



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-24:266	SUBJECT PROPERTY:	119 Melville Street, Dundas
ZONE:	R1 (Low Density Residential)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended by By-law 24-051

APPLICANTS: Owner: Janie Hartwell

The following variances are requested:

1. A maximum accessory building height of 5.8m shall be permitted instead of the maximum 4.5m building height for accessory buildings permitted.
2. The aggregate gross floor area of all accessory buildings shall not exceed 53.9 square metres instead of the maximum aggregate gross floor area of 45m or 7.5% lot coverage permitted.

By-law 24-137;

1. The maximum combined lot coverage of all accessory buildings shall not exceed 53.9 square metres instead of the maximum 45 square metres or 7.5% lot coverage permitted.

PURPOSE & EFFECT: To facilitate the construction of an accessory building.

Notes:

1. By-law 24-137 made amendments to section 4.8.1.1 a) and is not yet final and binding, as such a variance has been written for the current regulation, as well as the new proposed regulation passed in by-law 24-137.

A-24:266

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, January 21, 2025
TIME:	3:40 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

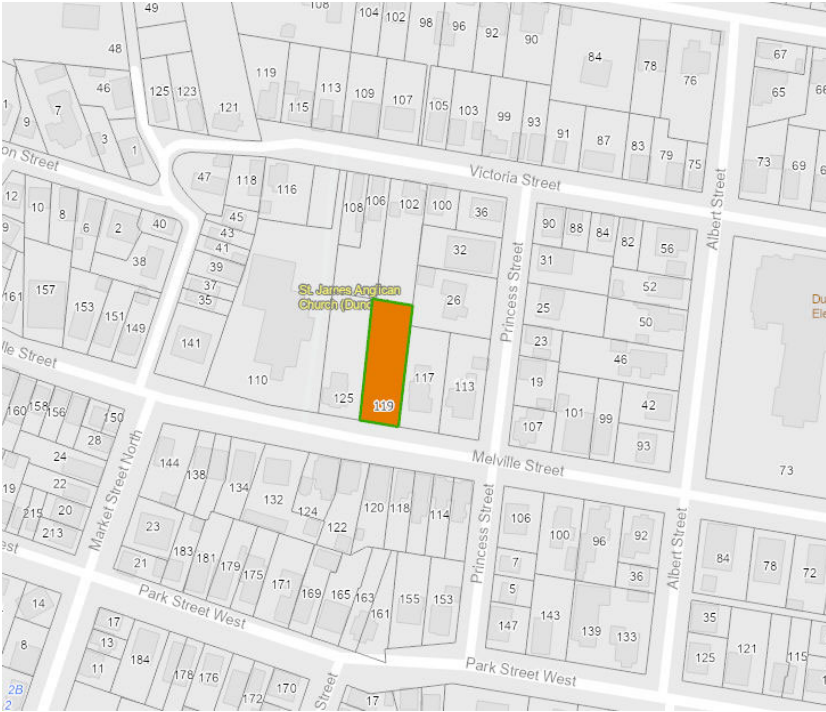
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon January 17, 2025

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 January 20, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:266, 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: January 2, 2025

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.

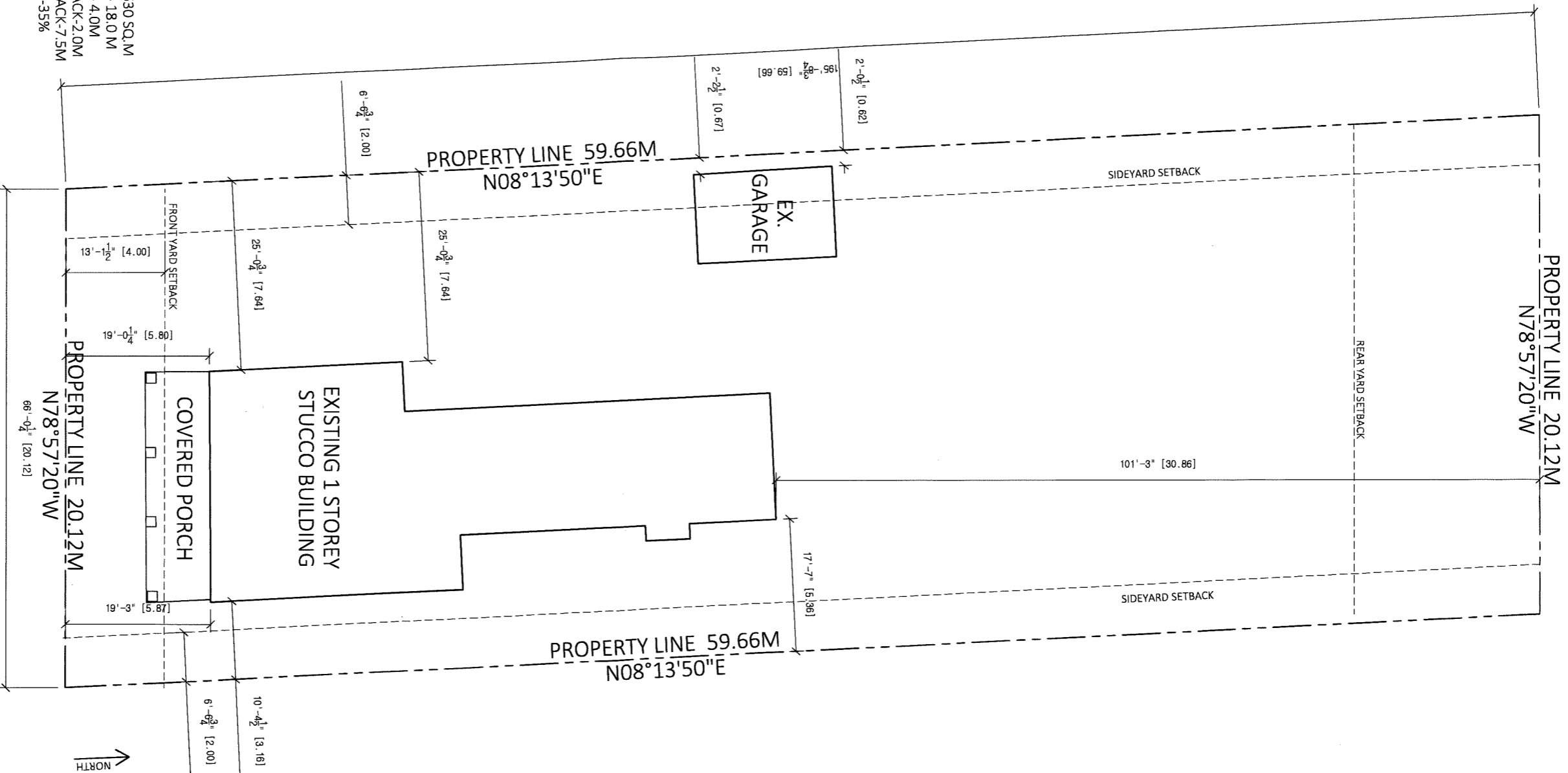
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

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.

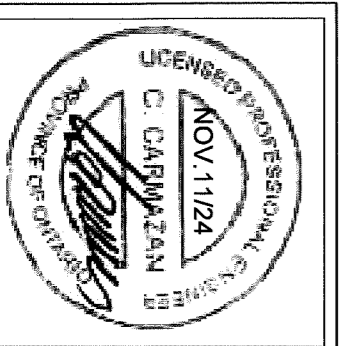
Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.



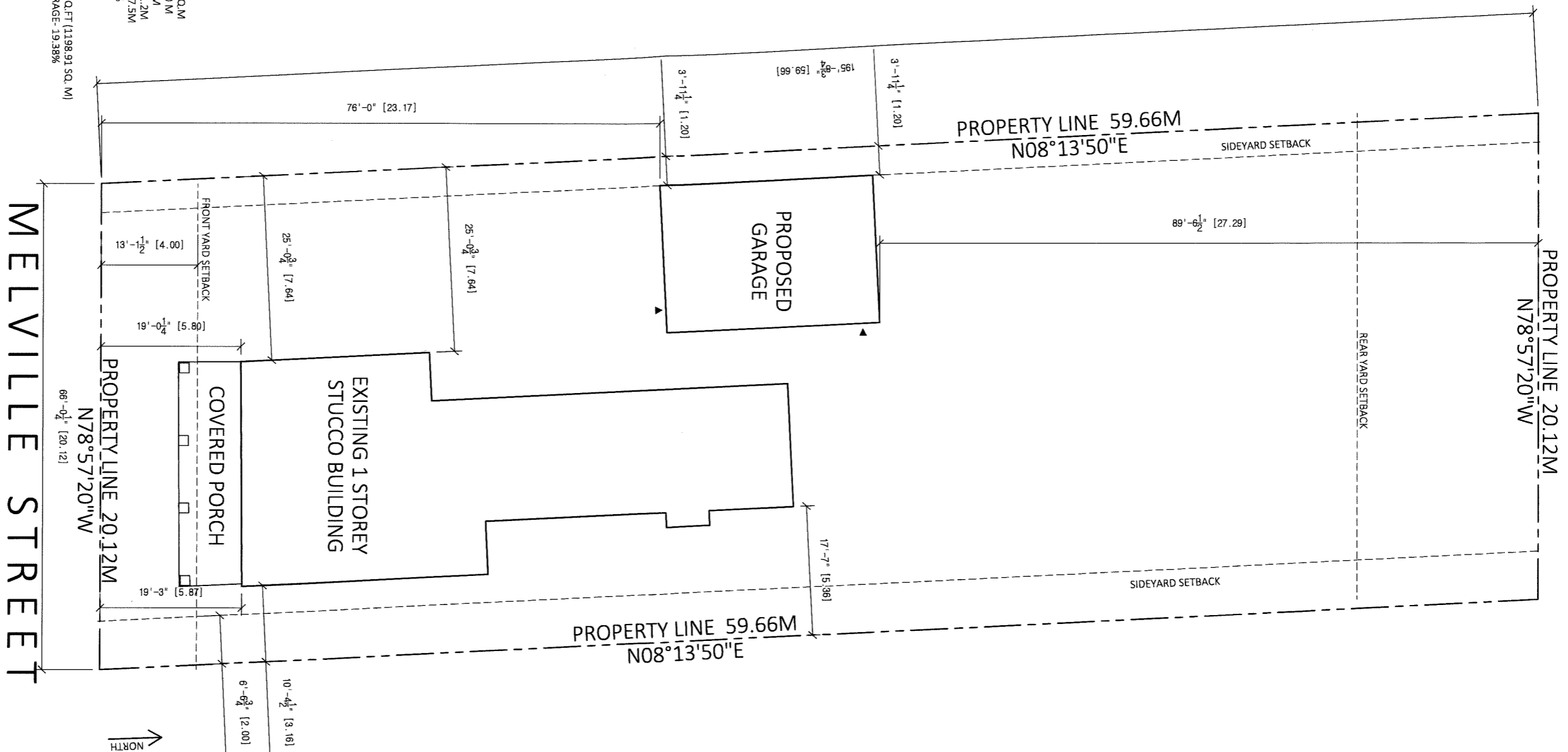
NOTES:
 ZONE 'R2'
 MIN LOT AREA-630 SQ.M
 MIN LOT WIDTH- 18.0 M
 FRONT SETBACK-4.0M
 SIDE YARD SETBACK-2.0M
 REAR YARD SETBACK-7.5M
 MAX COVERAGE -35%

LOT AREA- 12904.99 SQ.FT (1198.91 SQ. M)
 EXISTING LOT COVERAGE- 16.58%

MELVILLE STREET

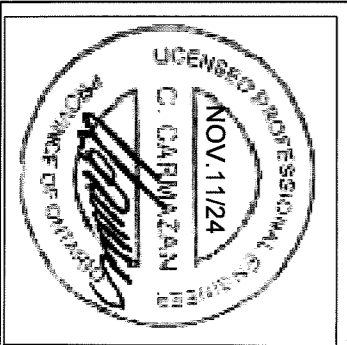


Drawing: EXISTING SITE PLAN	Scale:	1/16"=1'-0"	
	Date:	OCT.23/24	
Project: 119 MELVILLE ST. DUNDAS, ONT.	Project No.	-	Dwg. No.
			A-0
CARMAZAN ENGINEERING INC.		743 POWERLINE RD. EAST LYNDEN, ONT. LORITO RR2 905-521-9555 calin@carmazanengineering.com	



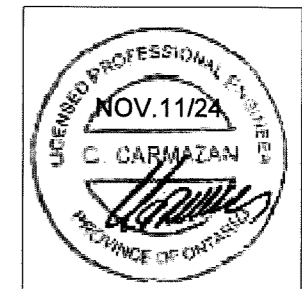
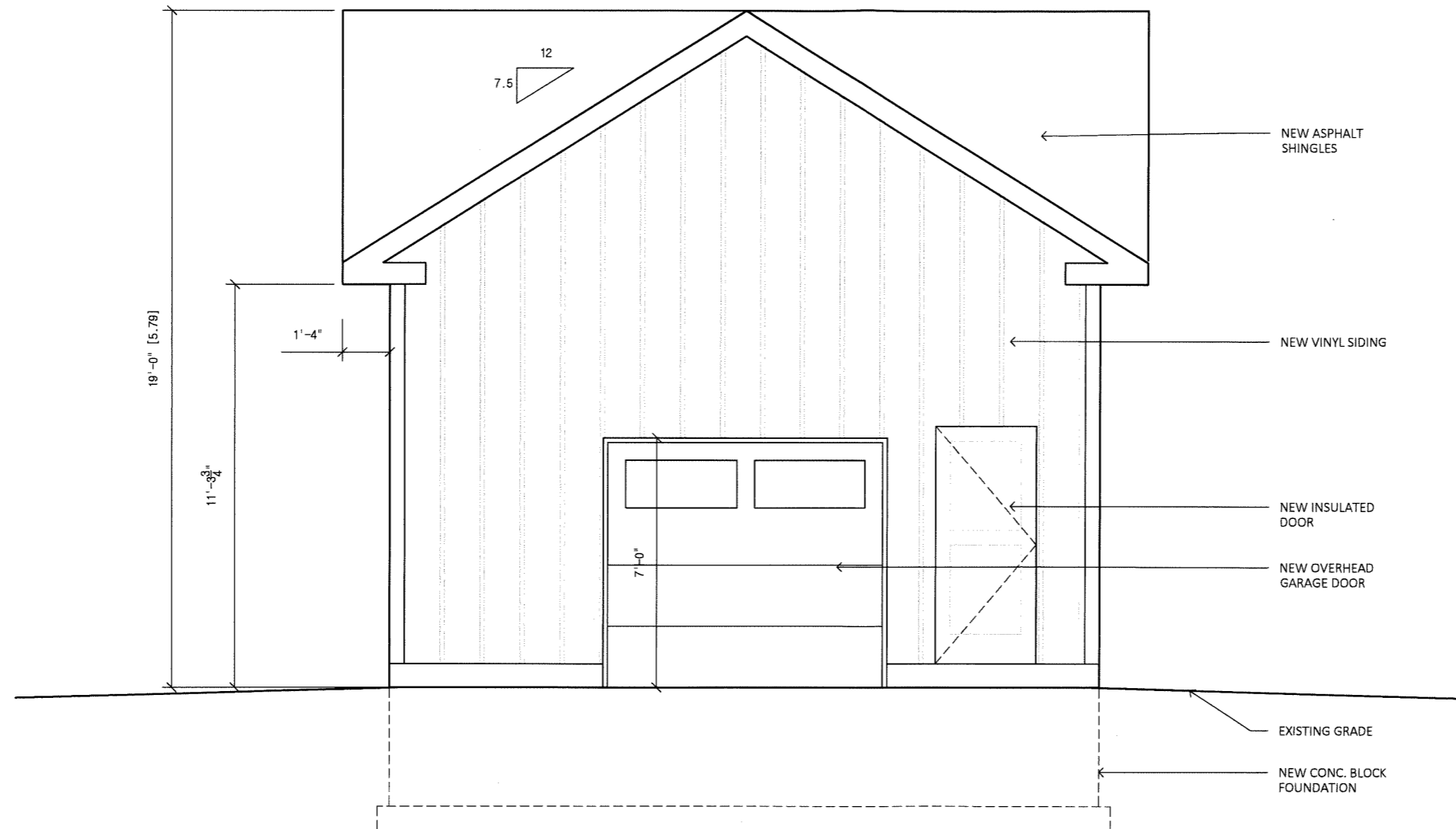
NOTES:
 ZONE: R2'
 MIN LOT AREA-630 SQ.M
 MIN LOT WIDTH-18.0 M
 FRONT SETBACK-4.0M
 SIDE YARD SETBACK-1.2M
 REAR YARD SETBACK-7.5M
 MAX COVERAGE -35%

LOT AREA- 12904.99 SQ.FT (1198.91 SQ. M)
 PROPOSED LOT COVERAGE- 19.38%



Drawing: PROPOSED SITE PLAN	Scale:	1/16"=1'-0"
	Date:	OCT. 23, 2024
Project: 119 MELVILLE ST. DUNDAS, ONT.	Project No.	-
	Dwg. No.	A-1

CARMAZAN ENGINEERING INC.
 743 POWERLINE RD. EAST
 LYNDEN, ONT.
 LOR ITO RR2
 905-521-9555
 callin@carmazanengineering.com



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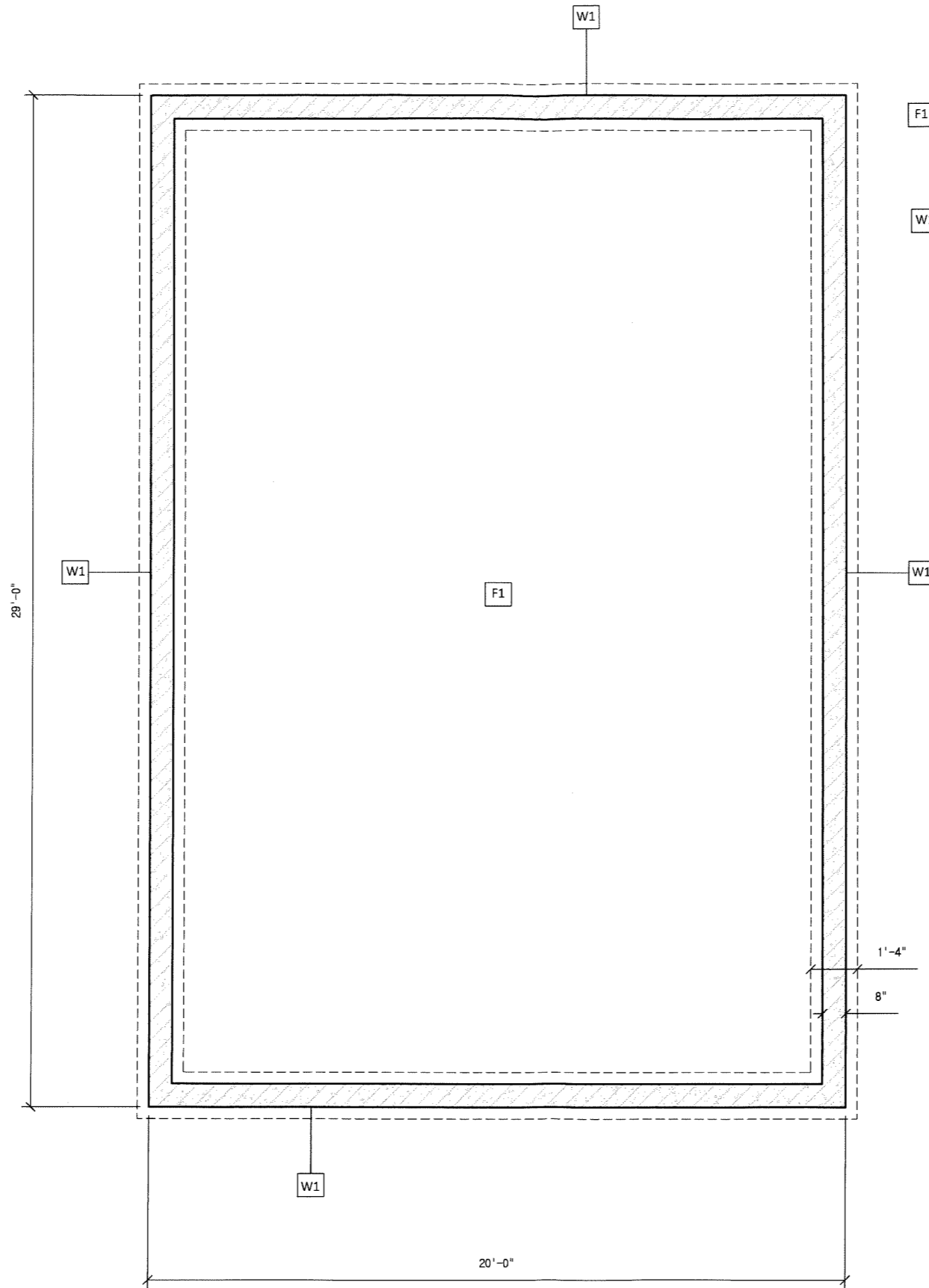
Drawing:
**PROPOSED
GARAGE
FRONT ELEVATION**

Project:
**119 MELVILLE ST
DUNDAS, ONT.**

Scale:
1/4"=1'-0"

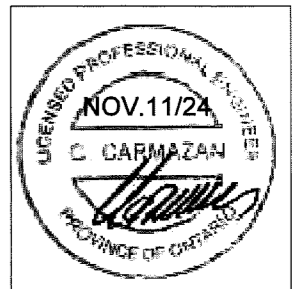
Date:
NOV. 11, 2024

Project No. -	Dwg. No. A-5
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CONSTRUCTION NOTES

- F1** GARAGE FLOOR
4" POURED CONC SLAB
SAW CUTS AS PER INDICATED
6X6" X 6/6" WIRE MESH
5" GRANULAR FILL 'A'
UNDISTURBED SOIL
 - W1** FOUNDATION WALL
8" CONC. BLOCK WALL
48" BELOW GRADE
- POURED CONC FOOTING
16"X8" MPA 25



CARMAZAN
ENGINEERING INC.

743 POWERLINE RD. EAST
LYNDEN, ONT.
LOR ITO RR2
905-521-9555

calin@carmazanengineering.com

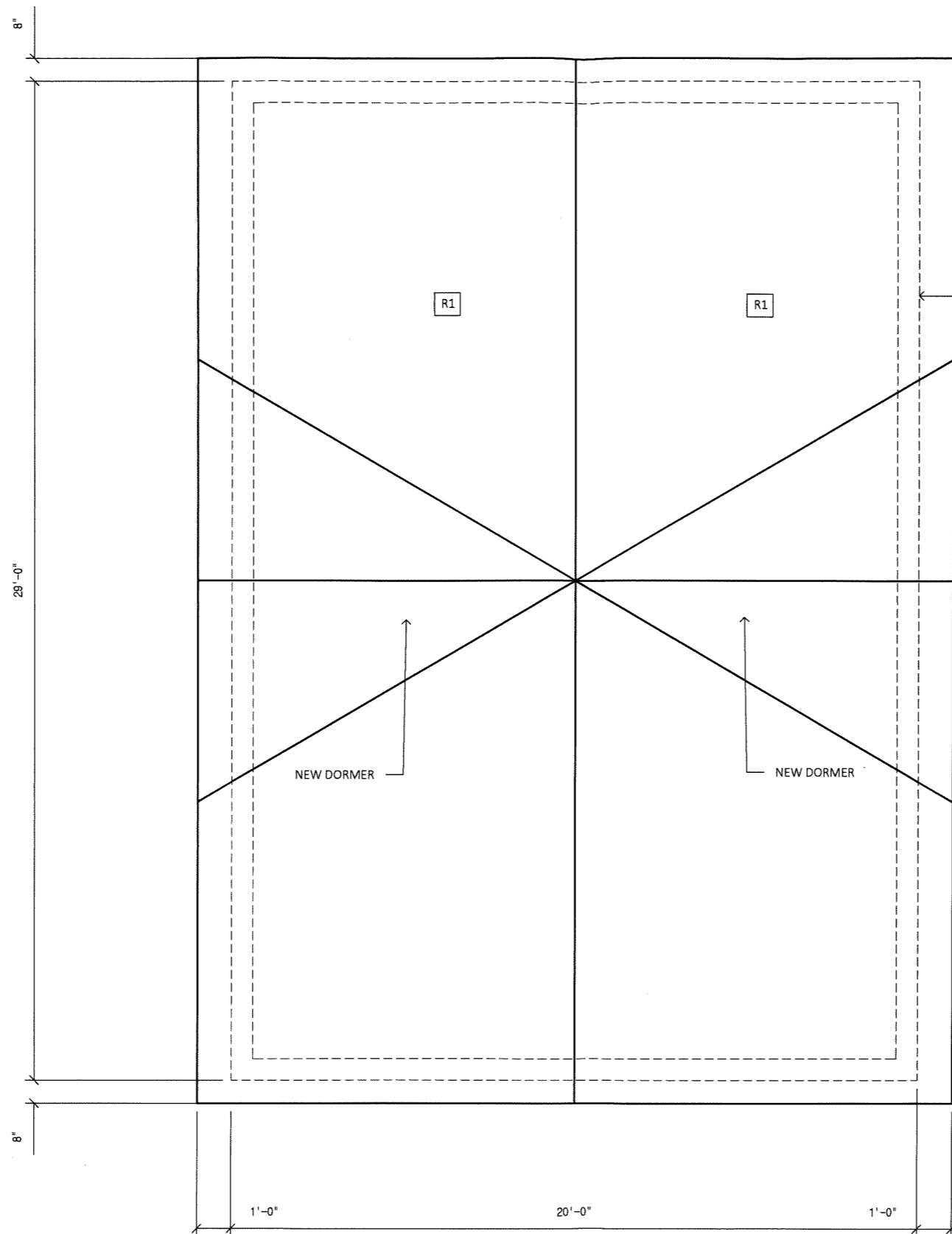
Drawing:
**PROPOSED
FOUNDATION
PLAN**

Project:
**119 MELVILLE ST
DUNDAS, ONT.**

Scale:
1/4"=1'-0"

Date:
NOV. 11, 2024

Project No. -	Dwg. No. A-2
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CONSTRUCTION NOTES

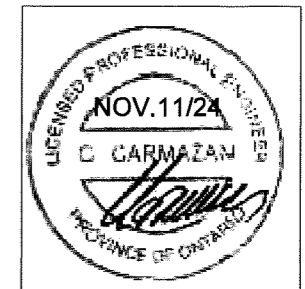
RJ - 2"X8" SPF WD @ 24" O/C

- R1 ASPHALT SHINGLES
- BUILDING PAPER
- 1/2" PLYWOOD SHEATHING
- ROOF JOISTS AS PER NOTES

← WALLS BELOW

↑ NEW DORMER

↑ NEW DORMER



CARMAZAN
ENGINEERING INC.

743 POWERLINE RD. EAST
LYNDEN, ONT.
LOR ITO RR2
905-521-9555

calin@carmazanengineering.com

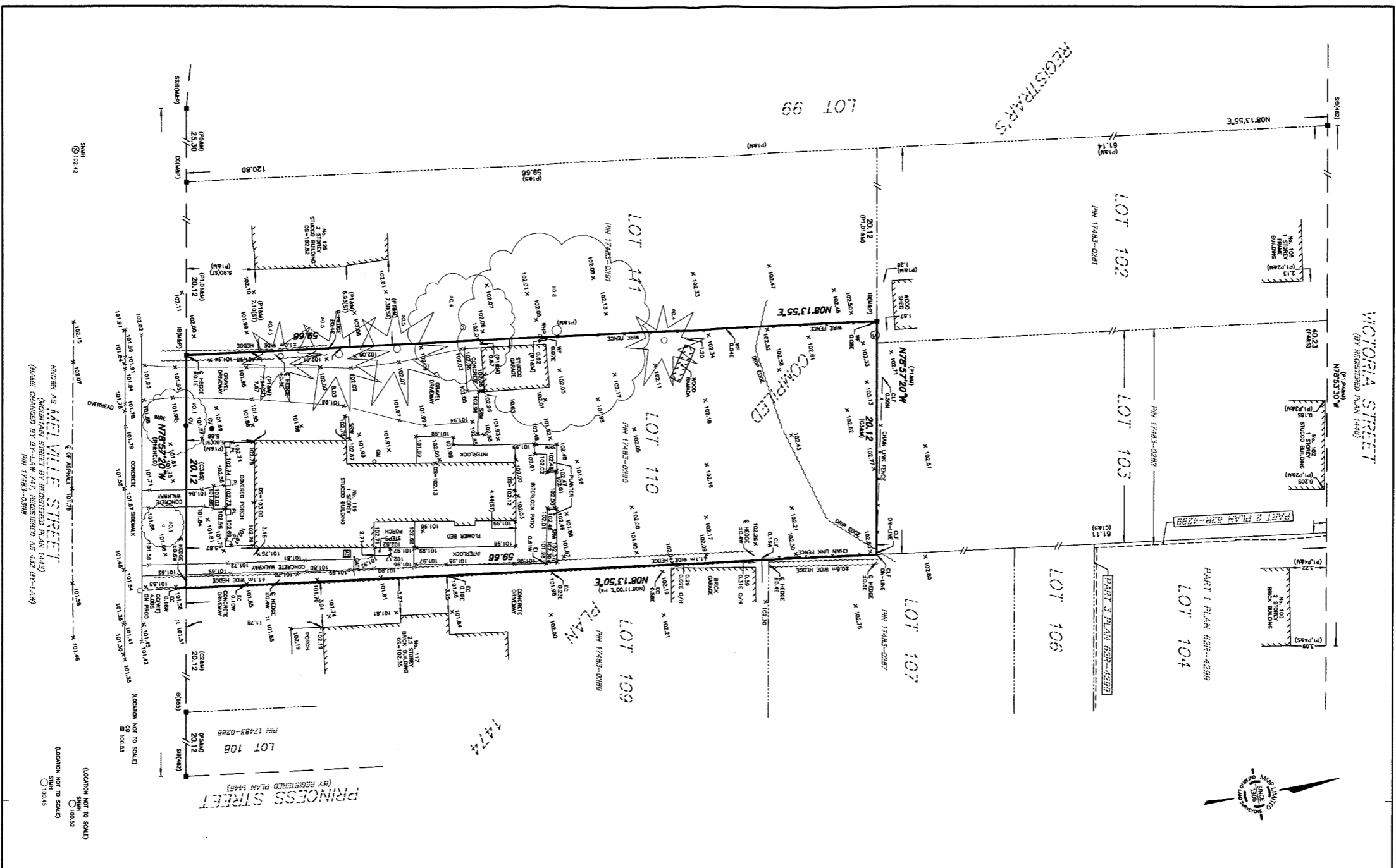
Drawing:
**PROPOSED
ROOF PLAN**

Project:
**119 MELVILLE ST
DUNDAS, ONT.**

Scale:
1/4"=1'-0"

Date:
NOV.11, 2024

Project No. -	Dwg. No. A-4
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SURVEYORS REAL PROPERTY REPORT
PART 1 - PLAN OF SURVEY SHOWING TOPOGRAPHY OF
LOT 110
REGISTRARS COMPILED PLAN 1474
IN THE
CITY OF HAMILTON

SCALE 1 : 200

THE INTENDED PLOT SIZE OF THIS PLAN IS 560mm IN WIDTH BY 830mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:200 (INCLUDING 10mm BEYOND EACH BORDER) MACKAY, MACKAY & PETERS LIMITED - ONTARIO LAND SURVEYORS © 2024

PART 2 - REPORT SUMMARY (TO BE READ IN CONJUNCTION WITH PART 1)
 LAND REGISTRY OFFICE TITLE INFORMATION ON SUBJECT PROPERTY INCLUDING BOUNDARIES DIMENSIONS AND RIGHT OF WAYS - JUNE 5, 2024
 REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY:
 NONE

ADDITIONAL REMARKS:
 REFER TO PART 1 OF SURVEY FOR THE LOCATION OF BUILDINGS, STRUCTURES, FENCES & UTILITIES

Metric
 Surveyors' Association of Ontario
 Land Surveyors Form
 V-84/02

THIS PLAN IS NOT VALID UNLESS THE ORIGINAL COPY IS ISSUED BY THE SURVEYOR REGULATION (1984, SECTION 210)

- LEGEND**
- DENOTES A SURVEY MONUMENT FOUND
 - ▬ DENOTES A SURVEY MONUMENT PLANTED
 - SIB DENOTES STANDARD IRON BAR
 - SSIB DENOTES SHORT STANDARD IRON BAR
 - IB DENOTES IRON BAR
 - CC DENOTES CUT CROSS
 - P1 DENOTES PLAN BY MWP LIMITED DATED NOVEMBER 17, 2020 (20-148)
 - P2 DENOTES PLAN BY MWP LIMITED DATED FEBRUARY 20, 1992 (92-1019-(10))
 - P3 DENOTES PLAN BY MWP LIMITED DATED FEBRUARY 20, 1992 (92-1019-(10))
 - P4 DENOTES PLAN 628-4295
 - P5 DENOTES PLAN 628-12057
 - D1 DENOTES INST. NO. D120236
 - D2 DENOTES INST. NO. D120209
 - D3 DENOTES INST. NO. A8220056
 - C1 DENOTES CALCULATED FROM P2 & P4
 - C2 DENOTES CALCULATED FROM P3 & P5
 - C3 DENOTES CALCULATED FROM P2 & P3
 - PN DENOTES PROPERTY IDENTIFICATION NUMBER
 - WM DENOTES A WITNESS MONUMENT
 - PROD DENOTES PRODUCTION
 - EC DENOTES EDGE OF CONCRETE
 - ED DENOTES EDGE OF DRIVE
 - WF DENOTES WIRE FENCE
 - CF DENOTES CHAIN LINK FENCE
 - CV DENOTES GAS VALVE
 - CM DENOTES GAS METER
 - SNM DENOTES SANITARY MANHOLE
 - SMH DENOTES STORM MANHOLE
 - CB DENOTES CATCH BASIN
 - OR DENOTES ORIGIN
 - PH DENOTES PHILLO
 - S&W DENOTES STONE REMAINING WALL
 - ⊕ DENOTES CENTRELINE
 - WH DENOTES WOOD HYDRO POLE
 - ⊙ DENOTES AIR CONDITIONER
 - ⊚ DENOTES AIR CONDITIONER
 - ⊛ DENOTES STUMP
 - ⊜ DENOTES DECIDUOUS TREE SCALED TO CANOPY TRUNK SIZE SHOWN IN METRES
 - ⊝ DENOTES CONSPICUOUS TREE SCALED TO CANOPY TRUNKS SIZE SHOWN IN METRES UNLESS OTHERWISE NOTED

BENCHMARK NOTE
 BENCHMARK No. 001914/002
 ELEVATION = 97.742 METRES (GDA2022/78 ADJUSTMENT)
 POST OFFICE AT INTERSECTION OF KING STREET AND MCARDURRY STREET
 TABLE IN NORTH OF FRONT STONE WALL 0.70 METRES FROM NORTHWEST CORNER
 1.18 METRES BELOW BENCHMARK

BEARING REFERENCE
 BEARINGS ARE ASTRONOMICAL AND ARE REFERRED TO THE NORTHERLY LIMIT OF MELVILLE STREET AS SHOWN ON P1 HAVING A BEARING OF N78°57'20"W

SURVEYORS CERTIFICATE
 I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT,
 2. THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM,
 3. THE SURVEY WAS COMPLETED ON THE 18th DAY OF AUGUST, 2024.

DATE: AUGUST 16, 2024

FOR MACKAY, MACKAY & PETERS LIMITED

ASSTY. BARRISTER
 ONTARIO SURVEYORS ASSOCIATION

DRAWN BY: C.S.
 PARTY CHIEF: C.M.
 CHECKED BY: P.B.
 PRODUCT No.: 24-133

MMPPE
 MACKAY, MACKAY & PETERS LIMITED
 2385 SOUTH SERVICE ROAD
 BURLINGTON, ON
 N7R 5B5
 (905) 335-3375
 mmppe@mmppeltd.com
 mmppeintd.com



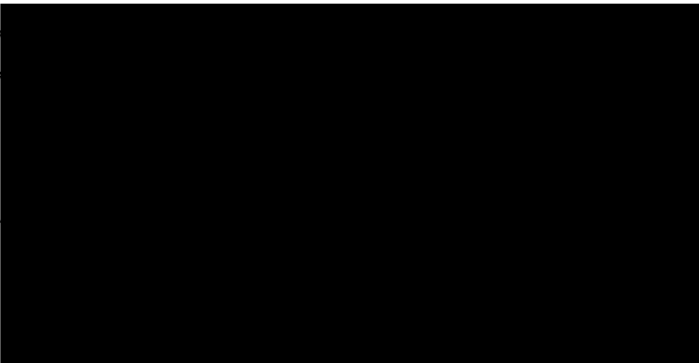
Hamilton

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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)	Janie Hartwell		
Applicant(s)	Janie Hartwell		
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	119 Melville Street		
Assessment Roll Number	260180058000000		
Former Municipality	Dundas		
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:

Square footage restriction - proposed 53.88 sq metres vs 45 sq metres per R1 zoning.
Height restriction - proposed 5.79 metres vs 4.5 metres per R1 zoning.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

In order to have sufficient room to store motor vehicles, large collection of bicycles, yard equipment and furniture.

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
20.12 metres	59.66	1200.36 sq metres	

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	5.68 metres	31.25 metres	10.63 metres	01/01/1900
Garage	25.6 metres	28.57 metres	.6 metres	01/11/2060

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Garage	23.16 metres	27.66	1.2 metres	

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	20.06	20.06	1	3.35 metres

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
garage	53.88 sq metres	53.88 sq metres	1	5.79 metres

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.):
 utility building *accessory to single family 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:
 Sept 1, 1990
- 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:
 100 plus 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) *neighborhoods* _____

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

- 7.6 What is the existing zoning of the subject land? 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: ~~RT~~ _____

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):

Please see attached Survey, Site Plan, Engineer Drawings of front and side elevations.

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
- _____
- _____