

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-25:167	SUBJECT	206 Fairleigh Ave South, Hamilton
NO.:		PROPERTY:	_
ZONE:	R1a (Low Density Residential	ZONING BY-	Hamilton Zoning By-law 05-200
	– Small Lot)	LAW:	

APPLICANTS: Owner: Rachel Burton and Carl Austrom

Applicant: Rachel Burton

The following variances are requested:

1. A porch may project a maximum of 2.7 metres into the required front yard (and therefore being at least 1.3 metres from the front lot line) instead of the maximum permitted projection of 1.5 metres or half the distance of the required yard, whichever is the lesser.

PURPOSE & EFFECT: To facilitate the construction of a new roofed-over porch

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, September 4, 2025	
TIME:	1:40 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:

A-25:167

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

PUBLIC INPUT

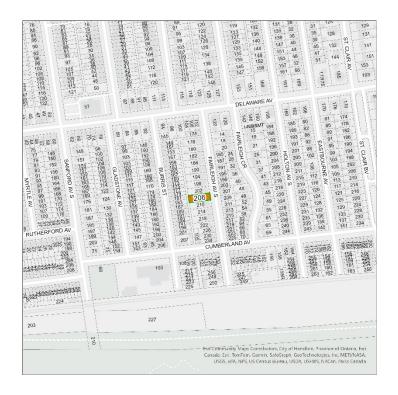
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon September 2, 2025

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 September 3, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:167, 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: August 18, 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.



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Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

PARTICIPATING PROCEDURES

1. 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 deadline date for written comment submissions 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.

2. 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.

3. 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.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing.

- 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.

5. 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 by 12:00 p.m. (noon) on the business day prior to the Hearing. The submission must be one document in PDF format only.

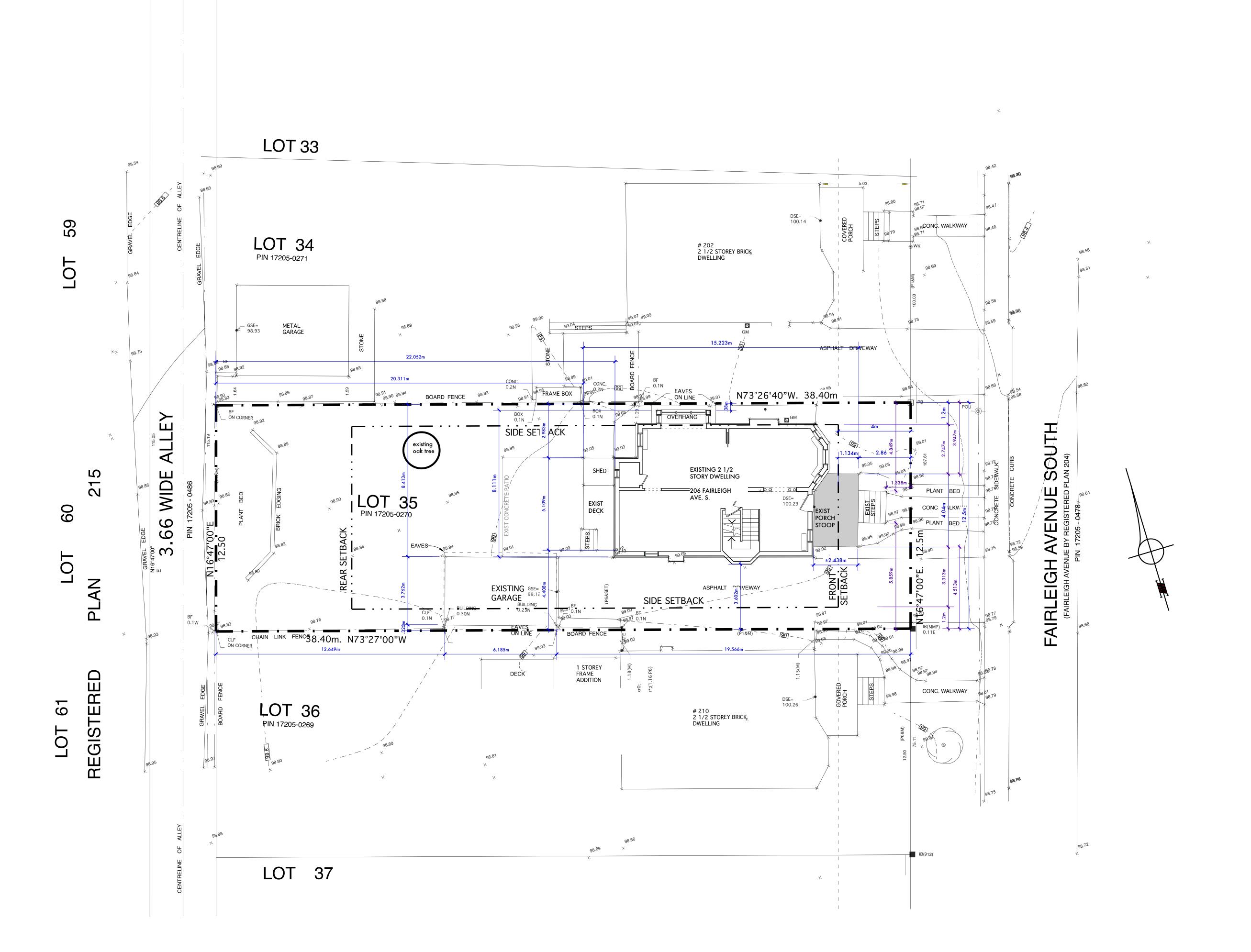
In-Person Presentations:

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. The submission must be one document in PDF format only. Handouts are permitted only if the same content can be displayed on the presentation screen.

6. 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.



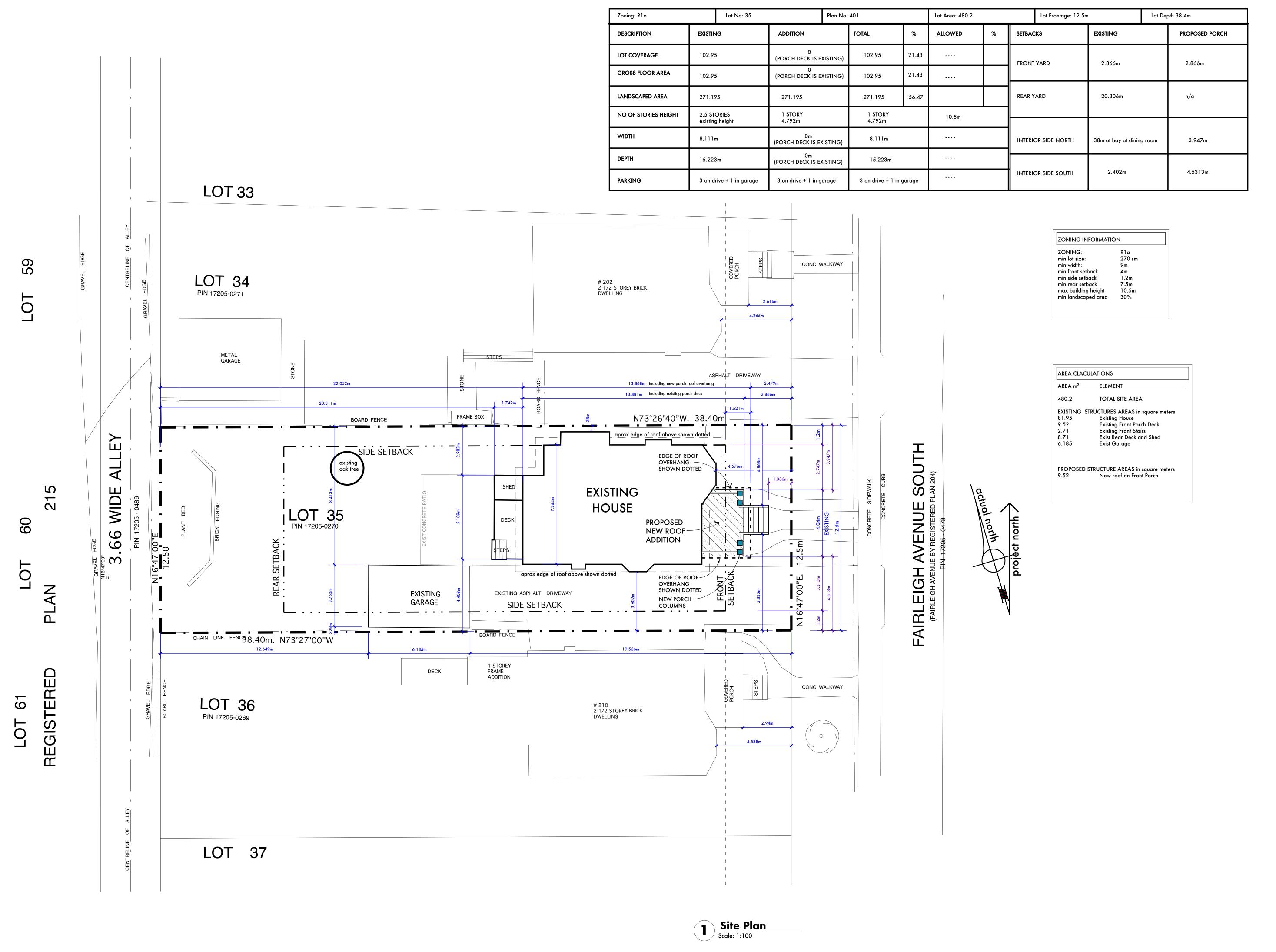
BIIRTON-AIISTROM RESIDENCE FRONT PORCH VARIANCE APPLICATION 206 FAIRLEIGH AVE S. HAMILTON, ONTARIO CANADA Plot Date

7/31/25

Drawing Title

Exsting Site Plan

C1.0



 No.
 Issued For
 Date

 1
 Porch Roof Variance
 July 23, 2025

 2
 3
 4

 4
 4

BIRTON-AIISTROM RFSIDFNCE
FRONT PORCH VARIANCE APPLICATION
206 FAIRLEIGH AVE S.
HAMILTON, ONTARIO CANADA

Plot Date 7/31/25

7/31/2

Scale: 1:100

Drawing Title

Proposed

Site Plan

Drawing No.

C2.0

REQUEST FOR VARIANCE 206 FAIRLEIGH AVE S, HAMILTON

DRAWING LIST

- A0.0 Title Page
- C1.0 Survey
- C1.1 Existing Site Plan
- C2.0 Proposed Site Plan
- A2.0 Existing and Proposed Front Elevations
- A2.1 Existing and Proposed Right Side Elevations
- A2.2 Existing and Propsoed Left Side Elevations



EXISTING FRONT ELEVATION WITHOUT PORCH ROOF



EXISTING FRONT ELEVATION WITHOUT PORCH ROOF

 No.
 Issued For
 Date

 1
 Porch Roof Variance
 July 23, 2025

 2
 4

 4
 4

BIIRTON-AIISTROM RFSIDFNCE FRONT PORCH VARIANCE APPLICATION
206 FAIRLEIGH AVE S.
HAMILTON, ONTARIO CANADA

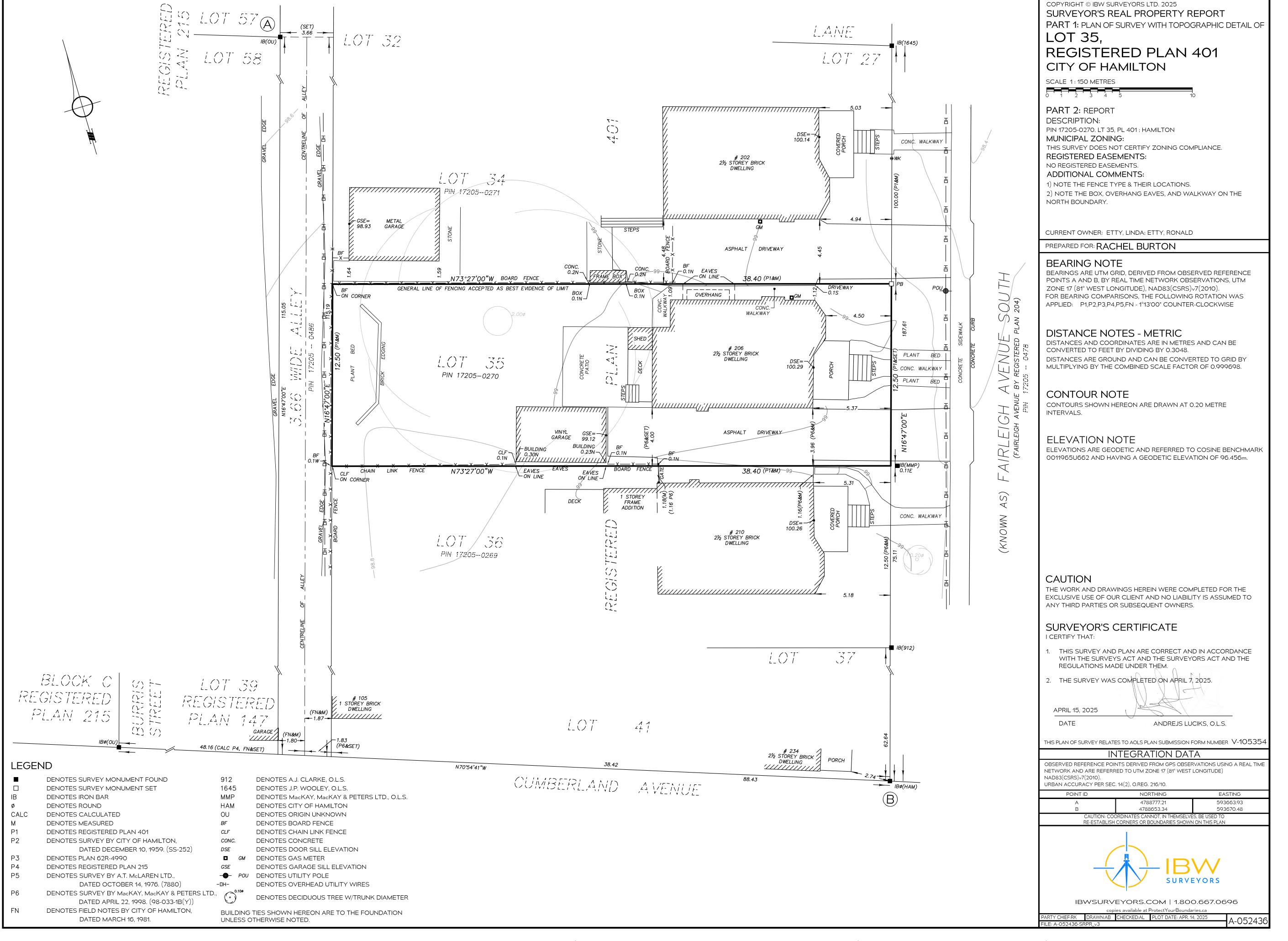
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7/31/25

Title Sheet

Drawing No.

T1.0



FOR REFERENCE ONLY NTS

Date	July 23, 2025					
Issued For	Porch Roof Variance					
No.	1	2	3	4	4	

BIIRTON-AIISTROM RESIDENCE FRONT PORCH VARIANCE APPLICATION
206 FAIRLEIGH AVE S.
HAMILTON, ONTARIO CANADA

7/31/25

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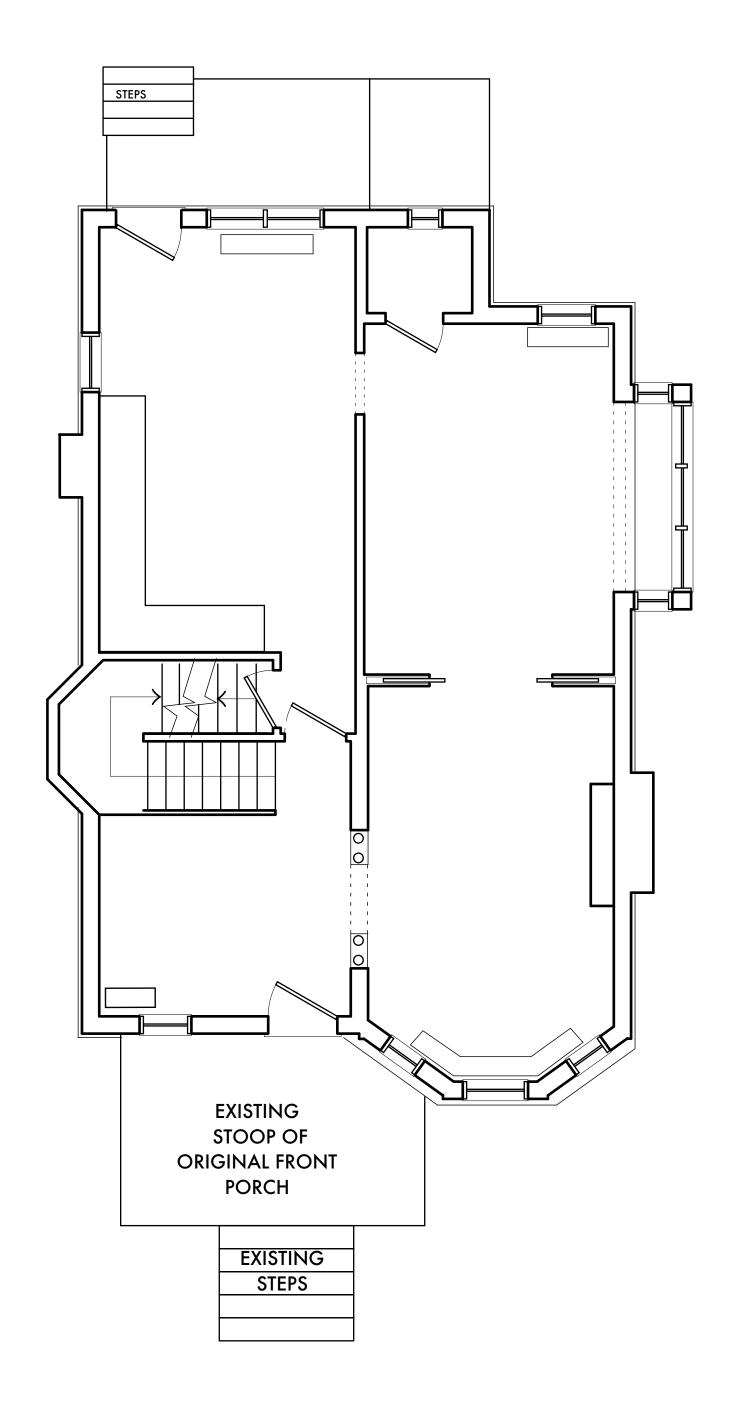
N/A

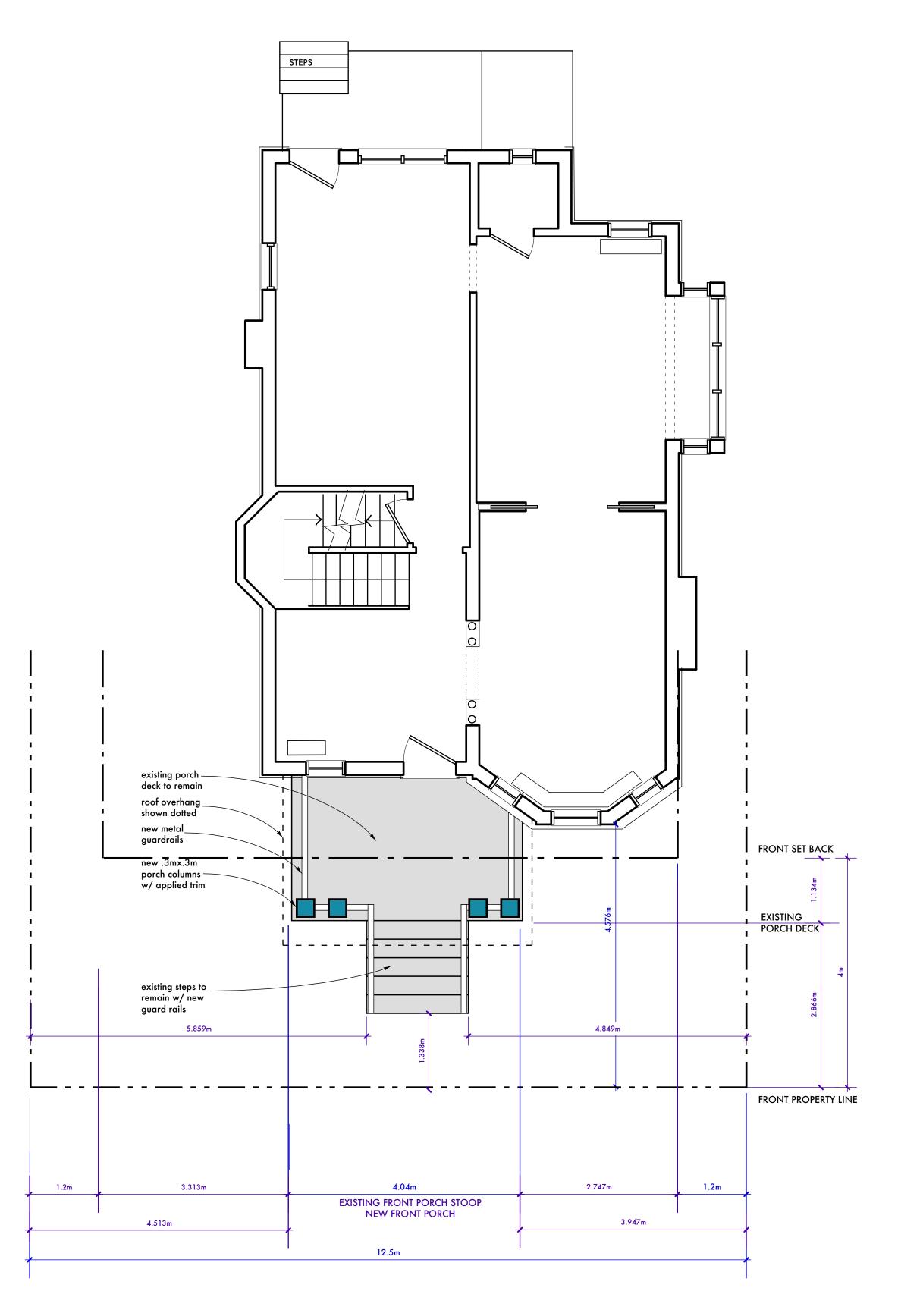
Drawing Title

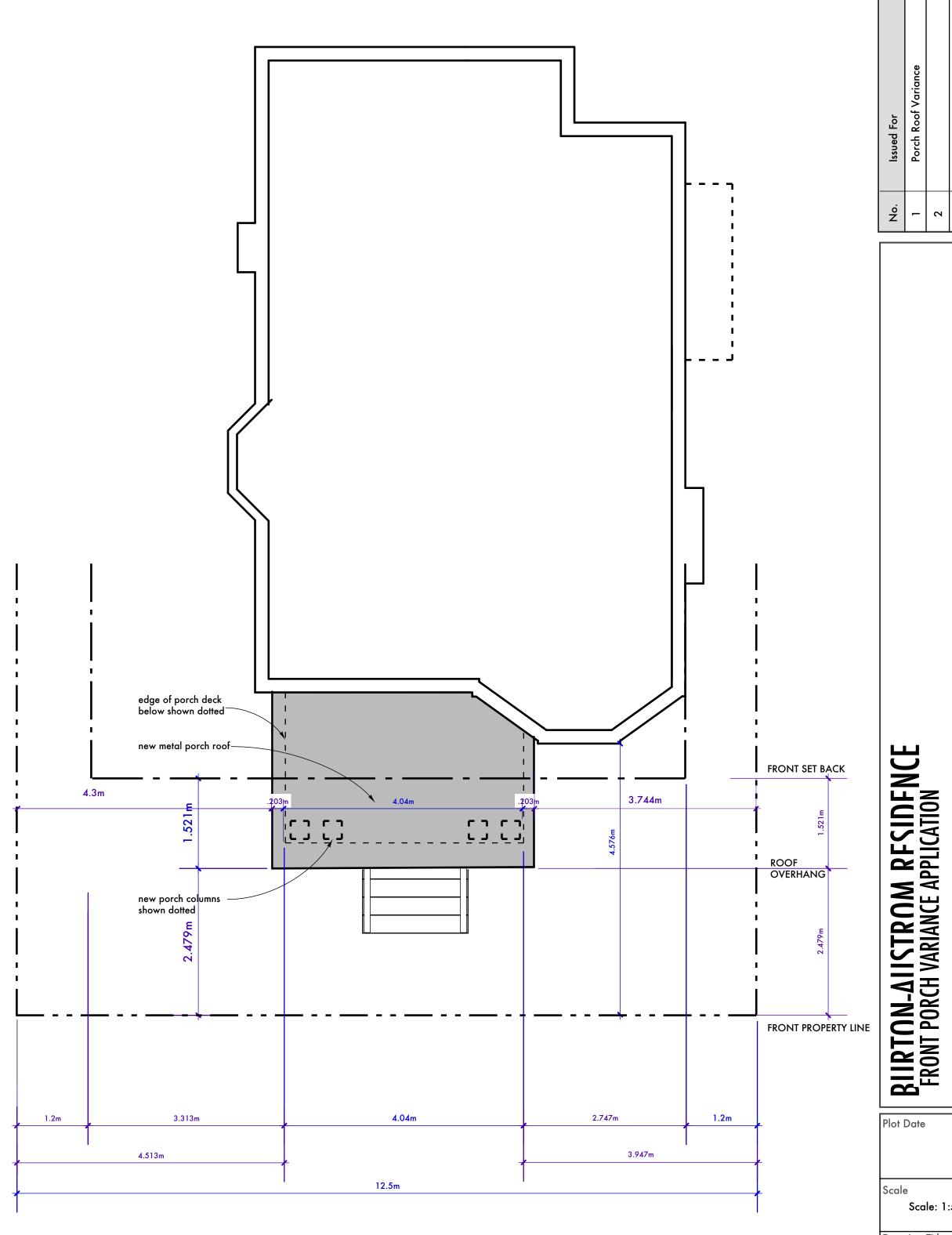
Survey

Drawing No.

C1.00

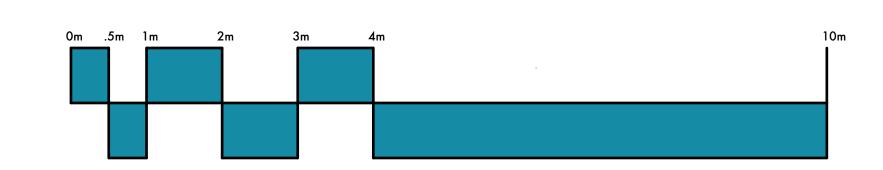






1 Existing First Floor Plan
Scale: 1:50

Proposed First Floor Plan
Scale: 1:50



3 Proposed Porch Roof Plan
Scale: 1:50

Scale
Scale: 1:50

Drawing Title

Existing Plan

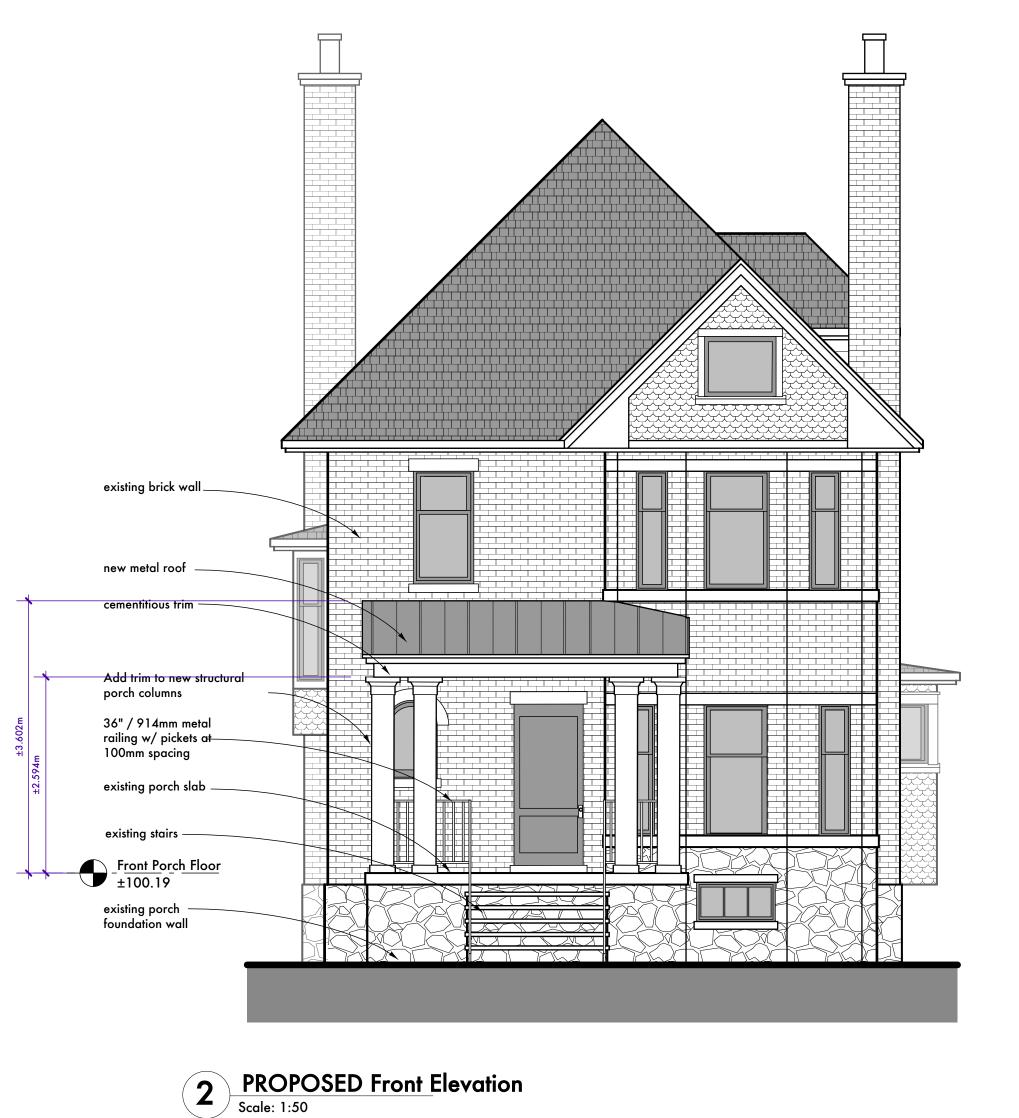
206 FAIRLEIGH AVE S. HAMILTON, ONTARIO CANADA

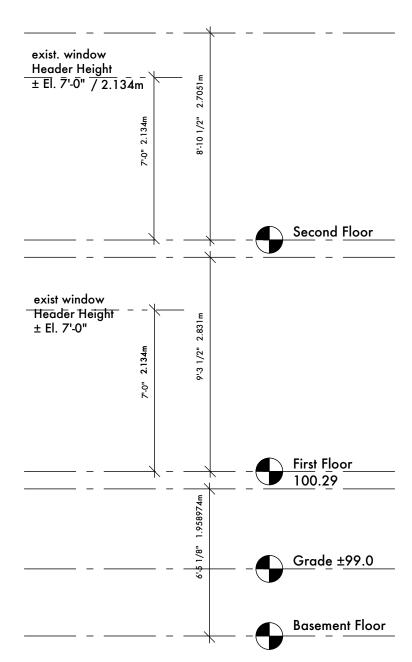
7/31/25

Existing Plan and Propsoed Porch and Porch Roof Plans

Drawing No.

Δ1.1



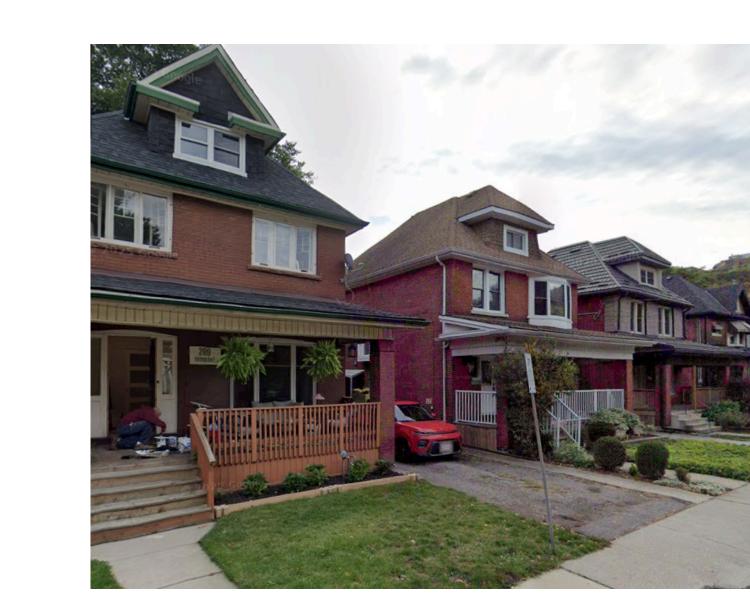


1 Front ElevationFront Elevation
Scale: 1:50e: 1:50

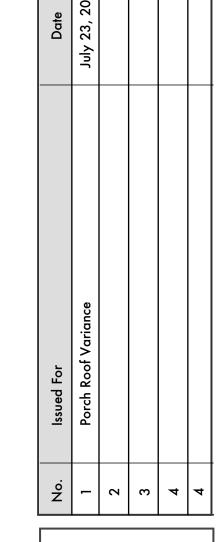


Street View of House in context: Note adjacent homes with porches

Scale: NTS



5 Street View of Opposite Side of Road: Note the homes have porches





BIIRTON-AIISTROM RESIDFNCE FRONT PORCH VARIANCE APPLICATION
206 FAIRLEIGH AVE S.
HAMILTON, ONTARIO CANADA

Plot Date 7/31/25

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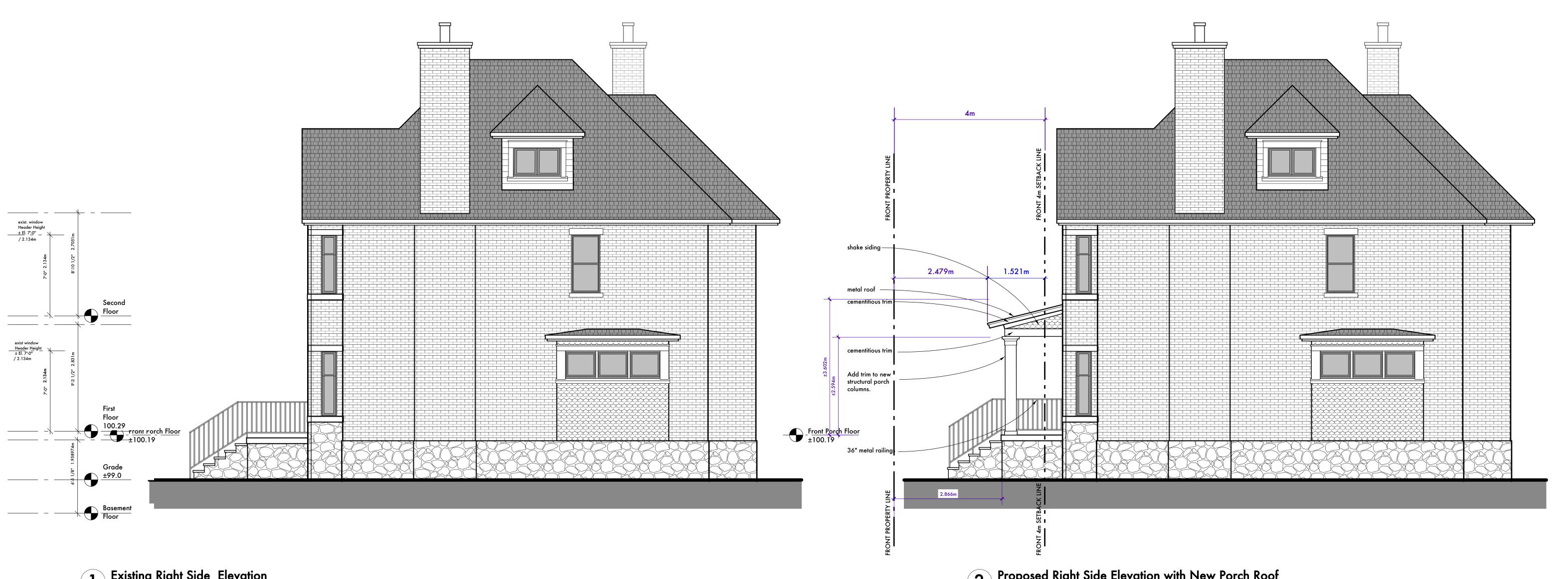
Scale: 1:50

EXISTING
AND

AND
PROPOSED
Front Porch
Elevations

Drawing No.

A2.0



1 Existing Right Side Elevation
Scale: 1:50

Proposed Right Side Elevation with New Porch Roof
Scale: 1:50

o Z	Issued For	Date
1	Porch Roof Variance	July 23, 2025
2		
3		
4		
4		

BIRTON-AIISTROM RESIDENCE FRONT PORCH VARIANCE APPLICATION
206 FAIRLEIGH AVE S.
HAMILTON, ONTARIO CANADA

Plot Date 7/31/25

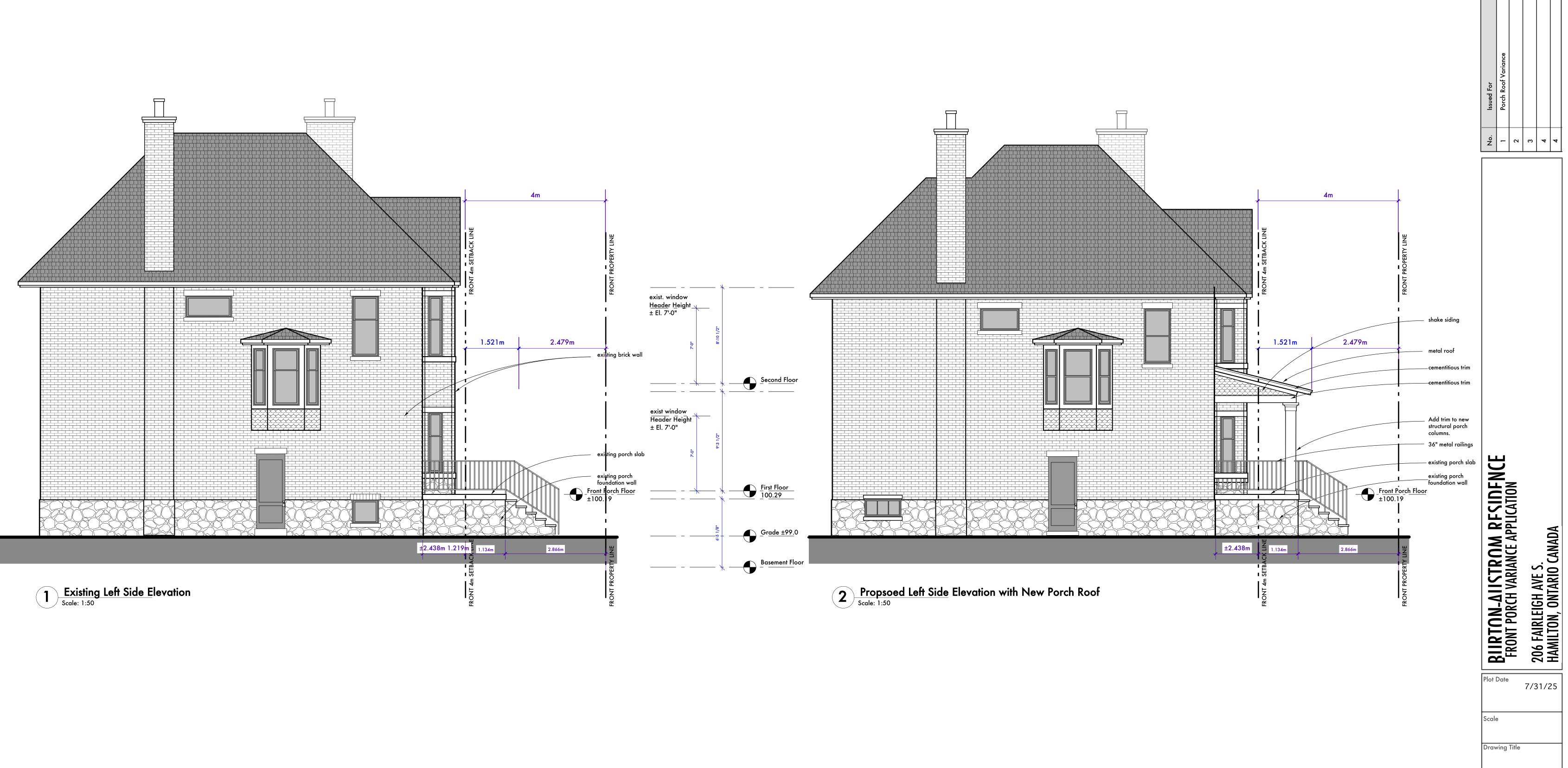
Scale Scale: 1:50

Drawing Title

Existing and Proposed Right Side Elevations

Drawing No.

A2.1



7/31/25

Existing and Proposed Left Side **Elevations**

Drawing No.

A2.2



Committee of Adjustment

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

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE/PERMISSION

UNDER SECTION 45 OF THE PLANNING ACT

1. APPLICANT INFORMATION

		T		
	NAME	MAILIN	IG ADDRESS	
Registered Owners(s)	Rachel Burton & Carl Austrom			
Applicant(s)	Rachel Burton			
Agent or				Phone:
Solicitor				E-mail:
1.2 Primary contact				
1.3 Sign shou l d be s	ent to	☑ Applica	nt	☑ Owner ☐ AgentSolicitor
1.4 Request for digital	al copy of sign	☑ Yes*	□ No	
If YES, provide e	mail address where sign	n is to be se	ent	
1.5 All corresponden	I	☑ 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 perso ✓ Cheque		☐ Credit over phone*
			*Must pro	vide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	206 Fairleigh Ave S., Hamilton		
Assessment Roll Number			
Former Municipality			
Lot	35	Concession	
Registered Plan Number	401	Lot(s)	
Reference Plan Number (s)		Part(s)	

Re	ference P l an Number (s)		Part(s)	
2.2	Are there any easements ☐ Yes ☑ No If YES, describe the ease		,	nd?
3.	PURPOSE OF THE APPL	ICATION		
	litional sheets can be sub stions. Additional sheets			er the following
All c	limensions in the application	n form are to be provide	ed in metric units (millime	tres, metres, hectares,
3.1	Nature and extent of relie	ef applied for:		
	This home was built in 1910 the porch deck and stairs in deck & the edge of roof will e	place. We want to add th	ne porch roof back to cover	the exist. porch
	☐ Second Dwelling Unit	t ☐ Reconstr	ruction of Existing Dwellin	g
3.2	Why it is not possible to	comply with the provisi	ons of the By-law?	
	The front setback line cuts the over a setback line is not enough			
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
12.5m	38.4m	480.2sm	unknown

 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	
2 1/2 Story Brick Dwelling	4.576m	22.052m	.38m & 3.602m	1910	
1 Story Garage	19.566m	12.649m	8.413m & .325m	unknown	
Porch Stoop	2.866m	N/A	3.947m & 4.513m	1910	
Front Stairs	1.338m	N/A	4.849m & 5.859m	1910	
Rear Deck & Shed	N/A	20.311m	2.983m & 4.408m	unknown	
Proposed:					
Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction	
New Porch Roof over Existing Front Porch deck	2.866 to deck edge 2.479 to edge of roof	N/A	3.947m & 4.513m to deck edge, 4.3m & 3.744m to edge of roof	as soon as possible	
sheets if neces Existing:	ssary):		for the subject lands (
Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height	
Garage	6.185m²	6.185m²	·	existing, unkown	
Single family home	81.95m²	160.86m²	2.5	existing, unkown	
Shed & Rear Deck	8.71m²	8.71m²	1/2	± 2m	
Proposed:					
Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height	
Front Porch	9.52	9.52	1	4.79m	
4.4 Type of water supply: (check appropriate box) ☑ publicly owned and operated piped water system ☐ privately owned and operated individual well ☐ other means (specify)					
4.5 Type of storm drainage: (check appropriate boxes)✓ publicly owned and operated storm sewers☐ swales			☐ ditches ☐ other means	s (specify)	

4.0	ype 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 ☐ municipal road, maintained all year
4.8	Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.): single detached dwelling
4.9	Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.): single detached dwelling
7	HISTORY OF THE SUBJECT LAND
7.1	Date of acquisition of subject lands: April 22, 2025
7.2	Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc) single detached dwelling
7.3	Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc) single detached dwelling
7.4	Length of time the existing uses of the subject property have continued: 1910 to present
7.5	What is the existing official plan designation of the subject land?
	Rural Hamilton Official Plan designation (if applicable): N/A
	Rural Settlement Area:
	Urban Hamilton Official Plan designation (if applicable) Neighborhoods
	Please provide an explanation of how the application conforms with the Official Plan.
7.6	What is the existing zoning of the subject land? R1a
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: R1a

7.9		ct of a curren	current application for consent under Section 53 of the		
	Planning Act?	☐ Yes	☑ No		
	If yes, please provide the file nur	nber:			
8	ADDITIONAL INFORMATION				
8.1	Number of Dwelling Units Existing	ıg: <u>1</u>			
8.2	Number of Dwelling Units Propo	sed: <u>1</u>			
8.3	Additional Information (please in	clude separa	te sheet if needed):		

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