



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

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.:	FL/A-23:351	SUBJECT PROPERTY:	2 Taylor Crescent, Dundas
ZONE:	“S1” (Settlement Residential Zone)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended

APPLICANTS: Owner: Clifford D Sousa & Alyssa Cesaria Marziliano
Agent: Jagdip S. Barmi - JS Barmi Architect

The following variances are requested:

1. Accessory buildings shall be permitted to be located within the flankage yard instead of the requirement that accessory buildings shall not be permitted within a front or flankage yard.
2. All accessory buildings shall be permitted to have a maximum height of 5.03 meters instead of the requirement that all accessory buildings shall have a maximum height of 4.5 meters.

PURPOSE & EFFECT: To Facilitate the construction of a new building (garage) accessory to an existing single detached dwelling.

Notes:

1. Please be advised the property is also subject to Amending By-law 24-052, which is not yet final and binding. Confirmation was provided by the applicant that the ground floor of the accessory building is dedicated to parking. Insufficient information was provided to determine zoning conformity with the current and amending by-law parking regulations. Additional variances may be required of conformity cannot be achieved.

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, July 2, 2024
TIME:	2:35 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

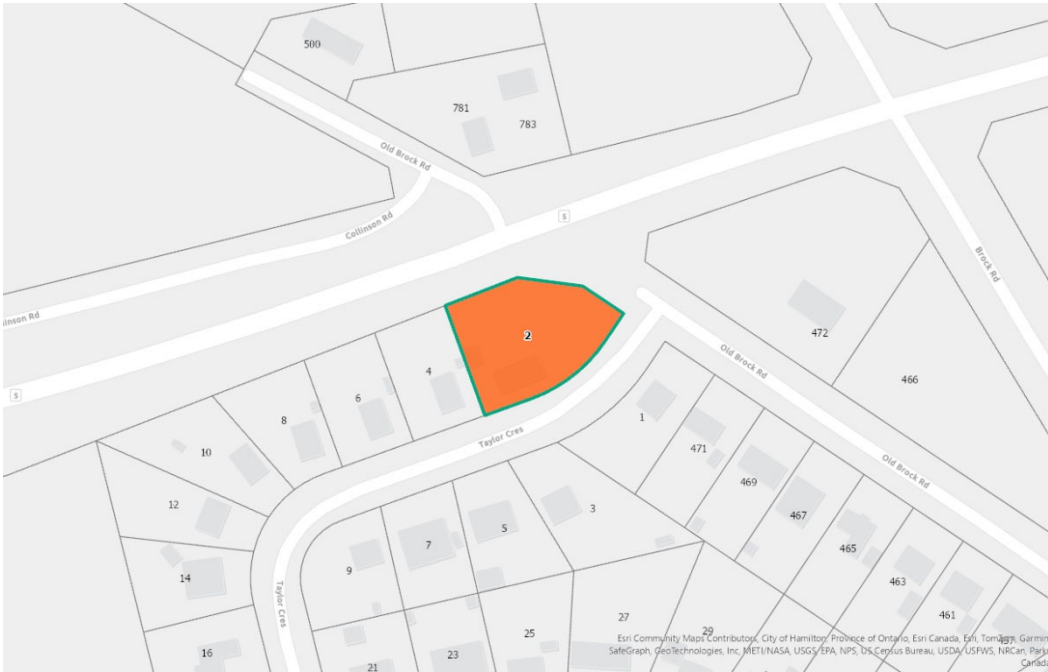
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon June 28, 2024

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 June 28, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding FL/A-23:351, 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: June 13, 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.



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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 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.

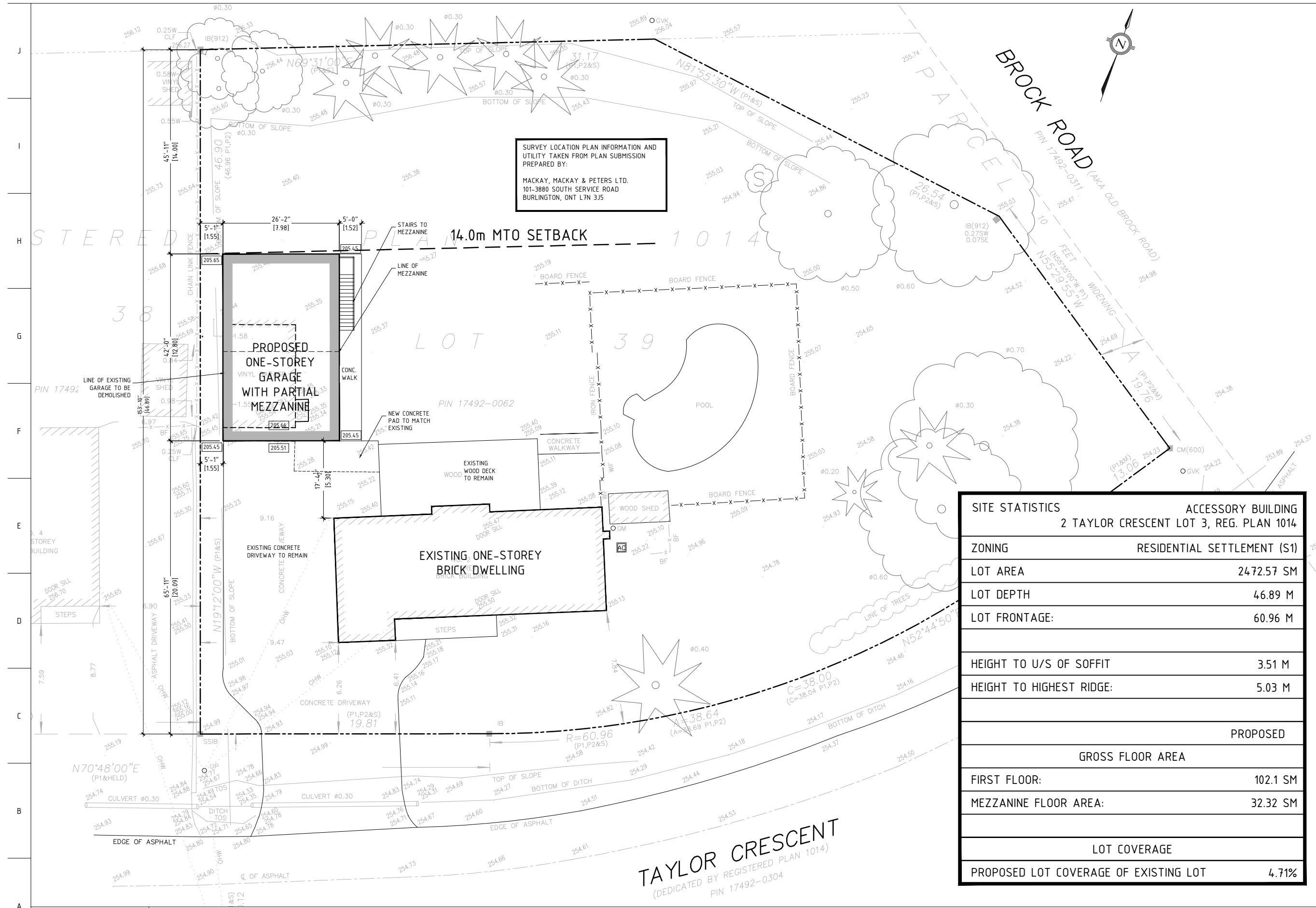
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

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.



SURVEY LOCATION PLAN INFORMATION AND UTILITY TAKEN FROM PLAN SUBMISSION PREPARED BY:
 MACKAY, MACKAY & PETERS LTD.
 101-3880 SOUTH SERVICE ROAD
 BURLINGTON, ONT L7N 3J5

SITE STATISTICS		ACCESSORY BUILDING	
2 TAYLOR CRESCENT LOT 3, REG. PLAN 1014			
ZONING	RESIDENTIAL SETTLEMENT (S1)		
LOT AREA	2472.57 SM		
LOT DEPTH	46.89 M		
LOT FRONTAGE:	60.96 M		
HEIGHT TO U/S OF SOFFIT	3.51 M		
HEIGHT TO HIGHEST RIDGE:	5.03 M		
GROSS FLOOR AREA		PROPOSED	
FIRST FLOOR:	102.1 SM		
MEZZANINE FLOOR AREA:	32.32 SM		
LOT COVERAGE		PROPOSED LOT COVERAGE OF EXISTING LOT	
		4.71%	

GENERAL NOTES/MATERIAL KEYING

DRAWINGS MUST NOT BE SCALED AND TO BE READ IN CONJUNCTION WITH GENERAL NOTES AND O.B.C.

ALL DRAWINGS AND INFORMATION ON THESE DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE PRIOR TO CONSTRUCTION AND FABRICATION. SHOULD EXISTING CONDITIONS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED ON ARCHITECTURAL DRAWINGS, THE ARCHITECT/OR THE ENGINEER MUST BE NOTIFIED.

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04
03
02 22 MAR 24 COA REVISION
01 19 APR 23 ZONING REVIEW
NO. DATE REASON FOR ISSUE
DRAWN BY: DSM CHECKED BY: JSB

STAMP



PROJECT TITLE
 ACCESSORY BUILDING
 2 TAYLOR CRESCENT
 HAMILTON, ON L9H 6B3
 PROJECT: 2306-01

JS BARM I ARCHITECT

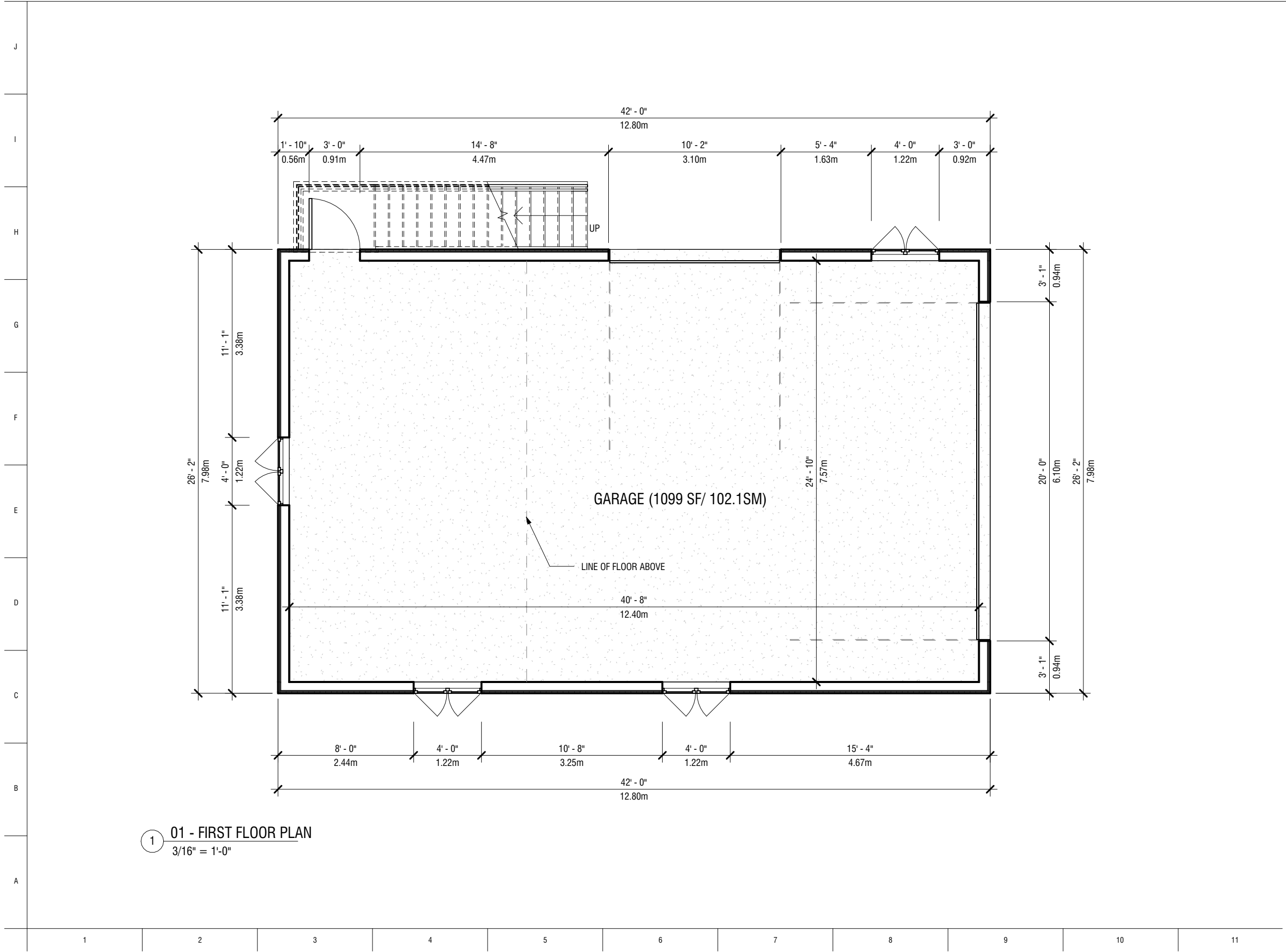
A001
 SITE PLAN

2586A YONGE STREET
 TORONTO, ON M4P 2J3 CANADA
 T: +1.416.745.0765
 E: INFO@LIVINGBOX.CA
 I: WWW.LIVINGBOX.CA

A 1
 1250
 1

EXISTING SITE PLAN
 2 3 4 5 6 7 8 9 10 11

TAYLOR CRESCENT
 (DEDICATED BY REGISTERED PLAN 1014)
 PIN 17492-0304



1 01 - FIRST FLOOR PLAN
3/16" = 1'-0"

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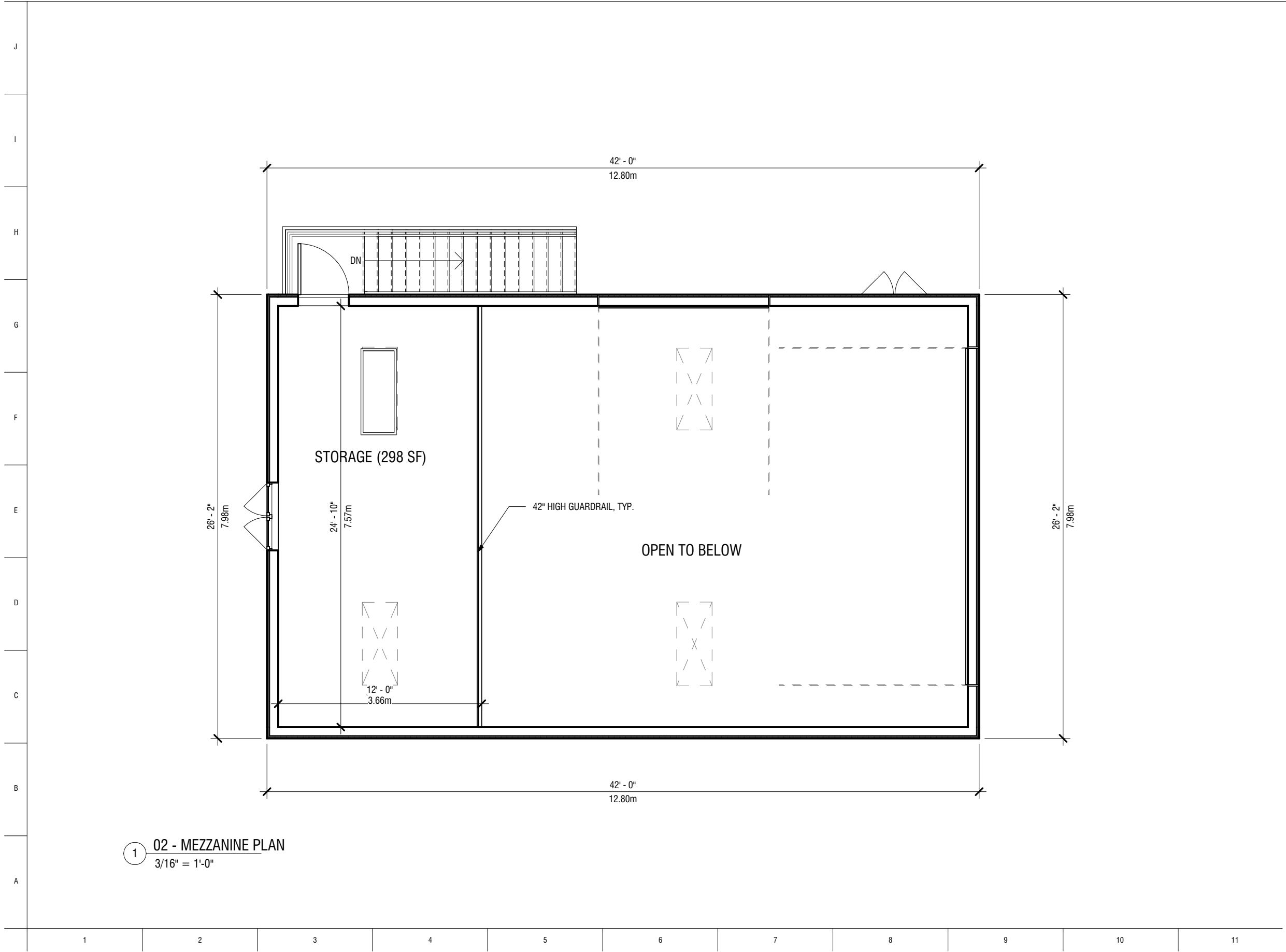


PROJECT TITLE
ACCESSORY BUILDING
2 TAYLOR CRESCENT, HAMILTON, ON L9H 6B3
JSBA PROJECT: 2306-01

JS BARMİ ARCHİTECT

A101
FIRST FLOOR PLAN

2586A YONGE STREET
TORONTO, ONTARIO M4P 2J3
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1 02 - MEZZANINE PLAN
3/16" = 1'-0"

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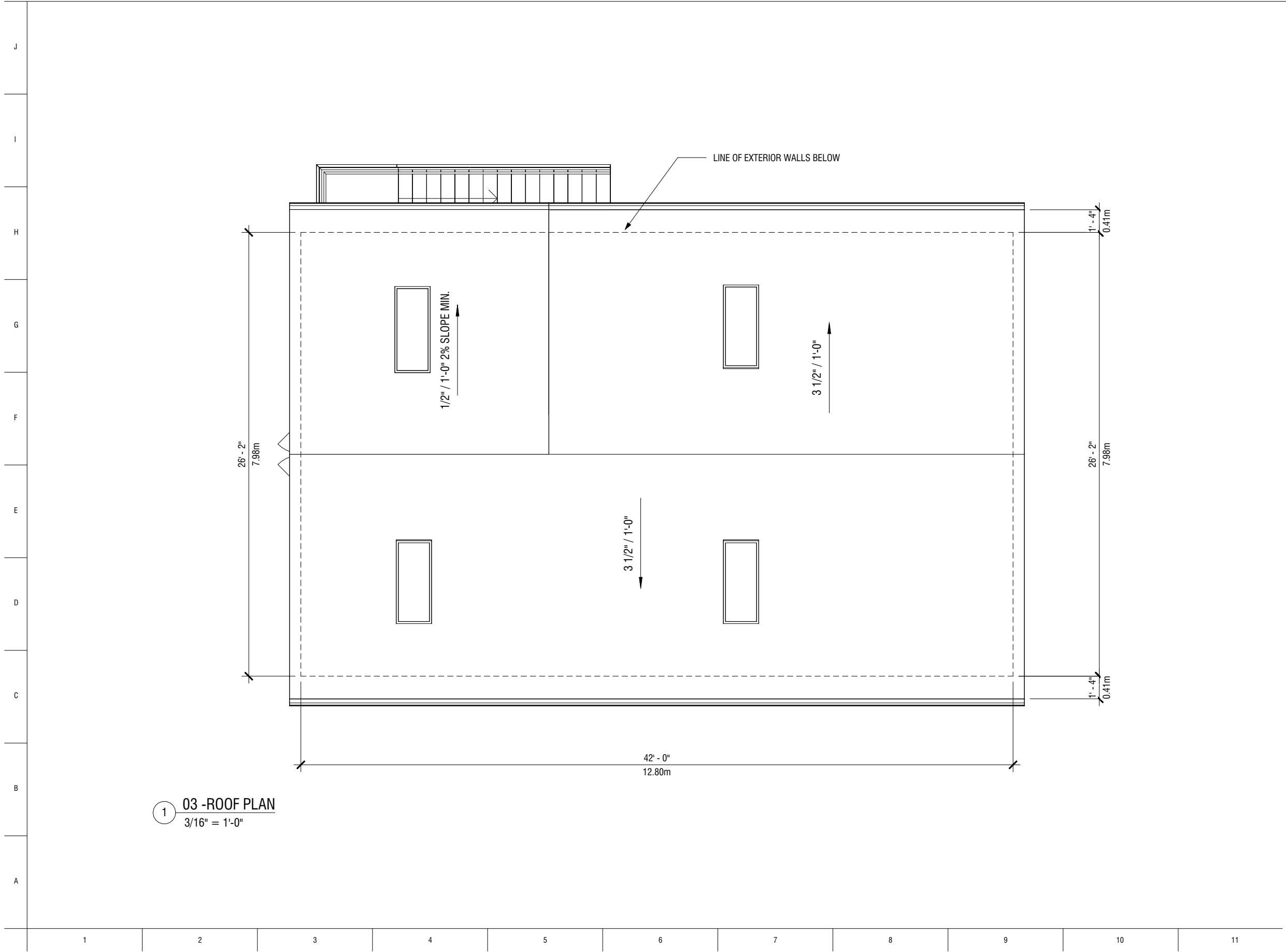


PROJECT TITLE
ACCESSORY BUILDING
2 TAYLOR CRESCENT, HAMILTON, ON L9H 6B3
JSBA PROJECT: 2306-01

JS BARMİ ARCHİTECT

A102
MEZZANINE PLAN

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1 03 - ROOF PLAN
3/16" = 1'-0"

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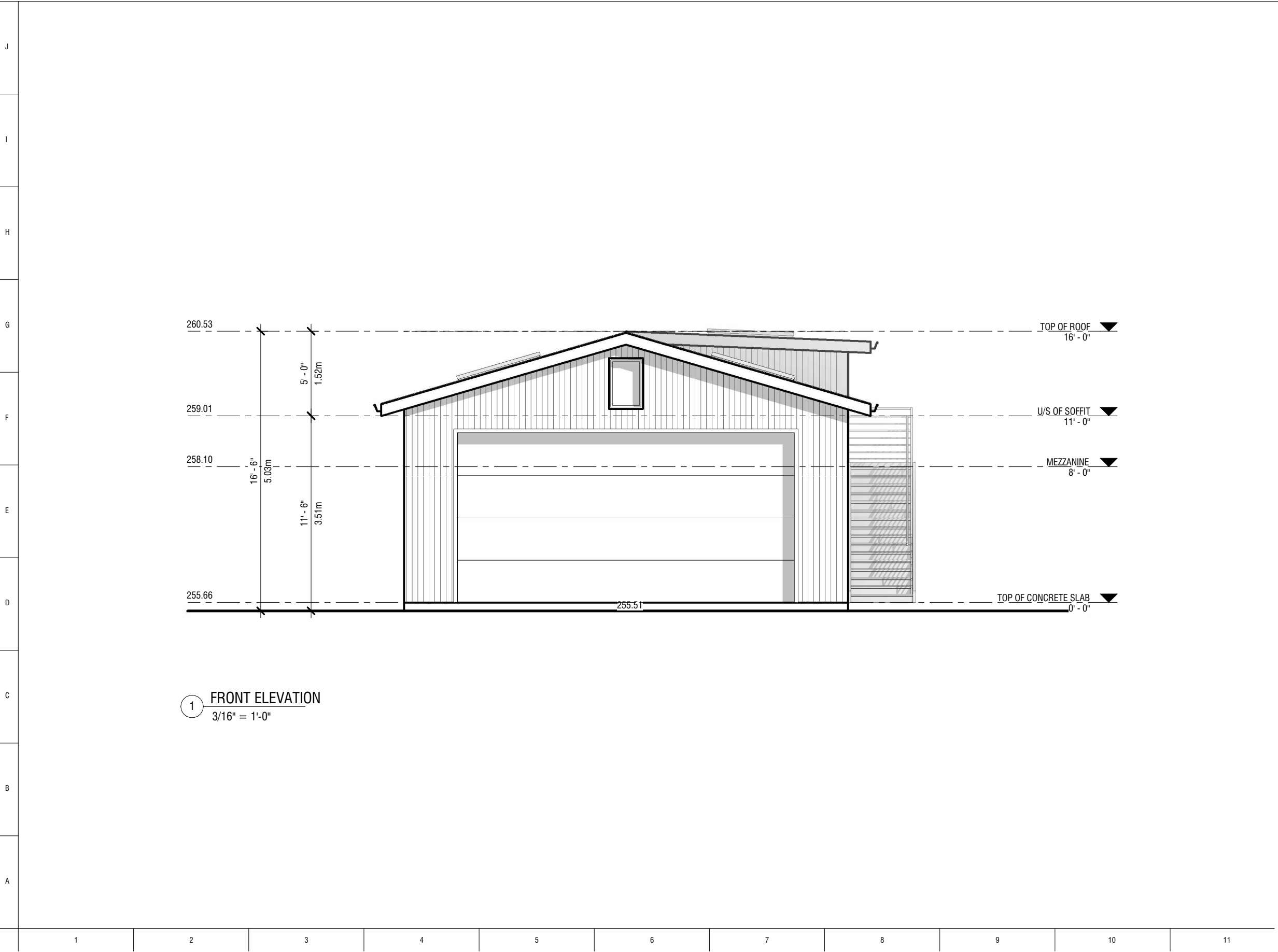
PROJECT TITLE
ACCESSORY BUILDING
2 TAYLOR CRESCENT, HAMILTON, ON L9H 6B3
JSBA PROJECT: 2306-01

JS BARMİ ARCHITECT

A103

ROOF PLAN

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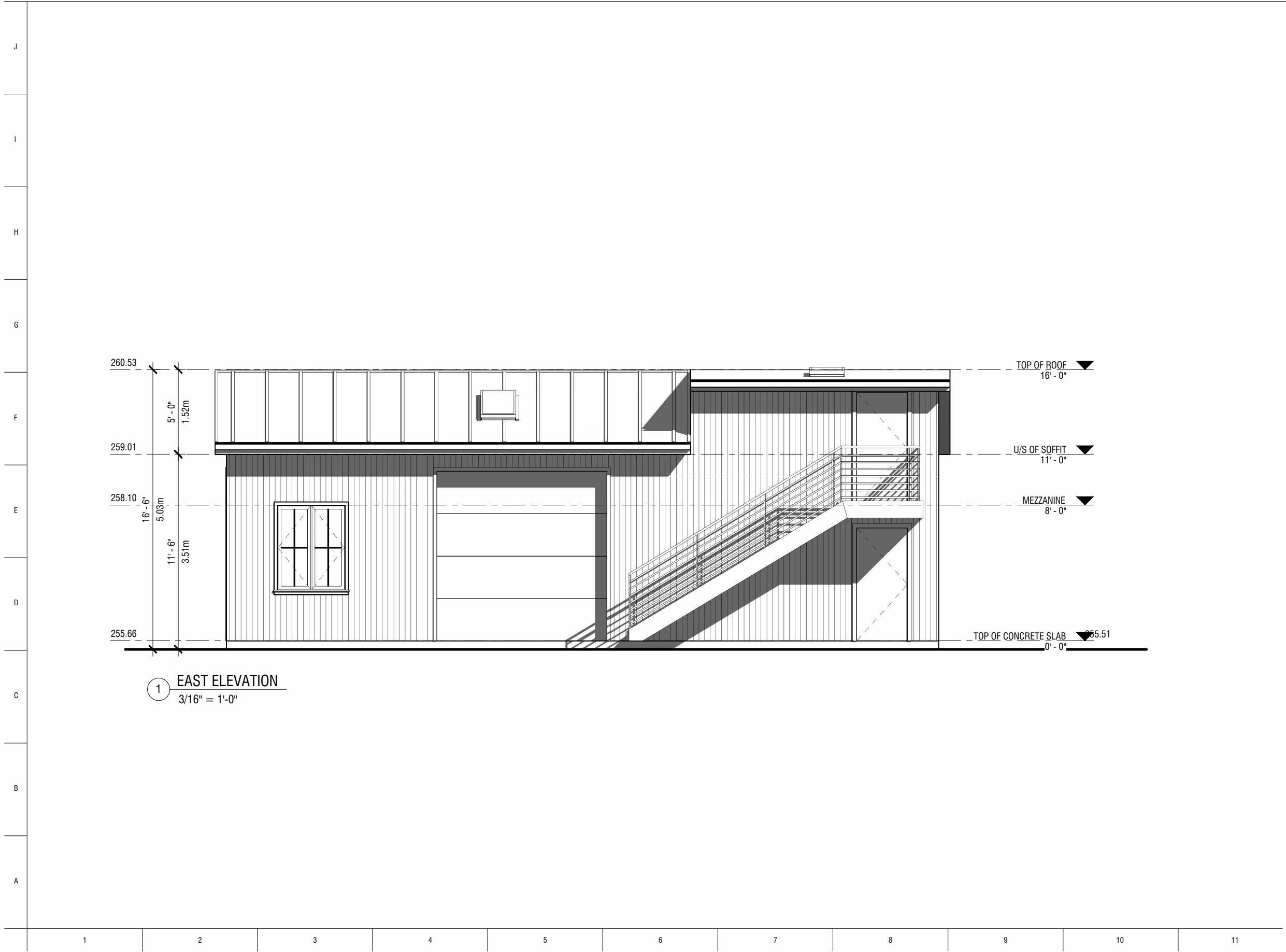


PROJECT TITLE
 ACCESSORY BUILDING
 2 TAYLOR CRESCENT, HAMILTON, ON L9H 6B3
 JSBA PROJECT: 2306-01

JS BARMİ ARCHİTECT

A200
 FRONT ELEVATION

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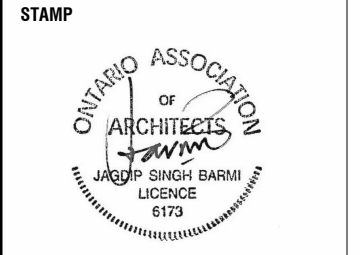
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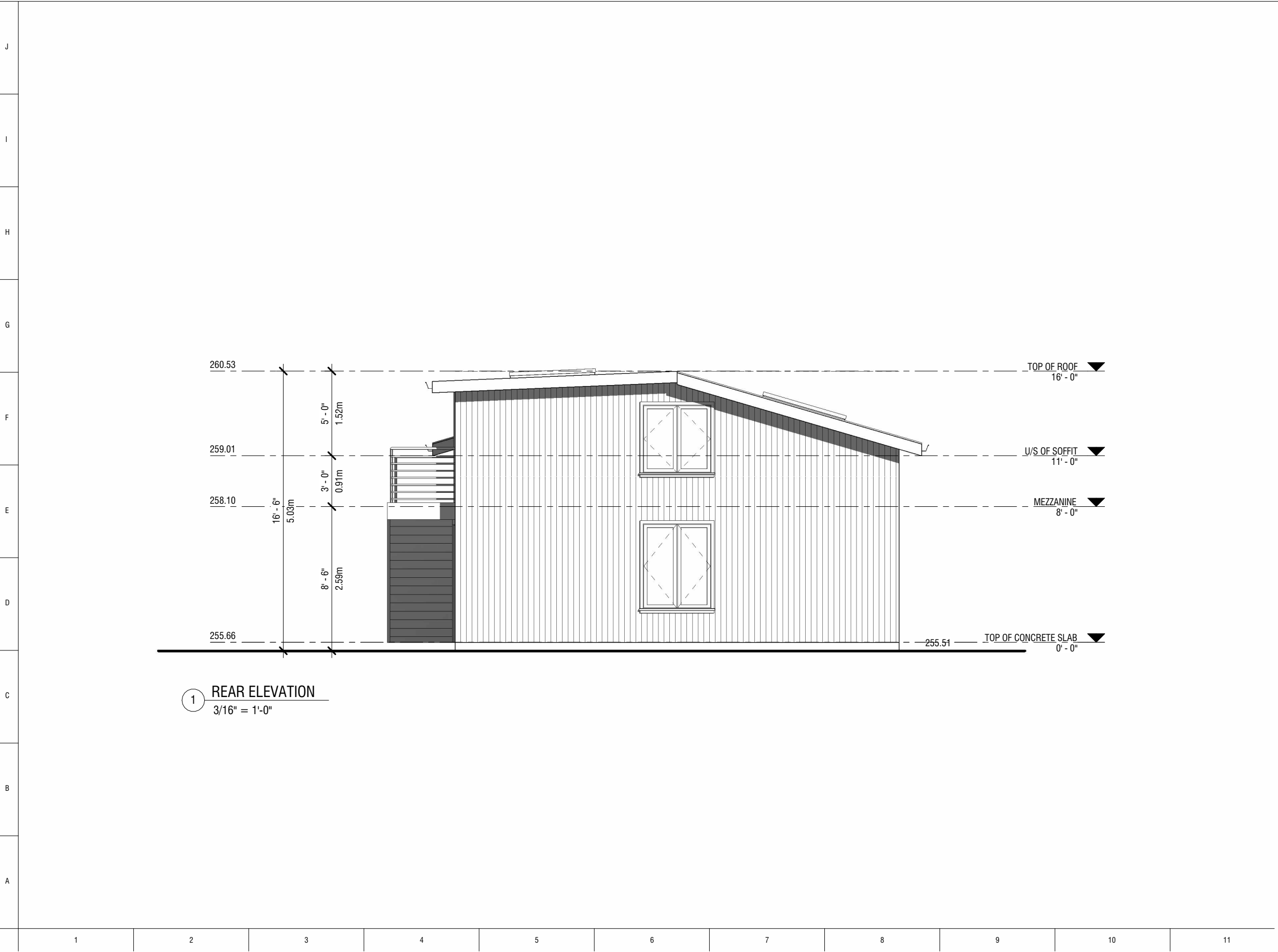


PROJECT TITLE
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 JSBA PROJECT: 2306-01

JS BARMİ ARCHİTECT

A201
 EAST ELEVATION

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1 REAR ELEVATION
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A202

REAR ELEVATION

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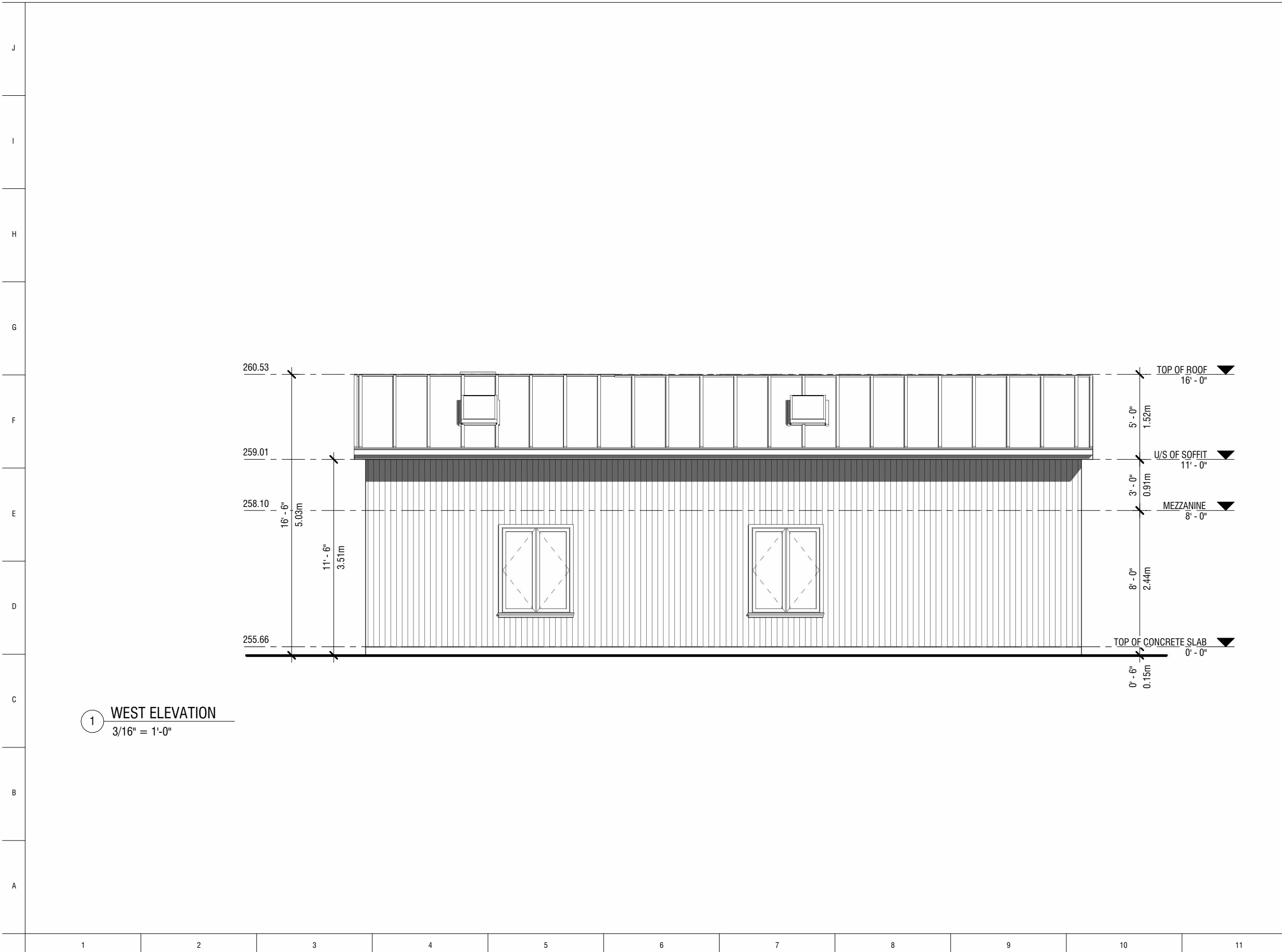
ACCESSORY BUILDING
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JSBA PROJECT: 2306-01

JS BARMİ ARCHİTECT

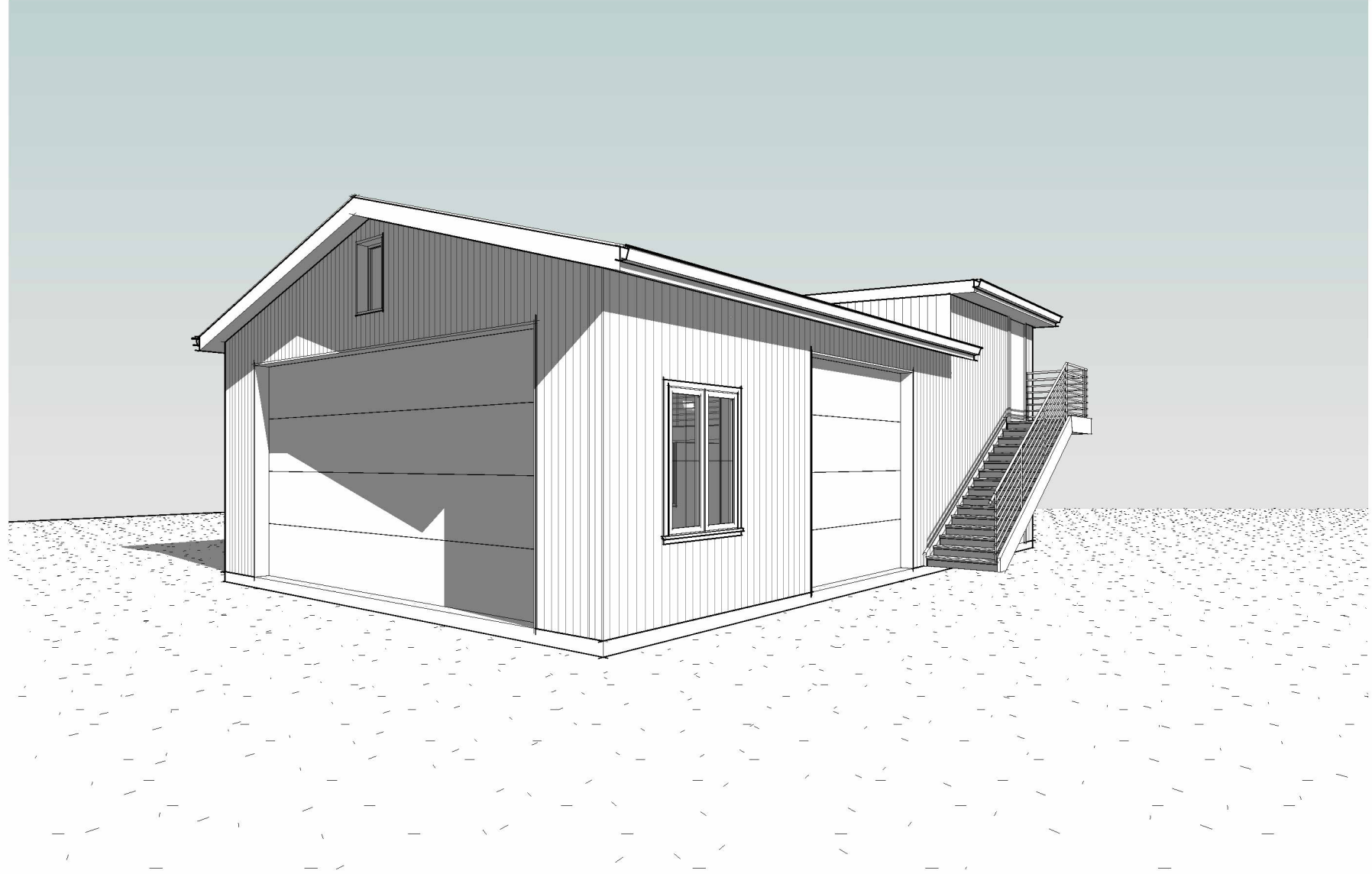
A203

WEST ELEVATION

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1 SCHEMATIC VIEW

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 2 TAYLOR CRESCENT, HAMILTON, ON L9H 6B3
 JSBA PROJECT: 2306-01

JS BARMİ ARCHİTECT

A300
 SCHEMATIC VIEW

2586A YONGE STREET
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Re: 2 TAYLOR CRES., HAMILTON

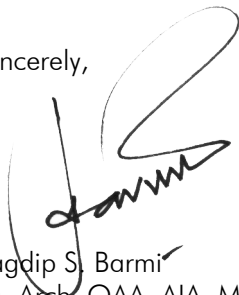
Our application pertaining to 2 Taylor Crescent was deferred during the hearing on April 9th. The proposal has been revised since.

The changes from previous plans are as follows:

1. The aggregate Gross Floor Area of has been reduced from to 4.71% lot coverage and Gross Floor Area of 149.0 sm to 4.71% lot coverage and Gross Floor Area of 134.42sm.
2. Maximum height has been reduced from 5.94m to 5.03m.
3. Flankage side setback has been increased from 10.65m to 14.0m to conform to MTO requirements.

This proposal fits within the context and the site. Requested variances are minor in nature, are consistent with the general intent and purpose of the zoning by-law and are also within the range of Committee approved variances in the neighbourhood. Thank you for your kind consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jagdip S. Barmi', written over a large, light-colored scribble or background mark.

Jagdip S. Barmi
M. Arch. OAA, AIA, MRAIC, NCARB, LEED AP
JS Barmi Architect



Hamilton

April 29th, 2024

FILE: ALR
FOLDER: 24-_____02 ALR
ATTENTION OF: Alyssa Vaccari
TELEPHONE NO: (905) 546-2424
EXTENSION: 2356

JAGDIP S. BARMİ
2586A YOUNG STREET
TORONTO, ON M4P 2J3

Attention:

RE: APPLICABLE LAW REVIEW – ZONING BYLAW COMPLIANCE REVIEW
PRESENT ZONING: S1
ADDRESS: 2 TAYLOR CRESCENT, FLAMBOROUGH

An Applicable Law Review respecting zoning bylaw compliance has been completed and the following comments are provided.

COMMENTS:

1. The applicant is proposing to replace an existing accessory building with a new 7.98m x 12.80m accessory building with a 32.32m² mezzanine level above.
2. The property is currently zoned 'S1' of Hamilton Zoning By-law 05-20.
3. The use of a single detached dwelling is permitted in the current 'S1' zone. The proposed detached garage is permitted as an accessory use to the principle dwelling.
4. Based on the definition of Front Lot Line, the easterly lot line measuring 19.76m along Old Brock Road is considered the Front Lot Line. As such the westerly lot line meaning 46.90m is deemed the rear lot line and all other lot lines are considered Flankage (side) lot lines.
5. The proposed development has been reviewed and compared to the standards of the Accessory Building regulations of Hamilton Zoning By-law 05-200, as indicated in the following chart:

	Required By By-Law	Provided	Conforming/ Non-Conforming
Section 4.8 – Accessory Building Requirements			
[Section 4.8 of Hamilton Zoning By-law 05-200]	A) Accessory Buildings shall not be used as a dwelling unit.	The proposed accessory building is intended as a garage and storage area.	Conforms
	b) Accessory Buildings shall not be permitted within a front or flankage yard.	The proposed accessory building is located within a Flankage yard.	Non-Conforming
	g) All Accessory Buildings shall have a maximum height of 4.5m	5.03m	Non-Conforming
	h) An eave or gutter of any Accessory Building may encroach into any required yard to a maximum of 0.45m	Eaves and gutters project 0.41m	Conforms
	i) Rooftop amenity area shall be prohibited on all Accessory Buildings.	No rooftop amenity area is intended.	Conforms
Building Accessory to Residential Uses [Section 4.8.1.1 of Hamilton Zoning By-law 05-200]	a) The aggregate Gross Floor Area of all Accessory Buildings shall not exceed 45.0m ² or 7.5% total lot coverage, whichever is the lesser.	4.71% lot coverage and Gross Floor Area of 134.42m ²	Non-Conforming
	d) <i>All accessory buildings with a Gross Floor Area greater than or equal to 18.0m² shall conform to the following regulations.</i> <u>Building Setback from a Rear Lot Line:</u> 1.2m	1.5m	Conforms
	<u>Building Setback from a Side lot Line:</u> 1.2m	All side lot lines are Flankage lot lines and therefore are subject to the provisions directly below.	Not Applicable
	<u>Building Setback from a Flankage Lot Line:</u> 1. Except as required in subsection 4.8.1.1(e), Accessory Buildings shall conform to the regulations for the principal use. 2. Notwithstanding Subsection 4.8.1.1(d)(iii), where a zone does not contain a Flankage Lot Line requirements, the minimum building setback shall be 1.2m.	14m from the northerly flankage side lot line.	Conforms

	Required By By-Law	Provided	Conforming/ Non-Conforming
	e) Where a vehicular entrance to an Accessory Building faces a Street line, the vehicular entrance shall be setback a minimum of 6.0m from the street line.	The proposed garage is setback 20.09m from the southerly side yard (along Taylor Cres.)	Conforms
Special Setbacks – Section 4.23			
[Section 4.23(a) of Hamilton Zoning By-law 05-200]	<u>Setback from a Provincial Highway Right-of-way:</u> All buildings, structures, required parking areas and storm water management facilities located on a property shall be setback a minimum of 14.0m from a Provincial Highway Right-of-way.	14.0m (northerly) setback from the property line abutting Highway No. 5 West.	Conforms

Yours truly

AVaccari

for the Manager of Zoning and Committee of Adjustment



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)			
Applicant(s)			
Agent or Solicitor			
		Phone:	
		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*

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 be sent by email.

1.6 Payment type

In person

Cheque

Credit over phone*

* number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	2 TAYLOR CRES, HAMILTON, ON L9H 6B3		
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number	3	Lot(s)	
Reference Plan Number (s)	1014	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:

TO DEMOLISH AN EXISTING GARAGE AND CONSTRUCT A NEW ACCESSORY BUILDING WITH MEZZANINE

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

OWNER REQUIREMENTS

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
46.89	60.96	2472.57 SM	

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
GARAGE	21	18.52	1.55	01/01/1960

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
GARAGE	20.09	14	1.55	07/01/2023

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
GARAGE	36.80		1	4

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
ACCESSORY	102.1	134.42	1.5	5.03

- 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.):
ACCESSORY BUILDING WITH MEZZANINE STORAGE

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):
RESIDENTIAL

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:
2018

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:
SINCE EXISTENCE

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

Rural Hamilton Official Plan designation (if applicable): _____

Rural Settlement Area: S1

Urban Hamilton Official Plan designation (if applicable) _____

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

7.6 What is the existing zoning of the subject land? FL/A-23-351

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: FL/A-23-351

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: 1

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

EXISTING SINGLE FAMILY DETACHED DWELLING TO REMAIN. EXISTING TWO-CAR GARAGE TO BE DEMOLISHED AND ONE STOREY ACCESSORY BUILDING WITH PARTIAL MEZZANINE IS PROPOSED.

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

ZONING COMPLIANCE REVIEW

MTO PERMIT