



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-24:158</b>	<b>SUBJECT PROPERTY:</b>	9 Meldrum Avenue, Flamborough
<b>ZONE:</b>	“S1” (Settlement Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:**      Owner: Attila and Izabella Bauer  
                                 Agent: Attila and Izabella Bauer

The following variances are requested:

1. A maximum gross floor area of 115.83 square metres and a maximum building height of 5.08 metres shall be permitted for all buildings accessory to the single detached dwelling instead of the requirement that all buildings accessory to a single detached dwelling shall not exceed a maximum gross floor area of 45 square metres and shall have a maximum building height of 4.5 metres.

**PURPOSE & EFFECT:**      To facilitate the construction of a new building accessory to an existing single detached dwelling.

**Notes:**

1. Please be advised the property is subject to Amending By-law 24-051 and 24-052 within the Hamilton Zoning by-law 05-200, which is not yet 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:

<b>DATE:</b>	<b>Tuesday, August 6, 2024</b>
<b>TIME:</b>	<b>2:35 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>

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

- 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

## **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 August 2, 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 August 2, 2024

## **FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:158, 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: July 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.

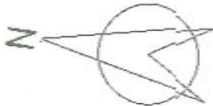
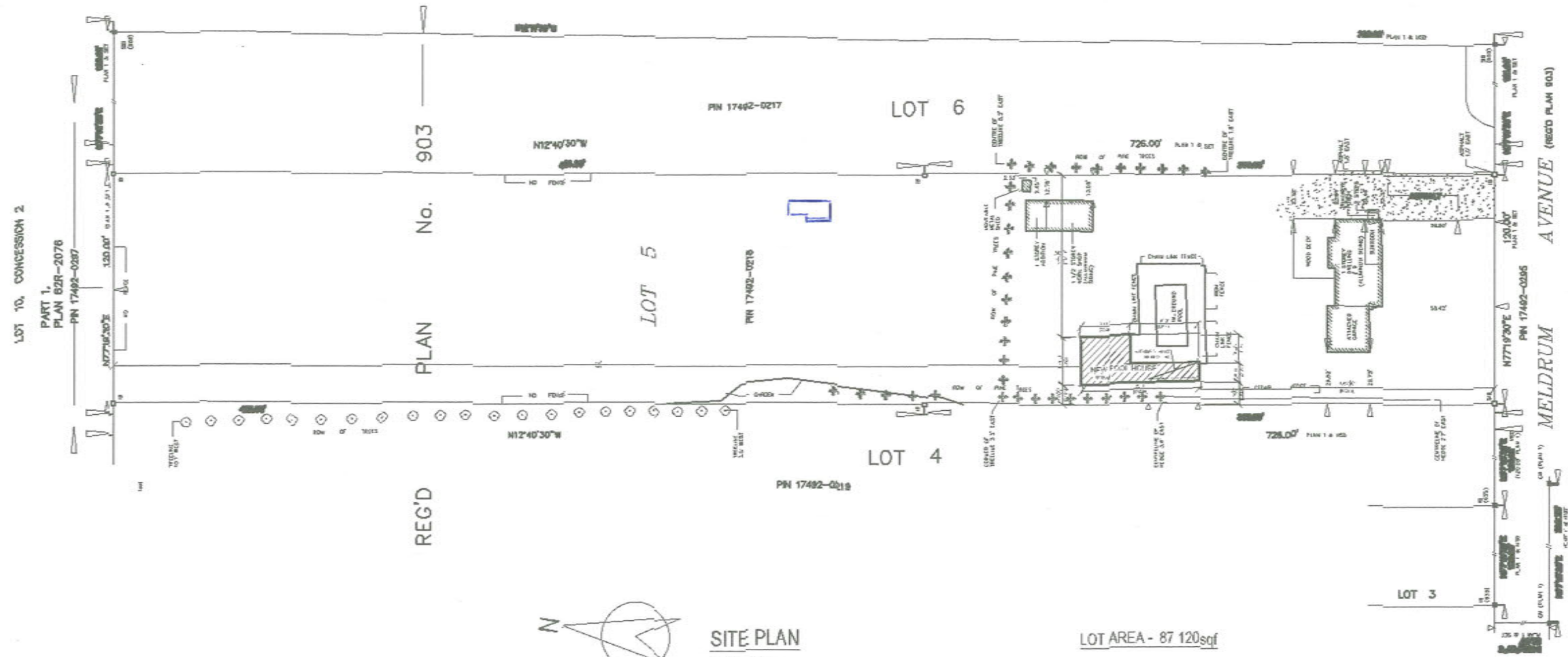
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

##### 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).

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**

SCALE: 1/8" = 1'-0"  
NOTE: EXISTING GRADES & UTILITIES AS SHOWN IN THIS PLAN ARE UNCHANGED.

LOT AREA - 87,120 sq'

No.	Description/Issue	Date
1	BUILDING PERMIT	03.13.2024

THIS PLAN IS A PRELIMINARY DESIGN AND IS SUBJECT TO THE APPROVAL OF THE MUNICIPAL ENGINEER. THE CLIENT ACCEPTS FULL RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED AND THE DESIGN. THE ENGINEER'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED. THE ENGINEER DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED OR THE DESIGN. THE ENGINEER'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED. THE ENGINEER DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED OR THE DESIGN.

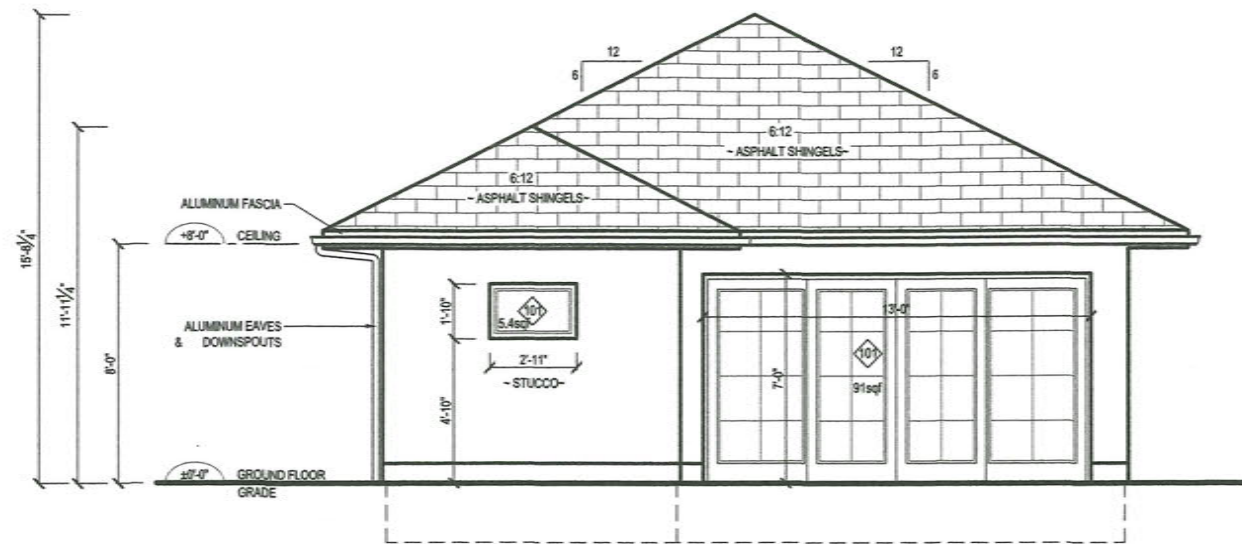
Project Name and Address:  
9 MELDRUM Avenue  
HAMILTON, ON

**GABRIS Associates**  
494A Gladstone Avenue  
Toronto, Ontario M6H 3K9  
Tel: 416-857-4977  
E-mail: info@gabris.ca

Sheet No.	24 of 24
Scale	AS NOTED
Plan No.	A-01

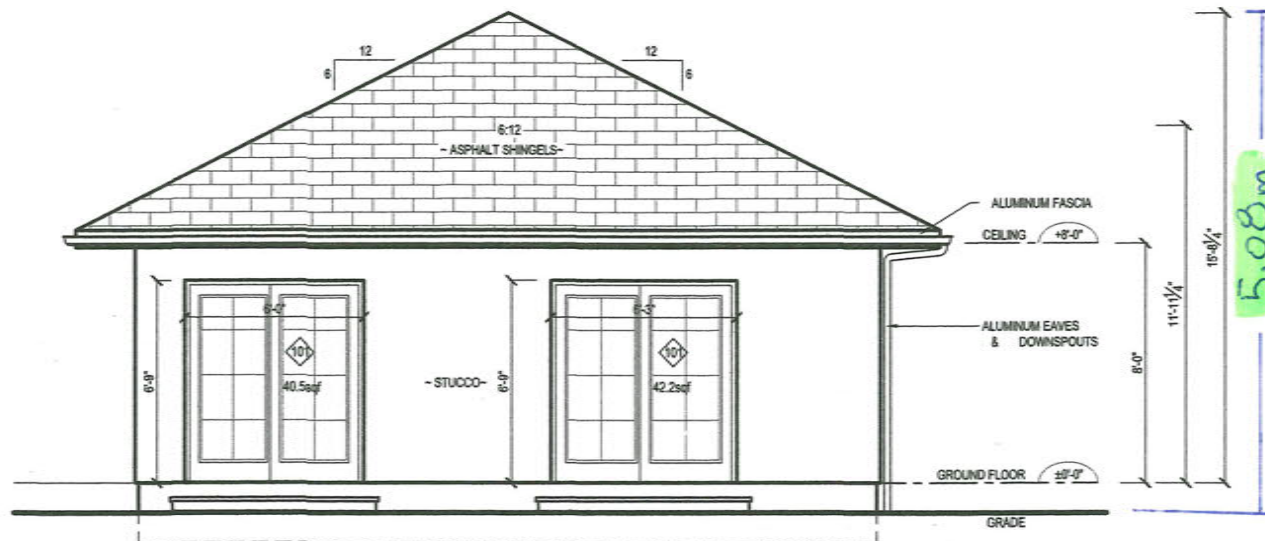
SITE PLAN





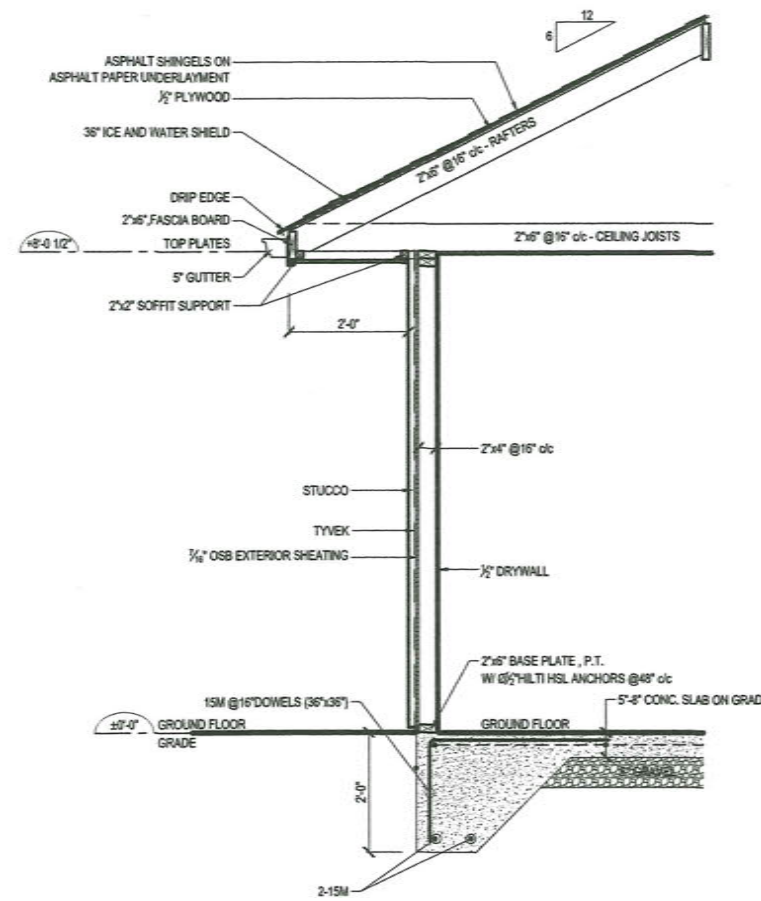
**SOUTH ELEVATION**

SCALE 1/4" = 1'-0"



**NORTH ELEVATION**

SCALE 1/4" = 1'-0"



**SECTION A-A**

SCALE 1/2" = 1'-0"



No.	Revision/Issue	Date
1.	BUILDING PERMIT	05.13.2024

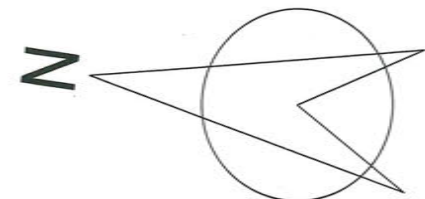
CONTRACTOR SHALL CHECK AND VERIFY ALL LAYOUT CONDITIONS, DIMENSIONS AND OTHER CONDITIONS WHICH AFFECT THE LAYOUT AND CONSTRUCTION OF THE WORK. CONTRACTOR SHALL REPORT ALL DIMENSIONAL AND/OR INFORMATION AND/OR INSTRUCTION DISCREPANCIES TO THE CONSULTANT BEFORE PROCEEDING WITH THE WORK. DRAWINGS ARE NOT TO BE SCALED. CONTRACT DOCUMENTS SHALL REMAIN THE PROPERTY OF THE CONSULTANT AND SHALL BE RETURNED UPON COMPLETION OF THE PROJECT. NO PORTIONS OF THE CONTRACT DOCUMENTS MAY BE USED IN ANY FORM FOR ANY DESIGN AND/OR CONSTRUCTION PROJECT OTHER THAN THE PROJECT FOR WHICH THESE DOCUMENTS WERE ORIGINALLY PREPARED AND ISSUED BY THE CONSULTANT.

Project Name and Address  
**9 MELDRUM Avenue**  
**HAMILTON, ON**

**GABRIS Associates**  
 496A Gladstone Avenue  
 Toronto, Ontario, M6H 3H9  
 Tel. 416-857 4971  
 E-mail info@gabris.ca

Project # 24 02 487  
 Date AS NOTED  
 Sheet **A-06**

ELEVATIONS II., SECTION A-A



# SITE PLAN

SCALE 3/32" = 1'-0"

NOTE: EXISTING GRADING SLOPES AND LOT DRAINING PATTERN REMAINS UNCHANGED.

**LOT AREA - 87 120sqf**

**TOOL SHED - 240sqf**

EXISTING HOUSE (& GARAGE) COVERAGE - 1,720 sqf

EXISTING REAR DECK - 625 sqf

EXISTING WORKSHOP - 573 sqf **TO BE DEMOLISHED**

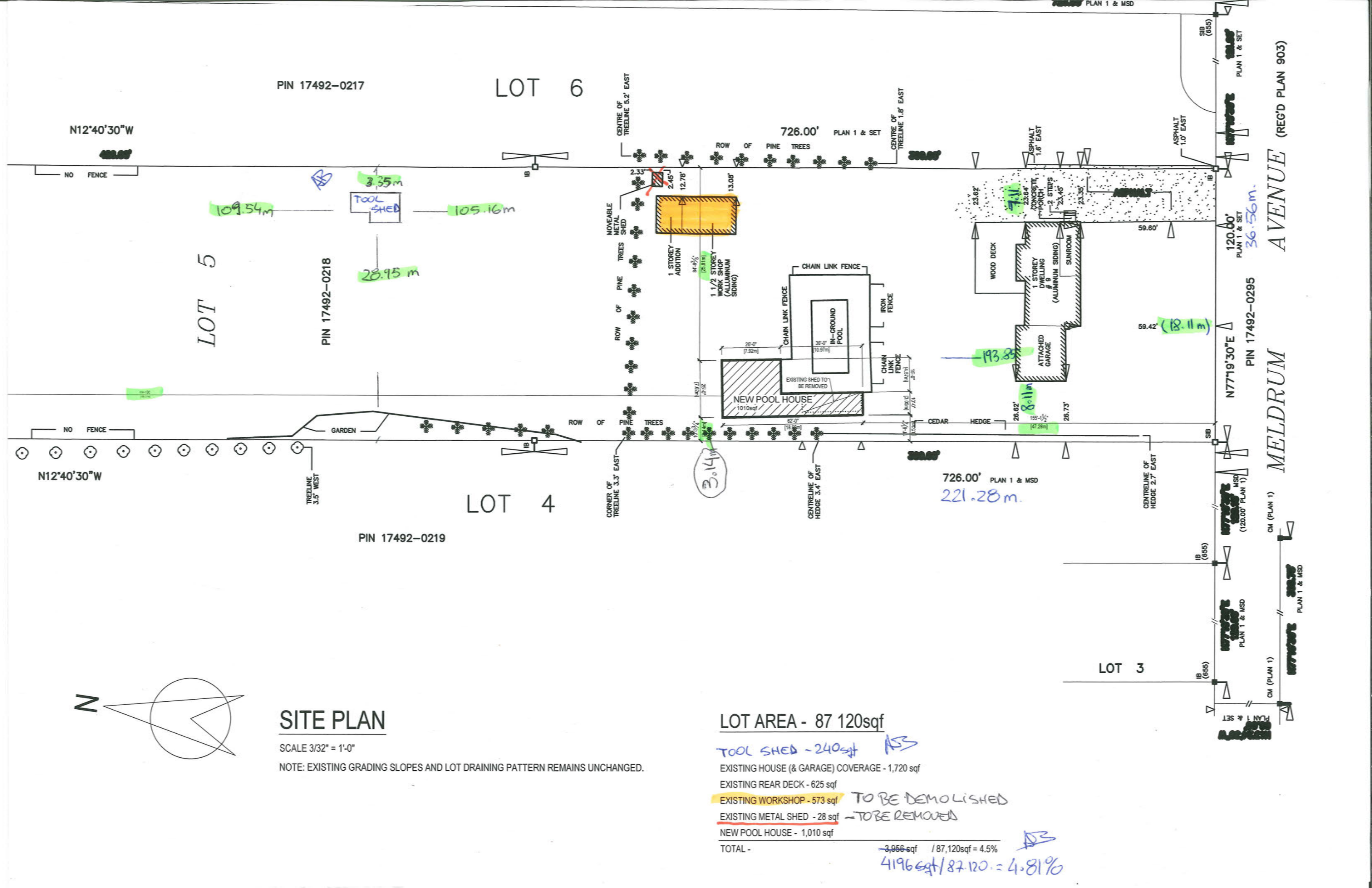
EXISTING METAL SHED - 28 sqf **TO BE REMOVED**

NEW POOL HOUSE - 1,010 sqf

TOTAL -

**3,966 sqf / 87,120sqf = 4.5%**

**4196sqf / 87,120 = 4.81%**



MELDRUM AVENUE (REG'D PLAN 903)

CM (PLAN 1)

CM (PLAN 1)

CM (PLAN 1)

CM (PLAN 1)

CM (PLAN 1)

CM (PLAN 1)

To the Committee of Adjustment,

We are the Bauer family, residing at 9 Meldrum Ave, Hamilton.

We would like to build an accessory structure beside our pool. The structure would replace the old workshop and the old shed/pool house on the west side of the pool. We would like to combine the two structures and build it on the west side of our property because we feel it would serve better at that location. We also feel the structural integrity of the old workshop is questionable. So instead of renovating it, we would like to relocate it.

The new accessory building would serve as a mechanical room, accessory for the pool, storage and hobby shop. Combining the two old structures resulted in exceeding the maximum allowed lot coverage (45 m<sup>2</sup> to 93.8 m<sup>2</sup>) and the design of the roof resulted in slightly exceeding the maximum allowed height (4.05m to 5.08m).

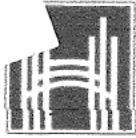
Prior to submitting this application, we discussed our plans with our neighbours, the Arbuckle family on the West side and the Gill family on the East side and we got their verbal approval. We maintain a good relationship with our neighbours, and we felt that we didn't need to attach their written approval.

We hope you consider our idea of combining the two structures as a feasible idea and we hope you can approve it.

With kind regards,

Attila and Izabella Bauer





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Committee of Adjustment  
City Hall, 5<sup>th</sup> 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)	Attila and Izabella Bauer		
Applicant(s)	Attila Bauer Izabella Bauer		
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\*

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 be 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	9 Meldrum Ave, Hamilton		
Assessment Roll Number			
Former Municipality			
Lot	5	Concession	2
Registered Plan Number	62R-2076	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:

Acc. Bld. Lot coverage Max 45m<sup>2</sup>, proposed 93.8m<sup>2</sup> Pool house only  
 Acc. Bld. Lot coverage Max 45m<sup>2</sup> proposed.115.83m<sup>2</sup> combined; poolhouse and tool shed(22.03m<sup>2</sup>)  
 Acc. Bld height, max 4.5m, proposed 5.08

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

Design

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
36.56m	221.28m	8093.71m <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
HOUSE& ATT. GARAGE	18.11m	193.85m	7.11m E, 8.11m W	01/01/2003
REAR DECK	25.42m	183m	7m E, 19.2m W	01/01/1950
TOOL SHED	105.16m	109.54m	3.35m E, 28.95m W	05/28/2024
WORK SHOP	TO BE DEMOLISHED			

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
POOL HOUSE	47.28m	155.11m	25.81m E, 3.14m W	

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
HOUSE & ATT. GARAGE	159.79m <sup>2</sup>	159.79m <sup>2</sup>	1	5.79m
REAR DECK	58.06m <sup>2</sup>	58.06m <sup>2</sup>	1	1.22m
TOOL SHED	22.03m <sup>2</sup>	22.03m <sup>2</sup>	1	3.66m
WORK SHOP	TO BE DEMOLISHED			

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
POOL HOUSE	93.8m <sup>2</sup>	93.8m <sup>2</sup>	1	5.08m

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 DETACHED
- 4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):  
SINGLE FAMILY DETACHED

## 7 HISTORY OF THE SUBJECT LAND

- 7.1 Date of acquisition of subject lands:  
2007
- 7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
SINGLE FAMILY DETACHED
- 7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
SINGLE FAMILY 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): Greensville Rural Settlement

Rural Settlement Area: Settlement Residential

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? 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: S1



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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):

Proposed to build accessory building.

## 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
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