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	A-24:88	SUBJECT	884 Garth Street, Hamilton
NO.:		PROPERTY:	
ZONE:	R1 (Low Density Residential)	ZONING BY-	Hamilton Zoning By-law 05-200,
		LAW:	as Amended by by-law 22-197

APPLICANTS: Owner: Tessa Hayman

The following variances are requested:

- 1. A minimum 30% front yard landscaped area shall be permitted instead of the minimum 50% landscaped area in the front yard required.
- 2. On a lot having an attached garage less than 5.0m in width, the driveway may extend beyond the width of the garage towards the southerly side lot line to a maximum width of 10.88m and no closer than 0.0m to the side lot line instead of the maximum 5.0m in width, and no closer than 0.6m to the side lot line required.

PURPOSE & EFFECT: To facilitate the implementation of a new paved driveway.

Notes:

- 1. As per section 5.2.1 the minimum parking space dimension required is 2.8m x 5.8m. typical parking space provided indicated as 2.7m x 5.4m. should these parking spaces remain, additional variances will be required.
- 2. As per section 5.7.1, one (1) parking space is required for the single detached dwelling.
- 3. It is noted that section 5.3.4 a) i) states the following;

Notwithstanding Section 5.3.4 a), on a lot containing a residential use in a Residential Zone, any parking provided beyond that which is required by Section 5.7.1 of this By-law shall be maintained with permeable material and shall not be deemed landscaped area in the calculation of total landscaped area on a lot

A-24:88

It would appear that one (1) parking space can be provided in the existing attached garage, Should parking spaces continue to be provided on the "new concrete driveway" additional variances will be required.

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:	3:50 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 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-24:88, 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.

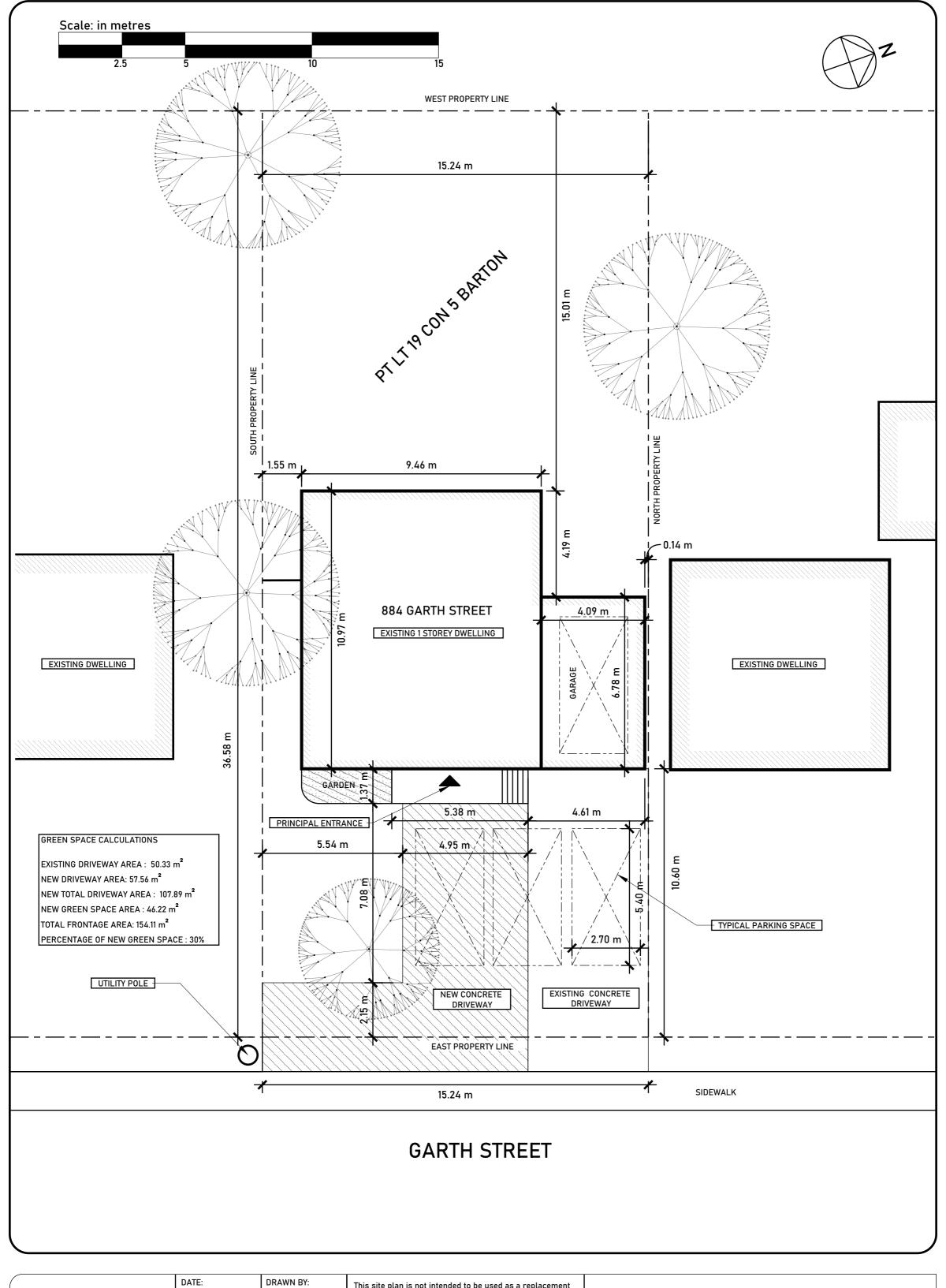
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

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.



SITE PLAN

DATE:
JUNE 24,2024
TW

PROJECT:

884 GARTH STREET
HAMILTON, ONT

DRAWN BY:
TW

This site plan is not intended to be used as a replacement for a professional land survey. It is a visual representation of the property, based on historical data provided by the Land Registry Office of Ontario and current site measurements conducted to the best of the measurer's ability.

All measurements must be independently verified. Please notify the designer of any discrepancies before using this document.

PLAN OF

ELM HEIGHTS SURVEY

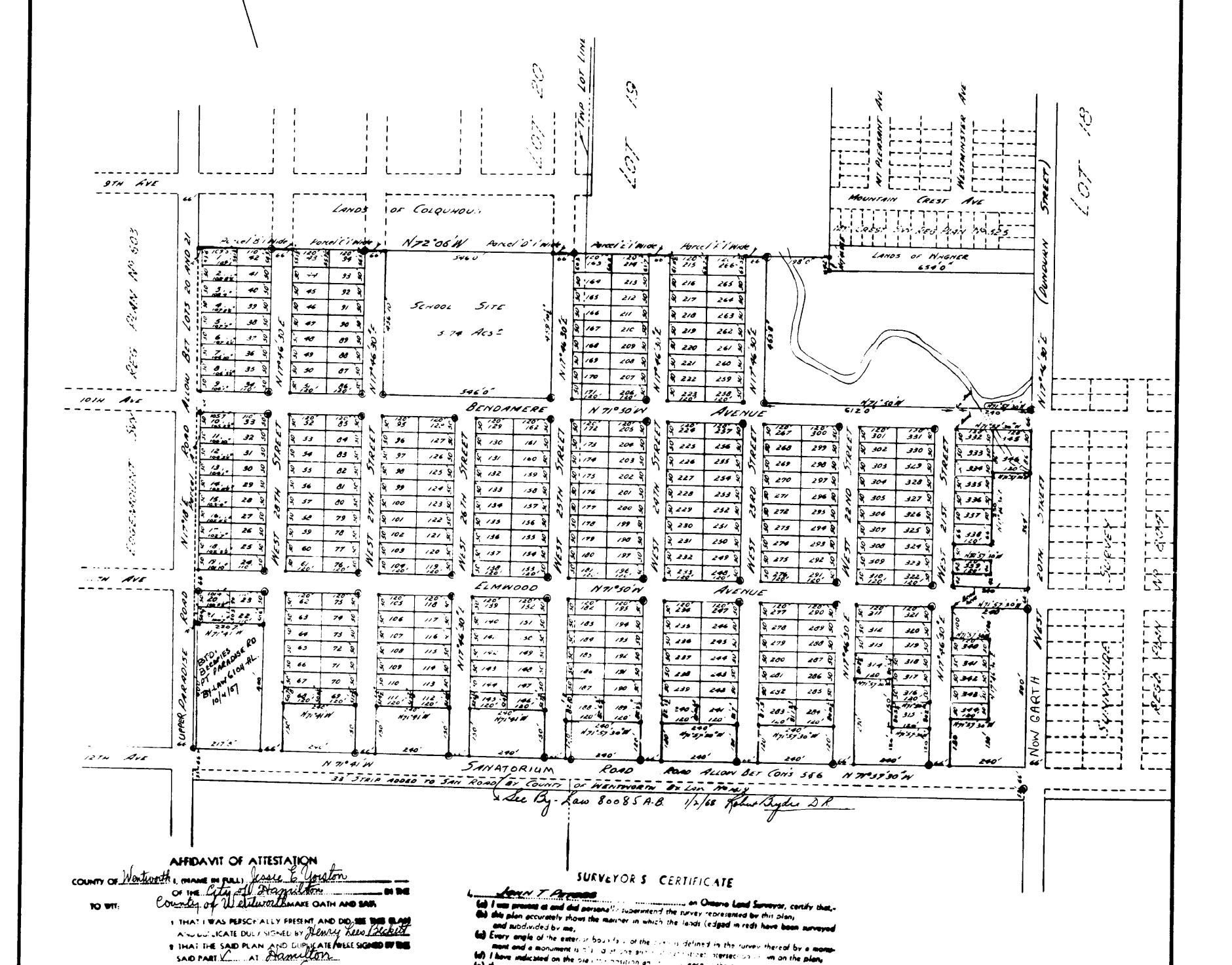
BEING A SUBDIVISION OF

PART OF LOTS 19 AND 20 CONCESSION V

IN THE

TOWNSHIP OF BARTON

SCALE LIN-200 FT.



OWNERS CERTIFICATE

3 THAT I INION THE SAID PART Y

Lots I to 345 Parcels A,B,C,D,E,F and G and the streets enclosed within the Red lines on this plan are laid out according to our instructions, and the said streets are hereby dedicated as Public Highways

A COMMISSIONER, ETC.

JE Jessie & Yorston Lleney Lees Backett Winess

LEGEND

Sign thus @ denotes a Concrete Monument planted Sign thus . Janotes a standard Iron Bar planted The bearings shown hereon are Astronomic and are referred to Jundura Street os NITº 46'30'E

SURVEYOR'S DUPLICATE CERTIFICATE

and The Registry Act relating thereto.

(a) the manuments conform in all respects to regarge costs of any and 13 or 1 and any Actu

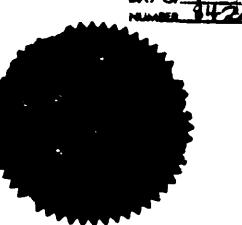
Dend a Harmellag to 1916 Day of Surg AD. 19 61.
Omerio Land Survey St

On the survey was made by me between the late say of play a ne 14.16 day of Jacoba (a) the survey has been accurately made in accordance with six the provisions of the Surveye Aut

I HEREBY CERTIFY THAT THIS PLAN IS AN EXA. JE THE ORIGINAL PLAN PRU ARED BY AL TO BE REGISTERED IT DEFICE HE INS REGISTRY DEPOSITS IN THE COUNTY OF WENTWORTH.

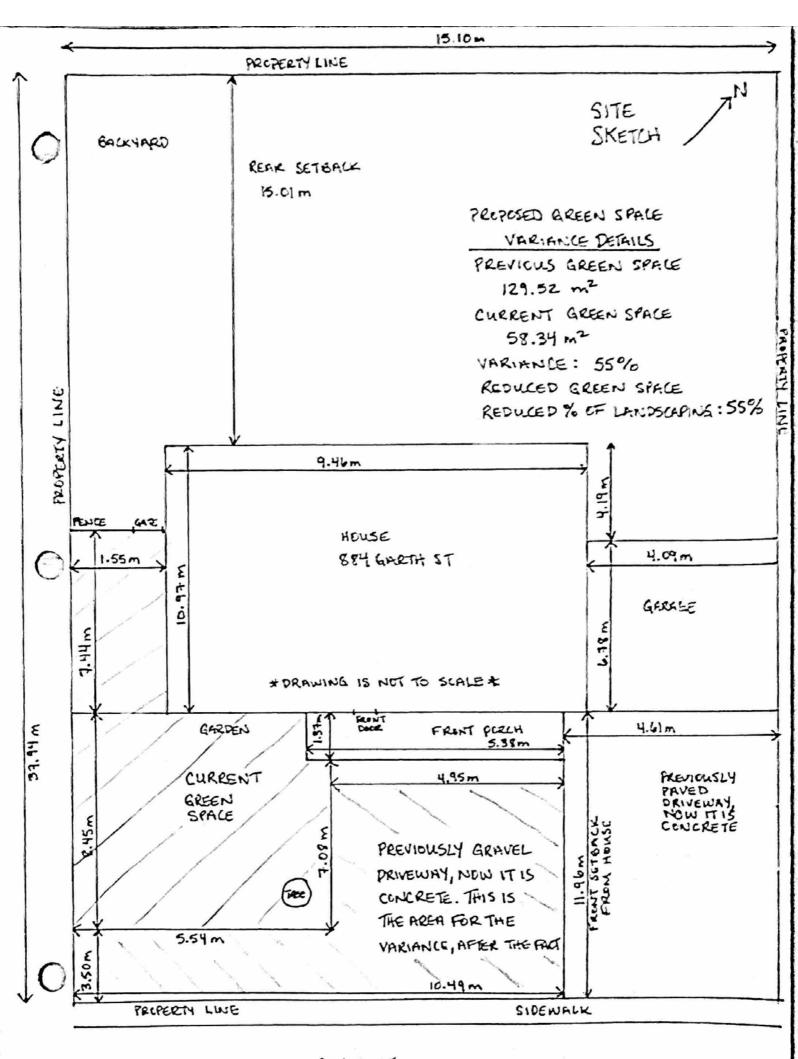
ONYARIO LAND SURVEYOR

Approved Under Section 56 of THE PLANNING ACT The /2 Triday of JULY 19 91

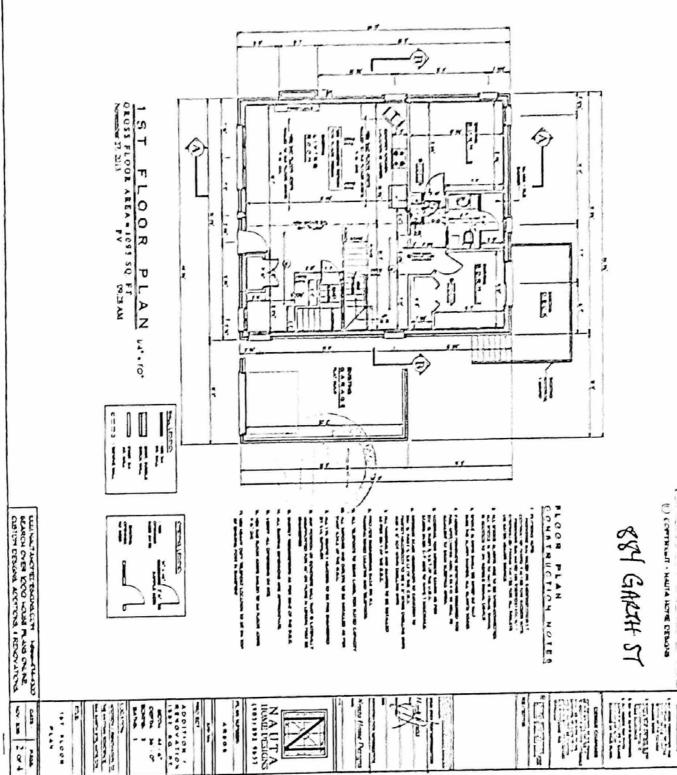


KEGISIRAR'S CERTIFICATE AC O'CLOCK SEW M AS PLAN

> MACKAY & MACKAY ENGINEERS & SURVEYORS HAMILTON, ONTARIO



GARTH ST



The state of the s () COPTRIBUTE - HALITA HOTEL DEBLOTE

THE REAL PROPERTY.

March 1, 2024

To: Whom if May Concern Hamilton City Hall - Committee of Adjustment & Delegated Consent Authority 71 Main St W Hamilton ON I RP4Y5

RE: Driveway of 884 Garth St, Hamilton, ON, L9C 4K9

Hello

This letter is to serve as a witness for the challenges experienced by the owner, Tessa Hayman, in regards to the driveway and front yard landscaping of the property 884 Garth St. Hamilton, prior to May 2023

Prior to May 2023, the landscaping of the front yard caused constant flooding after rain in the front part of the yard and that leaked onto our front yard along with frequent episodes of ice that spilled onto our front yard and the front sidewalk during wintertime melts and freezes. This was due to the fact that the front yard near the house is elevated above neighbour properties by a few feet and it slones down from the house and ended up below the proport level by the time it reached the sidewalk and city property. Prior to the concrete that was poured in May 2023, the front yard area that is currently concrete was an existing mixture of gravel, asphalt, dirt and broken brick. The owners constantly added gravel to the area to bring it up to sidewalk level. each year as the front would sink to try and deal with the flooding issues but this was not successful after 5+ years of trying to fix the drainage issues. In addition, the gravel and dirt constantly ended up on the sidewalk making it difficult for us to drive over it with our baby stroller when walking past the property even with the best attempts of the owner to keep the sidewalk cleaned on a regular basis.

After the concrete was poured in May 2023, there have been no turner issues of gravel ending up on the sidewalk, there were no further flooding or drainage issues and there have been no issues with ice on the sidewalk or our property this winter. The driveway is now level with our property and has not caused any problems since completed. Having the driveway paved the full width of the property has also helped us have a safer sidewalk for our kids and we appreciate that fessa had this work completed for neighbourhood safety.

Thank you.

Name: Tiffany white Address: 880 Garth 51 riste: March 1st 2024 365-324-0800

Sion. Tulling We

Williess 924

March 1, 2024

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After the concrete was poured in May 2023, there were no further issues of gravel ending up on our driveway or the sidewalk, there were no further flooding or drainage issues and there have been no issues with ice on the sidewalk or our property this winter. The driveway is now level with our property and has not caused any problems since completed. Having the driveway paved the full width of the property has also helped us to have a turn around point for our vehicles which lets us enter onto busy Garth St more safely and we appreciate that Tessa had this work completed.

Thank you,

Name: James Ma Donald Address: 888 Garth St.



Committee of Adjustment City Hall, 5th Floor, 71 Main St. W., Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton ca

Page 1 of 8

APPLICATION FOR A MINOR VARIANCE/PERMISSION

UNDER SECTION 45 OF THE PLANNING ACT

	NAME			
Registered Owners(s)	TESSA HAYMAN			
Applicant(s)				E-mail:
Agent or Solicitor			. 1	Phone: E-mail:
.2 All corresponden	ce should be sent to	☐ Purcha ☐ Applica		☐ Owner☐ Agent/Solicitor
.3 Sign should be se	ent to	☐ Purcha ☐ Applica		☐ Owner ☐ AgentSolicitor
.4 Request for digita	I copy of sign	☑Yes*	□No	
If YES, provide e	mail address where s	ign is to be se	ent	
.5 All corresponden	ce may be sent by en	nail	Yes*	□No
(if applicable). Or	ail must be included aly one email address s not guarantee all co	s submitted w	ill result in the	AND the Applicant/Agent voiding of this service.
. LOCATION OF SI	JBJECT LAND			

APPLICATION FOR A MINOR VARIANCE/PERMISSION (September 1, 2022)

Municipal Address	884 GARTH S	ST, HAMILTON, ON	
Assessment Roll Number			
Former Municipality			
Lot	PT LT 19	Concession	CON 5, BARTON
Registered Plan Number		Lot(s)	AS IN VM16791, HAM
Reference Plan Number (s)		Part(s)	
2.2 Are there any easements	or restrictive covenar	PIN 140 33 - 0 ats affecting the subject la	
☐ Yes ☑ No If YES, describe the ease	ement or covenant and	d its effect:	
11 120, 40001100 1110 0400			
3. PURPOSE OF THE APP	LICATION		
Additional sheets can be subquestions. Additional sheets			ver the following
All dimensions in the application etc.)	on form are to be provid	ded in metric units (millime	etres, metres, hectares,
3.1 Nature and extent of rel REDUCTION REQUIREM	IN FRONT	YARD LANDS	CAPE AREA
☐ Second Dwelling Un	nit Recons	truction of Existing Dwelli	ng
3.2 Why it is not possible to	comply with the provi	sions of the By-law?	
THE DRIVEWAY			
3.3 Is this an application 45	(2) of the Planning Ac ☐ Yes	t. No	
If yes, please provide a		2	
		D.//O.D.O. 11/202114 7:02	•
4. DESCRIPTION OF SUB	JECT LAND AND SE	RVICING INFORMATION	N
4.1 Dimensions of Subject	Lands:		
Lot Frontage Lot	Depth	Lot Area	Width of Street
15.71 m	37.95m	596.19m	4 LANES.

	buildings and structur ce from side, rear and		r the subject lands:	
Existing:				
Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
House	11.96m	15.01m	GAST Ocm W: 154.94	1968?
Proposed:			Cit Varie	Date of
Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Construction
				<u> </u>
4.3. Particulars of a sheets if neces Existing:		ures on or proposed	for the subject lands (attach additional
Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Proposed:				
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 4.5 Type of storm drainage: (check appropriate boxes) ☐ publicly owned and operated storm sewers ☐ swales ☐ ditches ☐ other means (specify)			(specify)	

4.2

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 nunicipal road, seasonally maintained municipal road, maintained all year Type of access: (check appropriate box) right of way other public road
4.8	Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.): DETACHED DUEL FAMILY DWELLING
4.9	Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.): SINGLE DETACHED DWELLINGS
7	HISTORY OF THE SUBJECT LAND
7.1	Date of acquisition of subject lands: 2015 AAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAA
7.2	Previous use(s) of the subject property: (single-detached dwelling duplex tretail, factory etc) DNEL FAMILY DWELLING — DETACHED
7,3	Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc) DUEL FAMILY DWELLING - DETACHED
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):
	Rural Settlement Area:
	Urban Hamilton Official Plan designation (if applicable) NEIGHBOURHOODS
	Please provide an explanation of how the application conforms with the Official Plan.
	RIZONE HAMILTON ZONING BYLAW
7.6	What is the existing zoning of the subject land?
7.8	Has the owner previously applied for relief in respect of the subject property? (Zoning By-lawAmendment 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:				
7.10	If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?				
	Yes QNo				
7.11	If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.				
8	ADDITIONAL INFORMATION				
8.1	Number of Dwelling Units Existing: 2				
8.2	Number of Dwelling Units Proposed:				
8.3	Additional Information (please include separate sheet if needed):				
	PLEASE SEE ATTACHED LETTERS OF				
	EYEWITNESS NELGHBOUR ALCOUNTS. THANK YOU				

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