



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-24:221</b>	<b>SUBJECT PROPERTY:</b>	86 Markson Crescent, Hamilton
<b>ZONE:</b>	Low Density Residential (R1)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200

**APPLICANTS:** Owner: Lynn Chan  
Agent: Christine Brown

The following variances are requested:

1. A minimum 5.2 metre rear yard shall be permitted instead of the minimum required 7.5 metres setback.

**PURPOSE & EFFECT:** To permit the construction of a porch in the rear yard of a residential dwelling.

**Notes:**

- i) Should the above noted variance for the rear yard be approved the proposed porch will encroach 1.5 metres into the required rear yard and comply to Section 4.6 d).

**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, November 12, 2024</b>
<b>TIME:</b>	<b>1:55 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> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

## A-24:221

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

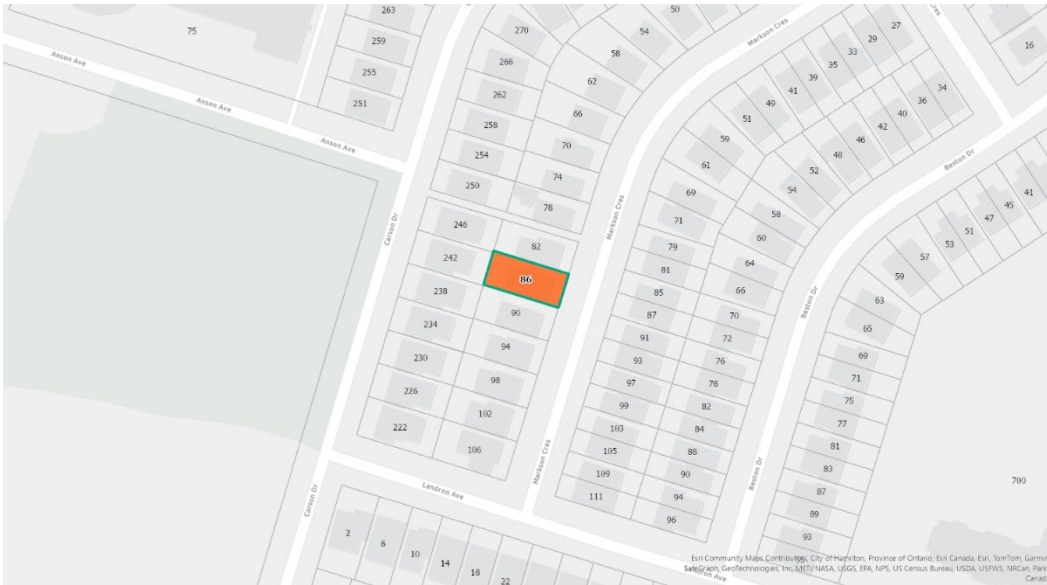
**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon November 6, 2024

**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 November 8, 2024

### FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:221, 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: October 24, 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.

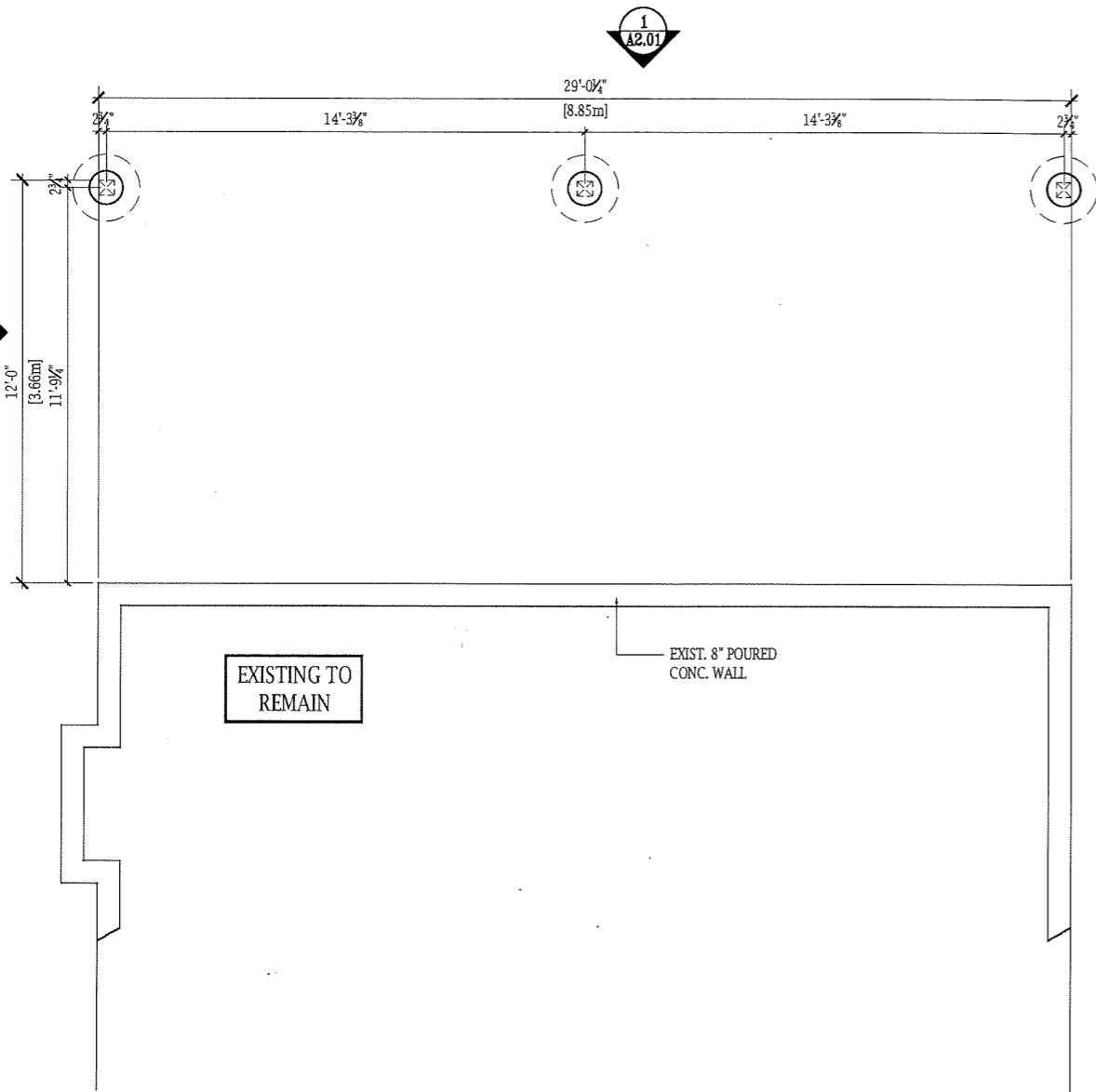
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

##### 2. In person Oral Submissions

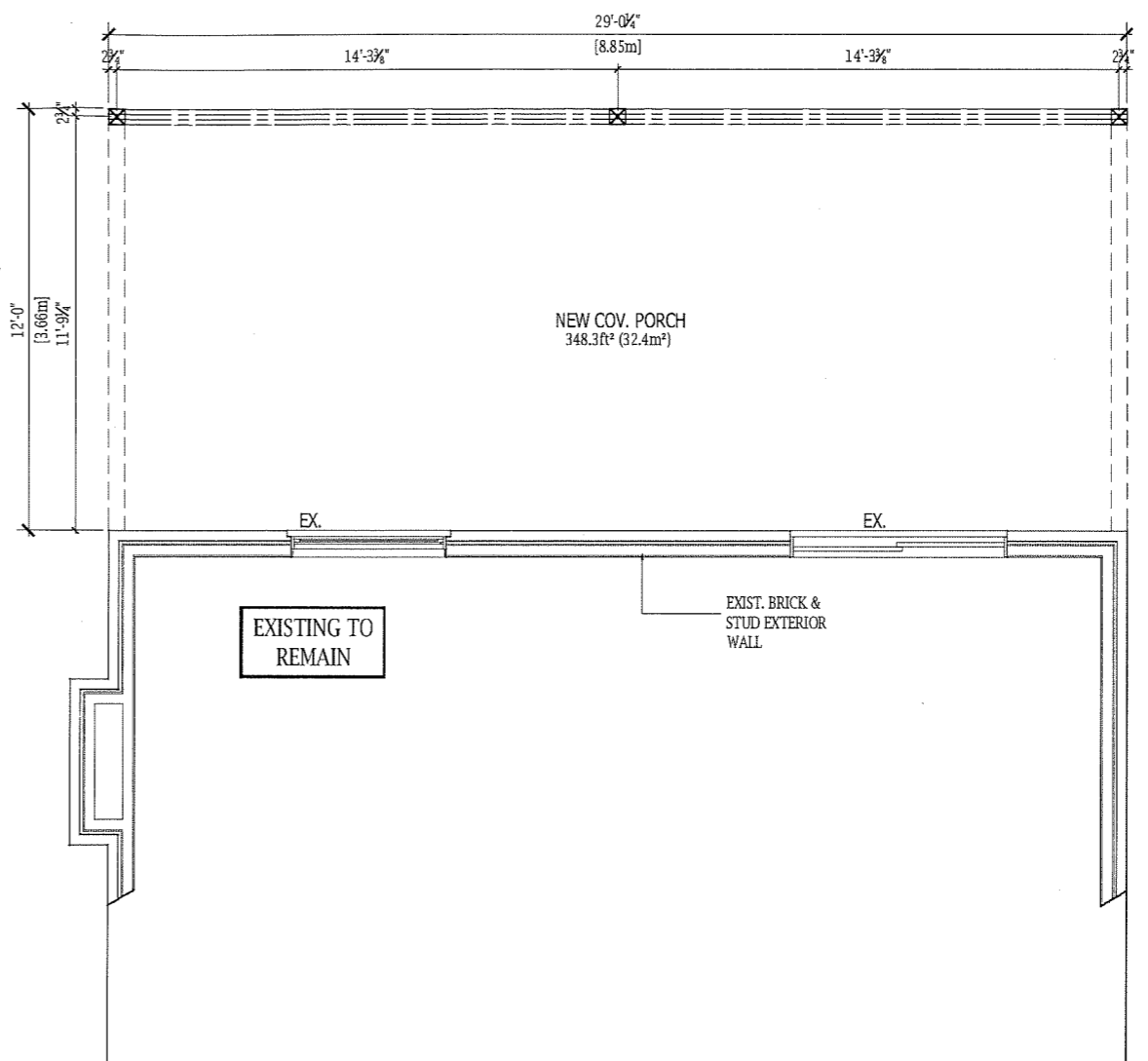
Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **no less than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



1 BASEMENT PLAN  
A1.01 3/16" = 1'-0"



2 1ST FLOOR PLAN  
A1.01 3/16" = 1'-0"

EXIST. 1st FLOOR AREA:  
1170.2ft² (108.7m²)  
EXIST. GARAGE AREA:  
409.2ft² (38.0m²)  
EXIST. FOOTPRINT AREA:  
1579.3ft² (146.7m²)

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 O.M.T. BUILDING CODE TO BE A DESIGNER. REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 'C' SECTION 3.2 OF THE O.B.C.  
Signature: JPC  
BCIN: 37240  
CHRISTINE BROWN  
MY HOUSE DESIGNS  
113120

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.

REF.	DATE	DESCRIPTION
3	09.25.24	ISSUED FOR COA
2	09.21.24	ISSUED FOR ASBULTS/DESIGNS
1	09.09.24	SITE MEASURE

MY HOUSE DESIGNS  
RESIDENTIAL DESIGN AND DRAFTING SERVICES

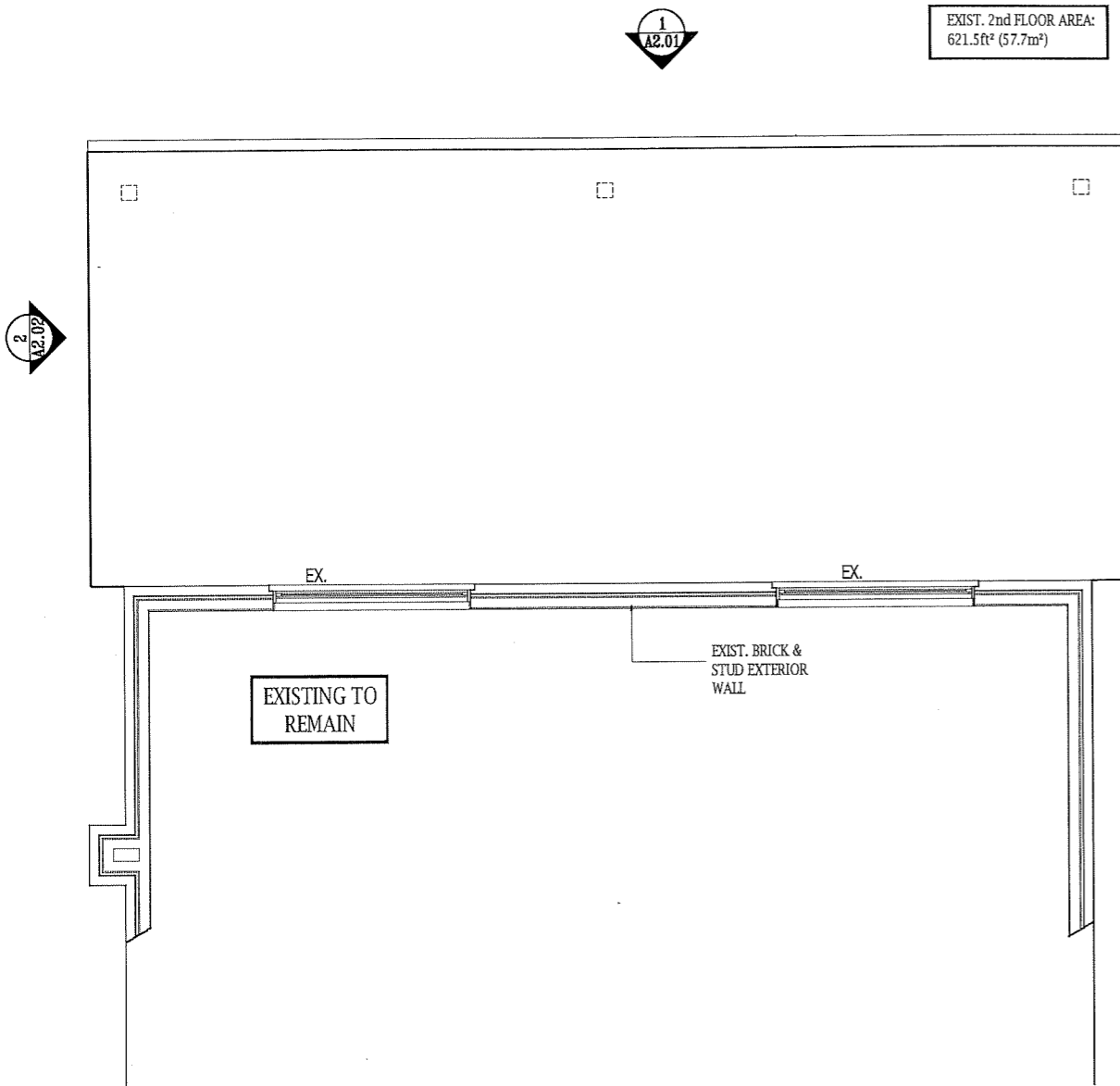
CHRISTINE BROWN  
Architectural Technologist  
905.802.5272  
444 UPPER GAGE AVE.  
HAMILTON, ON L8V 4H9  
cbrown@friendlycadmonkey.com

CLIENT:  
ORE RESIDENCE

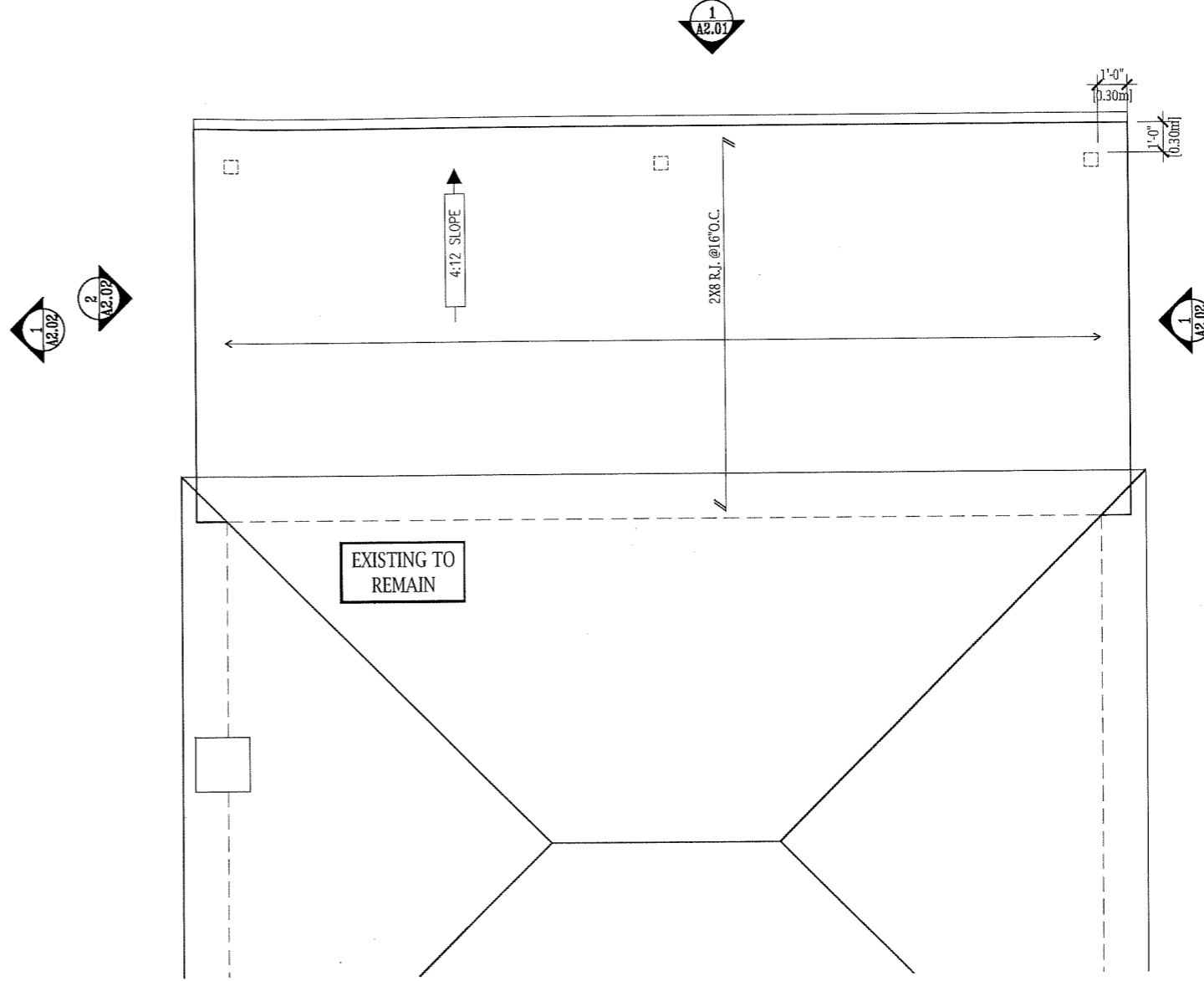
ADDRESS: 86 MARKSON CRESCENT  
CITY: HAMILTON, ONTARIO, L8T 4W4

DRAWING TITLE:  
BSMNT & 1ST FL. PLAN

DRAWN: CB	SCALE:
DATE: Sep. 25, 24	AS NOTED
JOB NO.: 24-213	SHEET: A1.01 of 1



1 2ND FLOOR PLAN  
A1.02 3/16" = 1'-0"



2 ROOF PLAN  
A1.02 3/16" = 1'-0"

Ministry of Municipal Affairs and Housing  
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REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 'C' SECTION 3.2 OF THE O.B.C.  
BCIN 37240  
CHRISTINE BROWN  
MY HOUSE DESIGNS BCIN 113120

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2	09.21.24	ISSUED FOR ASBUILTS/DESIGNS
1	09.09.24	SITE MEASURE

REF: DATE: DESCRIPTION:

MY HOUSE  
DESIGNS

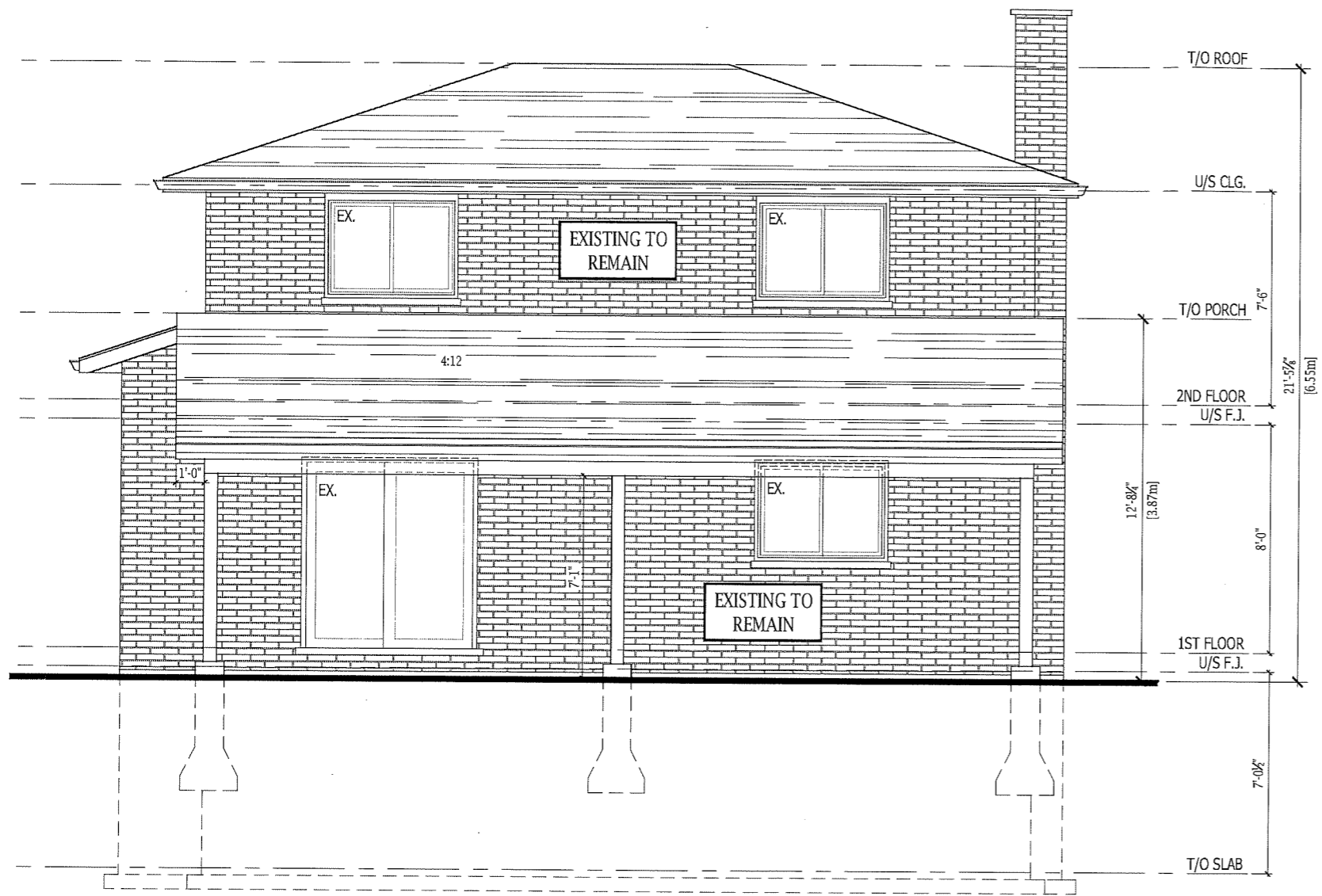
RESIDENTIAL  
DESIGN AND  
DRAFTING SERVICES

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

CLIENT:  
ORE RESIDENCE

ADDRESS: 86 MARKSON CRESCENT  
CITY: HAMILTON, ONTARIO, L8T 4W4  
DRAWING TITLE:  
2ND FLOOR & ROOF PLAN

DRAWN: CB	SCALE: AS NOTED
DATE: Sep. 25, 24	SHEET:
JOB NO.: 24-213	A1.02_2 of 2



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

Ministry of Municipal Affairs and Housing  
 QUALIFICATION INFORMATION  
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 .signature.jpg BCIN 37240  
 CHRISTINE BROWN  
 .signature.jpg BCIN 113120  
 MY HOUSE DESIGNS

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3	09.25.24	ISSUED FOR COA
2	09.21.24	ISSUED FOR ASBUILTS/DESIGNS
1	09.09.24	SITE MEASURE

REF. DATE: DESCRIPTION:

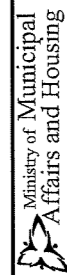
 RESIDENTIAL DESIGN AND DRAFTING SERVICES	 CHRISTINE BROWN Architectural Technologist 905.802.5272 444 UPPER GAGE AVE. HAMILTON, ON L8V 4H9 cbrown@friendlyadmonkey.com
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CLIENT:  
 ORE RESIDENCE

ADDRESS: 86 MARKSON CRESCENT  
 CITY: HAMILTON, ONTARIO, L8T 4W4



DRAWING TITLE:  
 REAR ELEVATION

DRAWN: CB	SCALE:
DATE: Sep. 25, 24	AS NOTED
JOB NO.: 24-213	SHEET: A2.01 3 of 3


**Ministry of Municipal Affairs and Housing**  
**QUALIFICATION INFORMATION**  
 THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE NECESSARY QUALIFICATIONS SET OUT IN THE O.M.T. BUILDING CODE TO BE A DESIGNER. REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 'C' SECTION 3.2 OF THE O.B.C.  
 Signature: PC  
 BCGN 37240  
 Signature: PC  
 BCGN 113120  
 MY HOUSE DESIGNS

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2	09.21.24	ISSUED FOR ASBUILTS/DESIGNS
1	09.09.24	SITE MEASURE

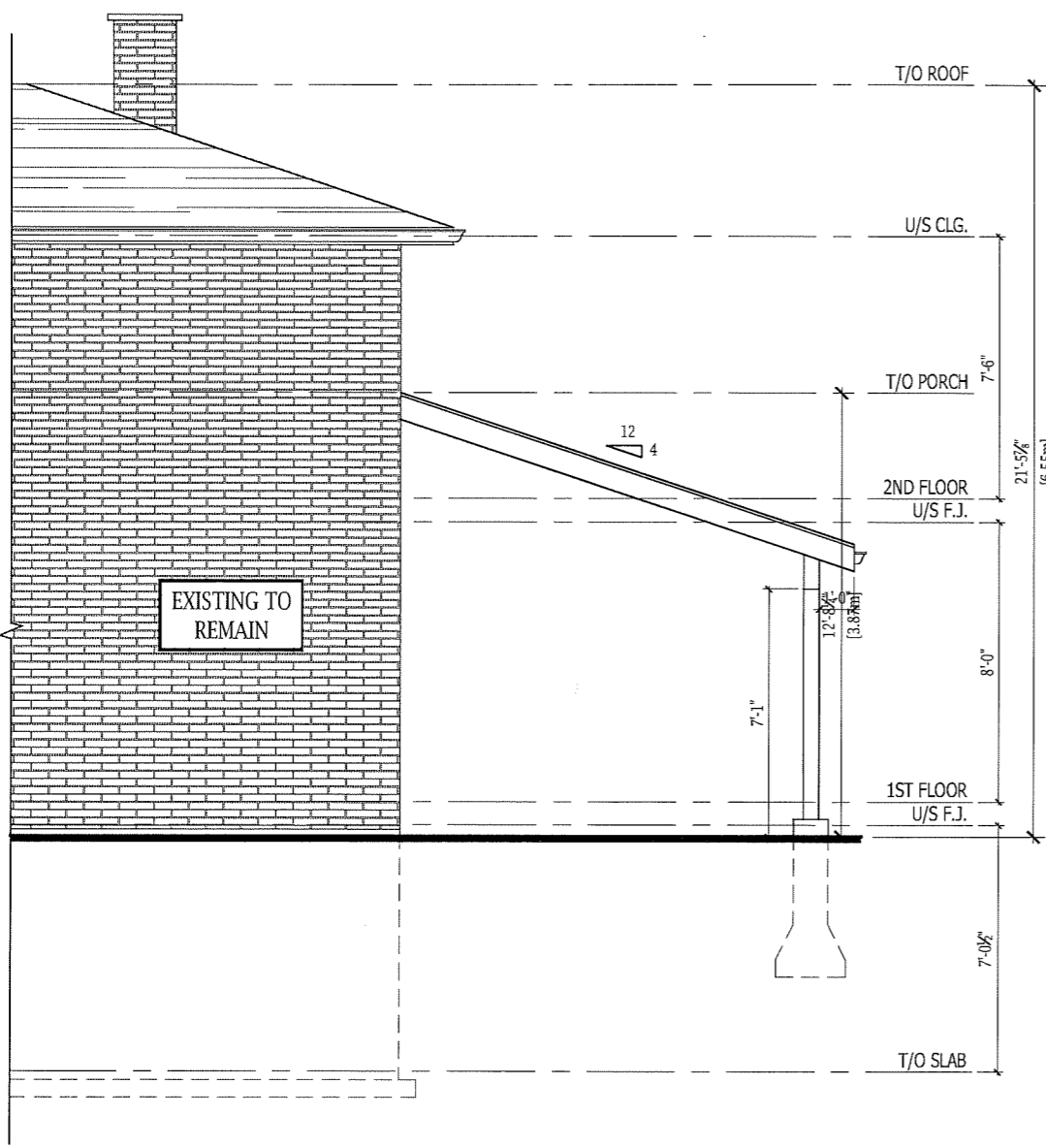
 RESIDENTIAL DESIGN AND DRAFTING SERVICES	 CHRISTINE BROWN Architectural Technologist 905.802.5272 444 UPPER GAGE AVE. HAMILTON, ON L8V 4H9 chrown@friendlycattoonkey.com
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CLIENT:  
**ORE RESIDENCE**

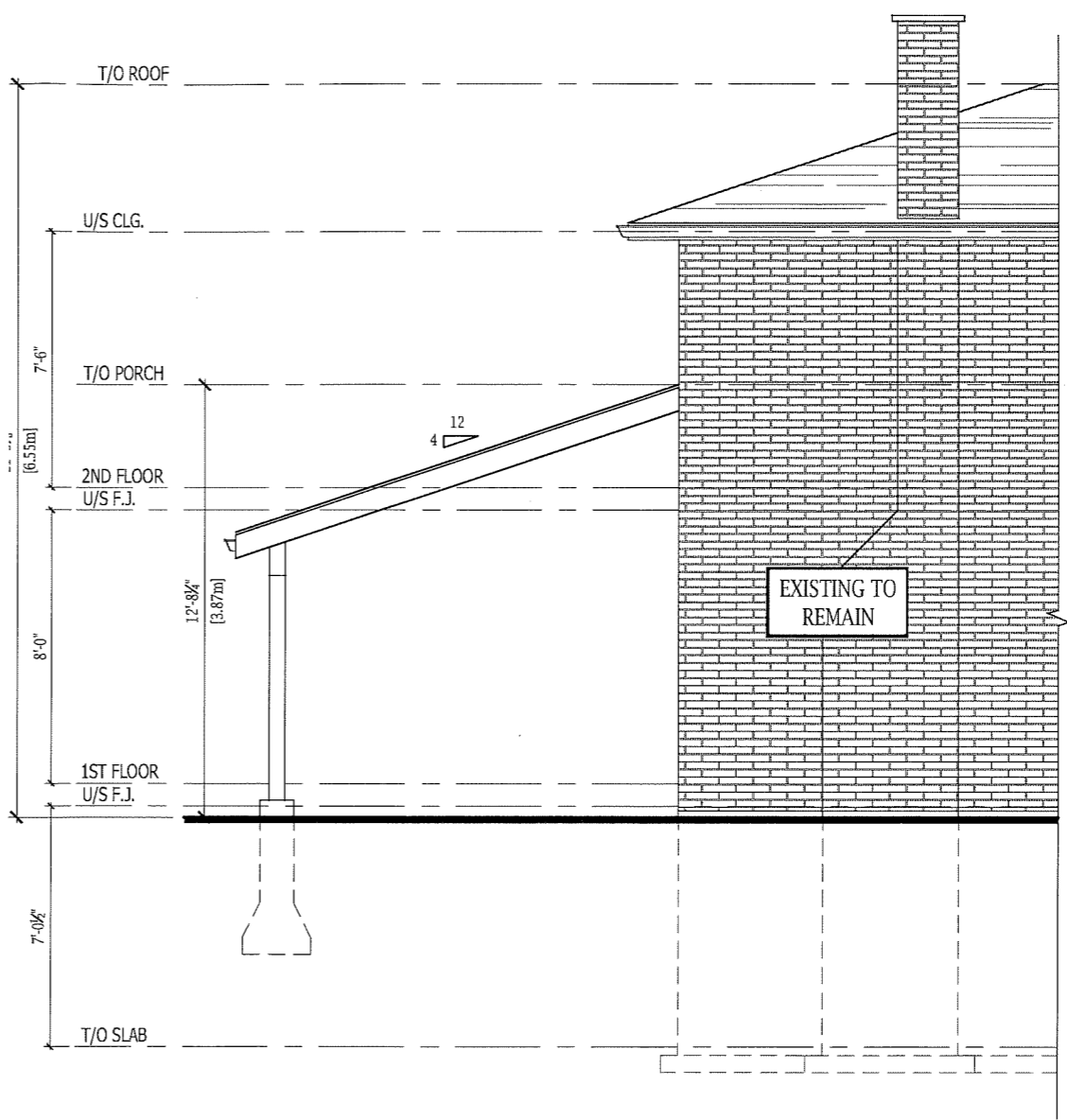
ADDRESS: 86 MARKSON CRESCENT  
 CITY: HAMILTON, ONTARIO, L8T 4W4

DRAWING TITLE:  
**PART SIDE ELEVATIONS**

DRAWN: CB	SCALE: AS NOTED
DATE: Sep. 25, 24	
JOB NO.: 24-213	SHEET: A2.02 of 4

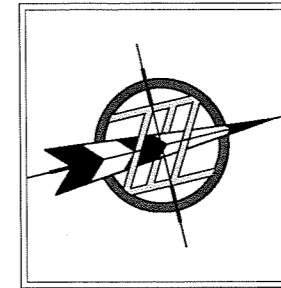
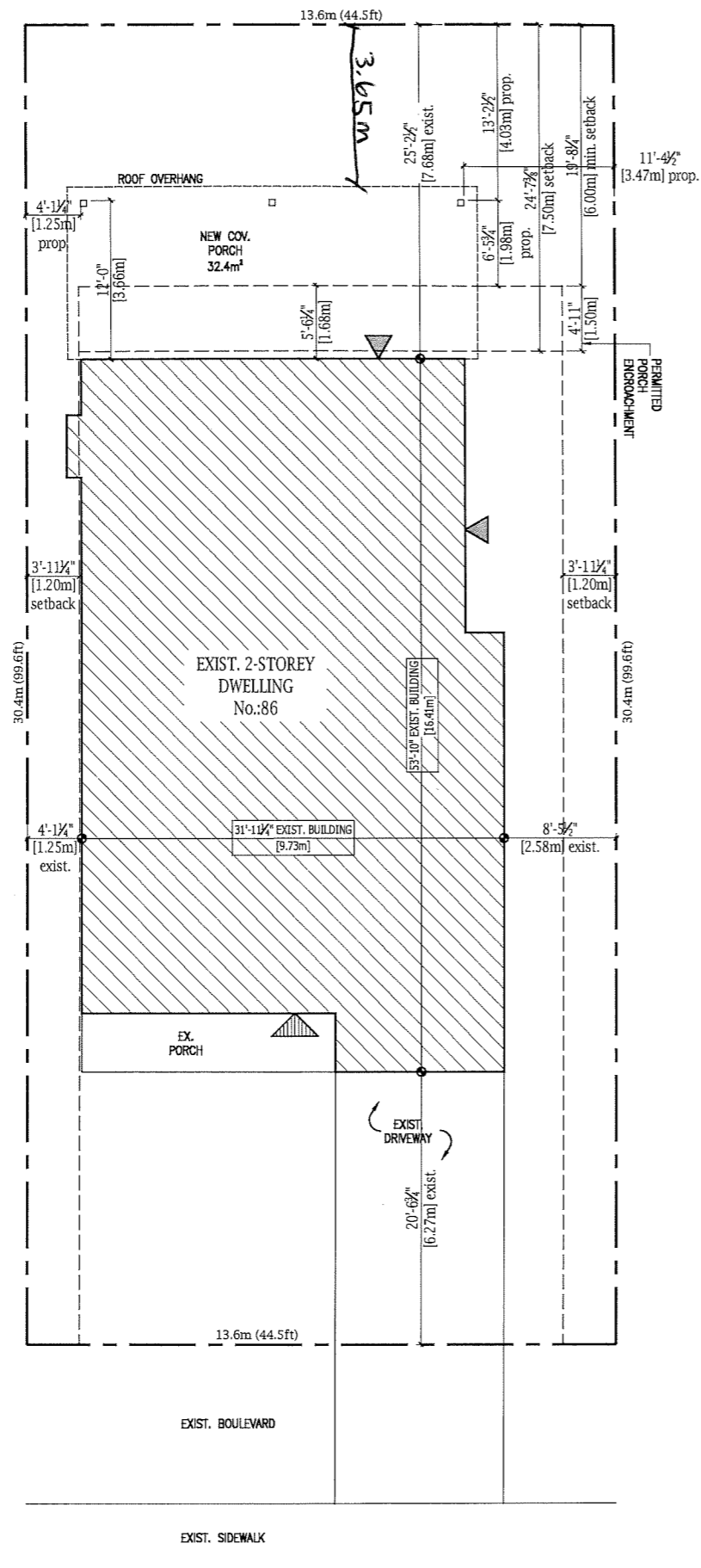


1 PART RIGHT SIDE ELEV.  
 A2.02 3/16" = 1'-0"



2 PART LEFT SIDE ELEV.  
 A2.02 3/16" = 1'-0"





**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 SLUMP 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

Ministry of Municipal Affairs and Housing  
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MY HOUSE  
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CLIENT:  
**ORE RESIDENCE**

ADDRESS: 86 MARKSON CRESCENT  
 CITY: HAMILTON, ONTARIO, L8T 4W4  
 DRAWING TITLE:  
**SITE PLAN**

DRAWN: CB	SCALE: AS NOTED
DATE: Sep. 25, 24	SHEET:
JOB NO.: 24-213	SP1.01

1 SITE PLAN  
 SP1.01 1:150

MARKSON CRESCENT



Hamilton

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)	Lynn Chan	
Applicant(s)	Christine Brown	
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

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	86 Markson Crescent		
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:

to permit a rear yard setback of <sup>3.65m</sup>4.03m where a minimum required is 6.0m (1.5m permitted encroachment into 7.5m rear yard setback for unenclosed porches)

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

The existing rear wall of the house is almost at the maximum allowed which doesn't allow for the projection for a covered porch more than only 1.68m

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
13.6	30.4	413.4	8.2

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	6.27	7.68	1.25/2.58	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
<del>dwelling</del> porch	no change	4.03 3.65	no change	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	146.7	204.4	2	6.6

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
porch	32.4	N/A	1	3.87

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 detached dwelling

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

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

July 16th, 2024

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

single detached dwelling

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:

47 years

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.

single detached dwelling

7.6 What is the existing zoning of the subject land? 05-200 R1

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):

## 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
- 
-