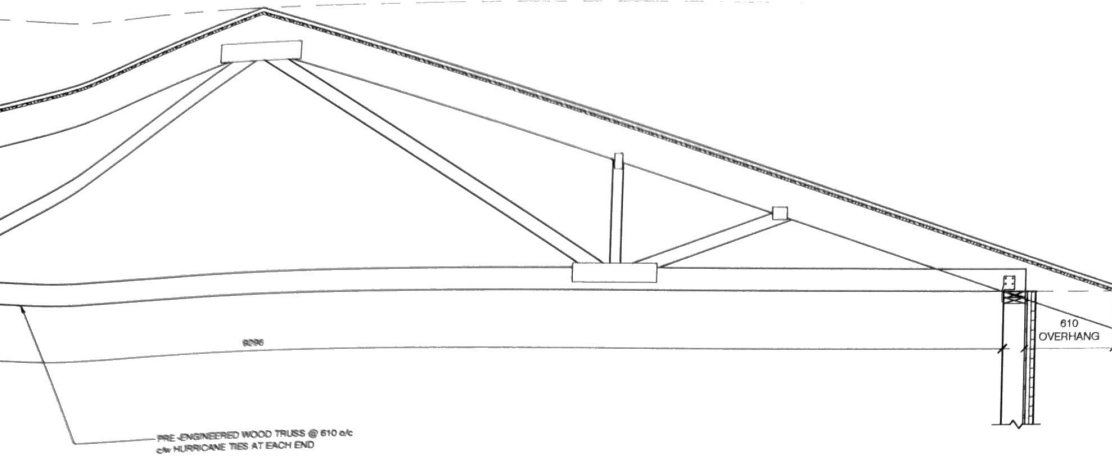
F

Project Manager

Design By:

Drawn By:

Scale:



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PROJECT  
**NEW DETACHED GARAGE**

86 LISTER AVENUE HAMILTON, ON

DRAWING

**FRAMING SECTIONS**

Project Manager:	JDD	Date:	FEB 2024
Design By:	JDD	Project No.:	24001
Drawn By:	JDD	Drawing No.:	<b>S2.0</b>
Scale:	AS NOTED		



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](mailto:cofa@hamilton.ca)

APPLICATION FOR A MINOR VARIANCE/PERMISSION  
UNDER SECTION 45 OF THE PLANNING ACT

1. APPLICANT INFORMATION

	NAME		
Registered Owners(s)	Rigoberto Rodriguez Irene Rodriguez		
Applicant(s)	Rigoberto Rodriguez Irene Rodriguez		
Agent or Solicitor			Phone:
			E-mail:

1.2 All correspondence should be sent to  Purchaser  Owner  
 Applicant  Agent/Solicitor

1.3 Sign should be sent to  Purchaser  Owner  
 Applicant  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.

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	86 Lister Ave Hamilton, ON L9B-1E2		
Assessment Roll Number	2518011-13106210		
Former Municipality	Hamilton		
Lot	57	Concession	
Registered Plan Number	1013	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 for accessory building (workshop)  
 Required height is 4m Proposed height is 7.9m

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

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
30480 mm	45720 mm	1393.5456 m <sup>2</sup>	



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 house dwelling	14326 mm	22657 mm	East: 3658 mm West: 9448 mm	1956

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Garage/workshop	29309 mm	3000 mm	East 17625 West 3000	TBD

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 house dwelling	132.38988 m <sup>2</sup>	132.38988 m <sup>2</sup>	1	4.8 m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Accessory Building	92.946568 m <sup>2</sup>	185.89 m <sup>2</sup>	2	7.9 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
- 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.):

- Garage, Storage

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:

July 31, 2014

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:

10 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) Urban area neighborhood

Please provide an explanation of how the application conforms with the Official Plan.

7.6 What is the existing zoning of the subject land? "B" (Suburban Agriculture and Residential)

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: \_\_\_\_\_

7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes       No

7.11 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.

**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):