

**NOTICE OF PUBLIC HEARING**  
**Minor Variance**

**You are receiving this notice because you are either:**

- Assessed owner of a property located within 60 metres of the subject property
- Applicant/agent on file, or
- Person likely to be interested in this application

<b>APPLICATION NO.:</b>	<b>A-25:143</b>	<b>SUBJECT PROPERTY:</b>	1411 Centre Road, Flamborough
<b>ZONE:</b>	S1 (Settlement Residential)	<b>ZONING BY-LAW:</b>	Hamilton Zoning By-law 05-200

**APPLICANTS:** Owner: Chris Garcia, Melissa Garcia

The following variances are requested:

1. An Additional Dwelling unit- Detached shall be permitted on a lot containing a Single Detached Dwelling having a minimum area of 0.15 hectares instead of the minimum 1.5 Hectare lot area required.
2. A maximum building height of 8.0 metres shall be permitted for an Additional Dwelling Unit- Detached instead of the maximum 6.0 metre building height permitted.

**PURPOSE & EFFECT:** To permit the construction of an Additional Dwelling Unit- Detached

**Notes:**

1. Building elevations have not been provided at this time, as such variance #2 has been written as requested by the applicant

**This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.**

This application will be heard by the Committee as shown below:

<b>DATE:</b>	<b>Thursday, August 14, 2025</b>
<b>TIME:</b>	<b>3:35 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>City Hall Council Chambers (71 Main St. W., Hamilton)</b>

	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>
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For more information on this matter, including access to drawings illustrating this request and other information submitted:

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton

## **PUBLIC INPUT**

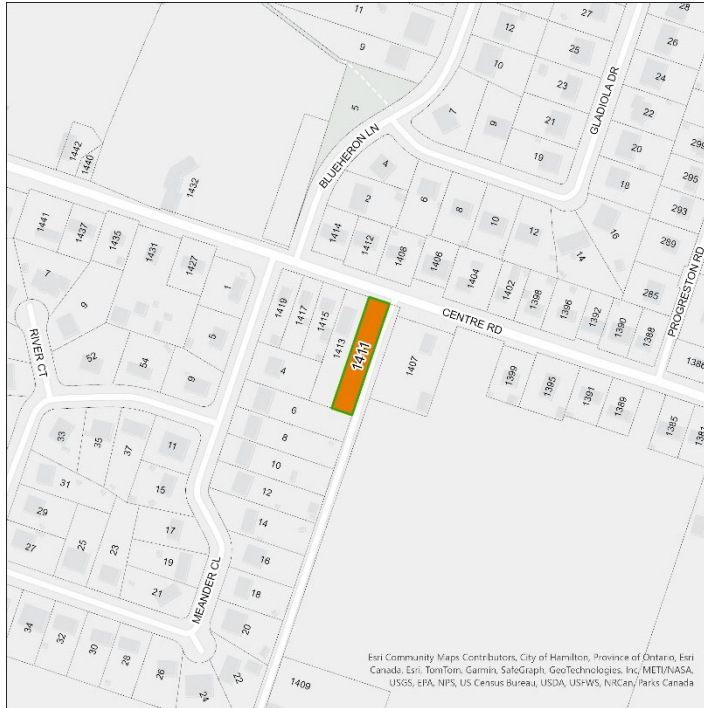
**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon August 12, 2025

**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-25:143, you must submit a written request to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



**Subject Lands**

DATED: July 28, 2025

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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, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221

E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

## **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](mailto: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](mailto: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](mailto: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](mailto: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](mailto:cofa@hamilton.ca) or call 905-546-2424 ext. 4221.**

CARLISLE RD

Rear yard setback  
255.03' (77.73M)

SETBACK 271.53' (82.76M)

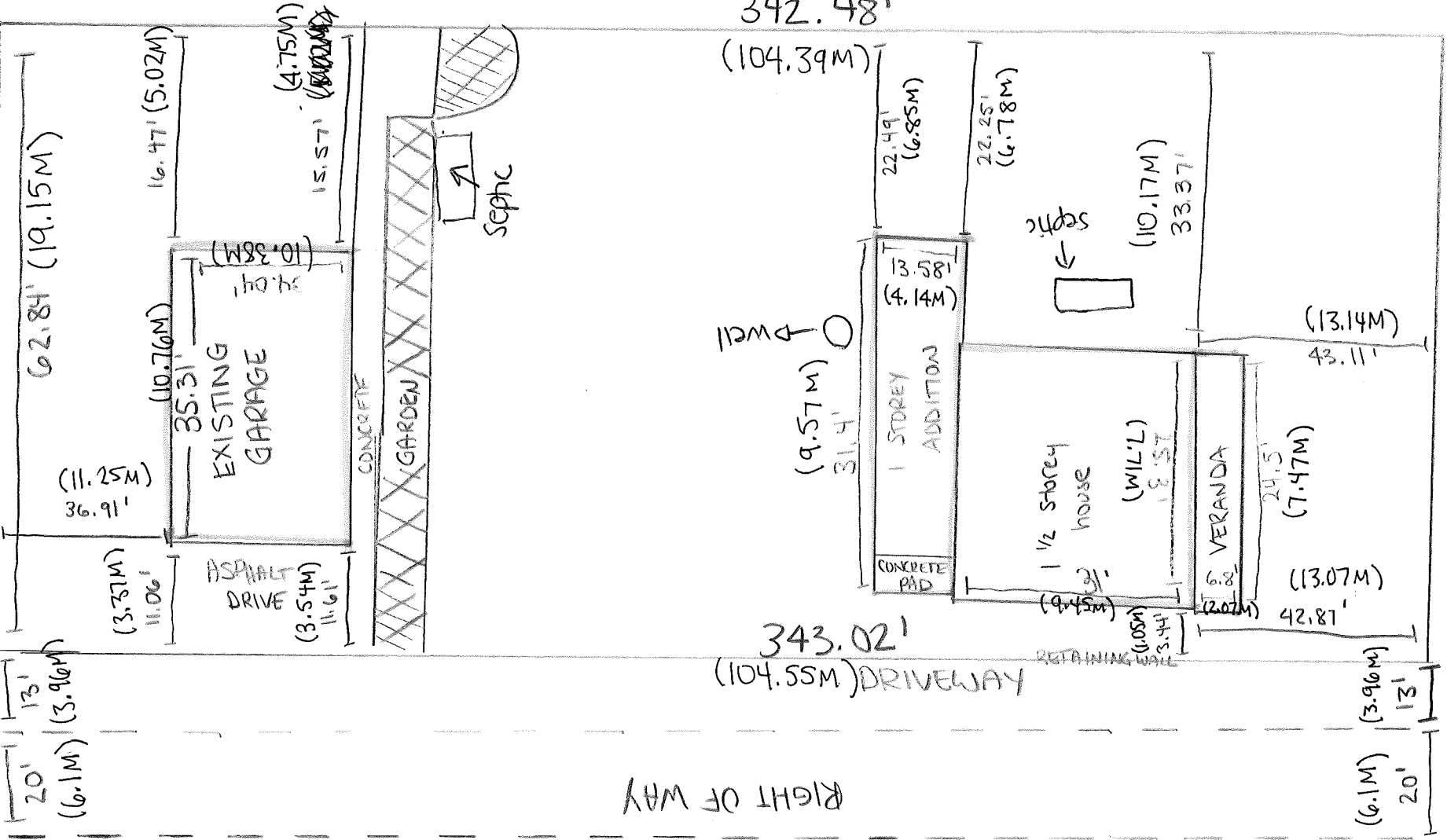
342.48'  
(104.39M)

Well  
(9.57M)  
31.4'

343.02'  
(104.55M) DRIVEWAY

RIGHT OF WAY

CENTRE ROAD



Monday, June 30th, 2025

To The Committee,

As outlined in our application, we are writing to you today to request your permission to build an additional dwelling unit on our property.

We moved to Carlisle in February of 2024 and since then, we continue to fall in love with our little community. The property we purchased has two structures: a 1.5 storey home and a detached garage. Due to the age of our home, we knew when we purchased it that we would have to make some significant improvements for the house to accommodate our growing family, but we fell in love with the character and the neighborhood.

We are seeking permission to add an ADU above our garage. The ADU would function as a space for extended family to stay when visiting from out of province, a space for our family to stay when the time comes to renovate our home, and a space for our aging parents to stay as they transition to the next chapter of their lives.

Enclosed in this package you will find our application, photos of the location of the garage on our property, letters from the neighbours stating they have no issue with the proposal, and additional required documents for submission.

In the photos, you will notice there is ample space for parking (can park up to 10 cars tightly). Additionally, we had a septic and well inspection completed when we purchased our home in 2024. They determined the garage is on its own septic and the garage water supply is tied into the well at the house. Our septic system for our house will need to be replaced soon, so we plan on putting a new septic that can accommodate both the house and the garage.

We want to ensure that we are following the proper procedures. If there is any additional information that we can provide to aid in the process and decision making, please let us know.

Regards,

Chris & Melissa Garcia

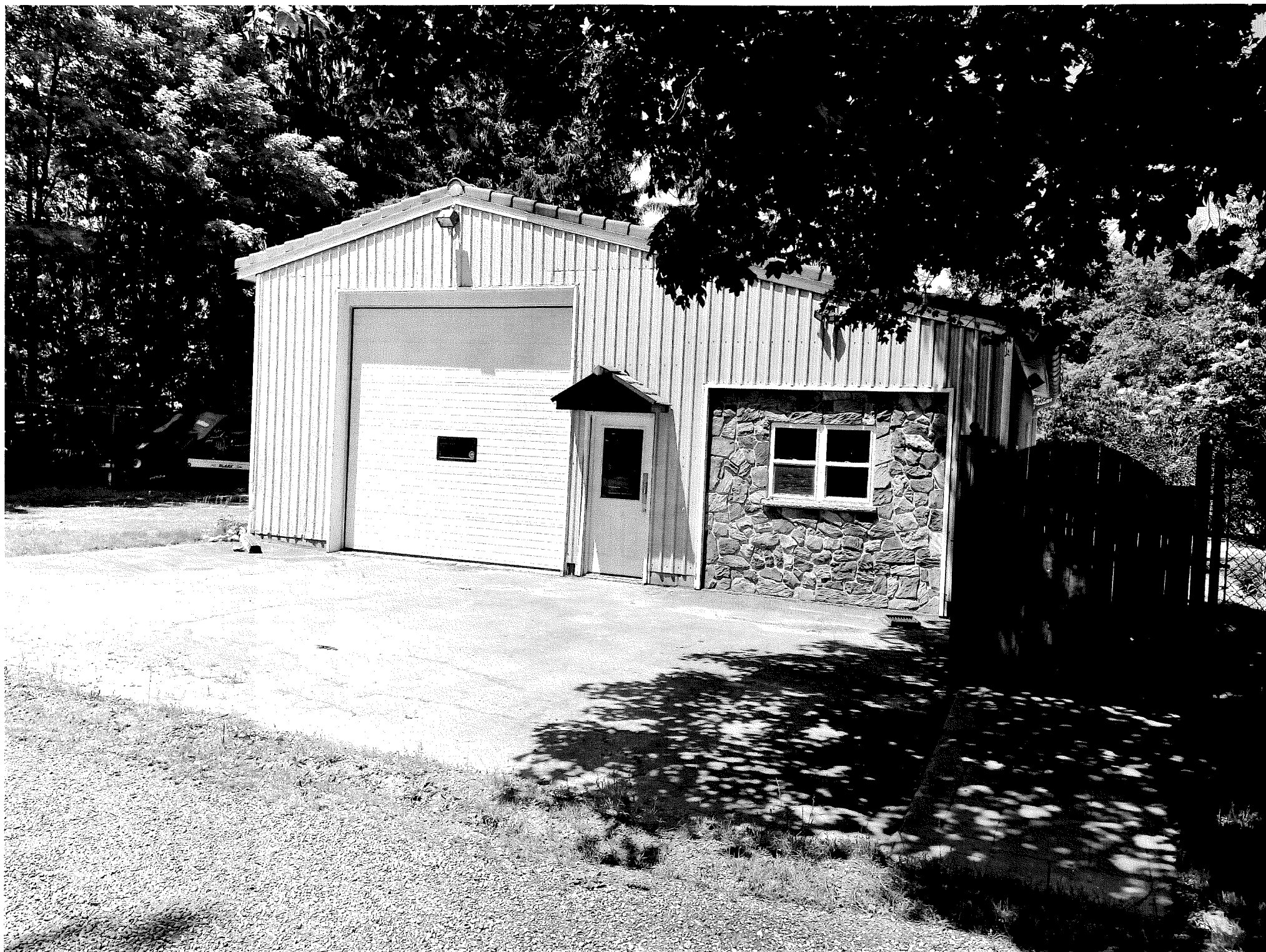
















Dear Committee Members,

My name is Neil and my family lives at [REDACTED] We are well aware of Chris and Melissa's plan to add an ADU above their garage and we are comfortable with what's being proposed.

Thank you, [REDACTED]

Thursday June 26th 2025

Dear Committee Members,

My name is Crystal and my family lives at [REDACTED] We are well aware of Chris and Melissa's plan to add an ADU above their garage and we are comfortable with what's being proposed.

Thank you.

[REDACTED]

Thursday June 26th 2025



Hamilton

Committee of Adjustment

City Hall, 5<sup>th</sup> Floor,  
71 Main St. W.,  
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**APPLICATION FOR A MINOR VARIANCE/PERMISSION**

UNDER SECTION 45 OF THE *PLANNING ACT*

**1. APPLICANT INFORMATION**

(Main contact is Melissa)

	NAME	MAILING ADDRESS	
Registered Owners(s)	Chris Garcia Melissa Garcia		
Applicant(s)			Phone:
			E-mail:
Agent or Solicitor			Phone:
			E-mail:

1.2 Primary contact

☐ Applicant

☒ Owner (Melissa Garcia)  
☐ Agent/Solicitor as main contact

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 be 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	2411 Centre road, Carlisle, ON L0R1H1		
Assessment Roll Number	303820184000000		
Former Municipality	Flamborough		
Lot	8	Concession	8
Registered Plan Number	62R14274	Lot(s)	
Reference Plan Number (s)	62R14274	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:

We would like to add a second storey to our garage and make it an ADU.

☒ Second Dwelling Unit

☐ Reconstruction of Existing Dwelling

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

We are unable to comply with the provisions of the By-law because:

→ ADUs are not permitted in Carlisle (we are right on the border)

3.3 Is this an application 45(2) of the Planning Act. → Our land is smaller than the required size in S1 zone → we would also

☐ Yes

☒ No

If yes, please provide an explanation:

require a few more feet heightwise to make/add a second storey

## 4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
19.51 M	104.24 M	2033.72 M	—



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
House	13.07 M	17.73 M	5M and 6.85M	1900
Garage	82.76M	11.25 M	4.75M and 3.54M	unknown (around 1990's)

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Adu/Garage	82.76M	11.25 M	4.75M and 3.54M	TBD

4.3. Particulars of all buildings and structures on or proposed for the subject lands (attach additional sheets if necessary):

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
House	approx 102 sq m	Approx. 176.52 sq m	1.5	8.05 M
Garage	approx. 88.9 sq m	1 88.9 sq m	1	5.04M

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Adu/Garage	88.9 sq m	difficult to provide an accurate number. we can provide drawings if approved	2	approx 8M

It will be < 177.8 sq m less than

4.4 Type of water supply: (check appropriate box)

- ☐ publicly owned and operated piped water system  
☒ privately owned and operated individual well

- ☐ lake or other water body  
☐ other means (specify)

4.5 Type of storm drainage: (check appropriate boxes)

- ☐ publicly owned and operated storm sewers  
☒ swales

- ☐ ditches  
☐ other means (specify)

4.6 Type of sewage disposal proposed: (check appropriate box)

☐ publicly owned and operated sanitary sewage

☐ system privately owned and operated individual

☒ septic system other means (specify) \_\_\_\_\_

4.7 Type of access: (check appropriate box)

☐ provincial highway

☐ municipal road, seasonally maintained

☐ municipal road, maintained all year

☒ right of way

☐ other public road

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

Residential, single detached and ADU

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

Residential, single detached

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

February 28<sup>th</sup> 2024

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

Residential

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

single detached

7.4 Length of time the existing uses of the subject property have continued:

125 years

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

Rural Hamilton Official Plan designation (if applicable): Rural settlement areas

Rural Settlement Area: Carlisle

Urban Hamilton Official Plan designation (if applicable) \_\_\_\_\_

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

please see back page

7.6 What is the existing zoning of the subject land? S1

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: \_\_\_\_\_

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7.9 Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?

☐ Yes

☒ No

If yes, please provide the file number: \_\_\_\_\_

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 1

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

Please see separate sheet at the back of  
this application

We are applying for a minor variance to permit the addition of a second level to our existing detached garage to establish an accessory dwelling unit (ADU) on our property in the Rural Settlement of Carlisle. While the application seeks relief from specific zoning provisions such as height limits, minimum lot size (1.4 hectares), and the current restriction on ADUs in Carlisle—we believe the proposed development aligns with the broader goals and intent of the **City of Hamilton Official Plan**, particularly as they pertain to rural settlement areas.

### 1. Conformity with Rural Settlement Area Policies

Carlisle is identified as a **Rural Settlement Area** and these areas are intended to support limited residential growth in a manner that maintains the rural character and environmental integrity of the community. Our proposal is consistent with this intent for the following reasons:

- **Maintains Rural Character:** The proposed ADU is located above an existing detached garage and will not significantly alter the built form or appearance of the property. It will remain compatible with surrounding uses and retain the rural, low-density character of the neighbourhood.
- **Efficient Use of Existing Infrastructure:** The ADU will make use of existing private services (well and septic system), consistent with the Plan's direction that development in Rural Settlements be serviced appropriately without requiring urban infrastructure extensions.
- **Supports Housing Choice and Affordability:** The Official Plan encourages a range of housing options to meet changing needs. The addition of an ADU supports multi-generational living, rental opportunities, or aging in place—all of which are key housing goals for Hamilton.

### 2. Consistency with Provincial and Municipal Housing Policies

The proposed ADU also supports the broader objectives of the **Provincial Policy Statement (PPS)** and **More Homes Built Faster Act**, which encourage additional residential units and the efficient use of land and infrastructure. The City of Hamilton's Official Plan is intended to be read in conjunction with these policies, and our application is in line with their direction to increase housing supply through modest, low-impact intensification.

### 3. Requested Variances Are Minor and Meet the Four Tests

- The **height variance** is minor in nature and reflects the need to create habitable space above an existing structure without affecting neighbouring properties or streetscape.
- While our **lot is smaller than 1.4 hectares**, the proposed ADU is appropriately scaled and will not result in overdevelopment. The lot is sufficient to support an ADU from both a functional and planning perspective.
- Although **ADUs are currently not permitted in Carlisle**, our application promotes the underlying intent of the City's Official Plan to support sustainable, inclusive rural communities.

We respectfully request that the Committee of Adjustment consider our application favorably, recognizing that it reflects both the spirit and intent of the Official Plan, while contributing positively to the long-term vision for rural settlements like our community of Carlisle.

## 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

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