



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-24:172	SUBJECT PROPERTY:	17 Christopher Drive, Hamilton
ZONE:	B - Suburban Agriculture and Residential and R2 - Low Density Residential - Large Lot.	ZONING BY-LAW:	Zoning By-law Hamilton 6593 and 05-200

APPLICANTS: Owner: Clarence Nagtegaal
Agent: BNK Design & Construction Inc

The following variances are requested:

1. To permit a 1.0 metre side yard to the accessory building whereas zoning by-law 05-200 requires a minimum of 1.2 metres building setback from the side lot line.
2. To permit a height of 5.85 metres whereas by-law 6593 permits a maximum height of 4.0 metres.
3. To permit an aggregate gross floor area of all accessory buildings of 93 square metres or 6.96% whereas by-law 05-200 permits a maximum aggregate gross floor area of all accessory buildings of 45 square metres or 7.5% whichever is the lesser.

PURPOSE & EFFECT: So as to facilitate the construction of an accessory building to complement the existing single detached dwelling.

Notes: N/A

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:	1:45 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

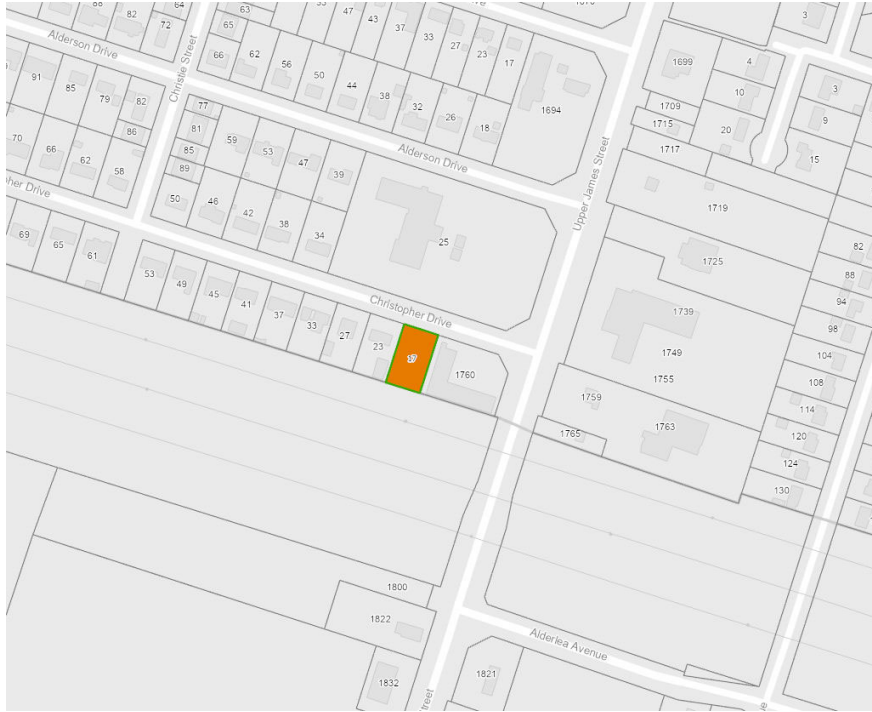
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon August 16, 2024

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-24:172, 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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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

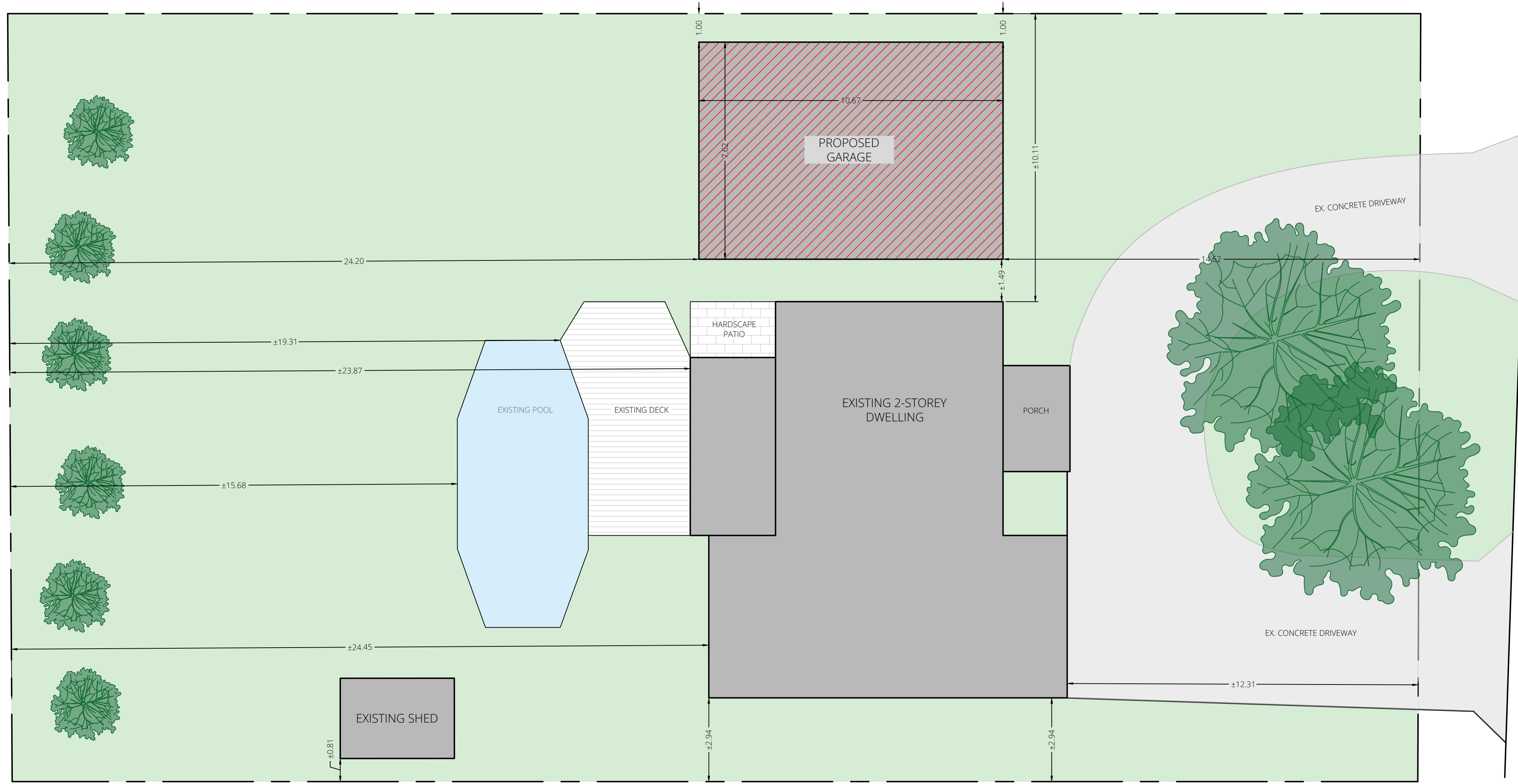
Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **no less than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

PROPOSED LOT AREA DETAILS		
DEFINITION	AREA	% COVERAGE
TOTAL LOT AREA	±1,333 m ²	-
PRIMARY STRUCTURES		
EX. DWELLING W/ PORCH	±173.6 m ²	-
TOTAL	±173.6 m ²	25.4%
ACCESSORY STRUCTURES		
EX. DECK	±31.7 m ²	2.4%
EX. SHED	±10.0 m ²	0.8%
EX. POOL	±40.9 m ²	3.1%
PROPOSED GARAGE	81.3 m ²	6.1%
TOTAL	±163.9 m ²	12.3%

LANDSCAPED AREA DETAILS		
DEFINITION	AREA	% COVERAGE
TOTAL LOT AREA	±1,333 m ²	-
FINISH		
LANDSCAPE AREA	±214.5 m ²	16%
EX. CONCRETE DRIVEWAY	±31.7 m ²	2.3%
HARDSCAPE AREA	±11.3 m ²	0.8%

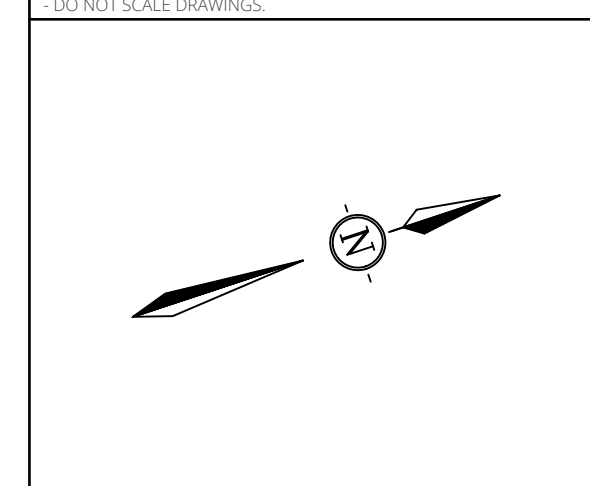


CHRISTOPHER DR



NOTE:

- ALL DIMENSIONS AND INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE AND ANY DISCREPANCIES REPORTED TO THE DESIGNER PRIOR TO CONSTRUCTION AND FABRICATION OF ITS COMPONENTS. SHOULD EXISTING CONDITIONS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED ON THE DRAWINGS, THE DESIGNER MUST BE NOTIFIED IMMEDIATELY.
- FEATURES OF CONSTRUCTION NOT FULLY SHOWN ARE ASSUMED TO BE THE SAME CHARACTER AS THOSE NOTED FOR SIMILAR CONDITIONS
- UNLESS SPECIFICALLY NOTED OTHERWISE, ON THE DRAWINGS, NO PROVISION HAS BEEN MADE, AND THE DESIGN FOR CONDITIONS OCCURRING DURING CONSTRUCTION, IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE ALL NECESSARY BRACING, SHORING, SHEET PILING, OR OTHER TEMPORARY SUPPORTS TO SAFEGUARD ALL EXISTING OR ADJACENT STRUCTURES AFFECTED BY THIS WORK.
- ALL DRAWINGS AND RELATED DOCUMENTS SHALL REMAIN THE PROPERTY AND COPYRIGHT OF ARD - ALL REIGN DESIGNS AND ARE SUBJECT TO RETURN UPON REQUEST.
- THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNLESS MARKED AS 'ISSUED FOR CONSTRUCTION', CERTIFIED AND DATED.
- ALL WORK SHALL BE PERFORMED IN ACCORDANCE TO THE LATEST REVISED VERSION OF THE ONTARIO BUILDING CODE.
- DO NOT SCALE DRAWINGS.



REV.	DATE	DESCRIPTION	BY
1	JUN.17.2024	ISSUED FOR WV	EM

PROJECT: CD GARAGE

DATE: JULY, 2024

SCALE: 1:100

PROVIDED BY: BNK

DESIGNED BY: EM

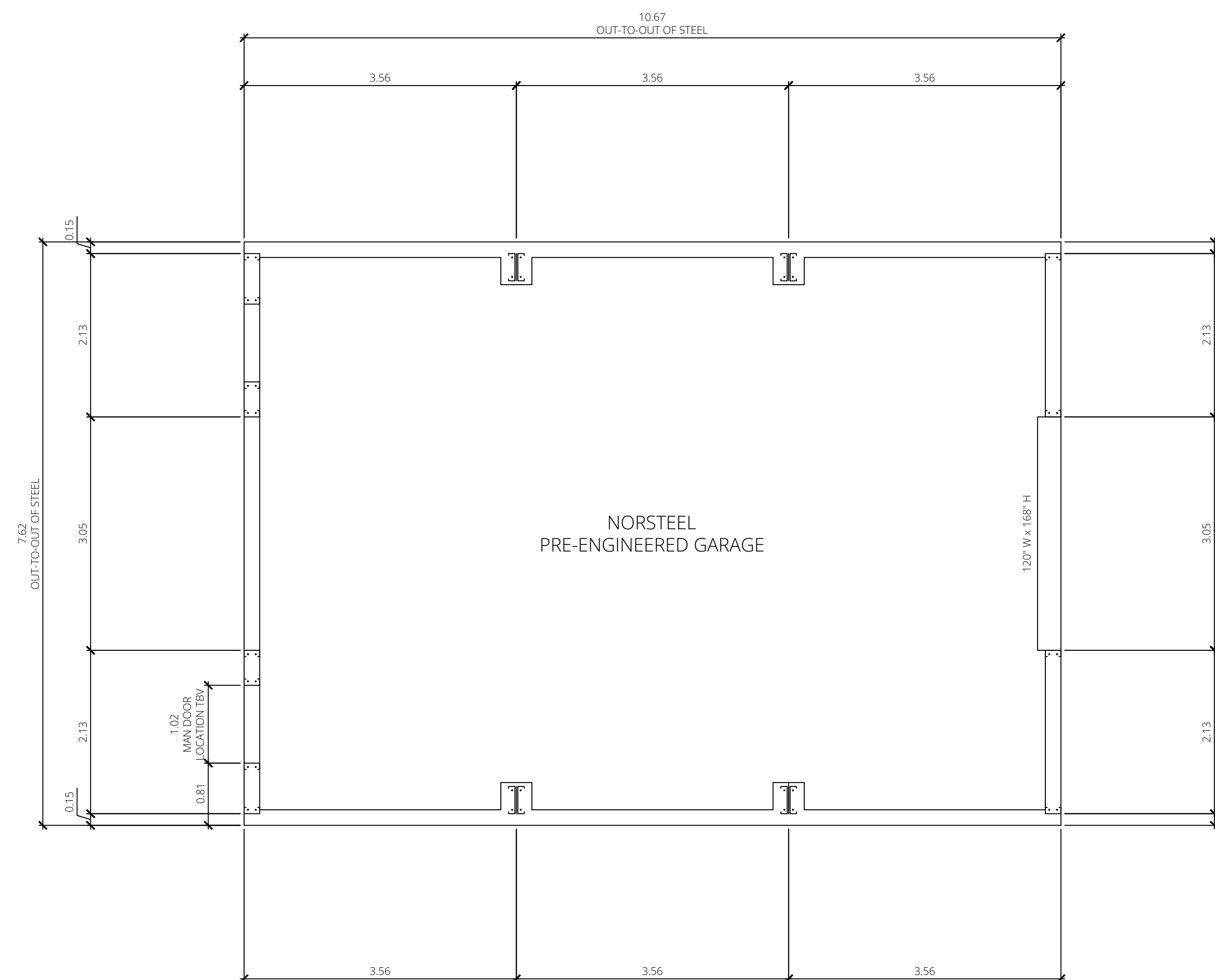
DRAWN BY: EM

PROJECT NUMBER: 24-13

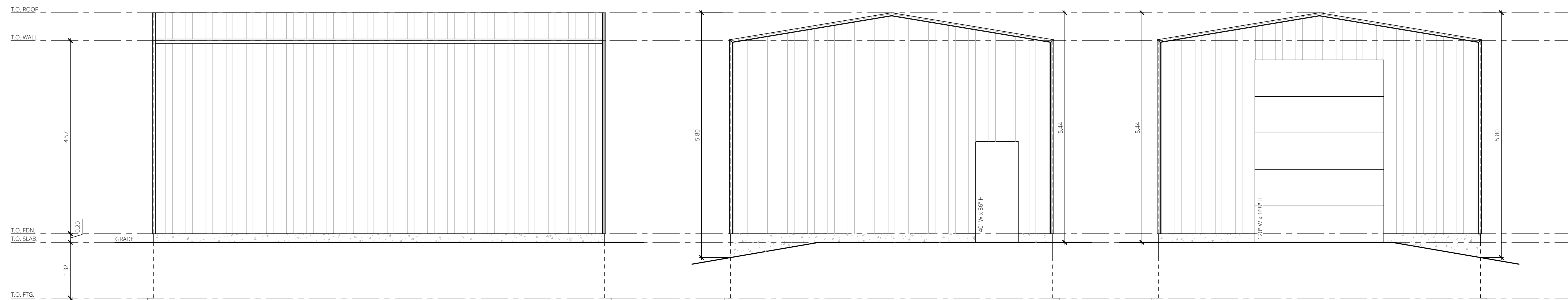
SHEET NUMBER: SP1

SHEET NAME: SITE PLAN

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FLOOR PLAN PLAN



SIDE ELEVATION

REAR ELEVATION

FRONT ELEVATION

REV.	DATE	DESCRIPTION	BY
1	JUN.17.2024	ISSUED FOR MV	EM

CD GARAGE

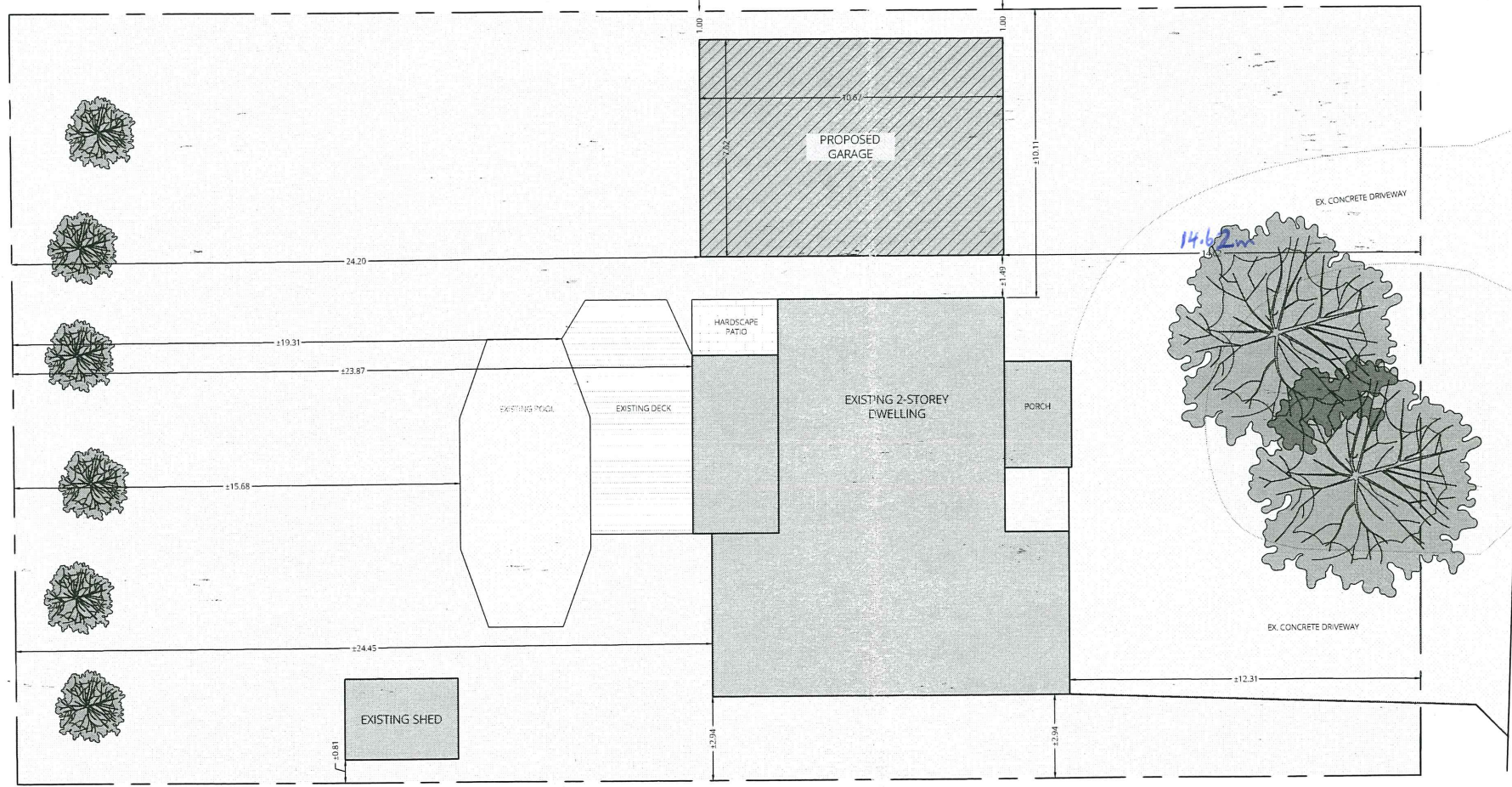
FLOOR PLANS & ELEVATIONS

A1

PROJECT NUMBER: 24-13
DATE: JULY, 2024
SCALE: 1:50
APPROVED BY: BNK
DESIGNED BY: EM
DRAWN BY: EM

PROPOSED LOT AREA DETAILS		
DEFINITION	AREA	% COVERAGE
TOTAL LOT AREA	±1,333 m ²	
PRIMARY STRUCTURES		
EX DWELLING W/ PORCH	±173.6 m ²	
TOTAL	±173.6 m ²	25.4%
ACCESSORY STRUCTURES		
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CHRISTOPHER DR

ARD
ALL REIGN DESIGNS
ARCHITECTURE & DESIGN

PHONE 705-645-0713
E-MAIL ERIC@ARDESIGNS.CA

BNK DESIGN & CONSTRUCTION

NOTE:
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REV.	DATE	DESCRIPTION	BY
1	JUN.17.2024	ISSUED FOR MV	EM

CD GARAGE

SITE PLAN

SP1

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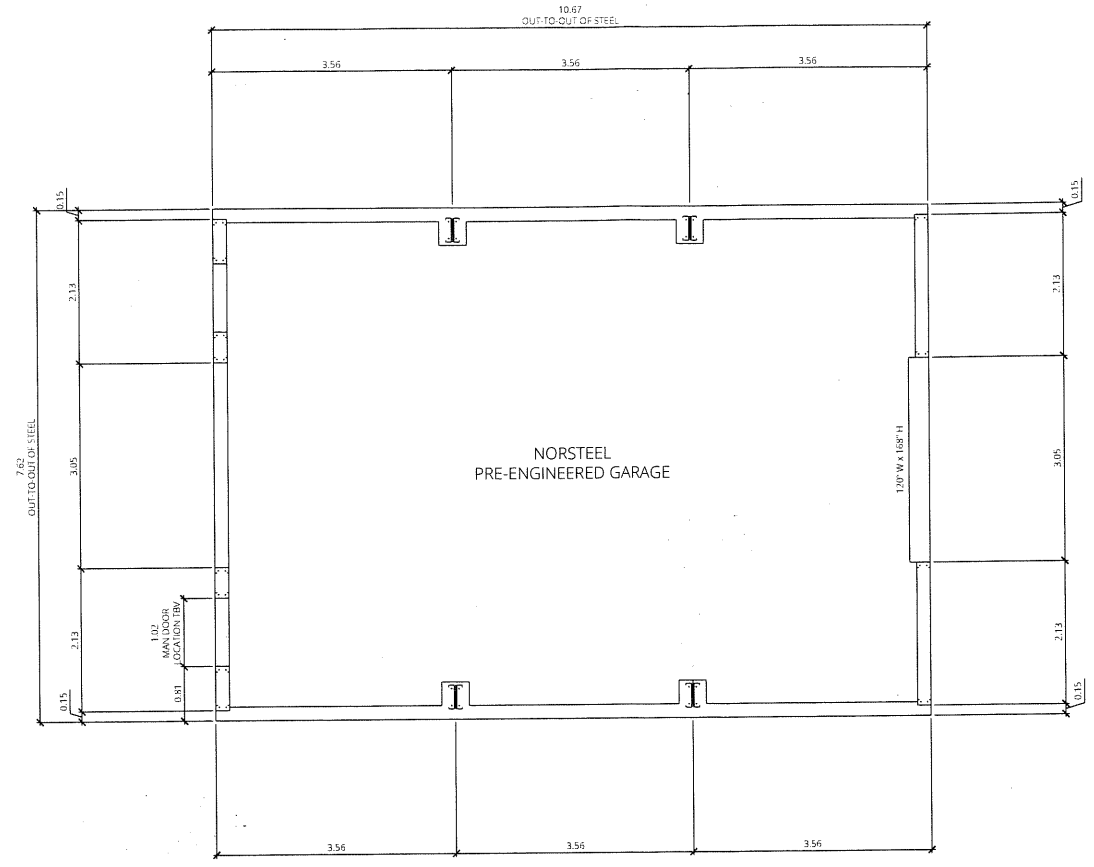
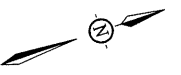
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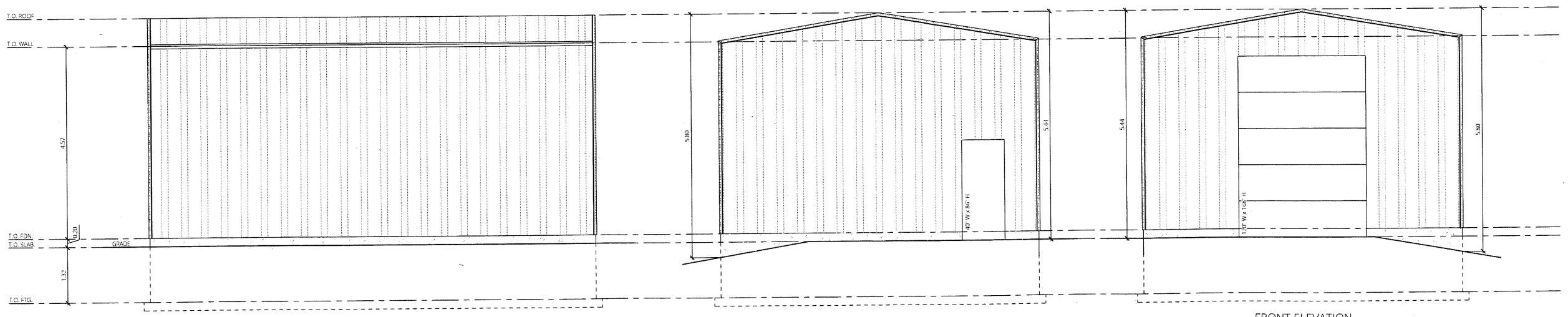
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FLOOR PLAN PLAN



SIDE ELEVATION

REAR ELEVATION

FRONT ELEVATION

REVISION	DATE	DESCRIPTION	BY
1	JUN 17 2024	ISSUED FOR MW	EM

DATE	PROJECT NUMBER	SCALE	PROJECT NAME
JULY, 2024	24-13	1:50	CD GARAGE

DESIGNED BY	DRAWN BY	APPROVED BY	SCALE	DATE	PROJECT NUMBER	PROJECT NAME
EM	EM	BNK	1:50	JULY, 2024	24-13	CD GARAGE

REVISION	DATE	DESCRIPTION	BY

DATE	PROJECT NUMBER	SCALE	PROJECT NAME
			FLOOR PLANS & ELEVATIONS

REVISION	DATE	DESCRIPTION	BY

DATE	PROJECT NUMBER	SCALE	PROJECT NAME
			FLOOR PLANS & ELEVATIONS

REVISION	DATE	DESCRIPTION	BY



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)	Clarence Nagtegaal	
Applicant(s)	Nick Borgdorff - BNK Design & Construction Inc.	
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	17 Christopher Drive, Hamilton, L9B 1G6		
Assessment Roll Number			
Former Municipality	Hamilton		
Lot		Concession	
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:

- reduced side yard setback for accessory structure to 1 meter
- increase permitted height of accessory structure to 5.85 meters
- increased allowable lot coverage to be 92 sq m of lot coverage
- permit accessory in side yard

Second Dwelling Unit Reconstruction of Existing Dwelling

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

Due to the grading on the lot, relief is needed for the side yard placement, height exceptions & to avoid excessive hard surfaces for access.

The owner is also seeking to beautify the streetscape by storing seasonal vehicles out of sight

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
27.4 m	48.6 m	1333 sq m	15 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
SFD	12.3 m	23.8 m	10.1 & 2.94 m	01/01/1975
Acc Structure	34.5 m	9.2 m	0.81 m	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Acc Structure	14.6 m	24.2 m	1 m	

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
SFD	173 sq m	227 sq m	2 storeys	8.2 m
Acc Structure	10 sq m	10 sq m	1 storey	2.9 m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Acc Structure	82 sq m	82 sq m	1 storey	5.85 m

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.):
SFD

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):
SFD/Commercial Plaza/Open Space

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:
1970's

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:
Indefintely

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) _____

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

The development is not burdening the land, as lot coverage is still below the 7.5% allowable intent of the bylaw. The location and setbacks are a result of perserving the streetscape and in line with previously permitted applications.

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

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: Residential

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):

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
-
-