



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.:	A-24:167	SUBJECT PROPERTY:	58 Christopher Drive, Hamilton
ZONE:	AA (Agricultural)	ZONING BY-LAW:	Zoning By-law former City of Hamilton 6593, as Amended

APPLICANTS: Owner: Agnes Nelso
Agent: Christine Brown

The following variances are requested:

Variances required under Former Hamilton Zoning By-law 6593

1. A maximum building height of 5.02 metres shall be permitted for an accessory building instead of the maximum required height of 4.0 metres for an accessory building.
2. A minimum rear yard depth of 1.83 metres shall be permitted for an accessory building instead of the minimum required setback of 3.0 metres from the nearest lot line for an accessory building exceeding 4.0 metres in height.

Variances required under Hamilton Zoning By-law 05-200

1. *A maximum building height of 5.02 metres shall be permitted for an accessory building instead of the maximum required accessory building height of 4.5 metres.*
2. *A maximum aggregate gross floor area of 92.9 m² for accessory buildings shall be permitted instead of the maximum aggregate gross floor area of 45 m² for accessory buildings.*

PURPOSE & EFFECT: So as to permit an accessory building within the rear yard of an existing Single Family Dwelling

Notes:

- i. Be advised, Zoning By-Law Amendment 24-051 and 24-052 was passed on April 10, 2024 to amend Section 1: Administration, Section 3: Definitions, Section 4: General Provisions, Section

A-24:167

5: Parking regulations and Section 15: Residential Zones under Hamilton Zoning By-Law 05-200. The Amendment remains Not Final and Binding and as such, both regulations under the former Hamilton Zoning By-Law 6593 and those regulations applicable under Zoning By-Law Amendment 24-051 and 24-052 are applicable to the subject property. As such, additional variances have been provided as they relate to requirements under Zoning By-law Amendment 24-051 and 24-052. Until such time that Zoning By-Law Amendment 24-051 and 24-052 are deemed Final and Binding, regulations under both the former Zoning By-Law and the Amending By-laws shall apply.

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, August 20, 2024
TIME:	1:35 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

PUBLIC INPUT

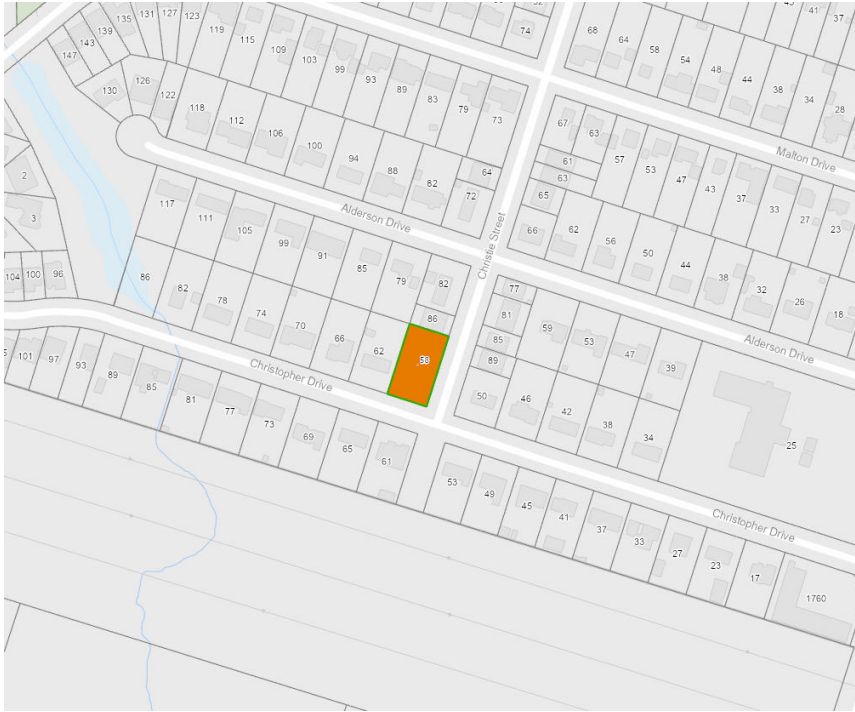
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon August 16, 2024

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 19, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:167, 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: August 1, 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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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.

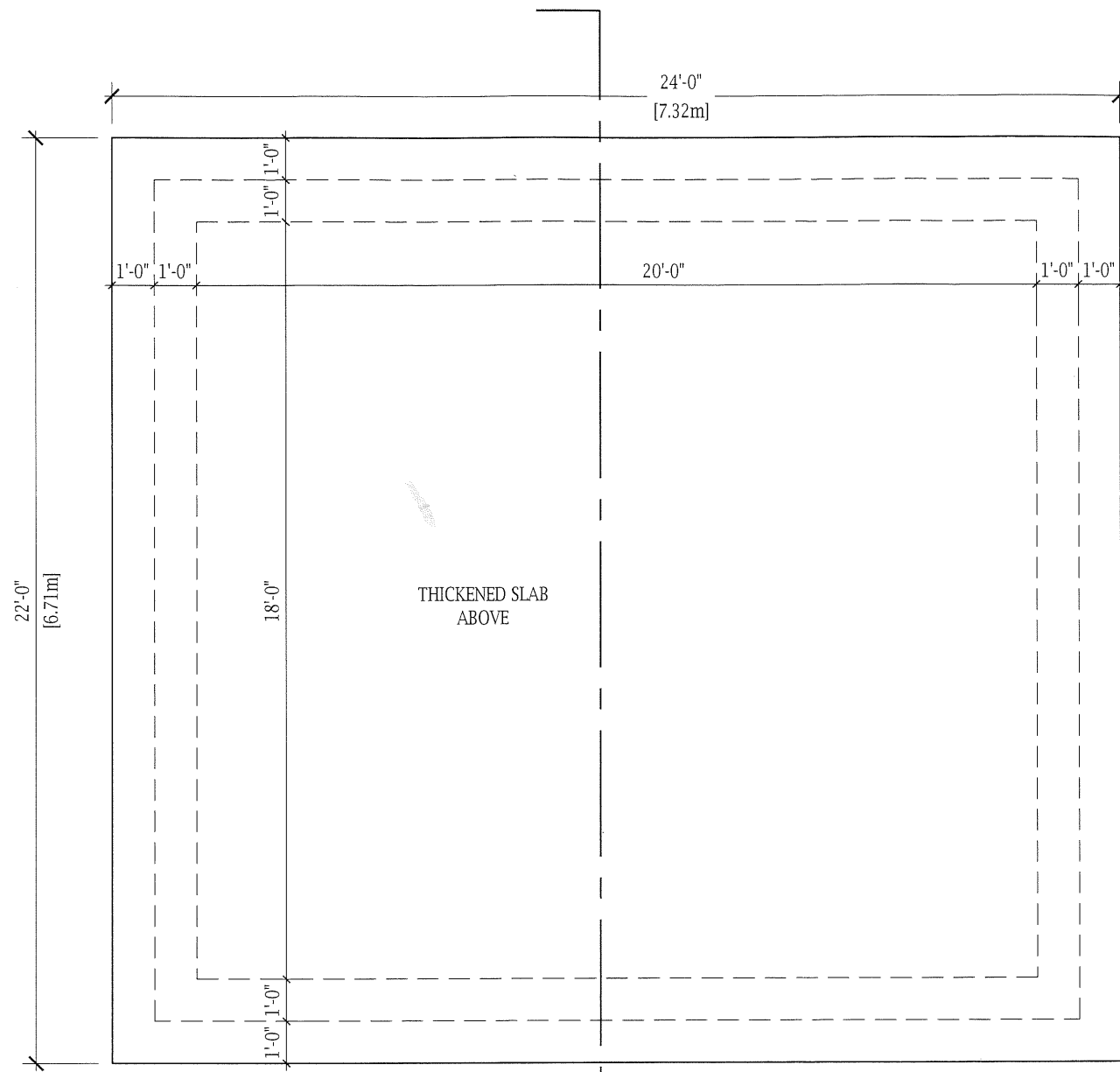
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

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.

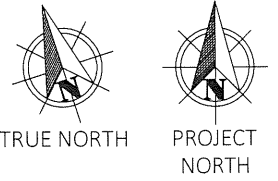
We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca.

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.



1 FOUNDATION PLAN
A1.01 1/4" = 1'-0"

Drawings must NOT be scaled. Contractor must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the designer prior to proceeding with any of the work.



2	07.03.24	ISSUED FOR MINOR VARIANCE
1	06.10.24	ISSUED FOR REVIEW

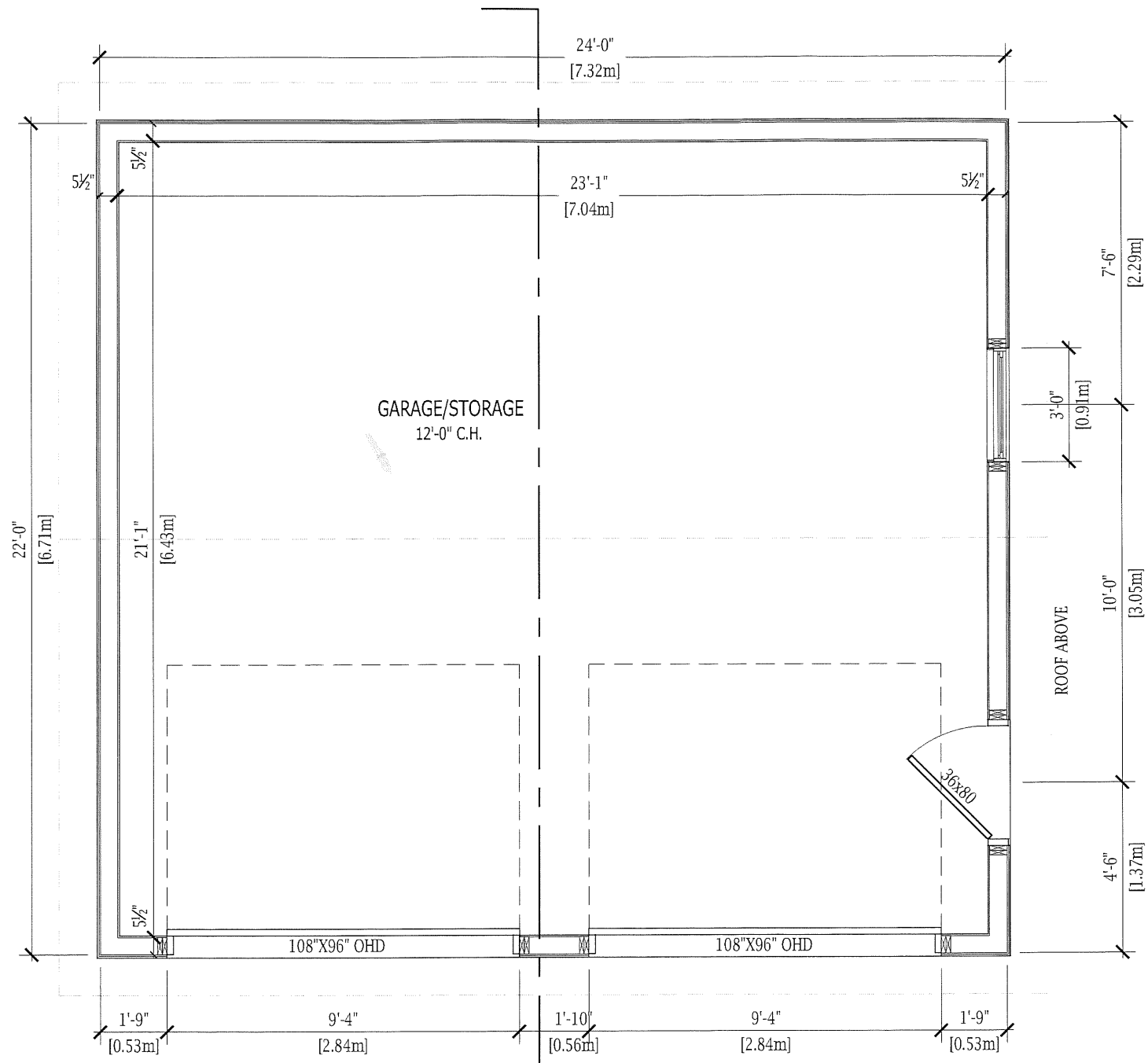
<p>RESIDENTIAL DESIGN AND DRAFTING SERVICES</p>	<p>CHRISTINE BROWN Architectural Technologist 905.802.5272 444 UPPER GAGE AVE. HAMILTON, ON L8V 4H9 cbrown@friendlycadmonkey.com</p>
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CLIENT:
NELSON RESIDENCE
ACCESSORY BLDG.

ADDRESS: 58 CHRISTOPHER DRIVE
CITY: HAMILTON, ONTARIO, L9B 1G8

DRAWING TITLE:
FOUNDATION PLAN

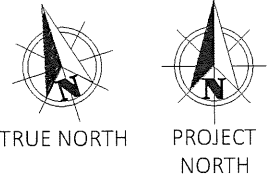
<p>QUALIFICATION INFORMATION</p> <p>THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONT. BUILDING CODE TO BE A DESIGNER. REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 'C' SECTION 3.2 OF THE O.B.C.</p>		
.\signature.JPG BCIN 37240 CHRISTINE BROWN	DRAWN: CB DATE: Jul 2, 24 JOB NO.: 24-153	SCALE: 1/4" = 1'-0" SHEET: A1.01
.\signature.JPG BCIN 113120 MY HOUSE DESIGNS		



GARAGE AREA: 528.0ft² (49.1m²)

1 GARAGE PLAN
A1.02 1/4" = 1'-0"

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REF. DATE: DESCRIPTION:

RESIDENTIAL DESIGN AND DRAFTING SERVICES

CHRISTINE BROWN
Architectural Technologist
905.802.5272
444 UPPER GAGE AVE.
HAMILTON, ON L8V 4H9
cbrown@friendlyadmonkey.com

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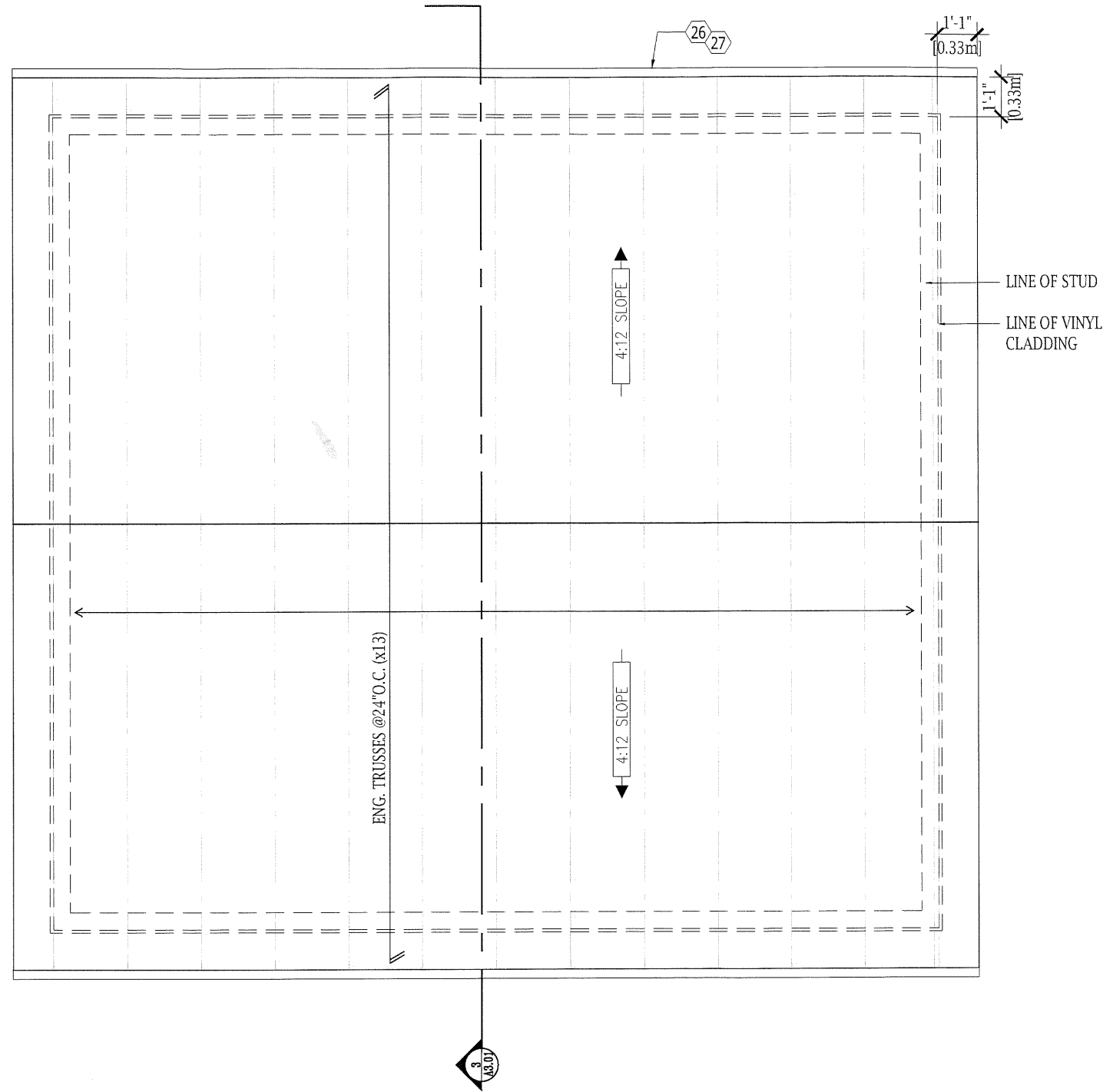
DRAWING TITLE:
GARAGE PLAN

Ministry of Municipal Affairs and Housing
QUALIFICATION INFORMATION

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONT. BUILDING CODE TO BE A DESIGNER. REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 'C' SECTION 3.2 OF THE O.B.C.

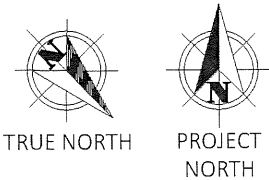
CHRISTINE BROWN	BCIN 37240
MY HOUSE DESIGNS	BCIN 113120

DRAWN: CB	SCALE: 1/4" = 1'-0"
DATE: Jul. 2, 24	SHEET: A1.02
JOB NO.: 24-153	



1 ROOF PLAN
A1.03 1/4" = 1'-0"

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 RESIDENTIAL DESIGN AND DRAFTING SERVICES	 CHRISTINE BROWN Architectural Technologist 905.802.5272 444 UPPER GAGE AVE. HAMILTON, ON L8V 4H9 cbrown@friendlycadmonkey.com
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CLIENT:
NELSON RESIDENCE
ACCESSORY BLDG.

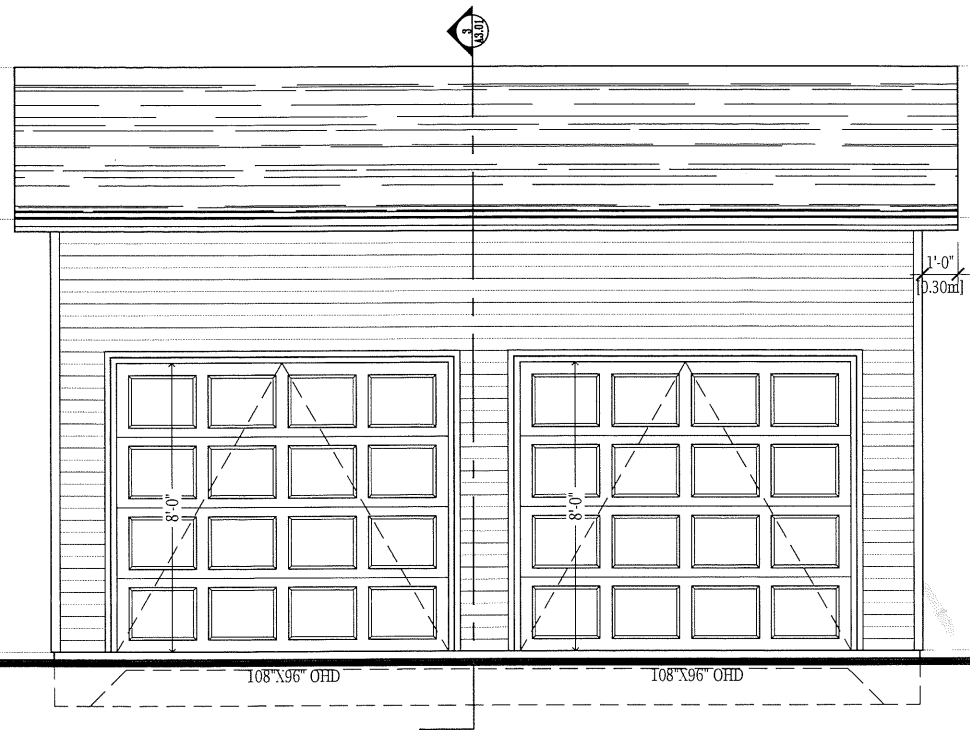
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CITY: HAMILTON, ONTARIO, L9B 1G5

DRAWING TITLE:
ROOF PLAN

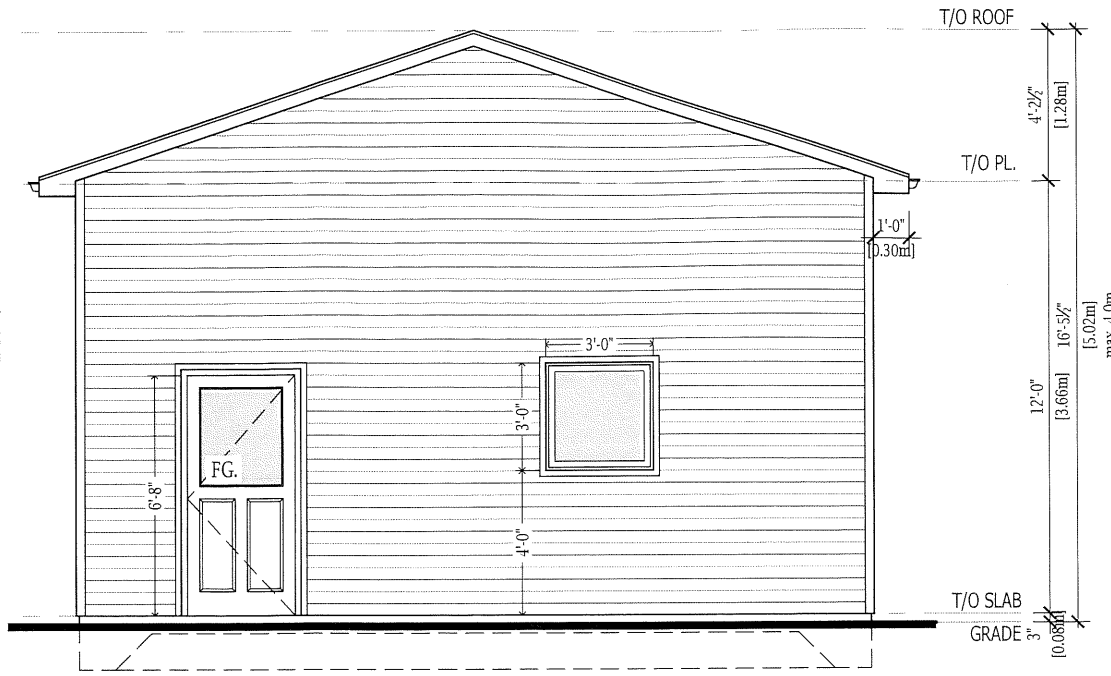
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.\signature.JPG CHRISTINE BROWN	BCIN: 37240
.\signature.JPG MY HOUSE DESIGNS	BCIN: 113120

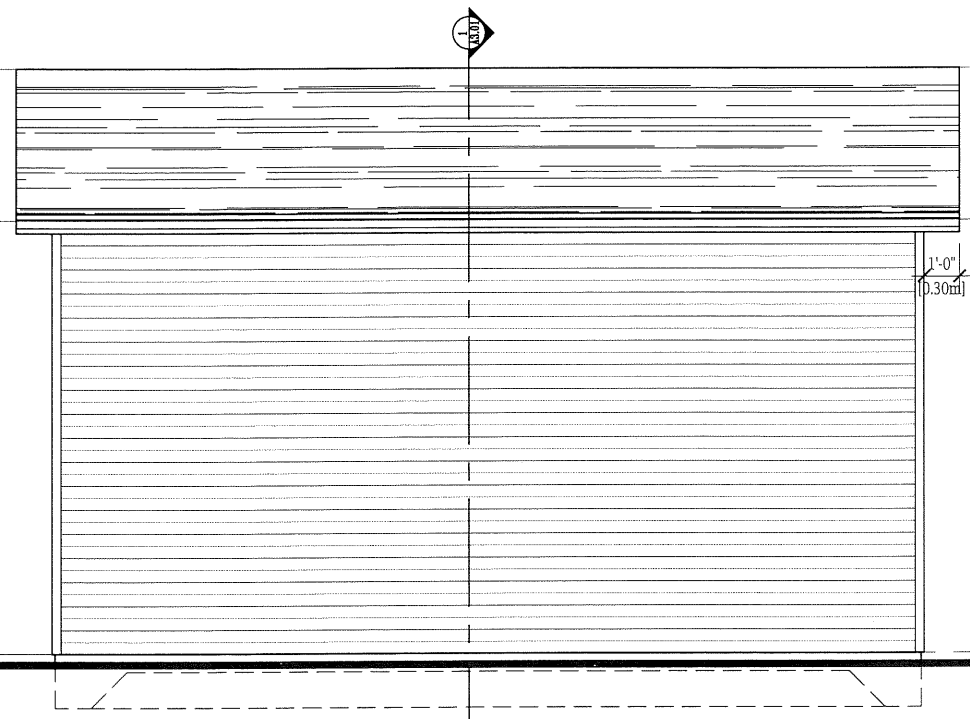
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DATE: Jul. 2, 24	SHEET: A1.03
JOB NO.: 24-153	



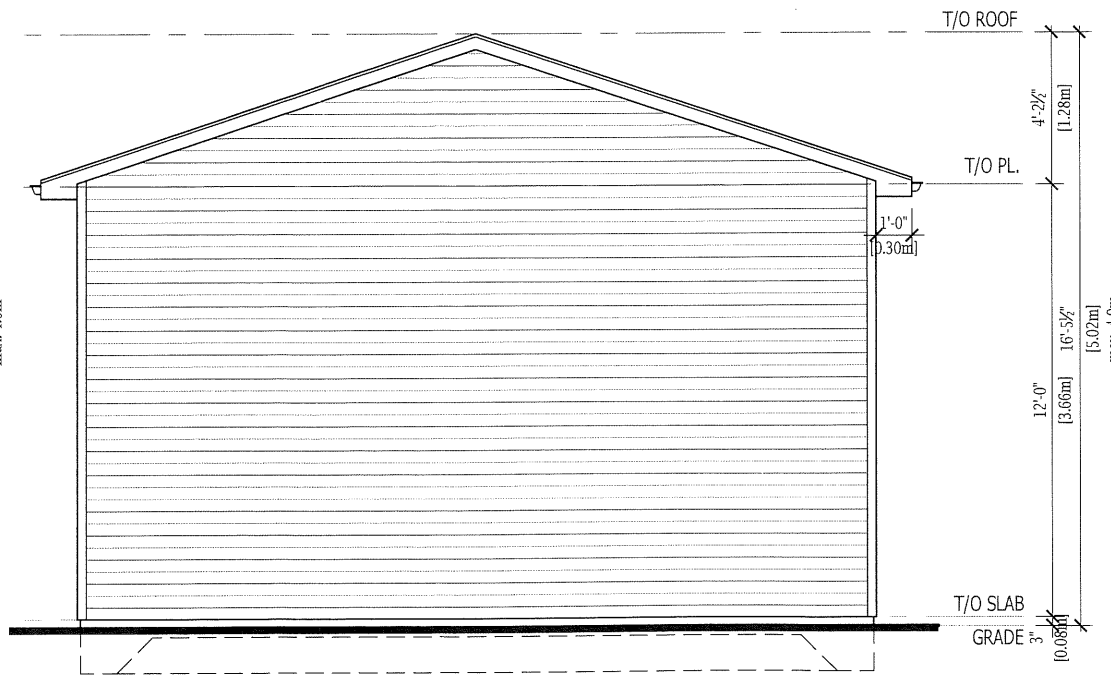
1 FRONT ELEVATION
A2.01 3/16" = 1'-0"



2 RIGHT SIDE ELEV.
A2.01 3/16" = 1'-0"



3 REAR ELEVATION
A2.01 3/16" = 1'-0"

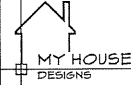


4 LEFT SIDE ELEV.
A2.01 3/16" = 1'-0"


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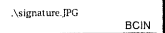
CLIENT:
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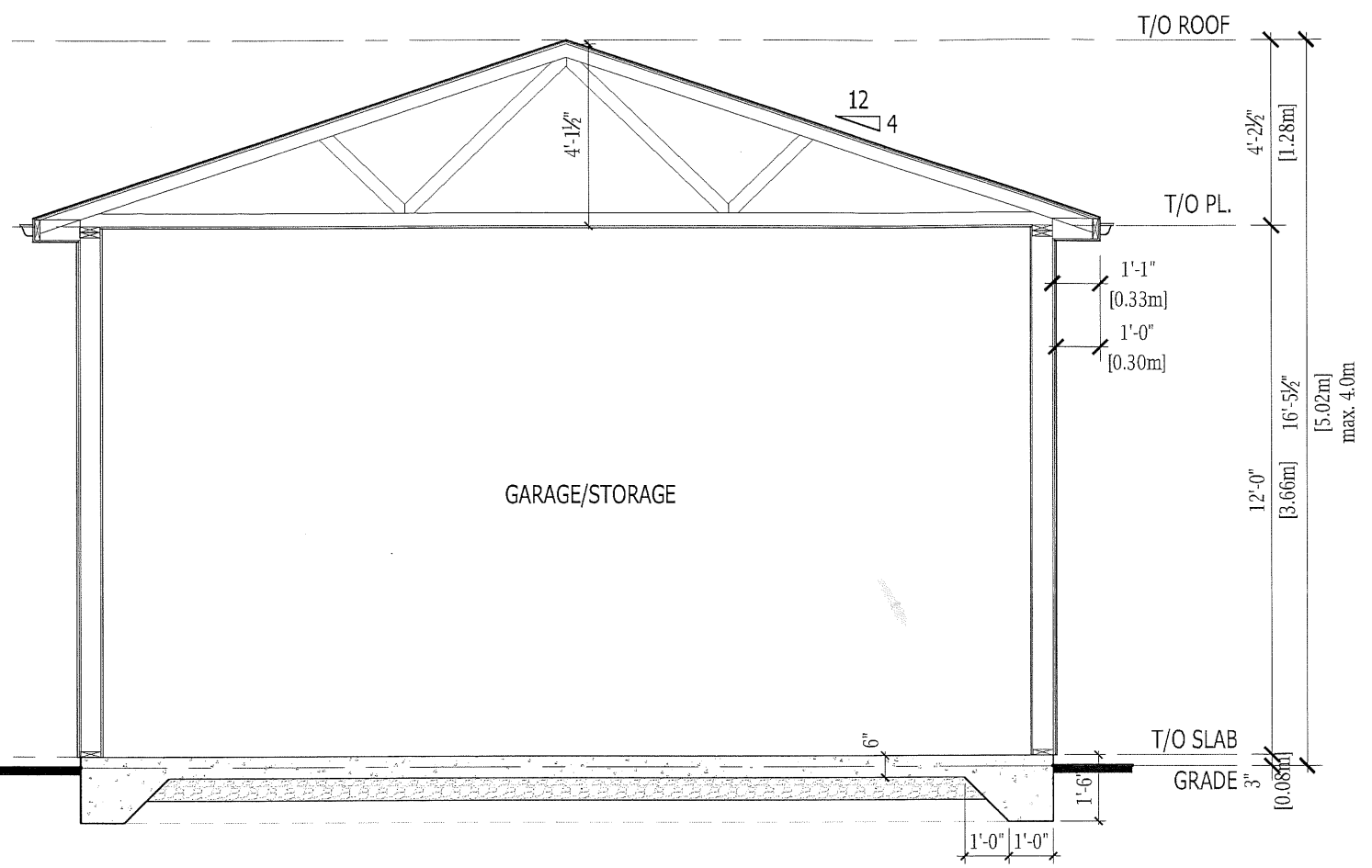
ADDRESS: 58 CHRISTOPHER DRIVE
CITY: HAMILTON, ONTARIO, L9B 1G8

DRAWING TITLE:
ELEVATIONS

Ministry of Municipal Affairs and Housing
QUALIFICATION INFORMATION

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	BCIN: 37240
CHRISTINE BROWN	SCALE: 3/16" = 1'-0"
	SHEET: A2.01
MY HOUSE DESIGNS	24-153

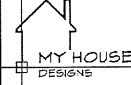


1 FRONT ELEVATION
 A3.01 1/4" = 1'-0"


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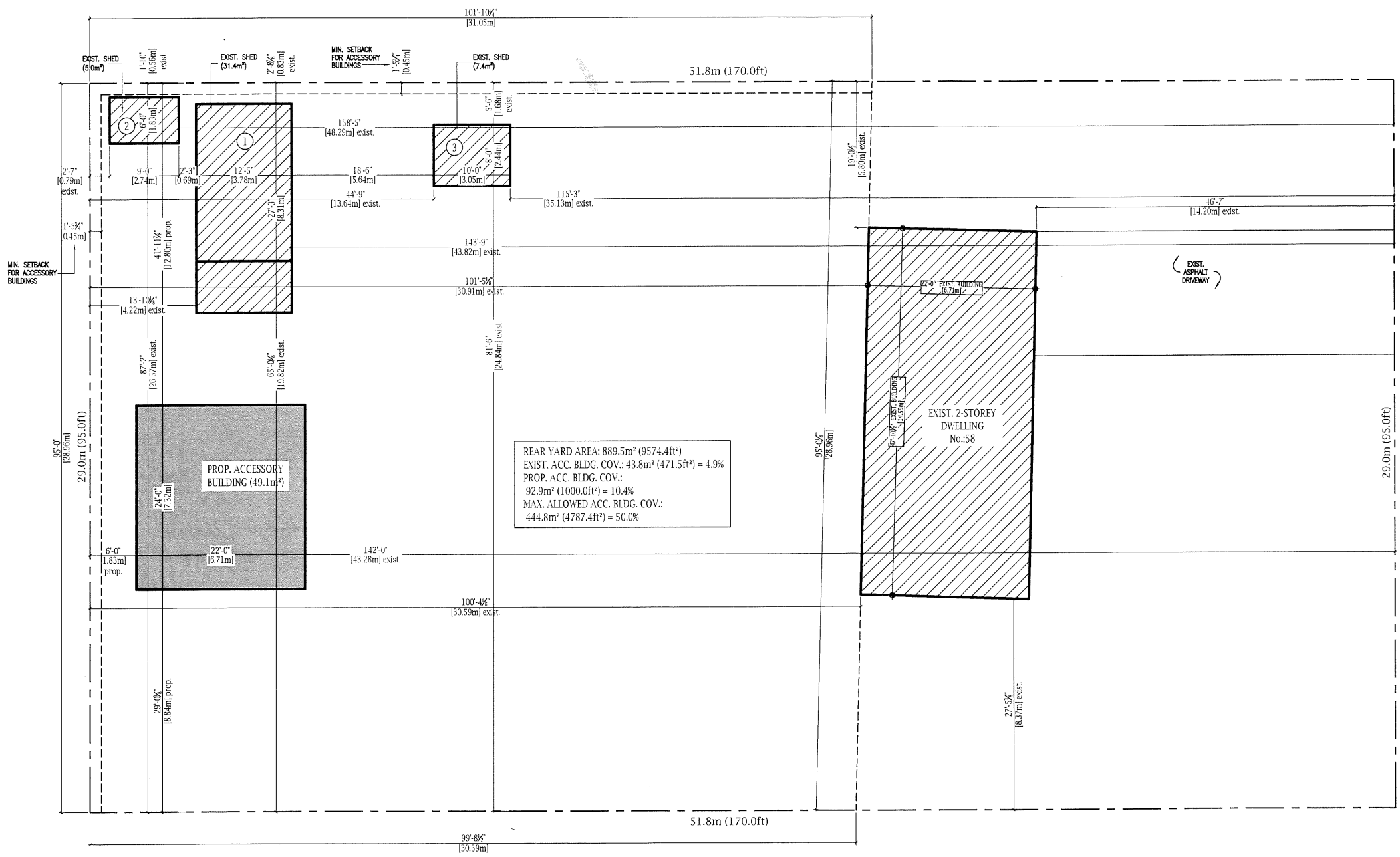
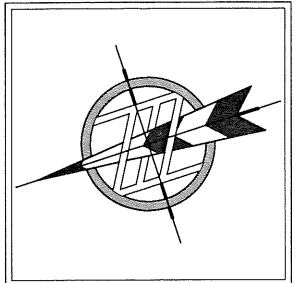
DRAWING TITLE:
 CROSS-SECTION

 Ministry of Municipal Affairs and Housing
QUALIFICATION INFORMATION
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CHRISTINE BROWN 37240
 MY HOUSE DESIGNS 113120

DRAWN: CB
 DATE: Jul. 2, 24
 JOB NO.: 24-153
 SCALE: 1/4" = 1'-0"
 SHEET: A3.01

SITE PLAN LEGEND:	
	PROPERTY LINE
	BUILDING ENVELOPE
	EXISTING TO BE REMOVED
	PROPOSED SOLID HOARDING
	PROPOSED FRAMED HOARDING
	NEW WATER LINE
	NEW SANITARY LINE
	NEW NATURAL GAS LINE
	NEW BURIED HYDRO VAULT
	NEW SUMP LINE TO GRADE
	CONSTRUCTION ACCESS
	EXISTING GRADE
	PROPOSED FINISHED GRADE
	MAIN ENTRY, FRONT DOOR
	SECONDARY ENTRANCE
	EXISTING BUILDING TO REMAIN
	PROPOSED NEW CONSTRUCTION
	PROPOSED NEW DRIVEWAY
	EXISTING TREE TO REMAIN
	EXISTING TREE TO BE REMOVED
	RAIN WATER LEADERS



CHRISTOPHER DRIVE

Drawings must NOT be scaled. Contractor must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the designer prior to proceeding with any of the work.

SITE ACCREDITATION
 PLAN OF TOPOGRAPHY OF:
 LOT 140,
 REGISTERED PLAN 970
 CITY OF HAMILTON
 INFORMATION TAKEN FROM A SURVEY PREPARED BY:
 SIDNEY W. WOODS
 ONTARIO LAND SURVEYORS
 SEPTEMBER 23, 1969
 METRIC:
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

2	07.03.24	ISSUED FOR MINOR VARIANCE
1	06.10.24	ISSUED FOR REVIEW

REF. DATE DESCRIPTION:

MY HOUSE
 DESIGNS
 RESIDENTIAL
 DESIGN AND
 DRAFTING SERVICES

CHRISTINE BROWN
 Architectural Technologist
 905.802.5272
 444 UPPER GAGE AVE.
 HAMILTON, ON L8V 4H9
 cbrown@friendlycadmonkey.com

CLIENT:
NELSON RESIDENCE
ACCESSORY BLDG.

ADDRESS: 58 CHRISTOPHER DRIVE
 CITY: HAMILTON, ONTARIO, L9B 1G8

DRAWING TITLE:
SITE PLAN

Ministry of Municipal
 Affairs and Housing
QUALIFICATION INFORMATION
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 REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 'C' SECTION 3.2 OF THE O.B.C.

Signature.JPG	BCIN
CHRISTINE BROWN	37240
Signature.JPG	BCIN
MY HOUSE DESIGNS	113120

DRAWN: CB	SCALE: AS NOTED
DATE: Jul. 2, 24	SHEET: SP1.01
JOB NO.: 24-153	5 of 5

1 SITE PLAN
 SP1.01 1:200



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)	Agnes Nelson	
Applicant(s)	Christine Brown	
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 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	58 Christopher Drive		
Assessment Roll Number	081101014900000		
Former Municipality	Former City of Hamilton		
Lot	140	Concession	
Registered Plan Number	970	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:

to permit an accessory building height of 5.02m where the maximum allowed is 4.0m

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

owners would like a taller accessory building for storage. The lot is very large (0.37 acres) and there are plenty of tall accessory buildings in the neighbourhood already.

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
8.9m	15.8m	1500.3s.m.	

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
dwelling	14.2m	30.91m	8.37m/5.8m	1970
shed 1	43.82m	4.22m	19.82m/0.83m	1982
shed 2	48.29m	0.79m	26.57m/0.56m	1997
shed 3	35.13m	13.64m	24.84m/1.68m	2017

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
accessory building	43.28m	1.83m	8.84m/12.8m	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
dwelling	97.9s.m.	195.8s.m.	2	7.0m
shed 1	31.4s.m.	-	1	3.7m
shed 2	5.0s.m.	-	1	2.1m
shed 3	7.4s.m.	-	1	2.1m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
accessory building	49.1s.m.	-	1	5.02m

- 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:

1982

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

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:

42

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) Neighbourhoods

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

the application doesn't change the use of the single family residence and maintains the neighbourhood designation

7.6 What is the existing zoning of the subject land? 6593 - Zone AA

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: 1

8.2 Number of Dwelling Units Proposed: 0

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

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
