



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-25:001 | SUBJECT PROPERTY: | 253 Regional Road 20, Stoney Creek |
| ZONE: | A1 (Agriculture) | ZONING BY-LAW: | Hamilton Zoning By-law 05-200 as Amended 15-173 |

APPLICANTS: Owner: Joseph & Andrea Lackovic
Applicant: Joseph & Andrea Lackovic

The following variances are requested:

1. Accessory Buildings shall be permitted within a front or flankage yard instead of the requirement that they shall not be permitted within a front or flankage yard.

PURPOSE & EFFECT: To establish the location of two (2) existing accessory structures.

Notes:

1. Please be advised the existing shop and garage are an existing condition. Variance is required due to the construction of the location of a new Single Detached Dwelling.

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: | Thursday, February 13, 2025 |
| TIME: | 1:30 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 |

A-25:001

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

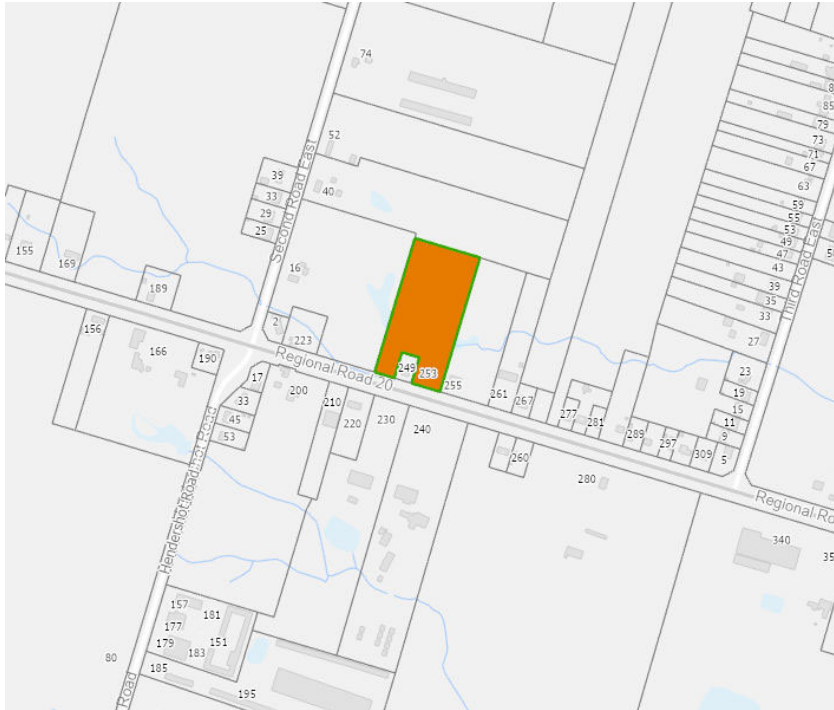
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon February 11, 2025

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 February 12, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:001, 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 27, 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 Tuesday 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.

SURVEYOR'S REAL PROPERTY REPORT

PART 1 PLAN OF PART OF

LOT 20
CONCESSION B

GEOGRAPHIC

TOWNSHIP OF SALTFLEET

IN THE

CITY OF HAMILTON

SCALE 1:300 METRIC



R.A. McLAREN, O.L.S. - 2023

SURVEYOR'S REAL PROPERTY REPORT (PART 2)

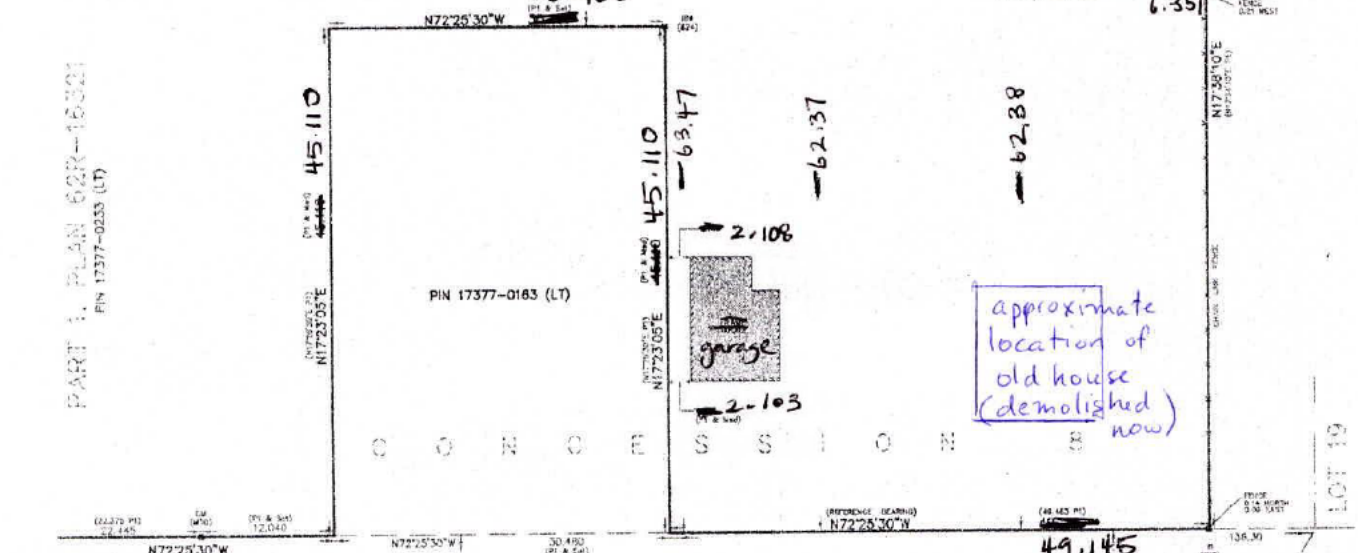
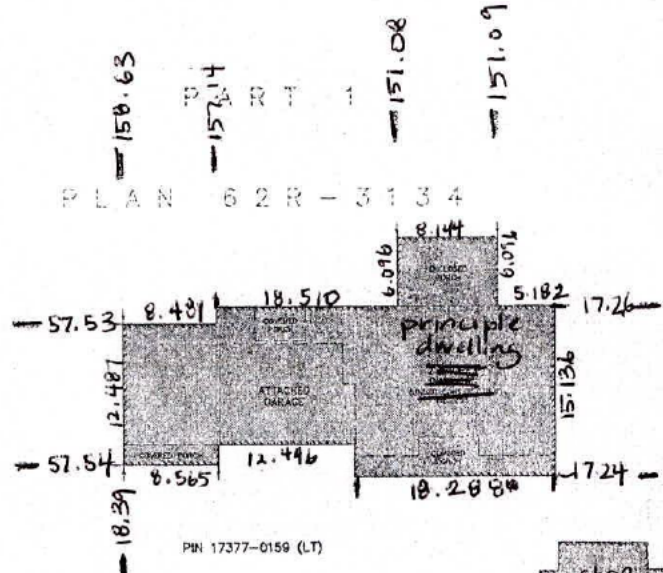
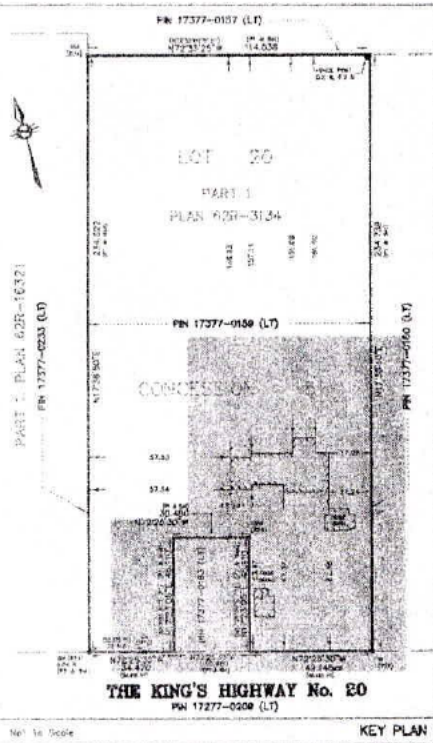
PART OF LOT 20, CONCESSION B, DENOTED AS PART 1, PLAN 62R-3134, IS NOT SUBJECT TO ANY EASEMENTS.

THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS.

THIS PLAN WAS PREPARED FOR JOSEPH AND ANDREA LACKOVIC.



LOT 20



ROAD WIDENING ACCORDING TO DEPOSITED PLAN 639 MISC. (P-1941-9)

THE KING'S HIGHWAY No. 20

(ORIGINAL ROAD ALIGNMENT BETWEEN BOUNDARIES OF HAMILTON & SALTFLEET)
PIN 17377-0209 (LT)
DEPOSITED PLAN 639 MISC. (P-1941-9)

LEGEND:

- DENOTES MONUMENT SET
- DENOTES MONUMENT FOUND
- IRON BAR
- PLASTIC BAR
- STANDING IRON BAR
- ROUND IRON BAR
- CONCRETE MONUMENT
- J.I. KERRY, O.L.S.
- J.T. MCGEE, P.L.S.
- SURVEYOR'S REPRESENTATION OF DISTANCE
- GROUND UNCHANGED
- PLAN 62R-3134
- PLAN 62R-1822
- MEASURED

METRIC NOTE:
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

BEARING NOTE:
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHERLY LIMIT OF THE KING'S HIGHWAY No. 20 AS SHOWN ON PLAN 62R-3134 AS BEING N72°25'30"W

SURVEYOR'S CERTIFICATE

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT AND THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 17th DAY OF OCTOBER, 2022.

14 FEB 2023
DATE

R.A. McLAREN, O.L.S.

R.A. McLAREN, O.L.S. - 1041 90 PERSON WAY UNIT 10
BETHUNE, ONTARIO M9W 6K6
PART WITHOUT THE WRITTEN PERMISSION OF R.A. McLAREN, O.L.S.

A.T. McLaren Limited
EQUALLY EMPLOYED PROFESSIONAL SURVEYORS

89 JOHN STREET SOUTH, SUITE 220
HAMILTON, ONTARIO L8N 3J8
PHONE (905) 527-6500 FAX (905) 527-0032

Scale 1:300
Date 17/10/22
Drawing 202301

THIS PLAN OF SURVEY RELATES TO AGEN PLAN DATES/ISSUE FROM NUMBER 0208

Permit No. **21-119063**

SEP 03 2021

SITE AND GRADING PLAN
OF PART OF
LOT 20
CONCESSION 8
GEOGRAPHIC
TOWNSHIP OF SALTLEET
CITY OF HAMILTON
SCALE 1:200 METRIC

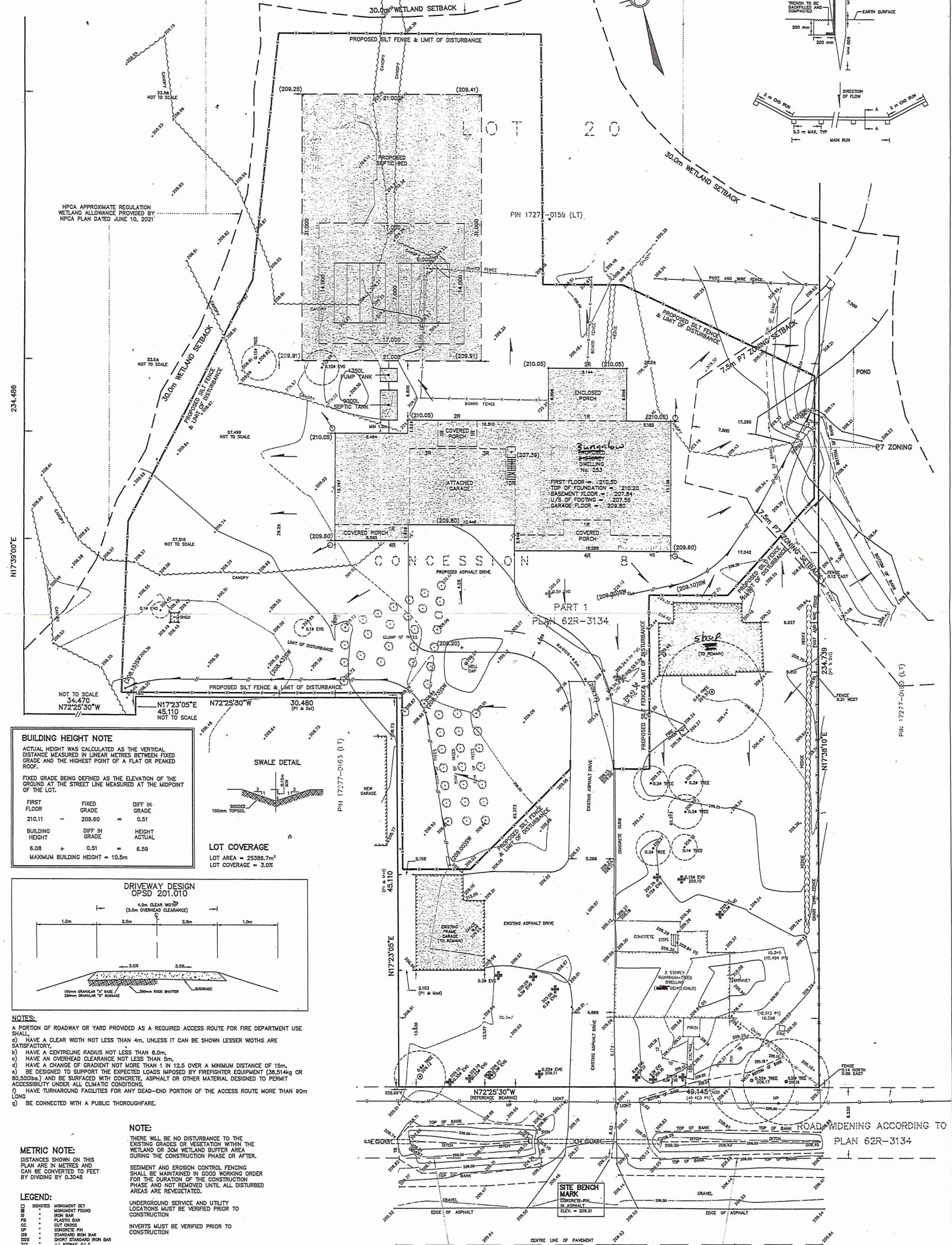
THESE STAMPED DRAWINGS SHALL BE AVAILABLE ON SITE
THE OWNER AND/OR CONTRACTOR SHALL COMPLY WITH
THE ONTARIO BUILDING CODE AND ALL OTHER APPLICABLE LAW

HPCA APPROXIMATE REGULATION
WETLAND ALLOWANCE PROVIDED BY
NPCA PLAN DATED JUNE 10, 2021

REC'D BY _____ DATE _____
REF'D TO _____ DATE _____
LIGHT DUTY SILT FENCE BARRIER
OPSD 219.110
N.T.S.

These drawings and/or specifications have been reviewed by
Alan Smith Sep 27, 2021
FOR CHIEF BUILDING OFFICIAL DATE

S.D. McLAREN, O.L.S. - 2021



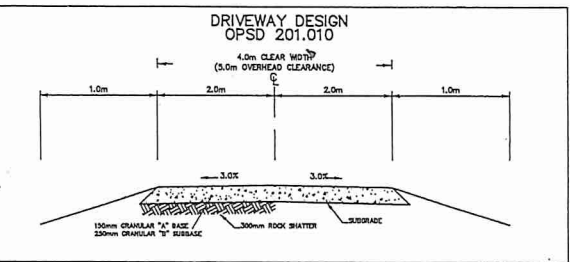
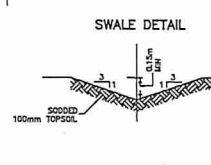
BUILDING HEIGHT NOTE

ACTUAL HEIGHT WAS CALCULATED AS THE VERTICAL DISTANCE MEASURED IN LINEAR METRES BETWEEN FIXED GRADE AND THE HIGHEST POINT OF A FLAT OR PEAKED ROOF.

FIXED GRADE BEING DEFINED AS THE ELEVATION OF THE GROUND AT THE STREET LINE MEASURED AT THE MIDPOINT OF THE LOT.

| FIRST FLOOR | FIXED GRADE | DIFF IN GRADE |
|-----------------|---------------|---------------|
| 210.11 | 209.60 | 0.51 |
| BUILDING HEIGHT | DIFF IN GRADE | HEIGHT ACTUAL |
| 6.08 | 0.51 | 6.59 |

MAXIMUM BUILDING HEIGHT = 10.5m



- NOTES:**
- A PORTION OF ROADWAY OR YARD PROVIDED AS A REQUIRED ACCESS ROUTE FOR FIRE DEPARTMENT USE SHALL:
 - HAVE A CLEAR WIDTH NOT LESS THAN 4m, UNLESS IT CAN BE SHOWN LESSER WIDTHS ARE SATISFACTORY.
 - HAVE A CENTRELINE RADIUS NOT LESS THAN 6.0m.
 - HAVE AN OVERHEAD CLEARANCE NOT LESS THAN 5m.
 - HAVE A CHANGE OF GRADIENT NOT MORE THAN 1 IN 12.5 OVER A MINIMUM DISTANCE OF 15m.
 - BE DESIGNED TO SUPPORT THE EXPECTED LOADS IMPOSED BY FIREFIGHTER EQUIPMENT (36,514kg OR 80,500lbs) AND BE SURFACED WITH CONCRETE, ASPHALT OR OTHER MATERIAL DESIGNED TO PERMIT ACCESSIBILITY UNDER ALL CLIMATIC CONDITIONS.
 - HAVE TURNAROUND FACILITIES FOR ANY DEAD-END PORTION OF THE ACCESS ROUTE MORE THAN 90m LONG.
 - BE CONNECTED WITH A PUBLIC THROUGHFARE.

NOTE:
THERE WILL BE NO DISTURBANCE TO THE EXISTING GRADES OR VEGETATION WITHIN THE WETLAND OR 30M WETLAND BUFFER AREA DURING THE CONSTRUCTION PHASE OR AFTER.

SEDIMENT AND EROSION CONTROL FENCING SHALL BE MAINTAINED IN GOOD WORKING ORDER FOR THE DURATION OF THE CONSTRUCTION PHASE AND NOT REMOVED UNTIL ALL DISTURBED AREAS ARE REVEGETATED.

- LEGEND:**
- MONUMENT SET
 - MONUMENT FOUND
 - IRON BAR
 - PLASTIC BAR
 - CUT CROSS
 - CONCRETE PIN
 - STANDARD IRON BAR
 - SHORT STANDING IRON BAR
 - ALL CORNER O.L.S.
 - A.T. McLAREN, O.L.S.
 - SURVEY OF TRANSFORMATION OF ONTARIO
 - ORIGINAL ENGLISH
 - MEASURED
 - PLAN 62R-3134
 - PLAN 62R-16321
 - 500M SILL
 - GARAGE FLOOR
 - WOOD STAKE
 - TOP OF BANK
 - BOTTOM OF BANK
 - INVERT
 - CHECKED
 - SAATCHI
 - PROPOSED ELEVATION
 - 000.00
 - EXISTING ELEVATION
- BENCHMARK:**
MONUMENT 0011975U171
- MAPLEYTOWN PUBLIC SCHOOL, MUD STREET
0.3 KM WEST OF INTERSECTION WITH
MAPLEYTOWN ROAD, TABLET IN EAST STONE
FOUNDATION OF OLD SECTION OF SCHOOL,
MARKED BY SIGN "SALT FLEET", 1.37 M
FROM NORTHEAST CORNER OF BUILDING, 18
CM ABOVE GROUND LEVEL.
- ROOFWATER LEADERS:**
ALL ROOFWATER LEADERS SHALL DISCHARGE ONTO SPLASH
PADS AND THEN TO GRASSED OR LANDSCAPED AREAS A
MINIMUM DISTANCE OF 0.6M FROM THE BUILDING FACE.
ELEVATION: 205.385 metres CGVD-1928:1978

THE KING'S HIGHWAY No. 20
(ORIGINAL ROAD ALLOWANCE BETWEEN TOWNSHIPS OF BIRKBECK & SALTLEET)
PIN 17277-0209 (LT)

DEPOSITED PLAN 639 MISC. (P-1941-9)

BEARING NOTE:
BEARINGS ARE ASTRONOMIC AND ARE
REFERRED TO THE NORTHERLY LIMIT OF
THEM KING'S HIGHWAY No. 20 AS SHOWN
ON PLAN 62R-3134 AS BEING N72°25'30"W



| No. | DESCRIPTION | DATE | BY |
|-----|--------------------------|-----------|----|
| 2 | CHANGES AS PER NPCA | AUG 5/21 | JM |
| 1 | ADD NPCA OFFSET & SEPTIC | JUL 18/21 | JM |
| | ORIGINAL DRAWING | MAY 31/21 | JM |

REVISIONS

S.D. McLAREN, O.L.S. - 2021. NO PERSON MAY COPY
REPRODUCE, EITHER WHOLLY OR ALTER THE PLAN IN WHOLE OR IN
PART WITHOUT THE WRITTEN PERMISSION OF S.D. McLAREN, O.L.S.

A.T. McLaren Limited
LEGAL AND ENGINEERING SURVEYS

69 JOHN STREET SOUTH, SUITE 230
HAMILTON, ONTARIO, L8N 2B9
PHONE: (905) 527-5229 FAX: (905) 527-0022
WWW.ATMCLAREN.COM



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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) | Joseph & Andrea Lackovic | | |
| Applicant(s) | Joseph & Andrea Lackovic | | |
| 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 Cheque Credit over phone*

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

| | | | |
|---------------------------|--------------------------|------------|-----------|
| Municipal Address | 253 Regional Rd 20 | | |
| Assessment Roll Number | 25 18 003 810 54200 0000 | | |
| Former Municipality | Hamilton City | | |
| Lot | Lot 20 | Concession | 8 |
| Registered Plan Number | | Lot(s) | PT Lot 20 |
| Reference Plan Number (s) | 62R3134 | Part(s) | 1 |

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:

Accessory buildings are in front of new home due to demolition of old home.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

- old buildings have no impact on new home and property.
- property is surrounded with trees around shop & garage, not visible.

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 |
| 83.82 m | 234.696 m | 2.54 ha | |

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: *see attached survey*

| Type of Structure | Front Yard Setback | Rear Yard Setback | Side Yard Setbacks | Date of Construction |
|-------------------------------|--------------------|-------------------|-------------------------------|----------------------|
| <i>garage</i> | <i>18.288m.</i> | <i>205.3 m.</i> | <i>1.8m 3.5 m.</i> | <i>1970</i> |
| <i>shop</i> | <i>50m.</i> | <i>172.547m.</i> | <i>6.5m</i> | <i>1950.</i> |
| <i>Single family dwelling</i> | <i>70m.</i> | <i>137.3m.</i> | <i>15m</i> | <i>2022</i> |

Proposed: *no proposed building changes - old house demolished.*

| Type of Structure | Front Yard Setback | Rear Yard Setback | Side Yard Setbacks | Date of Construction |
|-------------------|--------------------|-------------------|--------------------|----------------------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |

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 |
|-------------------------------|----------------------------|----------------------------|-------------------|---------------|
| <i>garage</i> | <i>104m²</i> | <i>104m²</i> | <i>1</i> | <i>4.57m</i> |
| <i>shop</i> | <i>65m²</i> | <i>65m²</i> | <i>1</i> | <i>4.57m</i> |
| <i>Single family dwelling</i> | <i>315.87m²</i> | <i>315.87m²</i> | <i>1</i> | <i>4.57m.</i> |

Proposed: *no proposed building*

| Type of Structure | Ground Floor Area | Gross Floor Area | Number of Storeys | Height |
|-------------------|-------------------|------------------|-------------------|--------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |

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)

cistern.

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 detached dwelling.

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

neighbouring residential homes.

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

May 28, 2021

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

single detached dwelling, garage, shop.

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

single detached dwelling, garage, shop.

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): *agricultural*

Rural Settlement Area: _____

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? *A1 - 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: _____

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: 3

8.2 Number of Dwelling Units Proposed: 0

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

garage and shop (see photos & survey)

(previous house in front of buildings and now
accessory buildings are in front of new house)

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
-
-