



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-25:061	SUBJECT PROPERTY:	422 Mountsberg Road, Flamborough
ZONE:	Conservation / Hazard Land Rural (P7 and P8) Zone	ZONING BY-LAW:	Hamilton Zoning By-law 05-200

APPLICANTS: Owner: Ron and Faith Williamson
 Agent: AJM Designs Inc c/o Jarret McNamee

The following variances are requested:

1. The construction of a new accessory building (detached garage) shall be permitted, whereas new buildings or structures are not permitted within the "P7" Zone.
2. A maximum gross floor area for an expansion to an existing building shall not exceed 62.5% of the existing gross floor area instead of the maximum 10% expansion of gross floor area permitted.
3. A maximum accessory building height of 7.6 metres shall be permitted instead of the maximum 4.5 metre accessory building height permitted.
4. A maximum combined lot coverage of all accessory buildings of 113.0 square metres shall be permitted instead of the maximum 45.0 square metres or 7.5% of lot coverage permitted.
5. A maximum driveway width of 10.9 metres shall be permitted for a dwelling unit without an attached garage instead of the maximum permitted driveway width of 8.0 metres.

PURPOSE & EFFECT: To facilitate the construction of a new second storey addition and new accessory building (detached garage).

Notes:

A-25:061

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, August 14, 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 August 12, 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 August 13, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:061, 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.



DATED: July 28, 2025

Justin Leung,
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.



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

PARTICIPATION PROCEDURES

Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the date listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:

Send to: cofa@hamilton.ca

By Mail:

Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:

All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the date listed on the Notice of Public Hearing. To register, email cofa@hamilton.ca with the following information:

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

Presentations

All presentations are permitted at the discretion of the Committee.

Virtual Presentations:

Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca no later than 12:00 p.m. (noon) on the business day prior to the Hearing. The submission must be one document in PDF format only.

In-Person Presentations:

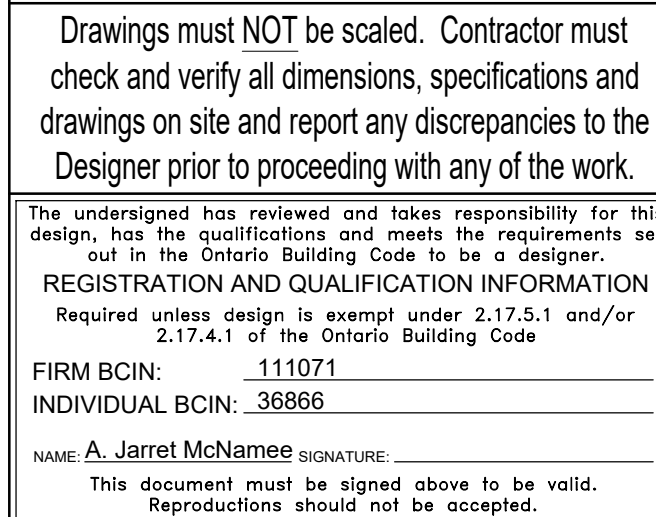
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca by 12:00 p.m. (noon) on the business day prior to the Hearing in PDF format as a single document. Handouts are permitted only if the same content can be displayed on the presentation screen.

Additional Notes

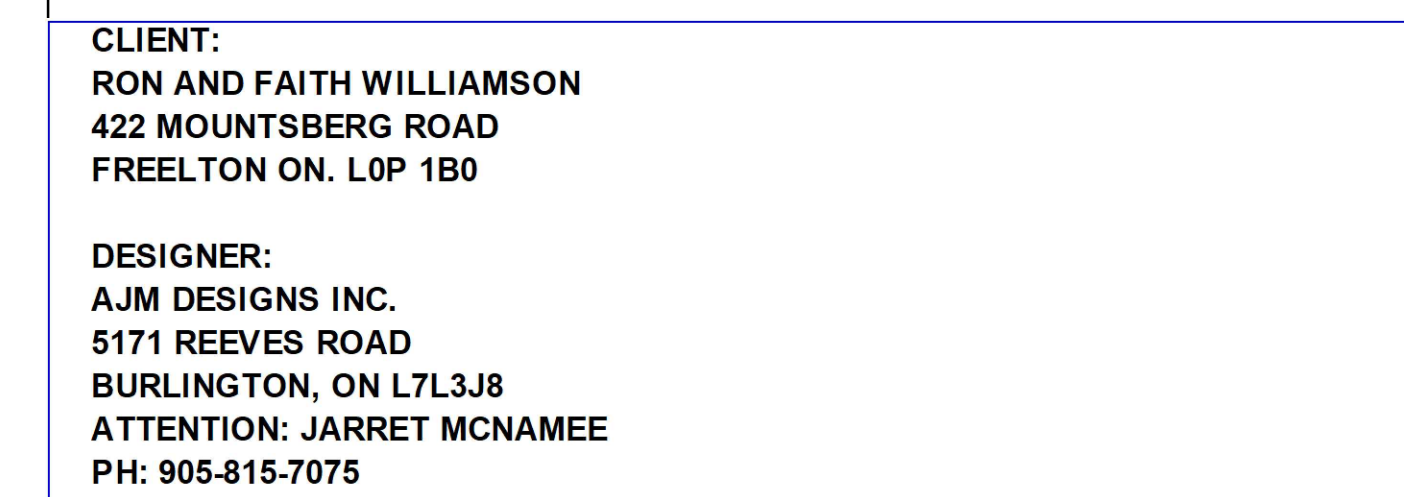
- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.





11/11/2016



EXISTING GROSS FLOOR AREA:		
EXISTING GROUND FLOOR	275.91	2,970.00
EXISTING GARAGE 1 (TO BE REMOVED)	58.61	-630.89
EXISTING GARAGE 2 (TO BE REMOVED)	30.42	-327.45
EXISTING SHED (TO BE REMOVED)	5.81	-62.54
EXISTING GAZEBO	16.70	179.76
EXISTING WOOD GARAGE	26.31	283.21
TOTAL EXISTING COVERAGE	302.22	3,253.21

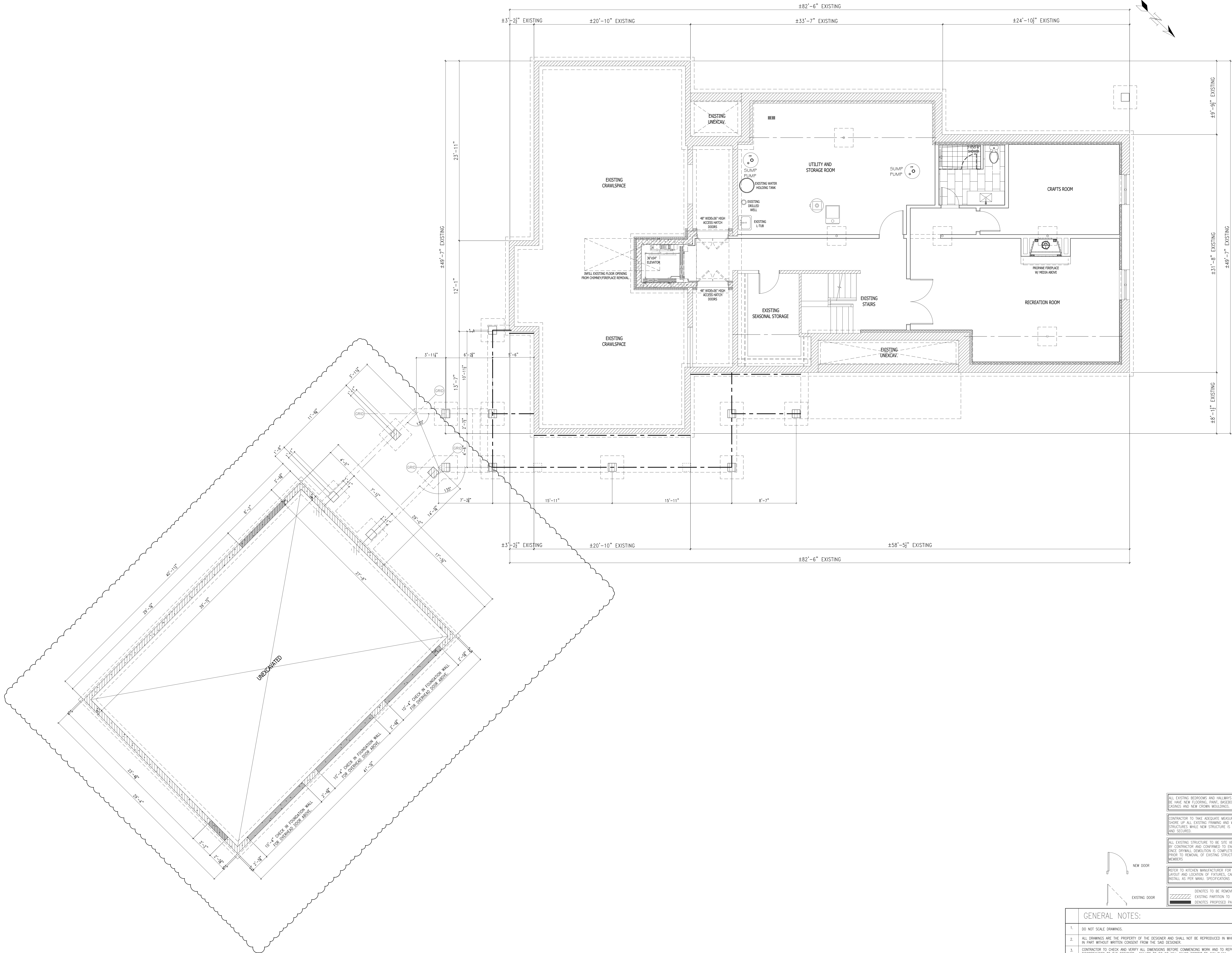
TOTAL FLOOR AREA (EXISTING+ PROPOSED)	382.75	4,120.00
BASEMENT AREA:		
FINISHED AREA	86.40	930.00
UNFINISHED AREA	58.61	632.00
TOTAL BASEMENT AREA	145.11	1,562.00

MAXIMUM HEIGHT TO RIDGE (DWELLING):			
PERMITTED	=	10.500	34.45
PROPOSED	=	8.200	26.90
MAXIMUM HEIGHT TO RIDGE (GARAGE):			
PERMITTED	=	4.500	14.76
PROPOSED	=	7.600	24.93


AJM DESIGNS
INC
PO Box 80011, Burlington ON, L7L 6B1
T: 905.825.0433 E: info@ajmdesigns.ca

DRAWN: J.Mc.	
DATE: 06.15.23	SCALE: AS NOTE
JOB NUMBER: 493-23	SHEET NUMBER: A1.0

A:\250505 - 2\AMDS RESIDENCE\DRAWINGS\PROJECT\250505 - 2\AMDS RESIDENCE - HAMILTON.DWG 250505.DWG



CROSS FLOOR AREA:	
BASEMENT AREA	930.00 SQ.FT.
FINISHED AREA	632.00 SQ.FT.
TOTAL BASEMENT AREA	1,562.00 SQ.FT.

GENERAL NOTES:		
1.	DO NOT SCALE DRAWINGS.	
2.	ALL DRAWINGS ARE THE PROPERTY OF THE DESIGNER AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN CONSENT FROM THE SAID DESIGNER.	
3.	CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS BEFORE COMMENCING WORK AND TO REPORT ANY DISCREPANCIES TO THE DESIGNER. FAILURE TO DO SO WILL CAUSE FORFEIT TO ANY CLAIM.	
4.	ALL CONSTRUCTION TO BE ACCORDING TO BEST COMMON PRACTICE AND TO CONFORM TO THE ONTARIO BUILDING CODE OR OTHER CODES HAVING JURISDICTION.	
5.	GENERAL CONTRACTOR SHALL GUARANTEE ALL MATERIAL AND WORKMANSHIP FOR A PERIOD OF (1)ONE YEAR FOLLOWING SUBSTANTIAL COMPLETION. ALL OTHER MANUFACTURER'S WARRANTIES TO APPLY.	
6.	GENERAL CONTRACTOR SHALL OBTAIN AND PAY FOR ALL PERMITS EXCEPT FOR THE BUILDING PERMIT, WHICH WILL BE OBTAINED BY THE OWNER.	
7.	PROVIDE ADEQUATE TEMPORARY SHORING AS REQUIRED DURING DEMOLITION OF STRUCTURAL WALLS AND COMPONENTS. ANY AND ALL RESULTING DAMAGE SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.	

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.

The undersigned has reviewed and issues responsibility for this design, has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

REGISTRATION AND QUALIFICATION INFORMATION
Required unless design is exempt under 2.17.3.1 and/or 2.17.4.1 of the Ontario Building Code

FIRM BCIN: 111021
INDIVIDUAL BCIN: 36869

Name: A. Janet McNamee
This document must be signed above to be valid.
Reproductions should not be attempted.

10	25.06.05	REVISED GARAGE
9	25-03-05	ISSD FOR MINOR VARIANCE
8	24-12-06	ISSD FOR ZONING COMPLIANCE
7	24-11-19	ISSUED FOR REVIEW
6	24.10.26	REVISED AS PER CLIENT
5	24.10.16	REVISED FOR TRUSSES
4	24.09.26	ELEVATOR/ROOF LINE REVISION
3	24.06.04	REV'D FOR CONSN HAILTON
2	23-10-25	REVISED FOR REVIEW
1	23-9-25	ISSUED FOR REVIEW

REVISIONS / ISSUANCE:

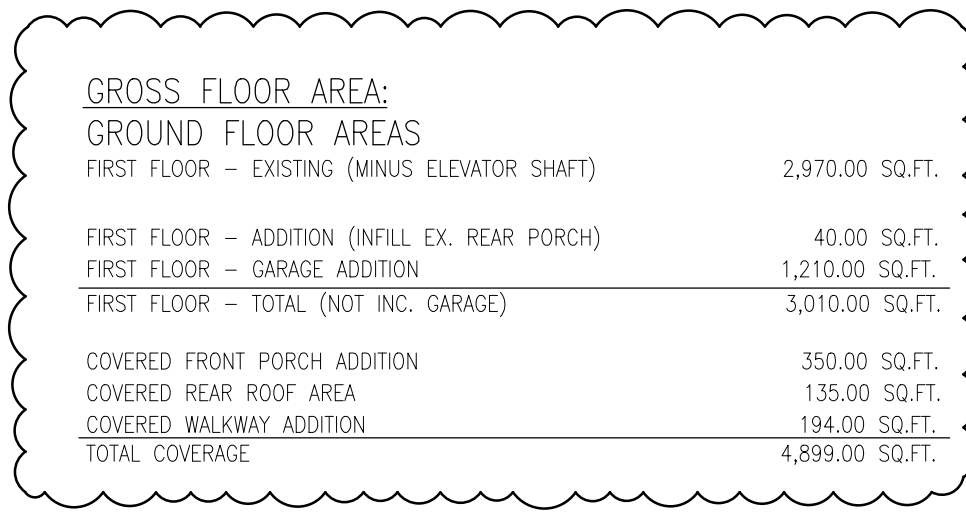
CLIENT:
**WILLIAMSON
RESIDENCE
ADDITION/RENO.**

ADDRESS: 422 MOUNTSBERG ROAD
CITY: HAMILTON, ON.

DRAWING TITLE:
BASEMENT FLOOR PLAN

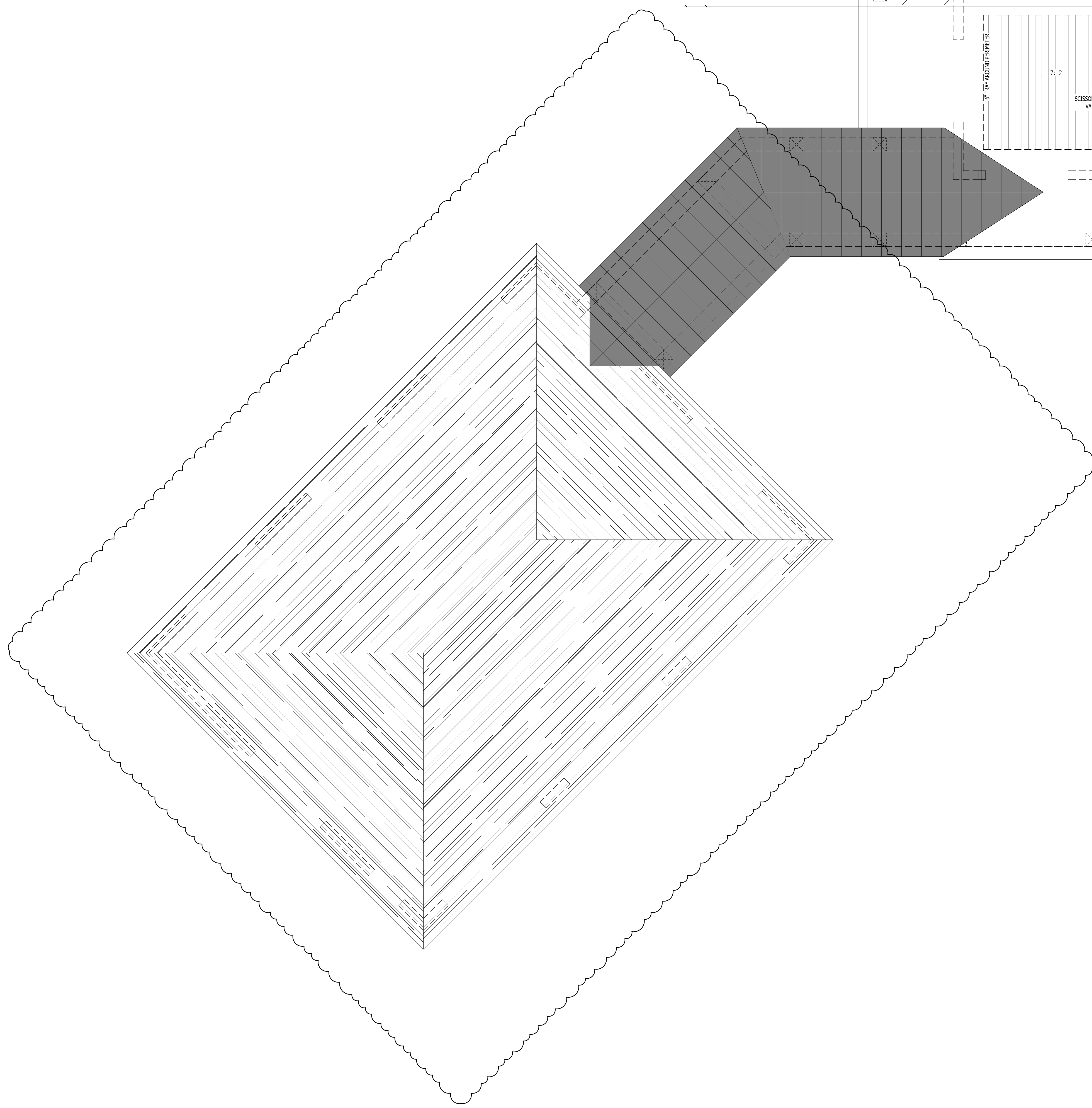
DRAWN: J.Mc.
DATE: 23.09.25
JOB NUMBER: 493-23

SCALE: 1/4"=1'-0"
SHEET NUMBER: A3.1



10	25.06.05	REVISED GARAGE
9	25-03-05	ISS'D FOR MINOR VARIANCE
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3	24.06.04	REV'D FOR CONSN HALTON
2	23-10-25	REVISED FOR REVIEW
1	23-9-25	ISSUED FOR REVIEW
REF.	DATE: DESCRIPTION:	
REVISIONS / ISSUANCE:		

The logo for AJM Designs Inc. features a stylized 'A' and 'J' intertwined in a blue and grey geometric design. Below the logo, the company name 'AJM DESIGNS INC.' is written in a bold, sans-serif font. Underneath the name, the contact information is provided: 'PO Box 800111, Burlington ON, L7L 6S1', 'T: 905.825.0433', and 'E: info@ajmdesigns.ca'.



EXISTING PARTITION TO REMAIN
DENOTES PROPOSED PARTITION

1. DO NOT SCALE DRAWINGS.
2. ALL DRAWINGS ARE THE PROPERTY OF THE DESIGNER AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN CONSENT FROM THE SAID DESIGNER.
3. CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS BEFORE COMMENCING WORK AND TO REPORT ANY DISCREPANCIES TO THE DESIGNER. FAILURE TO DO SO WILL CAUSE FORFEIT TO ANY CLAIM.
4. ALL CONSTRUCTION TO BE ACCORDING TO BEST COMMON PRACTICE AND TO CONFORM TO THE ENTICING BUILDING CODE OR OTHER CODES IMPOSING JURISDICTION.
5. GENERAL CONTRACTOR SHALL GUARANTEE ALL MATERIAL AND WORKMANSHIP FOR A PERIOD OF (1) ONE YEAR FOLLOWING SUBSTANTIAL COMPLETION. ALL OTHER MANUFACTURER'S WARRANTIES TO APPLY.
6. GENERAL CONTRACTOR SHALL OBTAIN PAY FOR ALL PERMITS EXCEPT FOR THE BUILDING PERMIT, WHICH WILL BE OBTAINED BY THE OWNER.
7. PROVIDE ADEQUATE TEMPORARY SHORING AS REQUIRED DURING DEMOLITION OF STRUCTURAL WALLS AND

GROSS FLOOR AREA:	
SECOND FLOOR AREA	
SECOND FLOOR ADDITION	1,110.00 SQ.FT.
TOTAL FLOOR AREA (NOT INC. GARAGE)	4,120.00 SQ.FT.

The undersigned has reviewed and takes responsibility for this design, has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

REGISTRATION AND QUALIFICATION INFORMATION

Required unless design is exempt under 2.17.5.1 and/or 2.17.4.1 of the Ontario Building Code

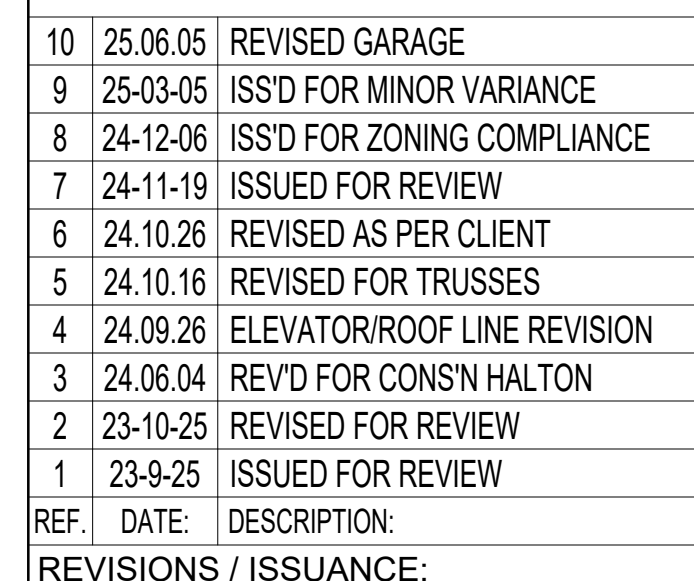
FIRM BCIN: 111071

INDIVIDUAL BCIN: 36866

NAME: A. Jarret McNamee SIGNATURE: _____

This document must be signed above to be valid.
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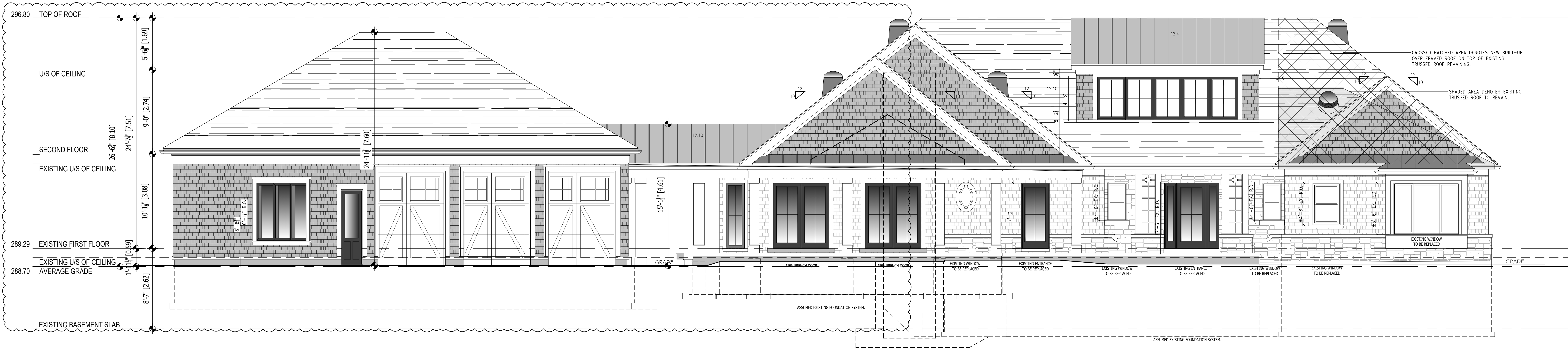
—CROSSED HATCHED AREA DENOTES NEW BUILT-UP
OVER FRAMED ROOF ON TOP OF EXISTING
TRUSSED ROOF REMAINING.



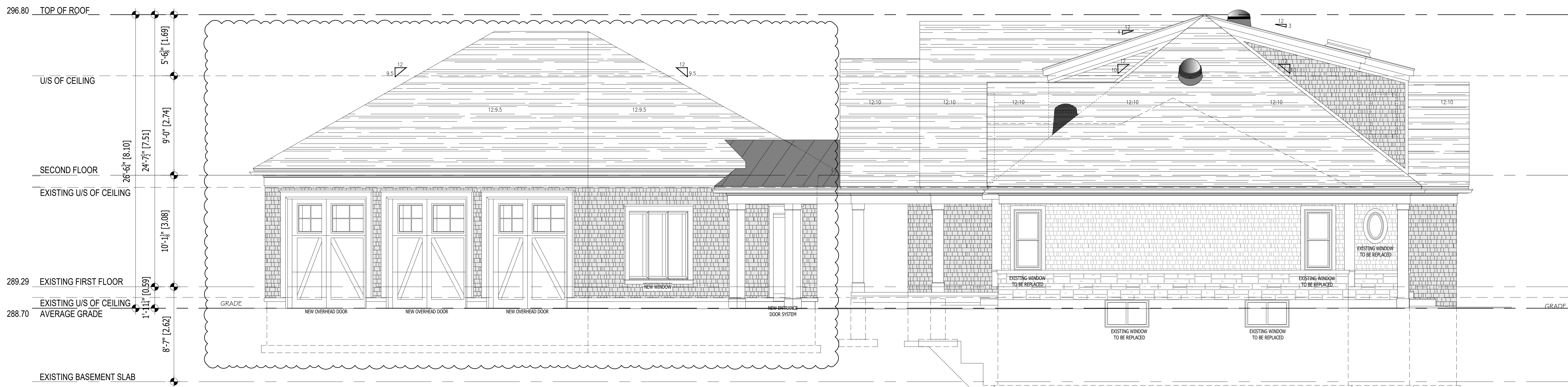
CLIENT:
**WILLIAMSON
RESIDENCE
ADDITION/RENO.**

ADDRESS: 422 MOUNTSBERG ROAD
CITY: HAMILTON, ON.

DRAWING TITLE:
ROOF PLAN



1 FRONT ELEVATION
SCALE: 1/4"=1'-0"



2 SIDE ELEVATION
SCALE: 1/4"=1'-0"

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.

The undersigned has reviewed and issues responsibility for this design, has the qualifications and meets the requirements set out in the Ontario Building Code for a designer.

REGISTRATION AND QUALIFICATION INFORMATION
Required unless design is exempt under 2.17.3.1 and/or 2.17.4.1 of the Ontario Building Code

FIRM BCIN: 111071
INDIVIDUAL BCIN: 36869

Name: A. Jarret McNamee
signature: _____
This document must be signed above to be valid.
Reproductions should not be accepted.

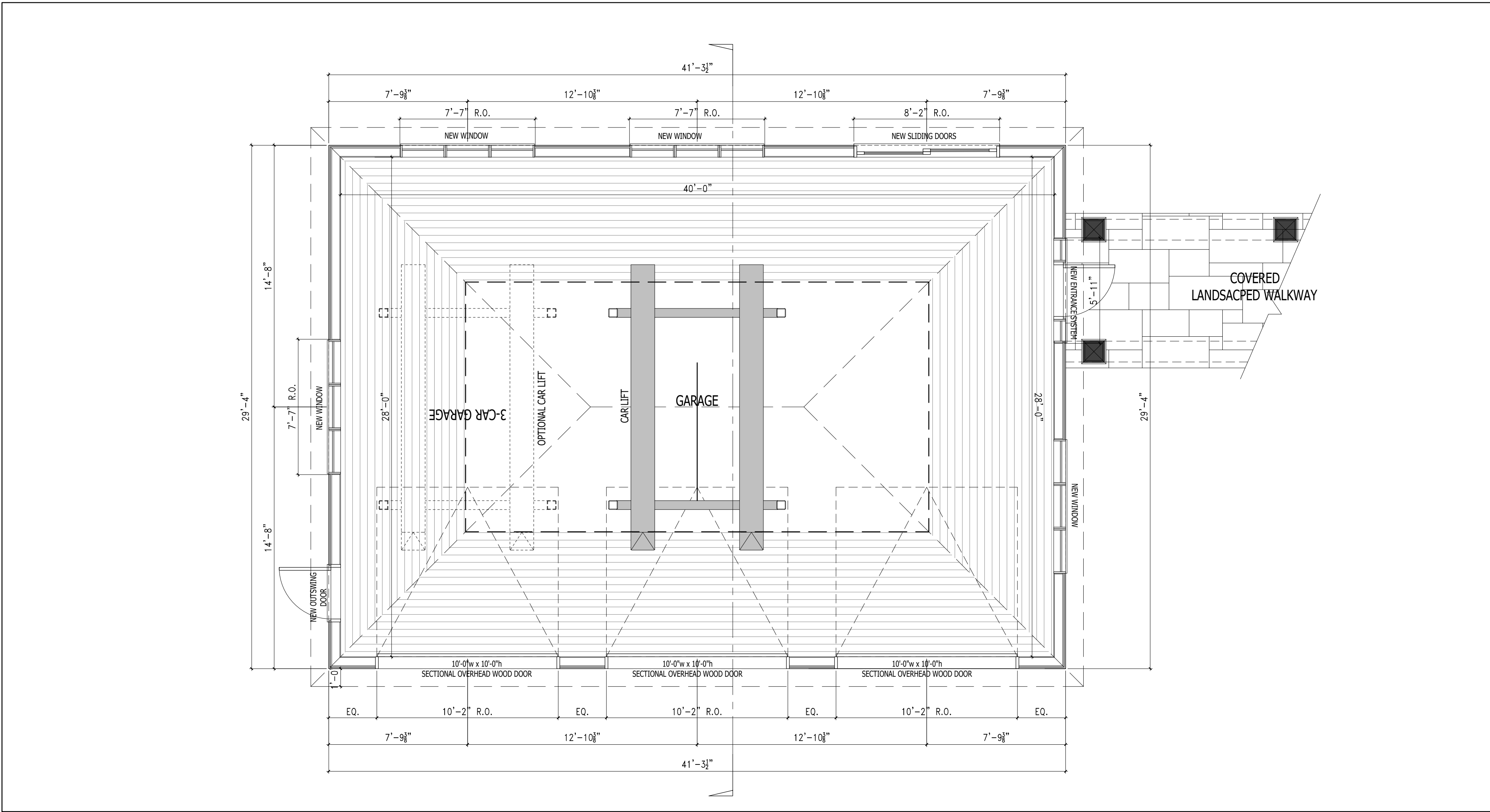
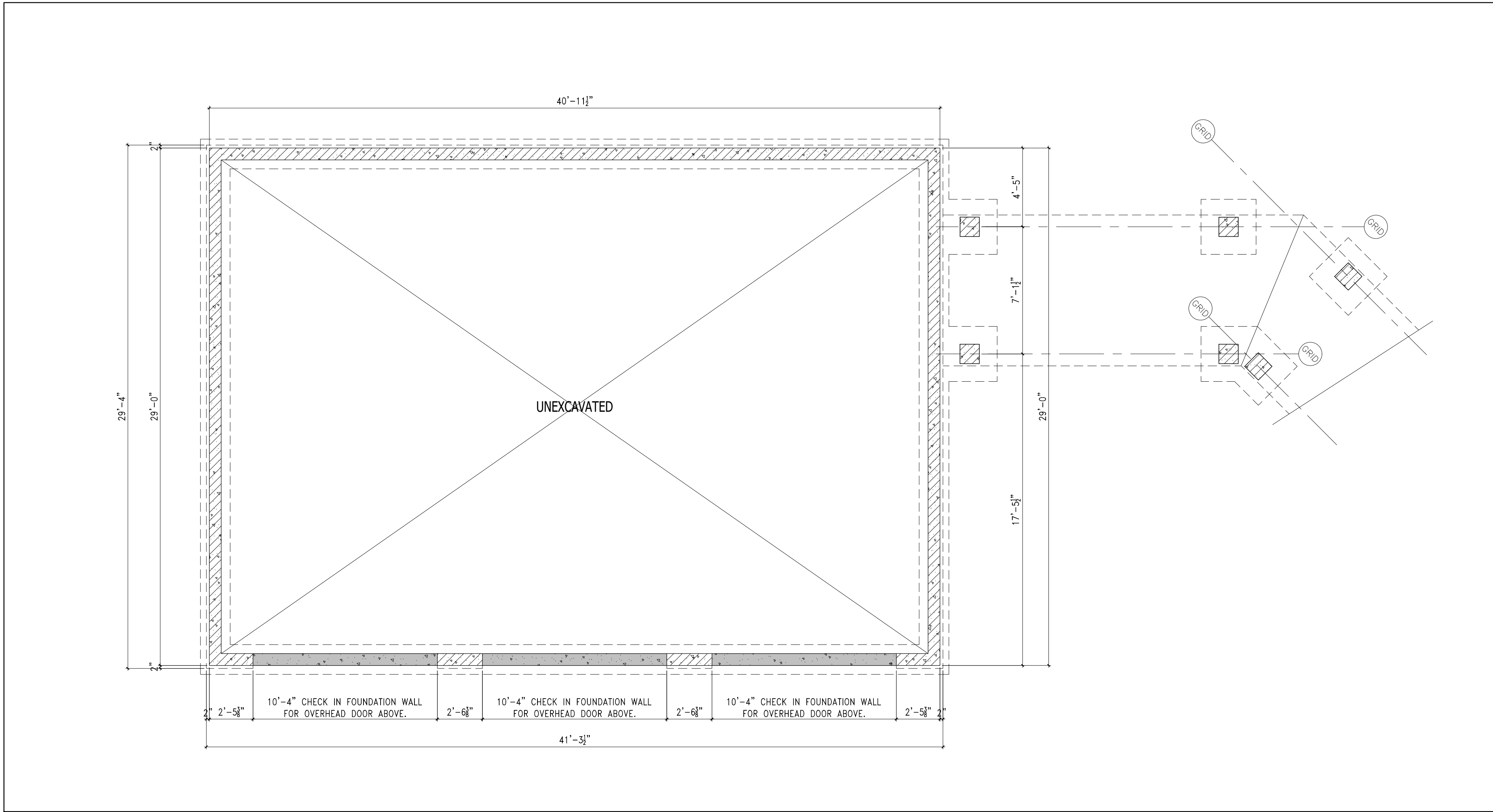
10	25.06.05	REVISED GARAGE
9	25-03-05	ISS'D FOR MINOR VARIANCE
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3	24.06.04	REV'D FOR CONSN HALTON
2	23-10-25	REVISED FOR REVIEW
1	23-9-25	ISSUED FOR REVIEW
REF.	DATE:	DESCRIPTION:
REVISIONS / ISSUANCE:		



PO Box 800111, Burlington ON, L7L 6B1
T: 905.825.0433 E: info@ajmdesigns.ca

CLIENT:
**WILLIAMSON
RESIDENCE
ADDITION/RENO.**
ADDRESS: 422 MOUNTSBERG ROAD
CITY: HAMILTON, ON.
DRAWING TITLE:
**FRONT AND SIDE
ELEVATIONS**

DRAWN: J Mc
DATE: 23.09.25
JOB NUMBER: 493-23
SCALE: 1/4"=1'-0"
SHEET NUMBER: A4.1



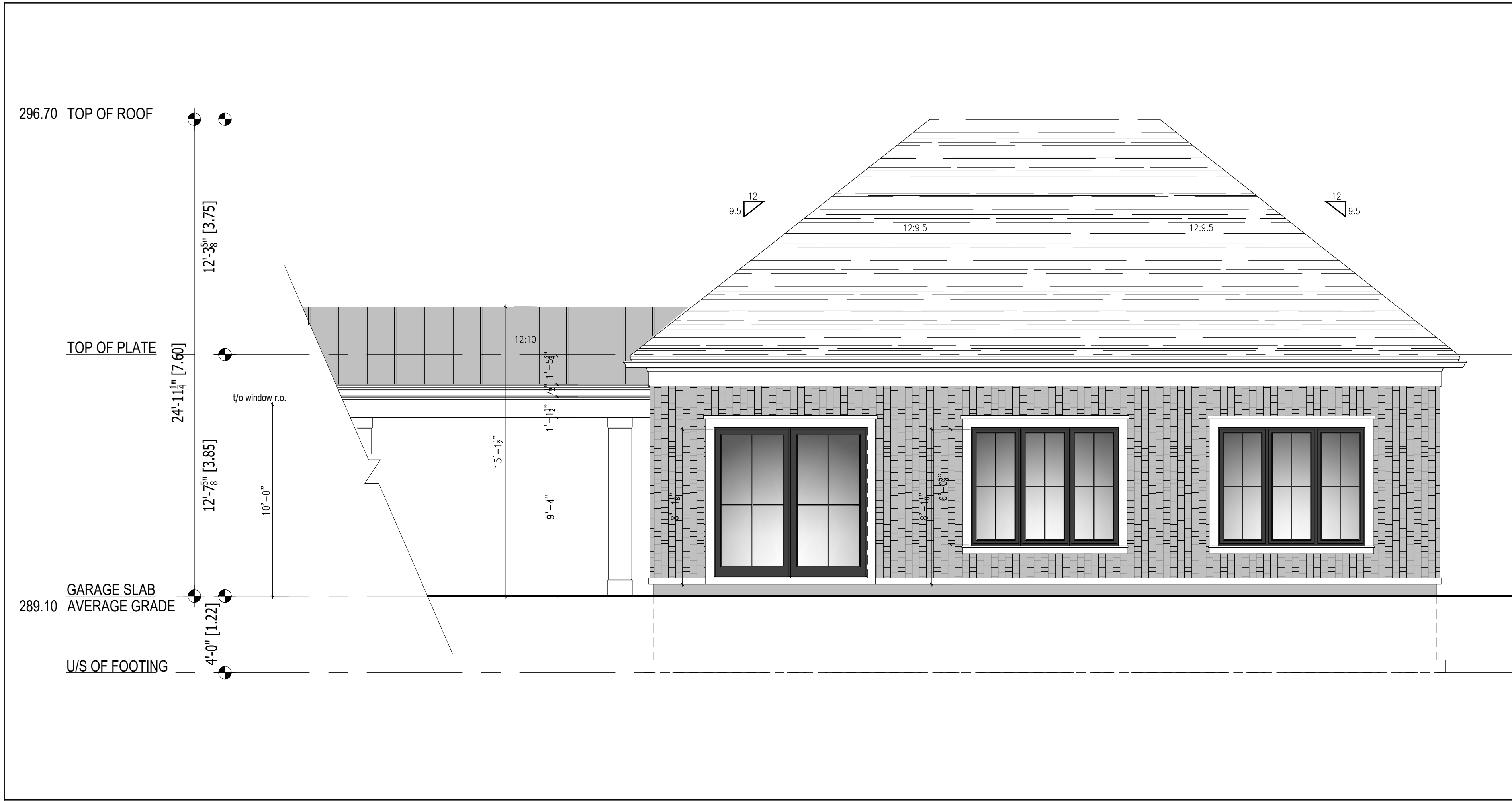
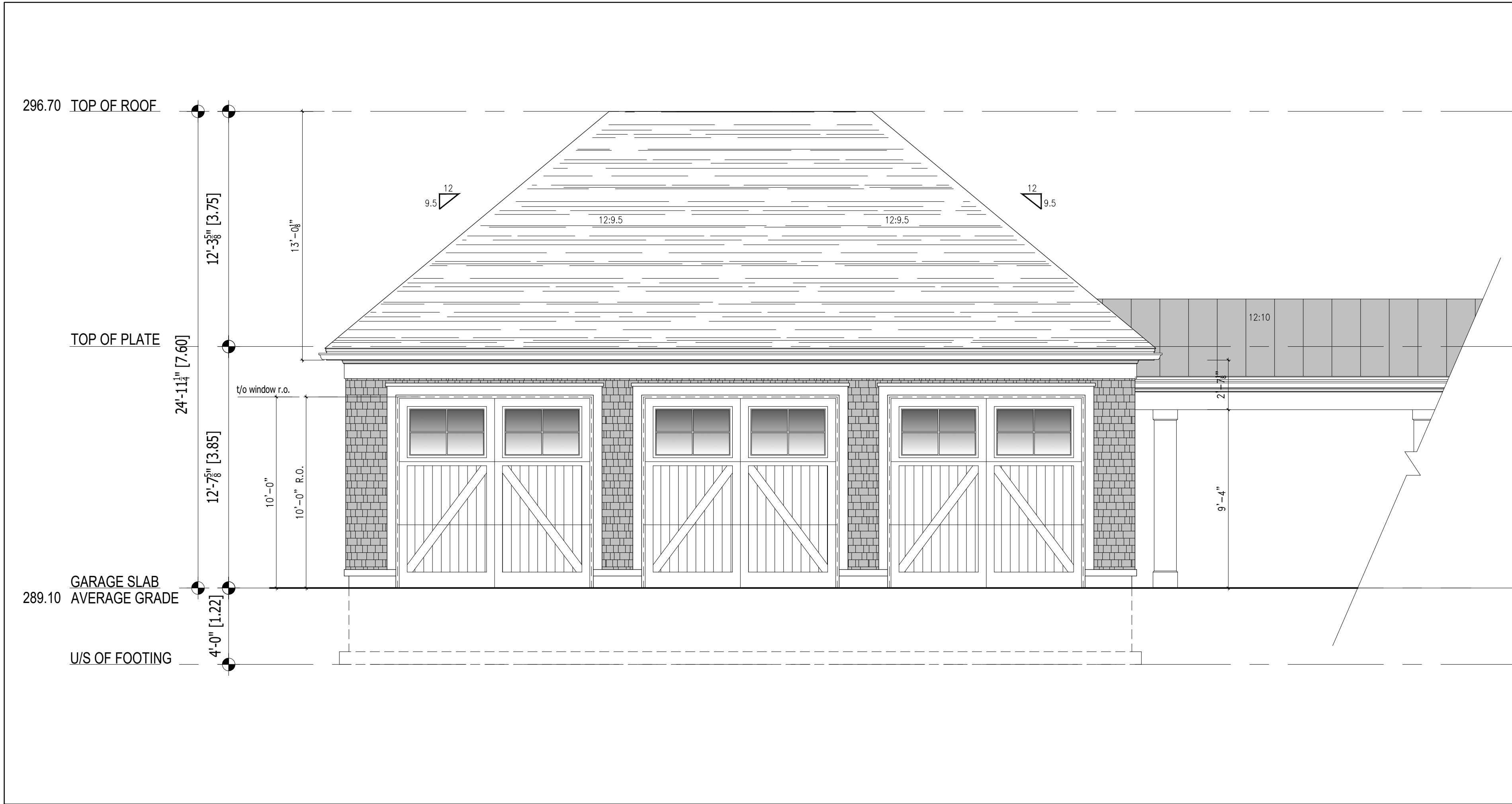
Drawings must NOT be scaled. Contractor must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the Designer prior to proceeding with any of the work.

The undersigned has reviewed and issues responsibility for this design, has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

REGISTRATION AND QUALIFICATION INFORMATION
Required unless design is exempt under 2.17.5.1. and/or 2.17.4.1 of the Ontario Building Code

FIRM BCIN: 111591
INDIVIDUAL BCIN: 36869

Name: A. Jarret McNamee
This document must be signed above to be valid.
Reproductions should not be accepted.



- | | | |
|----|----------|-----------------------------|
| 10 | 25.06.05 | REVISED GARAGE |
| 9 | 25.03.05 | ISSD FOR MINOR VARIANCE |
| 8 | 24-12-06 | ISSD FOR ZONING COMPLIANCE |
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- REF. DATE: DESCRIPTION:
REVISIONS / ISSUANCE:


**AJM DESIGNS
INC**
PO Box 800111, Burlington ON, L7L 6B1
T: 905.825.0433 E: info@ajmdesigns.ca

CLIENT:
**WILLIAMSON
RESIDENCE
ADDITION/RENO.**
ADDRESS: 422 MOUNTSBERG ROAD
CITY: HAMILTON, ON.
DRAWING TITLE:
**ATTACHED GARAGE
PLANS AND ELEVATIONS**

DRAWN: J Mc.
DATE: 23.09.25
JOB NUMBER: 493-23
SCALE: 1/4"=1'-0"
SHEET NUMBER: **A5.1**



AJM Designs Inc

5171 Reeves Road
Burlington, ON L7L3J8
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E: mcnamee@ajmdesigns.ca

Manager and Deputy Secretary-Treasurer
Committee of Adjustment
Hamilton City Hall
71 Main Street West, 5th Floor
Hamilton, Ontario L8P 4Y5

**Re: Minor Variance Application
422 Mountsberg Road, Freelon, ON**

Re-submission Cover Letter

Hello David Bonaventura,

Please find attached, revised drawings as per our discussion at site.

We have reduced the 4 car garage, down to a 3 car garage, this reduction has reduced the garage GFA to 112.41m², down from the original submitted 150.15m²

Also, the owners have shortened the walk to the garage by approx. 1.0m, positioning the garage closer to the dwelling and reducing the Covered Areas/Breezeway area to 62.61m², down from the original submitted area of 65.49m².

Both of these reductions have had a reduction of 40.62m² from the original scope of work.

As a result of the reduced garage size, the driveway width is now reduced to 10.89m, with no impact to the surrounding natural feature and maintaining the driveway where there is already existing access.

This combined with relocating the garage closer to the dwelling, will hopefully help with planning supporting our application.

We would like to submit our application, and re-circulate through zoning and the various other departments for their review.

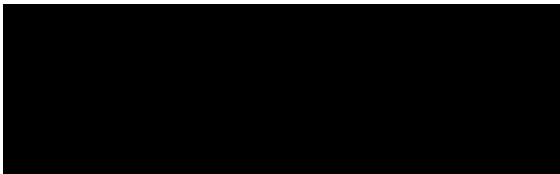


AJM Designs Inc

5171 Reeves Road
Burlington, ON L7L3J8
T: 905.815-7075
E: mcnamee@ajmdesigns.ca

Please contact me if you have any questions or require any additional information.

Yours very truly,



Jarret McNamee
Principal, BCIN



AJM Designs Inc
5171 Reeves Rd.
Burlington ON. L7L3J8
T: 905.815.7075
mcnamee@ajmdesigns.ca



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E: mcnamee@ajmdesigns.ca

Manager and Deputy Secretary-Treasurer
Committee of Adjustment
Hamilton City Hall
71 Main Street West, 5th Floor
Hamilton, Ontario L8P 4Y5

**Re: Minor Variance Application
422 Mountsberg Road, Freelon, ON**

Justification Cover Letter

I am the authorized agent for Ron and Faith Williamson, the owner of 422 Mountsberg Road (the "Subject Property") with regard to this minor variance application.

Proposed Development:

The current property consists of a 275.91m² bungalow along with 3 detached garages, a gazebo and shed. The property is approximately 6.61.h in the Rural areas of Freelon. The existing bungalow is set back approx. 126.0m from the municipal road.

The proposal is to remove the existing roof off of the dwelling and to provide a second floor addition relocating the Primary Bedroom, ensuite and closets upstairs, resulting in no increase to the existing dwellings footprint. The owner's would like to add an elevator access to the new area and to turn the existing primary bedroom into a dining room. As a result the house would remain as a 3 bedroom home. Along with this addition/alteration to the dwelling, two of the existing garage and the shed are being demolished and in its place, we are providing a new detached garage that will be connected to the existing dwelling via roofed over breezeway and wrap-around porch with access to the existing entrance.

Requested Variances:

The approval of several minor variances is required to alter the existing dwelling and detached garage. The variances for the new dwelling seek relief from:

1. New Accessory Structure (Detached Garage),
2. The maximum gross floor area for an expansion to an existing building or structure shall not exceed 10% of the gross floor area of the existing building or structure and may include a deck within the permitted maximum.
3. All Accessory Buildings shall have a maximum height of 4.5m.
4. The maximum combined lot coverage of all Accessory Buildings shall not exceed 45 square metres or 7.5% of the lot area, whichever is the lesser.
5. In the case of a dwelling unit without an attached garage, the driveway width shall not exceed 50% of the lot width or 8.0 metres, whichever is less.



AJM Designs Inc

5171 Reeves Road
Burlington, ON L7L3J8
T: 905.815-7075
E: mcnamee@ajmdesigns.ca

The variances for the proposed dwelling and accessory structure are summarized below, based on the Zoning Compliance Review notice# ZCR-24-125, dated January 16, 2025 and submitted with the application.

The current property also located within the regulated area of Conservation Halton , and a development permit was approved on Aug. 13th 2024, Please refer to Permit #8970, File # RAPP-9362.

PLANNING OPINION ON THE APPLICATION:

As described below, it is my planning opinion that the proposed variances for the dwelling and accessory structure satisfy all four tests of Subsection 45(1) of the Planning Act.

The Variances Maintain the General Intent and Purpose of the Official Plan:

422 Mountsberg Road is located in the Rural Neighbourhoods of Freelon by the Hamilton Official Plan. This designation permits a wide range of housing types including Residential Dwellings and Agricultural Zoned properties.

The proposed detached dwelling and accessory structure are materially consistent with the existing physical character of the neighbourhood. Both proposed buildings respect and reinforce the existing physical character of the neighbourhood including the prevailing heights, massing, scale and dwelling type of nearby residential properties.

The proposed dwelling respects and reinforces the prevailing setbacks from road ways, the prevailing pattern of landscaping and open space as well as the prevailing physical character of the broader and immediate contexts present in the neighbourhood.

The proposed changes respect the natural environment with very minor effects the the existing wood lot. In summary, the proposed variances maintain the general intent and purpose of the Hamilton Official Plan and its policies for new development in established Rural neighbourhoods.



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Burlington, ON L7L3J8
T: 905.815-7075
E: mcnamee@ajmdesigns.ca

The Variances Maintain the General Intent and Purpose of the Zoning By-law:

Variance 1: – New Buildings and Structures.

- 1. As per Section 7.7.2.2a) – New Buildings and Structure – Shall not be permitted.*

While the Zoning By-Law notes that new buildings and structures are not permitted, the proposed detached garage replaces 2 existing separate garages and a shed (total floor area of 94.84m²). The existing garages are in need of replacement and the proposed new garage would be replaced with one garage slightly larger to accommodate ground keeping equipment (at 150.51m²). The client's original proposal had 2 detached garages, with one for personal use and one for maintenance equipment, but they have reduced that to just one combined structure replacing the 3 existing buildings. In my opinion, the variance maintains the general intent and purpose of the Zoning By-law.

Variance 2: – Increased Gross Floor Area.

- 2. As per Section 7.7.2.2b) - The maximum gross floor area for an expansion to an existing building or structure shall not exceed 10% of the gross floor area of the existing building or structure and may include a deck within the permitted maximum.*

The Proposed addition to the main dwelling is primarily a second-floor addition of 103.12m² (This includes 13m² void to below, for net floor area of 90.00m²) approximately 36%. The existing footprint is not being altered and is being maintained for the exception of infilling the rear porch access (3.72m²) to flatten out the Kitchen wall. The detached garage and main dwelling will be connected to each other by covered landscaped walkway and covered front porch. The owners would like to have sheltered access into the dwelling from the garage to the mudroom. Although the By-Law notes "may include a deck", the rear roof projection and front covered walkway do not incorporate any deck areas as this is a landscaped element. The rear roof projection is for simplifying the rear roof line for structural back framing concerns and no access or deck is provided in this area. In my opinion, the variance maintains the general intent and purpose of the Zoning By-law.

Variance 3 – Accessory Building Height.

3. *As per Section 4.8g) All Accessory Buildings shall have a maximum height of 4.5 metres.*

The height of the detached garage is proposed at 7.60m. The proposed garage roof line slope is created to match the main dwelling on the property, this maintains symmetry with the dwelling and adds a uniformed character to the proposed structures as belonging to the property. The overall size of the building requires roof volume that matches and mimics the main dwelling. In my opinion, the variance maintains the general intent and purpose of the Zoning By-law.

Variance 4 – Lot Coverage for Accessory Structures.

4. *As per Section 4.8.1.1a) - The maximum combined lot coverage of all Accessory Buildings shall not exceed 45 square metres or 7.5% of the lot area, whichever is the lesser*

The proposed garage area is 150.51m², this is replacing the 3 accessory buildings totalling 94.84m² (difference of 55.67m²) and taking approximately the same volume of area on the property with a slight increase in area on a property 6.61ha in size. The structure is to provide safe and secure storage of both personal daily driving vehicles as well as ground keeping equipment on a rural property. In my opinion, the variance maintains the general intent and purpose of the Zoning By-law.

Variances 5 – Driveway Width.

5. *As per Section 5.3.2.a ii) Notwithstanding Subsection 5.3.2 a) i), on a lot having an attached garage less than 5.0 metres in width, the driveway may extend beyond the width of the garage toward the side lot line to a maximum width of 5.0 metres and no closer than 0.6 metres to the side lot line, nearest to the garage.*

The existing driveway access across the 2 garages currently totals 14.75m in width. The proposed driveway access is having a slight increase of 1.30m, for a total of 16.05m. The existing driveway access to the property is already existing and will be maintained as original with a minor updating at the garage doors to accommodate the new detached garage. As shown on the site plan, the driveway will be constructed with gravel surface to reduce surface runoff and support stormwater infiltration into the ground. In my opinion, the variance maintains the general intent and purpose of the Zoning By-law.



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The Variances are Desirable for the Appropriate Use of the Building and Land:

The addition to the existing dwelling and detached garage are a positive and desirable update for the subject property that respects and reinforces the existing physical character of its context and neighbourhood. The proposal refreshes the existing dwelling unit in the neighbourhood and implements a key initiative of maintaining and protecting the natural heratige features on the property. As well as maintaining all regulations and setbacks to Conservations Halton's regulatory allowances associated with Bronte Creek (6m and 15m of the Floodplain and Meander Belt.)

The proposal is an example of the type of residential reinvestment occurring in the neighbourhood on other nearby properties, several of which have been redeveloped with new houses that replaced the original houses. This trend contributes to maintaining stability of the neighbourhood as provided for and supported by the Neighbourhoods policies of the Official Plan.

The Variances are Minor:

The generally accepted test of whether a variance is minor is whether approval of the variance creates an undue adverse impact on other properties in the area.

In my planning opinion, the variances associated with the proposed dwelling and accessory structure does not create any undue adverse impacts on adjacent properties or dwellings. The variances are therefore minor.

Summary Planning Opinion:

The variances for the proposed development maintain the general intent and purpose of the Hamilton's Official Plan and Zoning By-law 05-200.

The proposed development is appropriate for the desirable development of the land. The variances are minor because the proposed development does not create any undue adverse impacts.

In conclusion and based on the foregoing analysis, it is my planning opinion that this application satisfies the tests of Subsection 45(1) of the Planning Act. It merits the approval of the Committee of Adjustment.

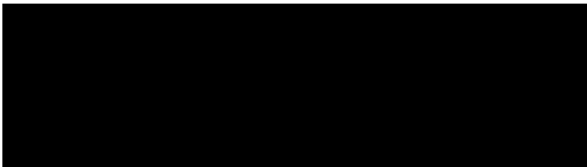


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Please contact me if you have any questions or require any additional information.

Yours very truly,



Jarret McNamee

Principal, BCIN



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Schedule – A

Committee of Adjustment
Hamilton City Hall
71 Main Street West, 5th Floor
Hamilton, Ontario L8P 4Y5

Re: Minor Variance Application
422 Mountsberg Road, Freelton, ON

1. *As per Section 7.7.2.2a) – New Buildings and Structure – Shall not be permitted.*
- **Proposed:** Accessory Structure (Detached Garage connected by Covered Breezway to dwelling.)
2. *As per Section 7.7.2.2b) - The maximum gross floor area for an expansion to an existing building or structure shall not exceed 10% of the gross floor area of the existing building or structure and may include a deck within the permitted maximum.*
- **Proposed:** Additions area total = 172.36m² (increase of 62.47%, this includes all exterior covered area and porches).
3. *As per Section 4.8g) All Accessory Buildings shall have a maximum height of 4.5 metres.*
- **Proposed:** Building Height for Accessory Structure will be 7.60m.
4. *As per Section 4.8.1.1a) - The maximum combined lot coverage of all Accessory Buildings shall not exceed 45 square metres or 7.5% of the lot area, whichever is the lesser.*
- **Proposed:** Proposed Detached Garage Area = 150.51 + Existing Gazebo = 16.70m²
+ Existing Wood Garage = 26.31m² Total Area of lot coverage = 194.00m² (Rounded up).
5. *As per Section 5.3.2.a ii) Notwithstanding Subsection 5.3.2 a) i), on a lot having an attached garage less than 5.0 metres in width, the driveway may extend beyond the width of the garage toward the side lot line to a maximum width of 5.0 metres and no closer than 0.6 metres to the side lot line, nearest to the garage;*
- **Proposed:** Driveway width across the Deatched Garage is proposed to be 16.05m.

Regards,

Jarret McNamee
Principal, BCIN
AJM Designs Inc.

January 16, 2025

FILE: ZCR-24-125
ATTENTION OF: Robyn Reid
TELEPHONE NO: (905) 546-2424
EXTENSION: 4769

Jarret McNamee



Attention:

Re: ZONING COMPLIANCE REVIEW – IN SUPPORT OF A MINOR VARIANCE APPLICATION
Present Zoning: Conservation Hazard Land (P7) Zone and Conservation Hazard Land (P8) Zone
Zoning By-law: Hamilton Zoning By-law 05-200

Address: 422 Mountsberg Road, Flamborough

A Zoning Compliance Review in support of a Minor Variance application has been completed and the following comments are provided.

COMMENTS:

1. The applicant is proposing to remove the existing accessory buildings (garages). A second-floor addition to the existing Single Detached Dwelling is proposed as well as an accessory building (three (3) car garage) to be connected to the existing single detached dwelling by a covered walkway with no walls. ~~Further, an additional new accessory building (new equipment garage for property maintenance equipment) is also proposed.~~ [AJM Notes: New Driveway access and the proposed Equipment garage is being removed from scope of work.](#)
2. The lands are subject to more than one (1) zone. In accordance with Section 2.6 f) of the Zoning By-law, where a lot is divided into more than one (1) zone, each such portion of the lot shall be used in accordance with the provisions of the Zoning By-law for each of the applicable zones. The proposed development is shown to be contained entirely within the portion of the lands subject to the "P7" zone and has been reviewed as such, as noted in the table below.
3. Existing Single Detached Dwelling and uses accessory thereto are permitted within the "P7" zone in accordance with the prescribed regulations, provided in the table below.
4. The proposed three (3) car garage is shown to be connected to the existing Single Detached Dwelling by an unenclosed covered walkway. As there are no walls connecting the proposed three (3) car garage to the existing Single Detached Dwelling, the proposed garage is deemed to be an accessory structure and does not form part of the principal building.
5. Please be advised that the Electric Vehicle Parking requirements under By-law 24-052 remain under appeal and are not covered under Section 1.12 of the "Transitional Provisions" of Hamilton Zoning By-law 05-200. At present, a review of the Electric Parking requirements has not been included in the following zoning chart. If the remaining portions of By-law 24-052 become final before the issuance of a building permit, the Electric Vehicle Parking requirements may be applicable upon review for such building permit.

6. The proposed building heights have not been provided in accordance “Building Height” and “Grade” as defined within the Zoning By-law. Please provide the proposed building height in accordance with the defined terms below:

Building Height Shall mean the vertical distance from grade to the uppermost point of the building but not including any mechanical penthouse or any portion of a building designed, adapted or used for such features as a chimney, smokestack, fire wall, stair tower, fire tower, water tower, tank, elevator bulkhead, ventilator, skylight, cooling tower, derrick, conveyor, antenna, or any such requisite appurtenance, or a flagpole, display sign, ornamental figure, parapet, bell tower or other similar structure. Provided, however, where this By-law requires building height to be calculated to determine a minimum rear yard or a minimum side yard requirement, building height shall mean the vertical distance between the lowest finished grade elevation along the lot line related to such required yard at that point closest to the building and the horizontal extension of the uppermost point of the building.

Grade Shall mean the average level of the proposed or finished ground adjoining a building calculated along the perimeter of all exterior walls.

7. The proposed development has been reviewed and compared under the proposed “P7”, Zone under Hamilton Zoning By-Law 05-200, as shown in the table below:

	Required By By-Law	Provided	Conforming/ Non-Conforming
Section 7.7 Conservation Hazard Land Rural (P7) Zone Hamilton Zoning By-law 05-200			
Section 7.7.2.2 Existing Single Detached Dwelling Regulations Hamilton Zoning By-law 05-200			
New Buildings or Structures Section 7.7.2.2 a) of Hamilton Zoning By-law 05-200	Shall not be permitted. <u>AJM Notes: Equipment garage is being removed from scope of work.</u>	Two (2) new accessory buildings are shown to be proposed (proposed detached garage; accessory structure-equipment garage)	Non-conforming
New Buildings or Structures Section 7.7.2.2 b) i) of Hamilton Zoning By-law 05-200	i) The maximum gross floor area for an expansion to an existing building or structure shall not exceed 10% of the gross floor area of the existing building or structure and may include a deck within the permitted maximum. <u>Gross floor area of existing Single Detached Dwelling – 2,970.00sqft = 275.922sqm x 10% = 27.5922sqm = maximum permitted gross floor area for expansion</u>	<u>Proposed first floor addition – 40.00sqft = 3.72sqm</u> <u>Proposed second floor addition – 1,110.00sqft = 103.13sqm</u> <u>Proposed front porch addition – 350.00sqft = 32.52sqm</u> <u>Proposed roofed-over walkway addition – 220.00sqft = 20.44sqm</u> <u>Proposed rear porch addition – 135.00sqft = 12.55</u>	Non-conforming NOTE: the “basement area” has not been including in this calculation as it is shown to be a Cellar, as defined in the Zoning By-law, which is not included in the Gross Floor Area calculation

	Required By By-Law	Provided	Conforming/ Non-Conforming
		<p><u>Total proposed additional gross floor area</u> = 172.36sqm</p> <p>A total increase of 62.47% of the gross floor area of the existing building, including porches, decks and covered walkways proposed</p>	
<p>New Buildings or Structures</p> <p>Section 7.7.2.2 b) ii) of Hamilton Zoning By-law 05-200</p>	<p>ii) Shall be in accordance with Section 12.1.3.1 and 12.1.3.3 c), d), e) and f).</p>	Please see table below	See table below
<p align="center">Section 12.1 Agriculture (A1) Zone Hamilton Zoning By-law 05-200</p>			
<p align="center">Section 12.1.3.3 Single Detached Dwelling and Residential Care Facility Regulations Hamilton Zoning By-law 05-200</p>			
<p>Maximum Building Height</p> <p>Section 12.1.3.3 c) of Hamilton Zoning By-law 05-200</p>	10.5 metres	<p>An overall building height of 8.27 metres is shown to be provided for the Single Detached Dwelling.</p> <p>The proposed building height has not been provided in accordance with "Building Height" and "Grade" as defined within the Zoning By-law</p>	<p>Appears to conform</p> <p>NOTE: the applicant shall ensure the proposed building height does not exceed the maximum permitted when calculated in accordance with "Building Height" and "Grade" as defined within the Zoning By-law.</p> <p>Please see comment 6 above table</p>
<p>Minimum Front Yard</p> <p>Section 12.1.3.3 d) of Hamilton Zoning By-law 05-200</p>	10.0 metres	Greater than 10.0 metres provided	Conforming
<p>Minimum Side Yard</p> <p>Section 12.1.3.3 e) of Hamilton Zoning By-law 05-200</p>	3.0 metres	Greater than 3.0 metres provided	Conforming
<p>Minimum Rear Yard</p> <p>Section 12.1.3.3 f) of Hamilton Zoning By-law 05-200</p>	10.0 metres	Greater than 10.0 metres provided	Conforming

	Required By By-Law	Provided	Conforming/ Non-Conforming
Section 4 General Provisions Hamilton Zoning By-law 05-200			
Accessory Buildings in All Zones Section 4.8 a) of Hamilton Zoning By-law 05-200	An accessory building may only be erected or used in accordance with the following: a) Unless otherwise provided for in this By-law, Accessory Buildings shall not be used as a dwelling unit.	The proposed accessory buildings are not shown to be provided as a dwelling unit	Conforming
Accessory Buildings in All Zones Section 4.8 b) of Hamilton Zoning By-law 05-200	b) Accessory Buildings shall not be permitted within a front or flankage yard. <u>AJM Notes: Equipment garage is being removed from scope of work.</u>	The "accessory structure-equipment garage" is shown to be located within the front yard The "proposed detached garage" is shown to be located within the rear yard	Non-conforming
Accessory Buildings in All Zones Section 4.8 c) of Hamilton Zoning By-law 05-200	c) Notwithstanding Subsection 4.8 b), a building used as a station for parking attendants or security personnel shall be permitted within a front or flankage yard.	Not proposed	n/a
Accessory Buildings in All Zones Section 4.8 d) of Hamilton Zoning By-law 05-200	d) Notwithstanding any other provisions in this By-law, where a zone contains a maximum setback requirement from a street line, the maximum setback requirement shall not apply to Accessory Buildings.	Not applicable	n/a
Accessory Buildings in All Zones Section 4.8 e) of Hamilton Zoning By-law 05-200	e) In the event of a conflict between regulations where an Accessory Building is provided for a mixed use building, the most restrictive regulations shall apply	Not applicable	n/a
Accessory Buildings in All Zones Section 4.8 f) of Hamilton Zoning By-law 05-200	f) Except as permitted in Subsection 4.18 a), an Accessory Building shall not be erected prior to the erection of the principal building or structure on the lot.	The principal building is existing	Conforming
Accessory Buildings in All Zones Section 4.8 g) of Hamilton Zoning By-law 05-200	g) All Accessory Buildings shall have a maximum height of 4.5 metres. <u>AJM Notes: Equipment garage is being removed from scope of work.</u>	A proposed building height slightly under 8.27 metres is shown to be provided for the "proposed detached garage;" however; the proposed building height has not been provided in accordance with "Building Height" and "Grade" as	Non-conforming / Unable to determine compliance NOTE: the applicant shall ensure that the height of the proposed accessory buildings are provided in accordance with the definitions of "Building Height" and

	Required By By-Law	Provided	Conforming/ Non-Conforming
		defined within the Zoning By-law A proposed building height 6.37 metres is shown to be provided for the "proposed accessory structure equipment garage;" however, the proposed building height has not been provided in accordance with "Building Height" and "Grade" as defined within the Zoning By-law - Equipment Garage Omitted.	"Grade" as defined within the Zoning By-law (see Section 12.1.3.3 c) above in table) to ensure accurate Planning approvals are applied for. Please see comment 6 above table
Accessory Buildings in All Zones Section 4.8 h) of Hamilton Zoning By-law 05-200	h) Notwithstanding Subsection 4.6a), an eave or gutter of any Accessory Building may encroach into any required yard to a maximum of 0.45 metres.	The eave and gutter of the proposed accessory buildings are not shown to encroach into a minimum required yard	Conforming
Accessory Buildings in All Zones Section 4.8 i) of Hamilton Zoning By-law 05-200	i) Rooftop amenity area shall be prohibited on all Accessory Buildings.	Not proposed	Conforming
Accessory Buildings in All Zones Section 4.8 j) of Hamilton Zoning By-law 05-200	j) Gazebos, pergolas, and carports shall be considered as Accessory Buildings, but shall not be subject to the Lot Coverage or Gross Floor Area requirements of the applicable zones in which they are located.	Not proposed	n/a
Accessory Buildings in All Zones Section 4.8 k) of Hamilton Zoning By-law 05-200	k) Children's play structures and sports bleachers shall not be considered Accessory Buildings and shall not be subject to the regulations of Subsections 4.8.1, 4.8.2, 4.8.3, 4.8.4 and 4.8.5 or the regulations of the zones in which they are located.	Not proposed	n/a
Buildings Accessory to Single Detached Dwellings in All Zones (Except A1 and A2 Zones) Section 4.8.1.1 a) of Hamilton Zoning By-law 05-200	a) The aggregate Gross Floor Area of all Accessory Buildings shall not exceed 45 square metres or 7.5% total lot coverage, whichever is the lesser. <u>Lot Area – 6.58 hectares = 65,800 square metres x 7.5 % = 4,935 square metres = a maximum permitted lot coverage of 45 square metres for all accessory buildings</u>	<u>Garage addition – 1,620.00 square feet = 150.51 square metres</u> Equipment garage – 30' x 43' 4" = 1,300 square feet = 120.774 square metres Total gross floor area of all accessory buildings = 150.51 square metres - Equipment Garage Omitted.	Non-conforming NOTE: the "existing gazebo to remain" will need to be included in this calculation if it is an enclosed structure

	Required By By-Law	Provided	Conforming/ Non-Conforming
Buildings Accessory to Single Detached Dwellings in All Zones (Except A1 and A2 Zones) Section 4.8.1.1 a) of Hamilton Zoning By-law 05-200, By-law 24-137 (not final and binding)	a) The maximum combined lot coverage of all Accessory Buildings shall not exceed 45 square metres or 7.5% of the lot area, whichever is the lesser. <u>Lot Area</u> – 6.58 hectares = 65,800 square metres x 7.5 % = 4,935 square metres = a maximum permitted lot coverage of 45 square metres for all accessory buildings	<u>Garage addition</u> – 1,620.00 square feet = 150.51 square metres Equipment garage – 30' x 43' 4" = 1,300 square feet = 120.774 square metres Total gross floor area of all accessory buildings = 150.51 square metres	Non-conforming NOTE: the "existing gazebo to remain" will need to be included in this calculation if it is an enclosed structure
Buildings Accessory to Single Detached Dwellings in All Zones (Except A1 and A2 Zones) Section 4.8.1.1 b) of Hamilton Zoning By-law 05-200	b) An Additional Dwelling Unit – Detached shall not be considered as an Accessory Building.	An Additional Dwelling Unit – Detached is not proposed	n/a
Buildings Accessory to Single Detached Dwellings in All Zones (Except A1 and A2 Zones) Section 4.8.1.1 c) of Hamilton Zoning By-law 05-200	c) All Accessory Buildings having a Gross Floor Area less than 18 square metres shall conform to the following regulations: i) Building Setback from a Rear Lot Line Minimum 1.0 metre ii) Building Setback from a Side Lot Line Minimum 1.0 metre	The proposed accessory building provide an area greater than 18 square metres	n/a
Buildings Accessory to Single Detached Dwellings in All Zones (Except A1 and A2 Zones) Section 4.8.1.1 d) of Hamilton Zoning By-law 05-200	d) All accessory buildings with a Gross Floor Area greater than or equal to 18 square metres shall conform to the following regulations: i) Building Setback from a Rear Lot Line Minimum 1.2 metres ii) Building Setback from Minimum 1.2 metres a Side Lot Line Minimum 1.2 metres	Greater than 1.2 metres is shown to be provided to a side or rear lot line for the proposed accessory buildings	Conforming
Buildings Accessory to Single Detached Dwellings in All Zones (Except A1 and A2 Zones)	e) Where a vehicular entrance to an Accessory Building faces a street line, the vehicular entrance shall be setback a minimum of 6.0 metres from the street line.	Greater than 6.0 metres provided where vehicular access is provided	Conforming

	Required By By-Law	Provided	Conforming/ Non-Conforming
Section 4.8.1.1 e) of Hamilton Zoning By-law 05-200			
<p align="center">Section 5 Parking Hamilton Zoning By-law 05-200</p>			
<p>Minimum Number of Parking Spaces</p> <p>Section 5.1.1 a) of Hamilton Zoning By-law 05-200</p>	<p>a) <u>Minimum Number of Required Parking Spaces</u></p> <p>The minimum number of required parking spaces which must be provided shall be the result of applying:</p> <p>i) The minimum amount in accordance with the Minimum Required Parking Rate Schedule in Section 5.7.1;</p> <p>ii) Any eligible exception in this Section; and,</p> <p>iii) Any eligible deductions in this Section.</p>	Please see table below	See table below
<p>Minimum Number of Parking Spaces</p> <p>Section 5.1.1 d) of Hamilton Zoning By-law 05-200</p>	<p>d) <u>Required Parking to be Provided on Same Lot</u></p> <p>All required parking spaces shall be located on the same lot as the use for which they are required, unless the parking spaces are provided on another lot in compliance with Section 5.6.1.</p>	Parking facilities are shown to be provided on the same lot	Conforming
<p>Minimum Number of Parking Spaces</p> <p>Section 5.1.1 e) of Hamilton Zoning By-law 05-200</p>	<p>e) <u>Provision of Parking on a Lot Subject to Multiple Zones</u></p> <p>Where more than one zone applies to a lot, parking spaces provided for any use on the lot may be located within any zone within the boundaries of the lot, except:</p> <p>i) where a portion of a lot is within one of the Open Space and Park Zones, no parking spaces may be located within such portion of the lot except parking spaces required for a permitted use located within such portion.</p>	All parking is shown to be provided within the portion of the lot subject to the same zone in which the primary use is located	n/a
<p>Minimum Parking Space Dimensions</p> <p>Section 5.2.1 a) of Hamilton Zoning By-law 05-200</p>	<p>a) <u>Minimum Parking Space Dimensions</u></p> <p>Unless permitted by another regulation in this By-law, parking space sizes shall be a minimum of 2.8 metres in width and 5.8 metres in length.</p>	The minimum parking space size has not been indicated; however, the "proposed detached garage" is shown to be able to accommodate the minimum required parking space size for the three (3) proposed parking spaces	Conforming

	Required By By-Law	Provided	Conforming/ Non-Conforming
Minimum Parking Space Dimensions Section 5.2.1 b) of Hamilton Zoning By-law 05-200	b) <u>Required Increase in Width due to Obstruction</u> Where a wall, column, or any other obstruction is located abutting or within any parking space, the minimum width of a parking space shall be increased by 0.3 metres for each side which is obstructed by a wall, column, or other obstruction;	The proposed parking spaces are not shown to be obstructed	n/a
Minimum Parking Space Dimensions Section 5.2.1 c) of Hamilton Zoning By-law 05-200	c) <u>Exceptions to Increase in Width due to Obstruction</u> Notwithstanding Subsection 5.2.1 b), an additional 0.3 metres shall not be required provided all of the following conditions are met: i) the maximum length of the wall, column or other obstruction shall not exceed 1.15 metres, measured along the side of the parking space, from the front or rear of the space towards the side's midpoint; ii) the wall, column or other obstruction is located at the front, rear, or both ends of the parking space; and, iii) the wall, column or other obstruction does not project more than 0.15 metres into the width of the parking space.	The proposed parking spaces are not shown to be obstructed	n/a
Minimum Parking Space Dimensions Section 5.2.1 d) of Hamilton Zoning By-law 05-200	d) <u>Increase in Length Due to Stairs within an Attached Garage</u> The length of each parking space in an attached garage of a dwelling unit shall be increased by an equivalent length of the step, steps or stairwell that extends into the parking space, except: i) an open stairway may project into the length of the required parking space not more than 0.75 metres provided the height of the stairway does not exceed 0.5 metres.	The proposed parking spaces are not shown to be obstructed	n/a
Access Requirements Section 5.2.4 a) of Hamilton Zoning By-law 05-200	a) <u>Access Design Requirements</u> Access to all parking shall: i) be arranged so as to not interfere with normal public use of the street or laneway; ii) be provided by means of an access driveway:	Access to parking provided by means of an access driveway on the lot	Conforming

	Required By By-Law	Provided	Conforming/ Non-Conforming
	<p>1. located on the lot; or,</p> <p>2. located partly on the lot in the case of a mutual driveway; or,</p> <p>3. by means of a Right-of-Way; and,</p> <p>iii) in the case of a Parking Lot, provide ingress and egress of vehicles to and from a street in a forward motion only.</p>		
Access Requirements Section 5.2.4 b) of Hamilton Zoning By-law 05-200	<p>b) <u>Minimum Access Driveway Width</u></p> <p>The width of any driveway providing access to a parking space shall be a minimum of 2.7 metres.</p>	The proposed gravel driveway is shown to provide a minimum width of 3.6 metres	Conforming
Locational, Landscaping and Driveway Requirements for Single Detached Dwellings in All Zones Except the Agriculture (A1) and Rural (A2) Zones Section 5.3.2 a) i) of Hamilton Zoning By-law 05-200	<p>a) On a lot containing a Single Detached Dwelling, Semi-Detached Dwelling, Duplex Dwelling, Triplex Dwelling or Fourplex Dwelling, in all Zones except the Agriculture (A1) and Rural (A2) Zone:</p> <p>i) The width of a driveway shall not exceed the width of an attached garage;</p>	An attached garage is not proposed (see comment 3 above table)	n/a
Locational, Landscaping and Driveway Requirements for Single Detached Dwellings in All Zones Except the Agriculture (A1) and Rural (A2) Zones Section 5.3.2 a) ii) of Hamilton Zoning By-law 05-200	<p>ii) Notwithstanding Subsection 5.3.2 a) i), on a lot having an attached garage less than 5.0 metres in width, the driveway may extend beyond the width of the garage toward the side lot line to a maximum width of 5.0 metres and no closer than 0.6 metres to the side lot line, nearest to the garage;</p>	An attached garage is not proposed (see comment 3 above table)	n/a
Locational, Landscaping and Driveway Requirements for Single Detached Dwellings in All Zones Except the Agriculture (A1) and Rural (A2) Zones Section 5.3.2 a) iii) of Hamilton Zoning By-law 05-200	<p>iii) In the case of a dwelling unit without an attached garage, the driveway width shall not exceed 50% of the lot width or 8.0 metres, whichever is less;</p>	The width of the proposed gravel driveway is shown to be greater than 8.0 metres at its widest point	Non-conforming

	Required By By-Law	Provided	Conforming/ Non-Conforming
Locational, Landscaping and Driveway Requirements for Single Detached Dwellings in All Zones Except the Agriculture (A1) and Rural (A2) Zones Section 5.3.2 a) iv) of Hamilton Zoning By-law 05-200	iv) A maximum of one driveway shall be permitted for each dwelling unit, except in the case of: 1. A corner lot where a maximum of one driveway may be permitted from each street. 2. On a lot having a minimum width of 30.0 metres, a maximum of two driveways may be permitted.	A maximum of one driveway providing access from Mountsberg Road is provided	Conforming
Locational, Landscaping and Driveway Requirements for Single Detached Dwellings in All Zones Except the Agriculture (A1) and Rural (A2) Zones Section 5.3.2 a) v) of Hamilton Zoning By-law 05-200	v) On a corner lot, no access driveway shall be permitted through a daylight triangle.	Not proposed	n/a
Parking Surface Material Requirements Section 5.3.4 a) of Hamilton Zoning By-law 05-200	<u>a) Parking Spaces, Driveways and Widening(s) in All Zones</u> Parking spaces, driveways and widening(s) in all zones shall be provided and maintained with stable surfaces such as asphalt, concrete or other hardsurfaced material, crushed stone, permeable pavers or gravel, and shall be maintained in a dust free condition. i) 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.	Gravel shown to be provided for the proposed driveway	Conforming
Minimum Required Parking Rate Schedule Section 5.7.1 a) of Hamilton Zoning By-law 05-200	<u>Single Detached Dwelling</u> a) In PRA 1, no parking spaces are required. b) In all other areas, 1 per unit. The lands are not located within a Parking Rate Area (PRA) 1; as such, provision b) applies	Three (3) parking spaces are shown to be proposed	Conforming

8. The lands are located within or adjacent to an Environmentally Sensitive Area (ESA) and may be subject to Site Plan Control. For further information, please contact Development Planning at pdgening@hamilton.ca.
9. Please be advised that a portion of this property is within an area regulated by Conservation Halton. Please contact 905-336-1158 or envserv@hrca.on.ca prior to any development.
10. Construction of the proposed development is subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setback and construction types.
11. The designer shall ensure that the fire access route conforms to the Ontario Building Code

Yours truly

R.Reid

for the Manager of Zoning and Committee of Adjustment



AJM Designs Inc
5171 Reeves Rd.
Burlington, ON. L7L3J8
C: 905.815.7075
F: 905.825.0327
E: mcnamee@ajmdesigns.ca

**NO OBJECTIONS
(LETTER OF SUPPORT)**

April 2, 2025

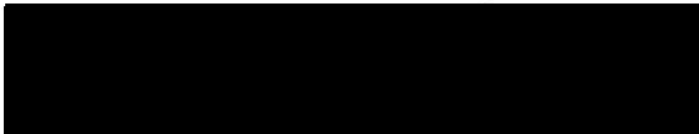
Attn: Committee of Adjustment
City Hall, 5th Floor,
71 Main Street W.
Hamilton, ON. L8P4Y5

Re: No Objections (Letter of Support) – 422 Mountsberg Road Freelon, ON L0P1B0

I/we the neighbours have reviewed the drawings of the proposed Interior Alteration, proposed second floor addition and front covered porch addition connecting the replacement detached garage. I/we have no objections and are in support of the homeowner's minor variance application.

Paul Wigood
Name

Patricia Bell
Name





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Ray Rivers
Name

Jean Rivers
Name


Address



AJM DESIGNS
INC

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John Crisp
Name

Alice Dupuis
Name


Address



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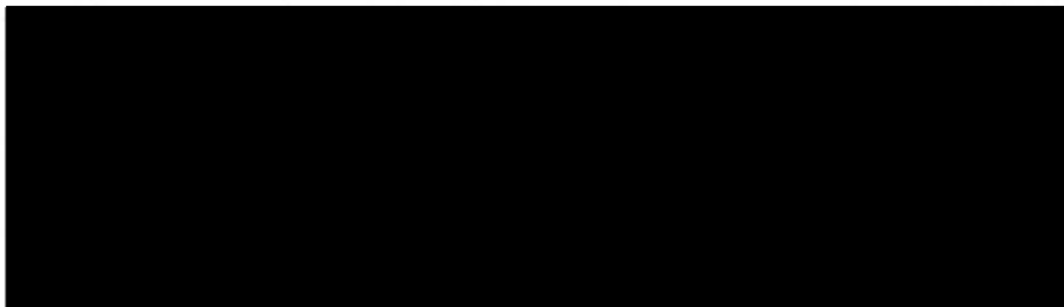
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Geoffrey Aston

Name

Brenda Aston

Name



Address



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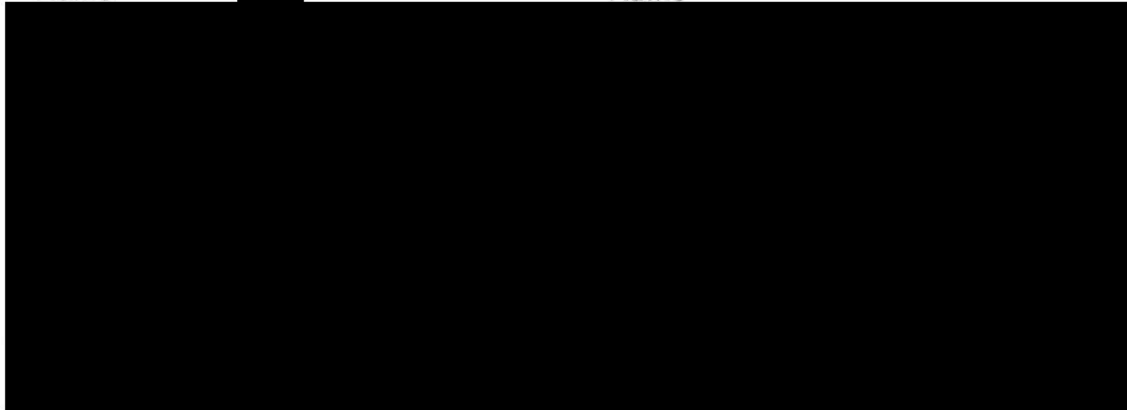
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Gord Blair
Name

Anne Blair
Name





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Scott Shain
Name

Gail Benjamin
Name

Address



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Susan Grozelle
Name

Name

Signature



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(LETTER OF SUPPORT)

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Terry Montgomery
Name

Sandy Montgomery
Name


Address

APPLICATION FOR A MINOR VARIANCE/PERMISSION
 UNDER SECTION 45 OF THE *PLANNING ACT*

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Registered Owners(s)	Ron and Faith Williamson		
Applicant(s)	AJM Designs Inc. (Attn: Jarret McNamee)		
Agent or Solicitor	N/A		Phone: E-mail:

1.2 Primary contact ☒ Applicant ☐ Owner ☐ Agent/Solicitor

1.3 Sign should be sent to ☒ Applicant ☐ Owner ☐ AgentSolicitor

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	422 Mountsberg Road.		
Assessment Roll Number			
Former Municipality	East Flamborough		
Lot	4	Concession	12
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:

Refer to Attached SCHEDULE - A for list of Variance being applied for.

☐ Second Dwelling Unit ☒ Reconstruction of Existing Dwelling

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

The desired updates to the existing dwelling and property are not possible due to current zoning limitations

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
376.70m	179.73m	6.61h	376.70m

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
MAIN DWELLING	125.84	26.94	W=260.30 & E=100.87	
WOOD GARAGE	83.36	87.81	W=235.24 & E=133.84	
GAZEBO	153.80	17.99	W=247.59 & E=123.39	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
MAIN DWELLING	125.84 (EXISTING)	19.15 (BREEZEWAY COL.)	W=260.30 & E=99.39	
DEATCHED GARAGE	153.52	6.37	W=278.02 & E=80.73	

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
Main dwelling	275.91m2	275.91m2	1	6.10m
Garage 1 (to be removed)	58.91	58.91	1	5.0m
Garage 2 (to be removed)	30.42	30.42	1	4.7m
wood garage	26.91	26.91	1	3.6m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Main Dwelling	279.63	382.75	1 1/2	8.27m
Detached Garage	151.61	151.61	1	8.0m
Covered porch and Breezeway	65.49	65.49	1	5.36m

- 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

☐ right of way

☐ municipal road, seasonally maintained

☐ other public road

☒ municipal road, maintained all year _____

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):
Single Family dwelling.

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

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

October 2022

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

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

7.4 Length of time the existing uses of the subject property have continued:
50+ years.

7.5 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): RURAL DESIGNATION

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? P7 & P8

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: 1

8.2 Number of Dwelling Units Proposed: 1

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

Interior alteration of existing dwelling.

Proposed Front Covered porch addition.

Proposed Second Floor bedroom addition.

Proposed Covered Breezeway connecting Dwelling and Detached Garage.

Existing Gazebo and Wood Garage to remain.

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

Conservation Halton - Development permit.
