

NOTICE OF PUBLIC HEARING
CORRECTED MAP
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-24:74	SUBJECT PROPERTY:	225 Concession 5 Road E, Flamborough
ZONE:	"S1" (Settlement Residential)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended 15-173

APPLICANTS: Owner: Kiarash Golafshan
Applicant: Julia Mancini

The following variances are requested:

Variances required under current Zoning By-Law 05-200:

1. An Additional Dwelling Unit – Detached shall be permitted within an S1 Zone;
2. A maximum gross floor area of 78.8 m² shall be permitted instead of the maximum permitted gross floor area of 75.0 m² for an Accessory Dwelling Unit – Detached;
3. The ground floor area of a Secondary Dwelling Unit – Detached shall not exceed 70.1% of the ground floor area of the principal dwelling when the ground floor area of the principal dwelling is less than or equal to 105 square metres instead of the maximum permitted 70.0% of the ground floor area of the principal dwelling.

Variances required under Zoning By-Law Amendment 24-039:

4. A minimum lot area of 0.1401 hectares shall be permitted for an Accessory Dwelling Unit – Detached instead of the minimum required lot area of 1.5 hectares for an Accessory Dwelling Unit – Detached within an S1 Zone.

PURPOSE & EFFECT: So as to permit an Additional Dwelling Unit - Detached to the Existing Single Detached Dwelling notwithstanding that:

Notes:

- i) Please be advised, as per Zoning By-Law Amendment 24-039, regulations pertaining to

A-24:74

Additional Dwelling Units – Detached have been amended under Section 4.33.4 to permit An Additional Dwelling Unit – Detached within an A1, A2 and S1 Zone without the approval of a Planning Act process, provided the lot and proposed Dwelling Unit meet the minimum requirements. Please note however, Zoning By-Law Amendment 24-039 remains Not Final and Binding. Until such time that the Zoning By-Law Amendment has been deemed Final and Binding, both the current regulations under Zoning By-Law 05-200 and the regulations under Zoning By-Law Amendment 24-039 shall be applicable.

- ii) Please note, Variance #3 has been provided as it pertains to the Ground Floor Area of the proposed addition to the Principal Dwelling. Be advised, should a Building Permit be issued for the addition to the existing Single Detached Dwelling and the final Ground Floor Area of the addition be less than what has been indicated on the plan, additional variances may be required to permit a ground floor area greater than 70.1%.

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:	2:20 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

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

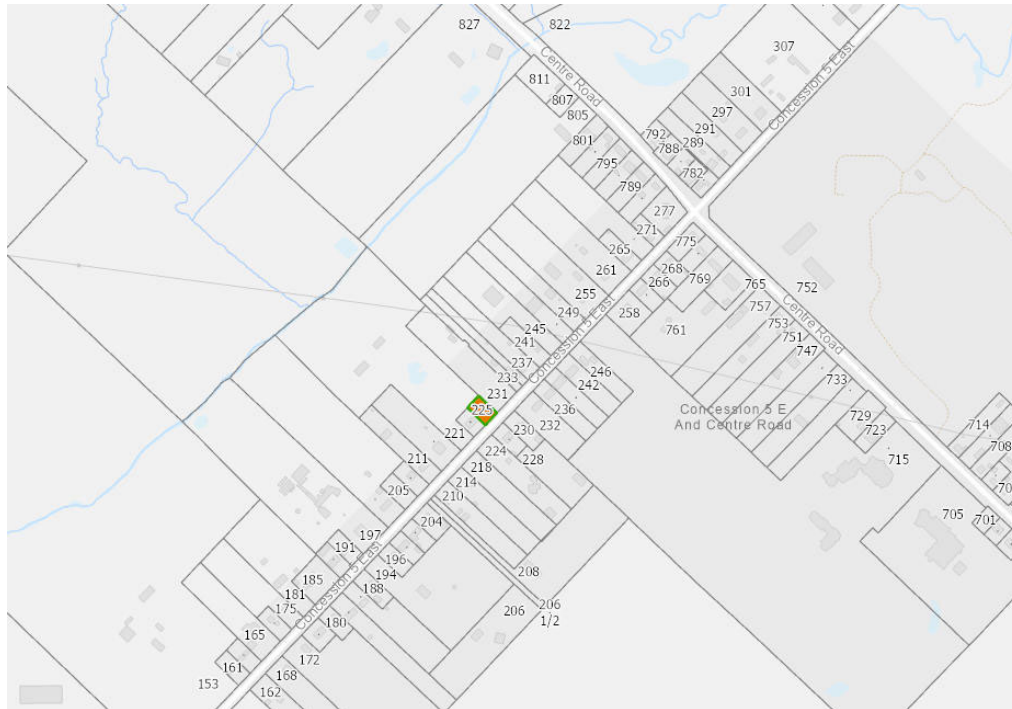
FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:74, you must submit a

A-24:74

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

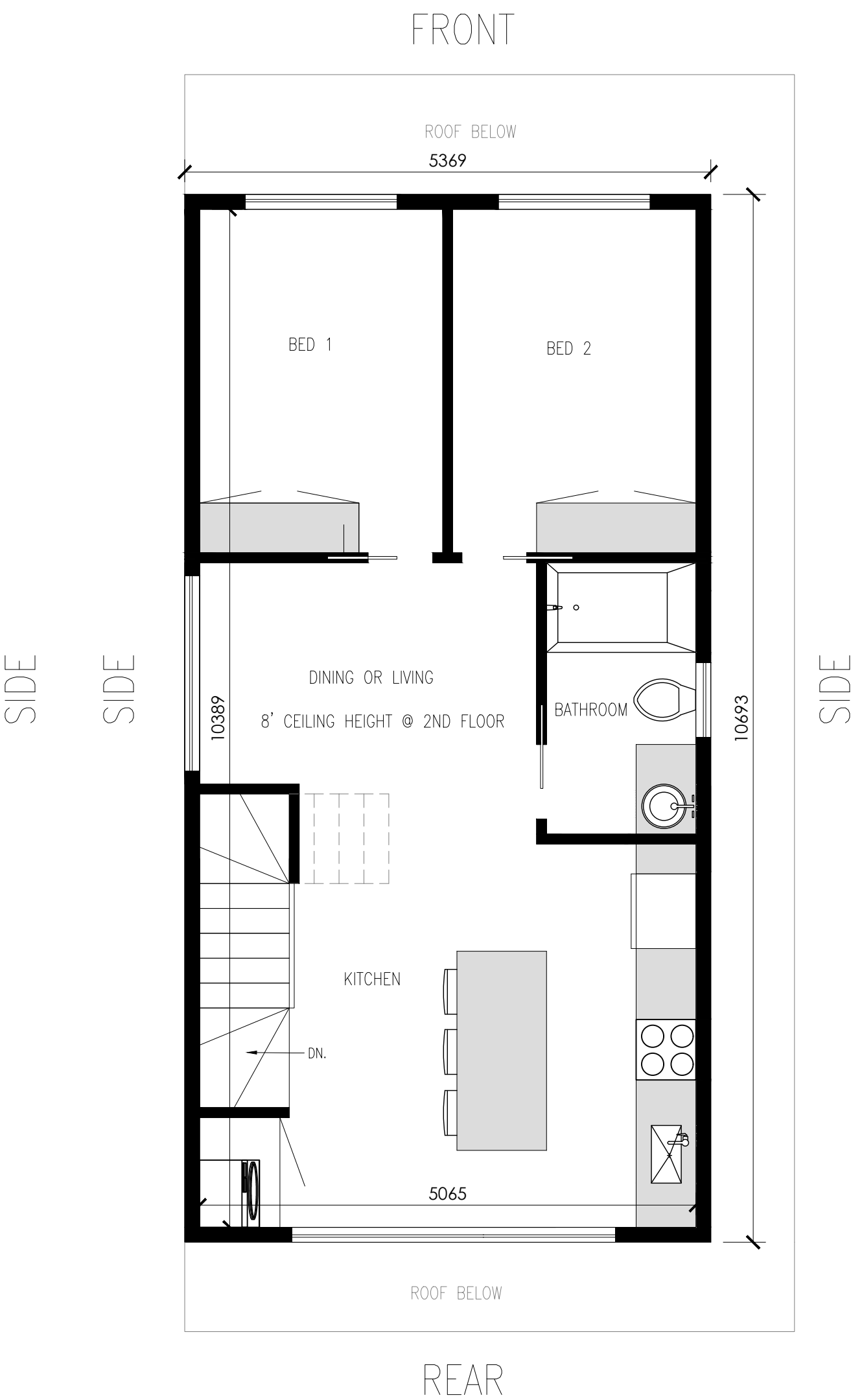
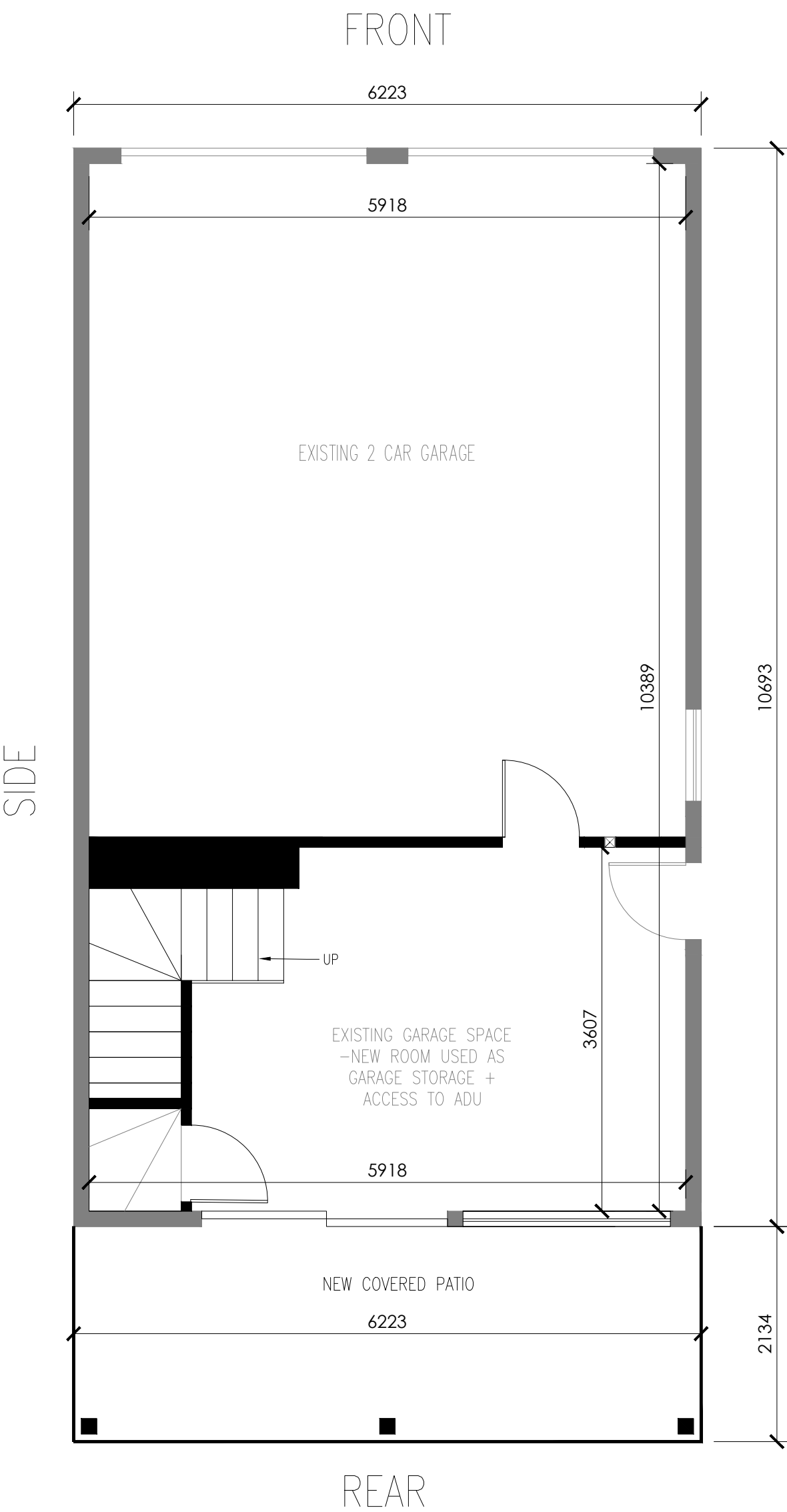
Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **no less than 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.

ACCESSORY DWELLING UNIT

225 CONCESSION 5 ROAD E.
HAMILTON, ONTARIO

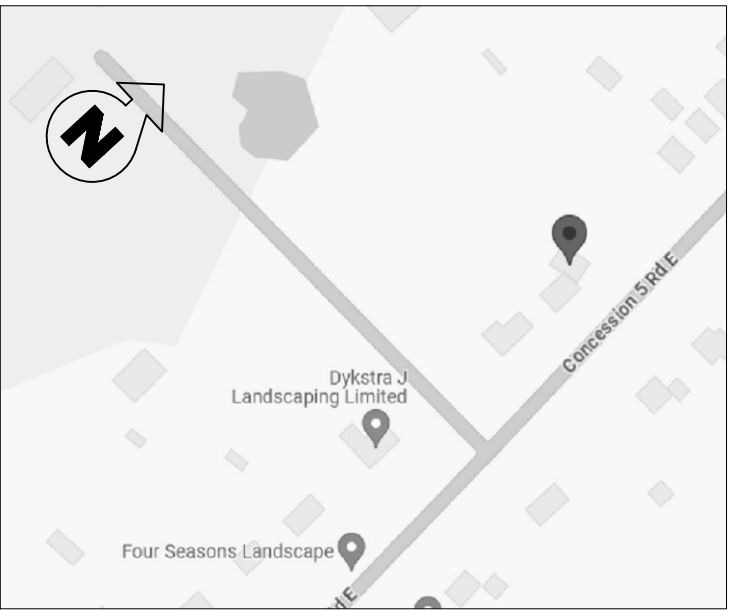


PROJECT DESCRIPTION:

EXISTING DETACHED GARAGE. NEW SECOND FLOOR ADDITION TO THE EXISTING GARAGE. SECOND LEVEL OF GARAGE TO BE AN ADU.

PROJECT AREA:

EXISTING DETACHED GARAGE= 66.54 M²
NEW SECOND STOREY (ADU)= 57.41 M²
NEW PATIO (COVERED)= 13.19 M²
LOT AREA= 1401.48 M²
LOT COVERAGE= 18.77 M²



KEY MAP



MANCO
ARCHITECTURAL DESIGN

(905) 537-9578
julia@mancoarchitectural.com
www.mancoarchitectural.com



DRAWING SUBMISSIONS	
DATE	TYPE
24-03-25	VARIANCE

225 CONC.5. ROAD.E
HAMILTON, ONTARIO

DRAWN BY: JM
PLOT DATE: 24-03-25

PAGE
FLOOR PLANS

ACCESSORY DWELLING UNIT

225 CONCESSION 5 ROAD E.
HAMILTON, ONTARIO

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SITE PLAN
Scale 1:150

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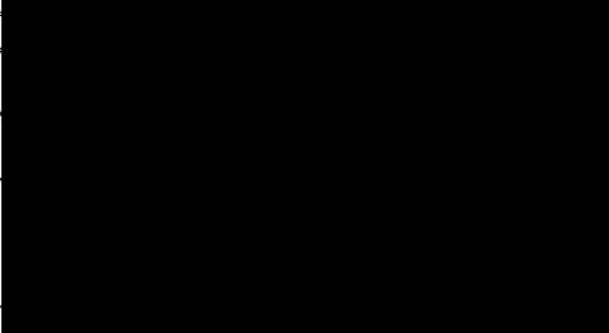
Hamilton

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)	KIARASH GOLAFSHAN	
Applicant(s)	JULIA MANCINI	
Agent or Solicitor		
		E-mail:

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


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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.

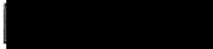
This request does not guarantee all correspondence will sent by email.

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	225 Concession 5 Road E.		
Assessment Roll Number	251830351052200		
Former Municipality	Hamilton (Waterdown)		
Lot	lot 9	Concession	5 east flamborough
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:

Applying for a Minor Variance to allow an ADU in a S1 zone.

☒ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

S1 zone does not allow for an ADU

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
30.6m	45.8m	1401.48 sq.m	unknown

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
existing single family dwelling	11.14m	25.65m	7.11m & 11.62m	1962
detached 2 car garage	15m	19.31m	2.4m	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
ADU	16.2m	18m	4m (exst.dwelling to SDU) & 2.4m	summer 2025
future addition	7.5m	25.65m	3.73m & 15.09m	summer 2025

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
existing single family dwelling	84.72 sq.m	94.67 sq.m	2	4.66m
detached garage	61.48 sq.m	65.56 sq.m	1	4m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
ADU	52.61 sq.m	57.41 sq.m	2	5.84m
future addition	94.76 sq.m	101.88 sq.m	1	3.65m

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.):
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:

December 8, 2023

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

single family dwelling

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

single family dwelling

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): Rural area

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) rural

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

Rural Hamilton combines diverse geographies, communities, economies, resources, and land uses. The development is compatible with surrounding land uses and the rural landscape

7.6 What is the existing zoning of the subject land? S1

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:

8.2 Number of Dwelling Units Proposed:

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

existing on the property is a single family dwelling. Home owner is proposing to build an ADU above the existing detached garage which would make a total of 2 dwellings on the property.

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
