

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-24:88	SUBJECT PROPERTY:	884 Garth Street, Hamilton
ZONE:	"R1" (Low Density Residential)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended

APPLICANTS: Owner: Tessa Hayman

The following variances are requested:

1. A minimum 32.3% front yard landscaped area in the front yard shall be permitted instead of the minimum 50% landscaped area in the front yard required.
2. The front porch shall be permitted in the front yard instead of Where the driveway is provided in the front yard, all other portions of the front yard shall be landscaped area.

PURPOSE & EFFECT: To facilitate the implementation of a new paved driveway;

Notes:

1. It is noted that variance number two (2) will not be required when by-law 24-052 relating to city wide parking regulations becomes final and binding.

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, May 21, 2024
TIME:	2:15 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at

	www.hamilton.ca/committeeofadjustment
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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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221

PUBLIC INPUT

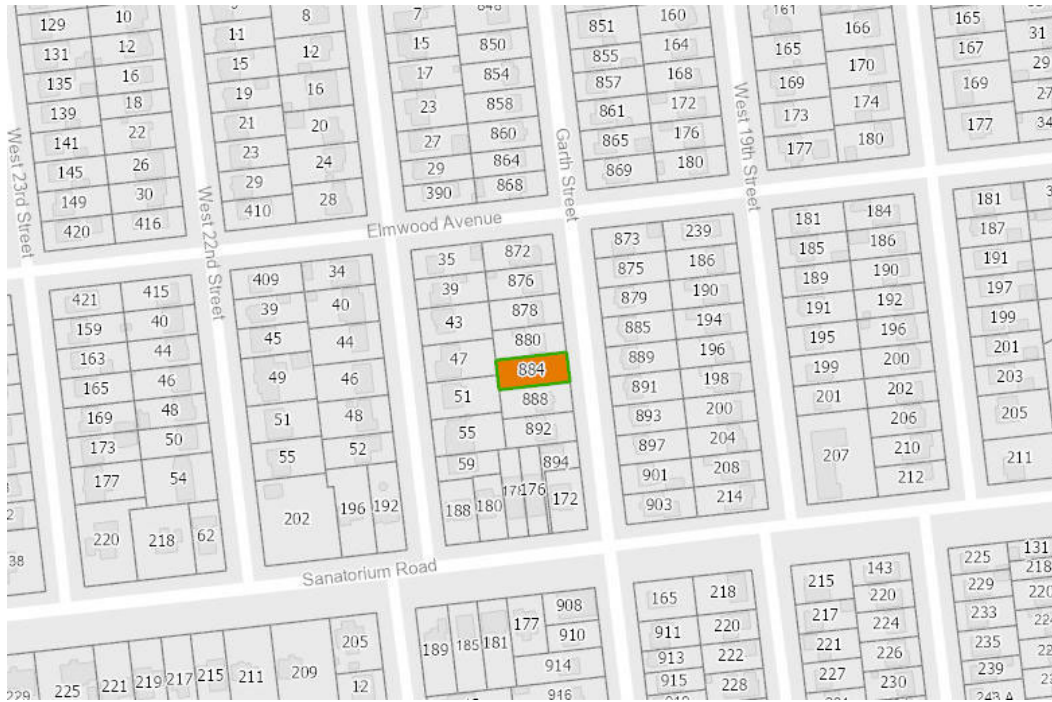
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon May 17, 2024

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 17, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:88, 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: May 2, 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

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

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 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. 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.

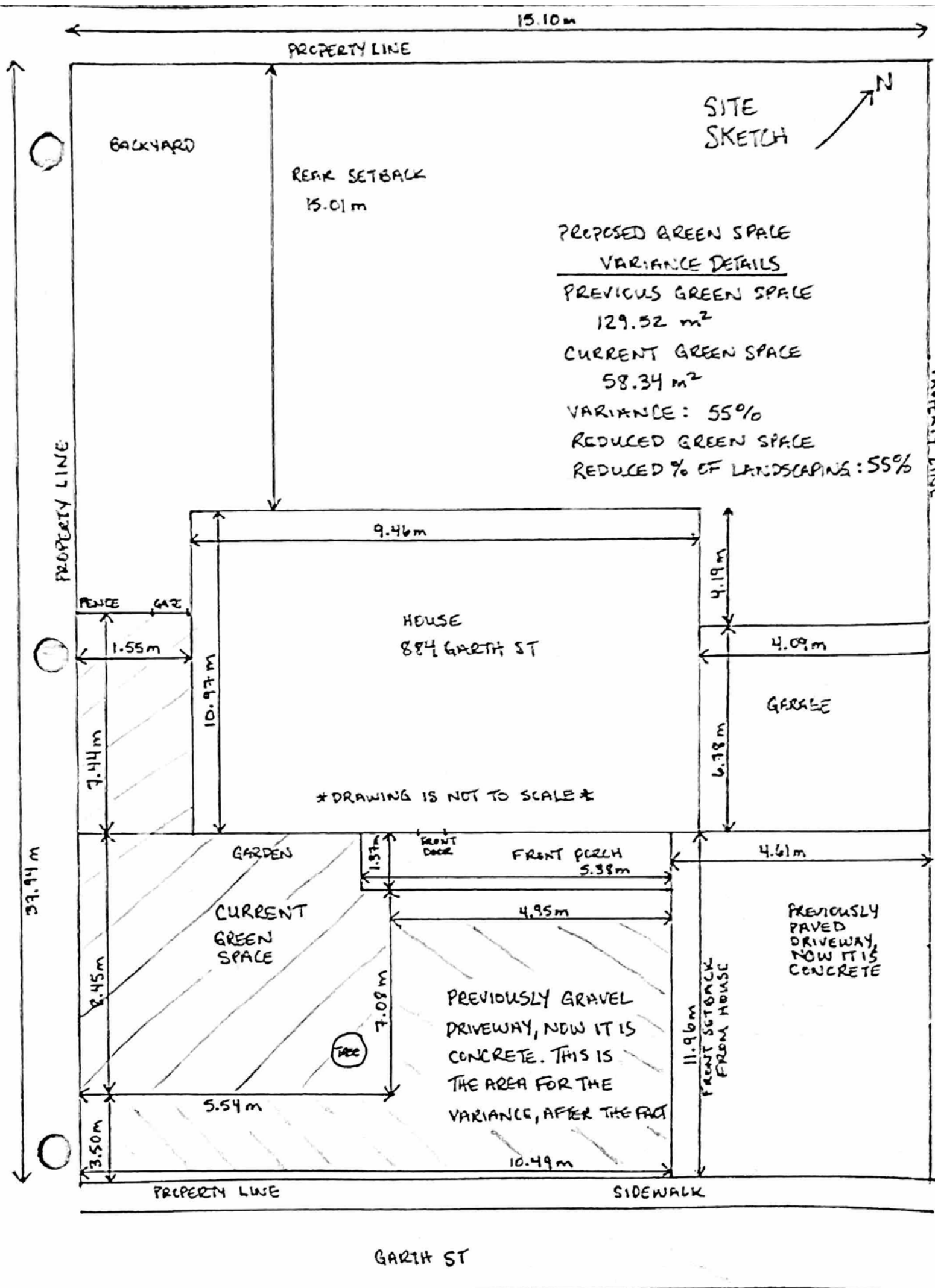
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

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 or by phone at 905-977-1654.

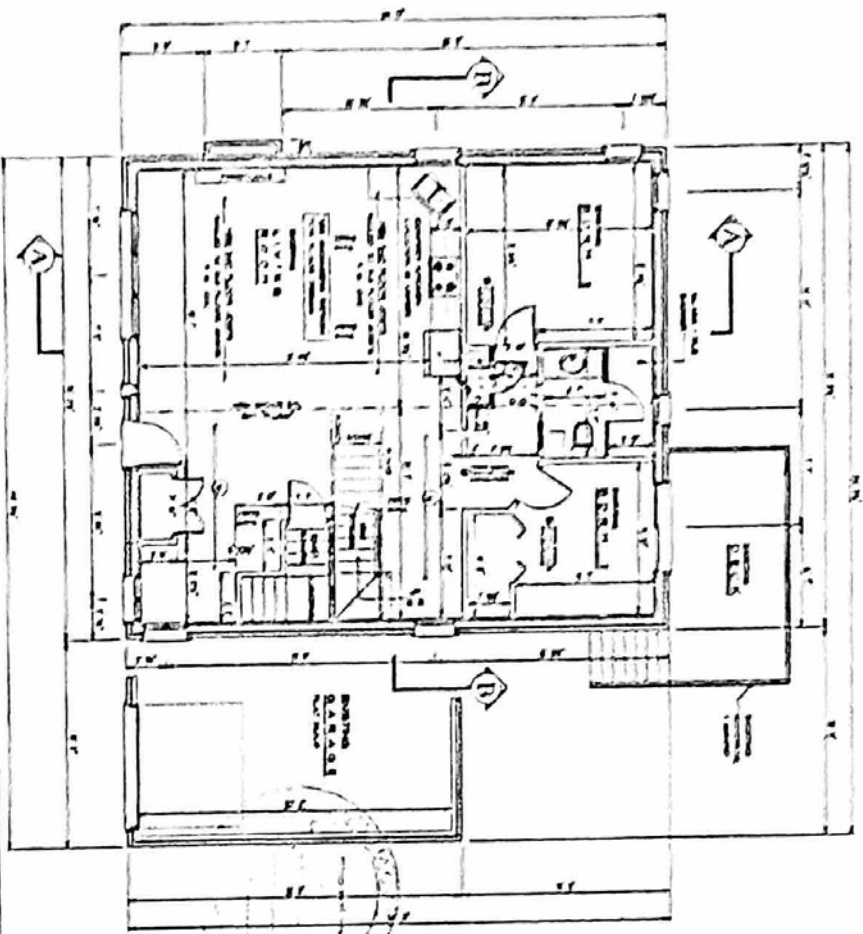
Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly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



884 GARRET ST

FLOOR PLAN
CONSTRUCTION NOTES

1. THESE NOTES ARE TO BE USED IN CONJUNCTION WITH THE FLOOR PLAN AND SHALL BE READ IN CONJUNCTION WITH THE SPECIFICATIONS AND THE NOTES ON THE DRAWINGS.
2. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND STANDARDS.
3. THE WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND STANDARDS.
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8. THE WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND STANDARDS.
9. THE WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND STANDARDS.
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1ST FLOOR PLAN 14' x 10'
GROSS FLOOR AREA - 1093 SQ. FT.
NORTH TO 2013



1. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND STANDARDS.

DATE	2/2/4
NO.	2 OF 4
<p>NAUTA INTERIORS 1001 1991 9933</p>	
<p>1ST FLOOR PLAN</p>	

March 1, 2024

To: Whom It May Concern

Hamilton City Hall - Committee of Adjustment & Delegated Consent Authority
71 Main St W
Hamilton ON L8P4Y5

RE: Driveway of 884 Garth St, Hamilton, ON, L9C 4K9

Hello

This letter is to serve as a witness for the challenges experienced by the owner, Tessa Hayman, in regards to the driveway and front yard landscaping of the property 884 Garth St, Hamilton, prior to May 2023.

Prior to May 2023, the landscaping of the front yard caused constant flooding after rain in the front part of the yard and that leaked onto our front yard along with frequent episodes of ice that snilled onto our front yard and the front sidewalk during wintertime melts and freezes. This was due to the fact that the front yard near the house is elevated above neighbour properties by a few feet and it slopes down from the house and ended up below the ground level by the time it reached the sidewalk and city property. Prior to the concrete that was poured in May 2023, the front yard area that is currently concrete was an existing mixture of gravel, asphalt, dirt and broken brick. The owners constantly added gravel to the area to bring it up to sidewalk level each year as the front would sink to try and deal with the flooding issues but this was not successful after 5+ years of trying to fix the drainage issues. In addition, the gravel and dirt constantly ended up on the sidewalk making it difficult for us to drive over it with our baby stroller when walking past the property even with the best attempts of the owner to keep the sidewalk cleaned on a regular basis.

After the concrete was poured in May 2023, there have been no further issues of gravel ending up on the sidewalk, there were no further flooding or drainage issues and there have been no issues with ice on the sidewalk or our property this winter. The driveway is now level with our property and has not caused any problems since completed. Having the driveway paved the full width of the property has also helped us have a safer sidewalk for our kids and we appreciate that Tessa had this work completed for neighbourhood safety.

Thank you.

Name: Tiffany White
Address: 880 Garth St
Date: March 1st 2024
365-324-0800

Sign: Tiffany White

Witness: [Signature]

March 1, 2024

To: Whom it May Concern
Hamilton City Hall - Committee of Adjustment & Delegated Consent Authority
71 Main St W
Hamilton, ON L8P4Y5

RE: Driveway of 884 Garth St Hamilton, ON, L9C 4K9

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After the concrete was poured in May 2023, there were no further issues of gravel ending up on our driveway or the sidewalk, there were no further flooding or drainage issues and there have been no issues with ice on the sidewalk or our property this winter. The driveway is now level with our property and has not caused any problems since completed. Having the driveway paved the full width of the property has also helped us to have a turn around point for our vehicles which lets us enter onto busy Garth St more safely and we appreciate that Tessa had this work completed.

Thank you,

Name: James MacDonald
Address: 888 Garth St
Date: March 1/24

Sign:



Witness:



(289) 698-7703



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)	TESSA HAYMAN		
Applicant(s)			Phone:
			E-mail:
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	884 GARTH ST, HAMILTON, ON		
Assessment Roll Number			
Former Municipality			
Lot	PT LT 19	Concession	CON 5, BARTON
Registered Plan Number		Lot(s)	AS IN VM166791, HAMILTON
Reference Plan Number (s)		Part(s)	

PIN 17033-0136 (LP)

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:

REDUCTION IN FRONT YARD LANDSCAPE AREA REQUIREMENTS.

☐ Second Dwelling Unit

☐ Reconstruction of Existing Dwelling

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

THE DRIVEWAY IS ALREADY PAVED.

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
15.71 m	37.95m	596.19m	4 LANES.

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
House	11.96m	15.01m	EAST 0cm W: 154.94cm	1968?

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction

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

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height

- 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.):

DETACHED DUEL FAMILY 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:

2015

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

DUEL FAMILY DWELLING - DETACHED

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

DUEL FAMILY DWELLING - DETACHED

7.4 Length of time the existing uses of the subject property have continued:

7.5 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): R

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) NEIGHBOURHOODS

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

R1 ZONE HAMILTON ZONING BYLAW

7.6 What is the existing zoning of the subject land? ~~RESIDENTIAL~~ 05-200

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: 2

8.2 Number of Dwelling Units Proposed: /

8.3 Additional Information (please include separate sheet if needed):

PLEASE SEE ATTACHED LETTERS OF
EYEWITNESS NEIGHBOUR ACCOUNTS. THANK YOU.

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
- _____
- _____