

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-25:169	SUBJECT PROPERTY:	29 Berry Hill Avenue, Flamborough
ZONE:	'P6' (Conservation / Hazard Land - Rural Zone)	ZONING BY-LAW:	Hamilton Zoning By-law 05-200, as Amended by By-law 15-173

APPLICANTS: Owner: Hilary Pyper
Applicant: Amy Talukder, Jeff Jansen – Jansen Consulting

The following variances are requested:

1. A maximum building height of 8.5 metres shall be permitted for an accessory building instead of the requirement that all buildings accessory to a single detached dwelling shall not exceed a maximum building height of 4.5 metres.
2. The combined lot coverage of 93.6 square metres or 0.13% for all Accessory Buildings shall be permitted instead of the requirement that the maximum combined lot coverage shall not exceed 45 square metres or 7.5% of the lot area, whichever is the lesser.

PURPOSE & EFFECT: To permit the construction of an Accessory Structure

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:	2:40 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

A-25:169

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 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-25:169, 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.



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

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:

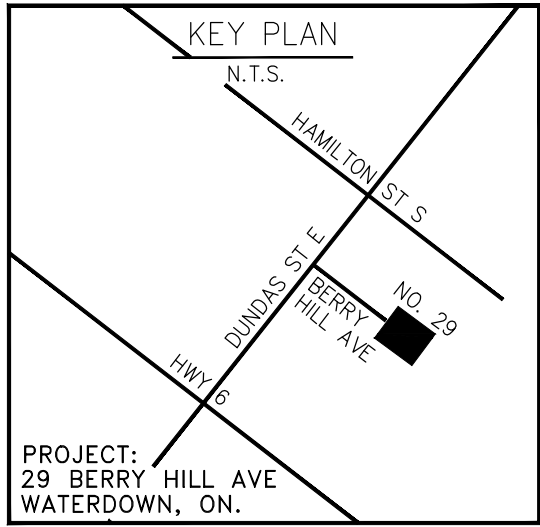
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing**. 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.

SITE AND GRADING PLAN OF
LOT 8
CONCESSION 3
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH



OVERALL SITE PLAN
SCALE = 1:1000

- LEGEND
- HT DENOTES HYDRO TRANSFORMER
 - MH DENOTES MANHOLE
 - CB DENOTES SINGLE CATCHBASIN
 - HP DENOTES HYDRO POLE
 - LS DENOTES LIGHT STANDARD
 - SGH DENOTES SIGN
 - TM DENOTES TELEPHONE CABLE MARKER
 - PE DENOTES TELEPHONE PEDESTAL
 - WV DENOTES WATER VALVE MAIN SHUT OFF
 - WB DENOTES WATER BOX/ CURB STOP
 - PH DENOTES FIRE HYDRANT
 - GM GAS METER
 - OH DENOTES OVERHEAD HYDRO WIRE
 - UH DENOTES UNDERGROUND HYDRO WIRE
 - T DENOTES OVERHEAD TELEPHONE WIRE
 - G DENOTES UNDERGROUND GAS LINE
 - CT DENOTES UNDERGROUND CABLE
 - B DENOTES BELL UNDERGROUND OR OVERHEAD
 - B DENOTES BELL PEDESTAL
 - TV DENOTES CABLE T.V. PEDESTAL
 - MB MAILBOX
 - SAN. INV. SANITARY CONNECTION / INVERT
 - STM. INV. STORM CONNECTION / INVERT
 - WATER WATER SERVICE
 - X CHAIN LINK FENCE
 - XX PRIVACY FENCE
 - R.W.L. DENOTES RAIN WATER LEADERS
 - ENTRY POINTS INTO BUILDING

- F.F. FINISHED MAIN FLOOR
- F.F.D.S. DROPPED OR SUNKEN FLOOR
- T.F.W. TOP OF FOUNDATION WALL
- F.B.S. FINISHED BASEMENT SLAB
- U.S.F. UNDERSIDE OF FOOTING
- U.S.F.G. UNDERSIDE OF FOOTING GARAGE
- U.S.F.T. UNDERSIDE OF FTG. TRENCHED FOR WALKOUTS, LOOKOUTS
- EF ENGINEERED FILLED LOT
- HP HIGH POINT OF GRADE
- R NUMBER OF RISERS
- WO WALKOUT CONDITION
- LO LOOKOUT CONDITION
- REV REVERSE PLAN
- W WINDOWS OR DOORS ON WALL
- SUMP PUMP
- (00.00) DENOTES NEW GRADES
- 00.00 DENOTES EXISTING GRADES
- DENOTES BENCHMARK
- DENOTES DECIDUOUS TREE
- DIA = DENOTES DIAMETER
- DENOTES CONIFEROUS TREE
- DIA = DENOTES DIAMETER
- FY FRONT YARD AREA
- LA PROP. LANDSCAPED OPEN SPACE (MIN. 40%)

GENERAL NOTES :

IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THAT THE LOCAL BENCHMARKS HAVE NOT BEEN ALTERED OR DISTURBED AND THAT THE RELATIVE ELEVATIONS AND DESCRIPTIONS AGREE WITH THE INFORMATION SHOWN ON THIS PLAN.

DENOTES OVERHEAD OR UNDERGROUND CABLE T.V. IT SHALL BE RESPONSIBILITY OF THE BUILDERS TO HAVE THESE CABLES VERIFIED AND DESIGNED BEFORE CONSTRUCTION. VERIFY AN APPROVED GRADING ENGINEER, THESE GRADES AND THE PLACEMENT OF STORMS AND SANITARY SERVICES OFF THE STREET ARE TO MEET THE REQUIREMENT OF THE MUNICIPALITY HAVING JURISDICTION.

FINISH GRADE LINES AS INDICATED ON THE HOUSE PROTOTYPE.

GARAGE FOOTINGS ARE TO BE EXTENDED TO ORIGINAL GROUND OR AS APPROVED BY SOILS ENGINEER.

LOCATES :

PRIOR TO DIGGING LOCATES REQUIRED FOR SEWER IF APPLICABLE

PRIOR TO DIGGING LOCATES REQUIRED FOR WATER IF APPLICABLE

BEFORE DIGGING, UNDERGROUND SERVICES SHOULD BE LOCATED ON SITE BY THE RESPECTIVE AGENCIES.

CALL LOCATES FOR ALL UNDERGROUNDS PRIOR TO EXCAVATION

THE APPLICANT WILL BE REQUIRED TO CONTACT ALL UTILITY COMPANIES TO OBTAIN ALL REQUIRED LOCATES PRIOR TO INSTALLATION OF HOARDING WITHIN IN MUNICIPAL RIGHT OF WAY

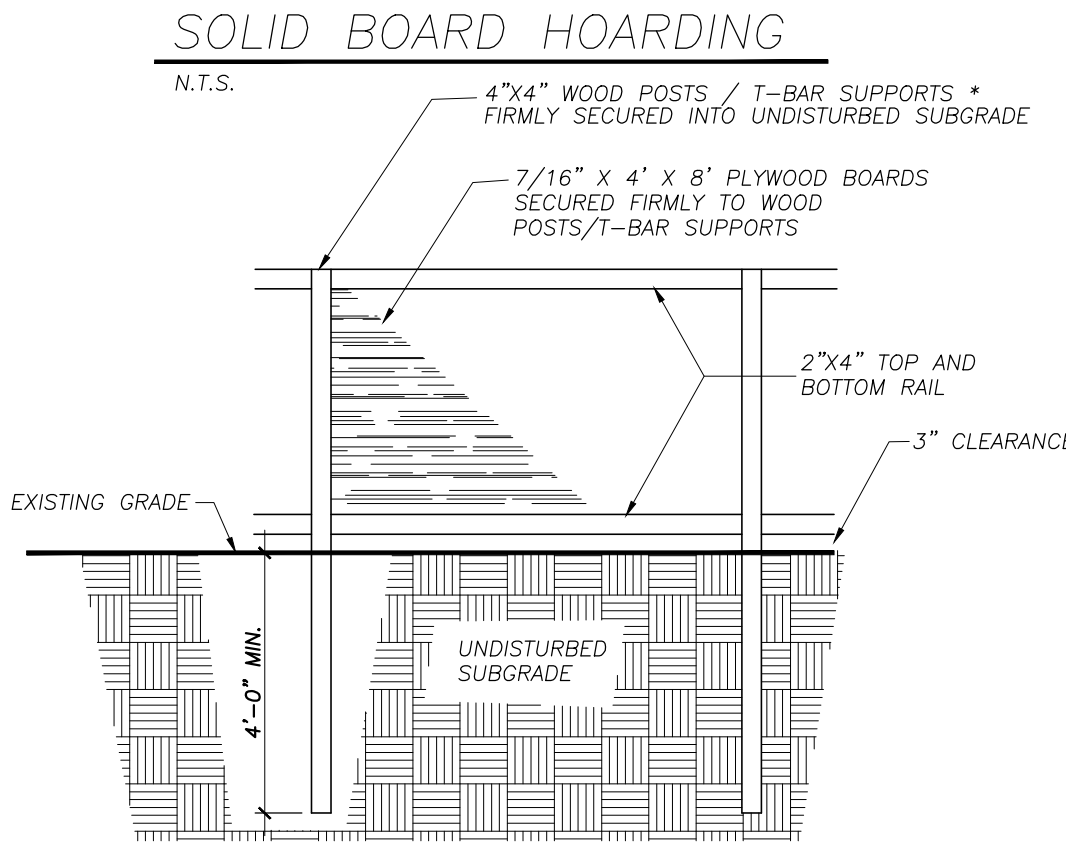
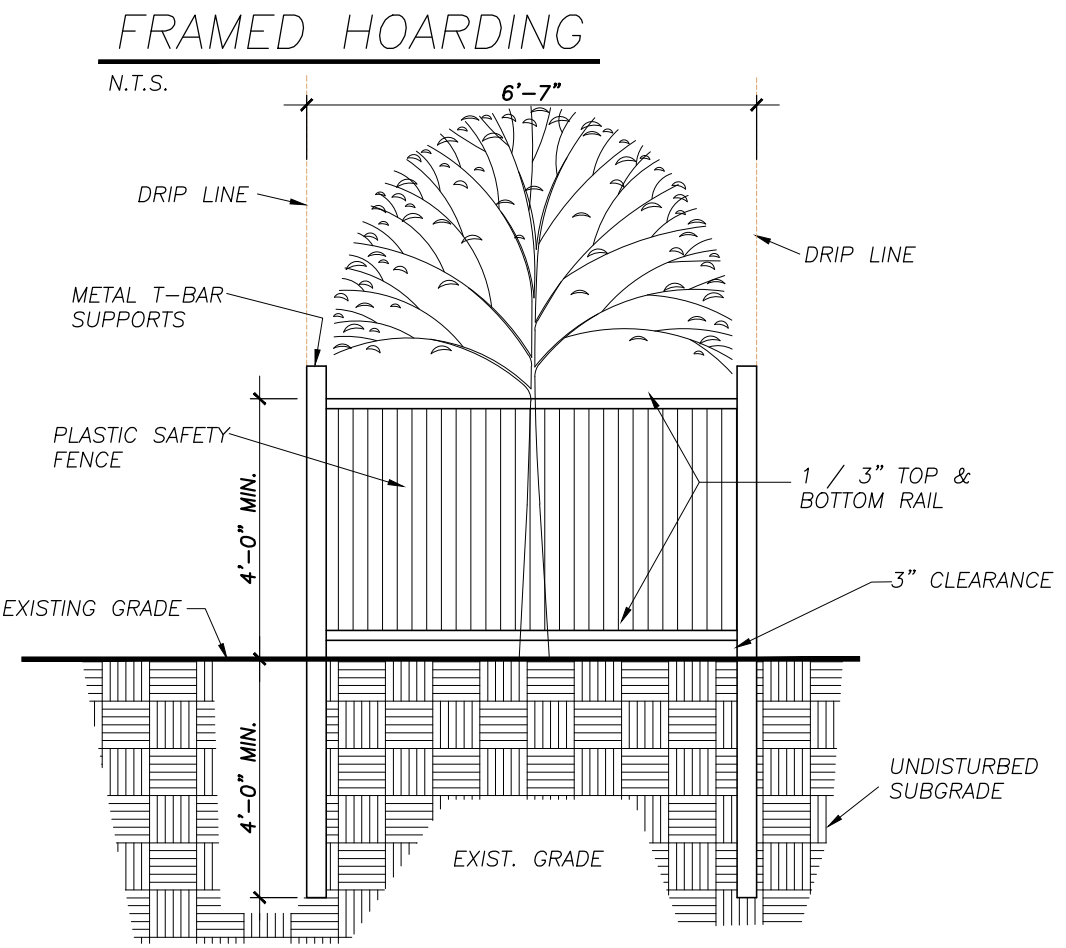
METRIC DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

GRADING NOTES:

- EXISTING DRAINAGE OF ABUTTING LANDS IS NOT TO BE DISTURBED.
- BASEMENT OPENINGS TO BE MINIMUM 300MM ABOVE THE CENTERLINE OF ROAD UNLESS OTHERWISE APPROVED BY THE CITY'S ENGINEER.
- GROUND ELEVATIONS AT BUILDINGS ABUTTING OVERLAND FLOW ROUTES ARE TO BE 225 ABOVE OVERLAND FLOW ROUTE ELEVATIONS.
- SUMP PUMP MUST DISCHARGE DIRECTLY INTO MUNICIPAL STORM SEWER OR TO GRADE.
- A MINIMUM OF 150MM (6") FROM THE TOP OF FOUNDATION TO THE FINISHED GRADE OUTSIDE THE BUILDING MUST BE PROVIDED, TYP.
- THE FINISHED FLOOR ELEVATION, UNDERSIDE OF FOOTING ELEVATION, BASEMENT WINDOW SILL ELEVATION, ETC. ARE TO BE CONFIRMED BY THE CONTRACTOR IN CONSULTATION WITH THE BUILDING DESIGNER, BASED ON THE MIN. TOP OF FOUNDATION ELEVATION PROVIDED.

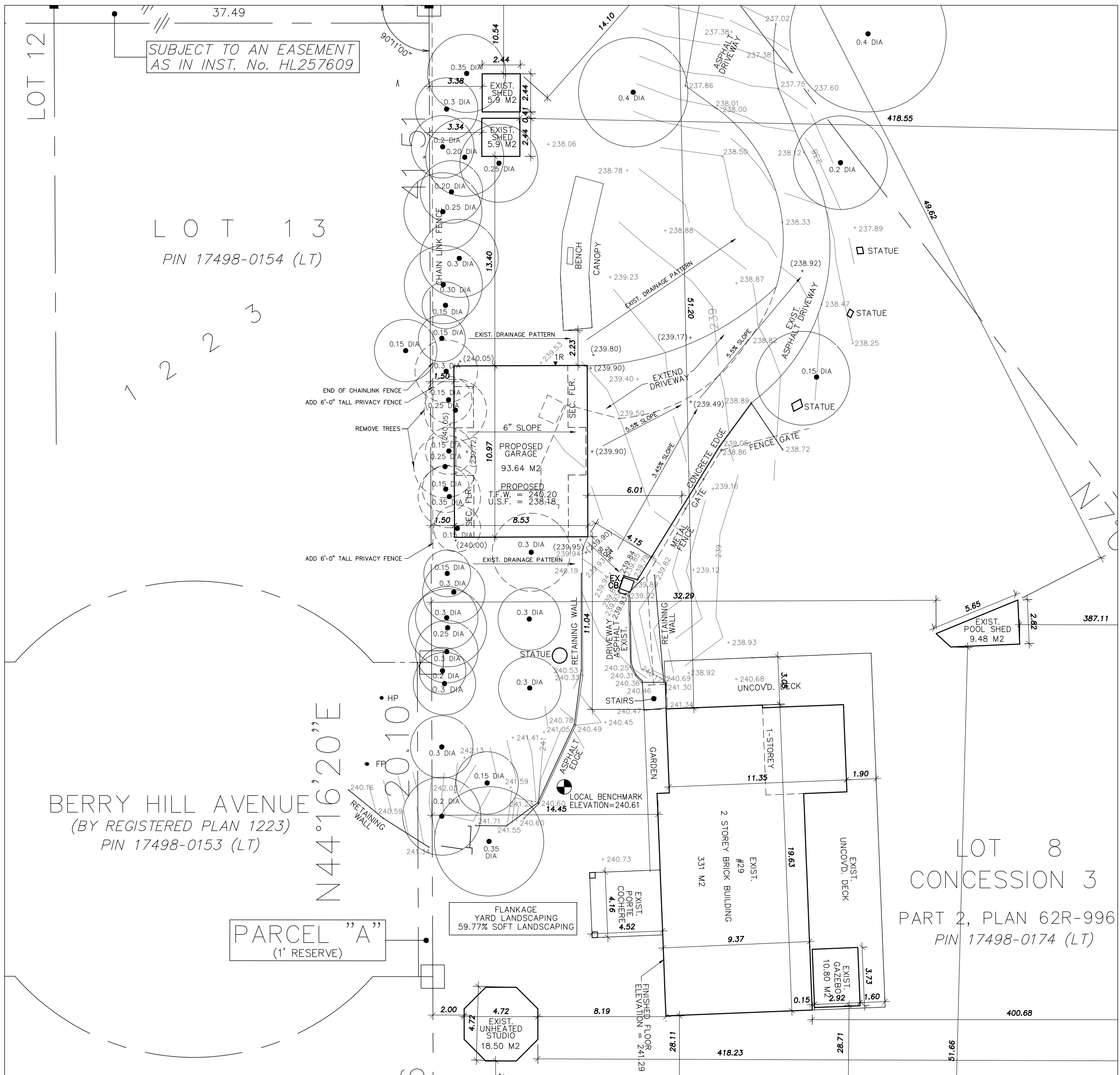
- EXISTING GRADES TO REMAIN UNLESS NOTED
- NO OPEN BURNING PERMITTED
- FILL MATERIAL & TOPSOIL TO BE REMOVED OFF SITE
- CLEAN BACKFILL MATERIAL TO BE RETURNED TO SITE FOR BACKFILL
- NOTE: ALL LOCATES WILL BE OBTAINED PRIOR TO THE INSTALLATION OF ANY HOARDING WITHIN MUNICIPAL RIGHT OF WAY

- SILTATION FENCING
- TREE HOARDING
- TOP OF BANK
- OW OVERHEAD WIRE
- W BURIED WATER SERVICE
- SAN BURIED SANITARY SERVICE



PARTIAL SITE PLAN - A
SCALE = 1:200

SEE PARTIAL SITE PLAN - A



I, JEFF JANSEN, DECLARE THAT I HAVE REVIEWED AND TAKE DESIGN RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF JANSEN CONSULTING UNDER DIVISION C, SUBSECTION 3.2.5 AND 3.2.4 OF THE BUILDING CODE. I AM QUALIFIED AND THE FIRM IS REGISTERED SET OUT BY THE O.B.C. QUALIFIED DESIGNER BCIN - 30272 FIRM BCIN - 110042

DATE: APR 4 25 SIGNATURE: [Signature]

JC Jansen Consulting
DESIGN • CONSULTING • MANAGEMENT

70 Main Street N., P.O. Box 38
Campbellville, ON, L0P 1B0
Ph. 905-854-9696
Fax 905-854-9559
Call 905-815-3438
EMAIL: jeffjansendesign@gmail.com

TYPE : W-015

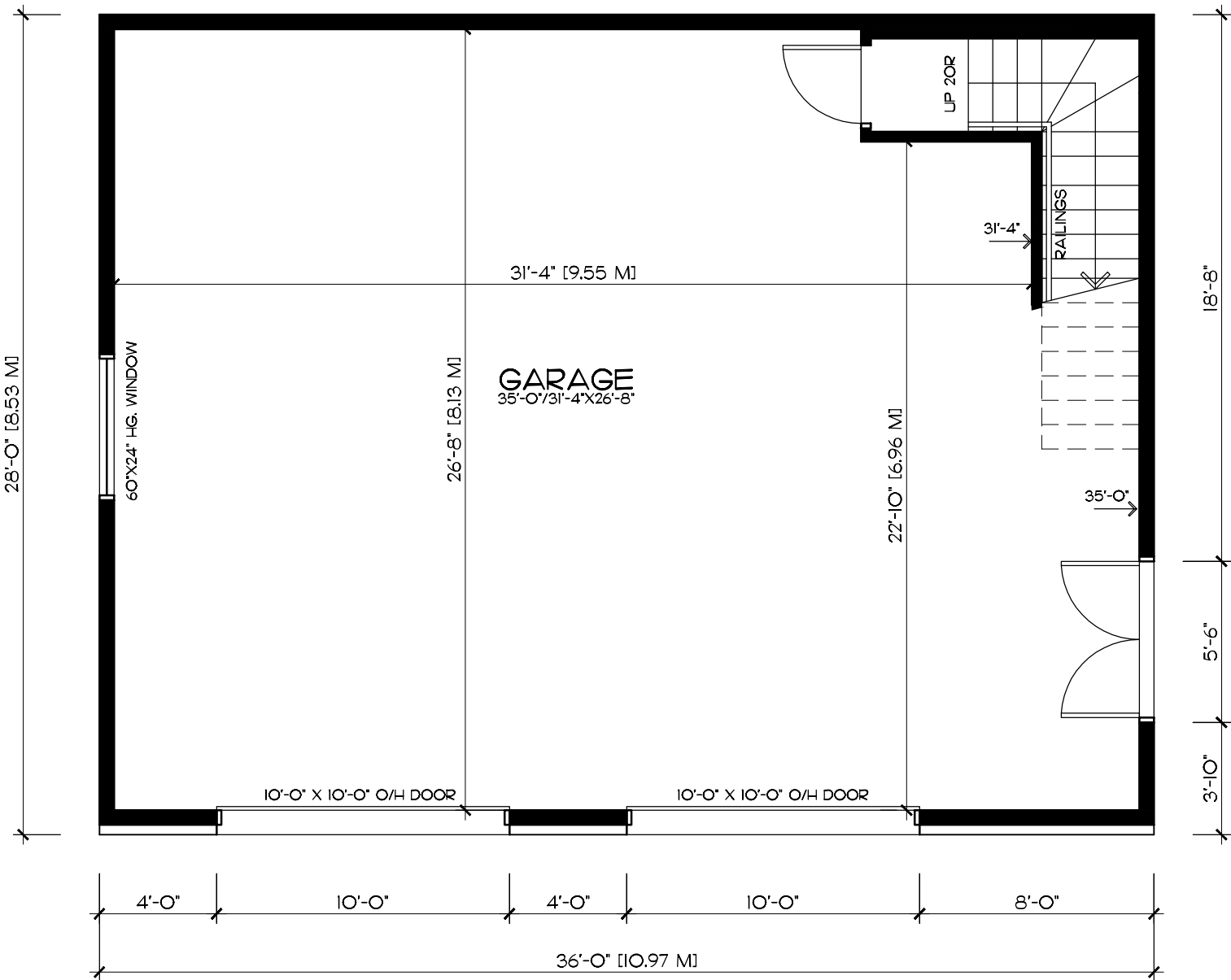
PROJECT :
29 BERRY HILL
LOCATION :
WATERDOWN, ON

OWNERS INFORMATION :
HILARY PYPER
29 BERRY HILL
WATERDOWN, ON

SITE PLAN

NO.	DATE	DESCRIPTION
1	2024-01-15	ISSUED FOR PERMIT
2	2024-01-15	REVISED
3	2024-01-15	REVISED
4	2024-01-15	REVISED
5	2024-01-15	REVISED
6	2024-01-15	REVISED
7	2024-01-15	REVISED
8	2024-01-15	REVISED
9	2024-01-15	REVISED
10	2024-01-15	REVISED

SCALE	DATE	PROJECT NO.
AS SHOWN	APR 4 25	2024-015
DRAWN BY	CHECKED BY	DRAWING NO.
AS	AS	S1
FILE NAME	DATE	
2024-015	2024-015	



NOTE:
12'-0" PLUS/MINUS CEILING
THROUGHOUT MAIN FL.

MAIN FLOOR PLAN

MAIN FLOOR AREA = 1008 S.F.

LOT AREA = 70178.3 M2
EXISTING LOT COVERAGE • 0.53% = 369.6 M2 (3979 S.F.)
PROPOSED LOT COVERAGE • 0.13% = 93.64 M2 (1008 S.F.)
TOTAL LOT COVERAGE • 0.66% = 463.24 M2

DATE: _____

DESIGN DRAWINGS APPROVED

BY: _____

PRINT: _____

SIGN: _____



70 Main Street N, P.O. Box 38
Campbellville, ON, L0P 1B0
Ph. 905-854-9696
Fax 905-854-9559
Cell 905-815-3438
EMAIL : jeffjansendesign@gmail.com

OWNERS INFORMATION :
HILARY PYPER
29 BERRYHILL AVE.
WATERDOWN, ON
L8B 0E8

D01

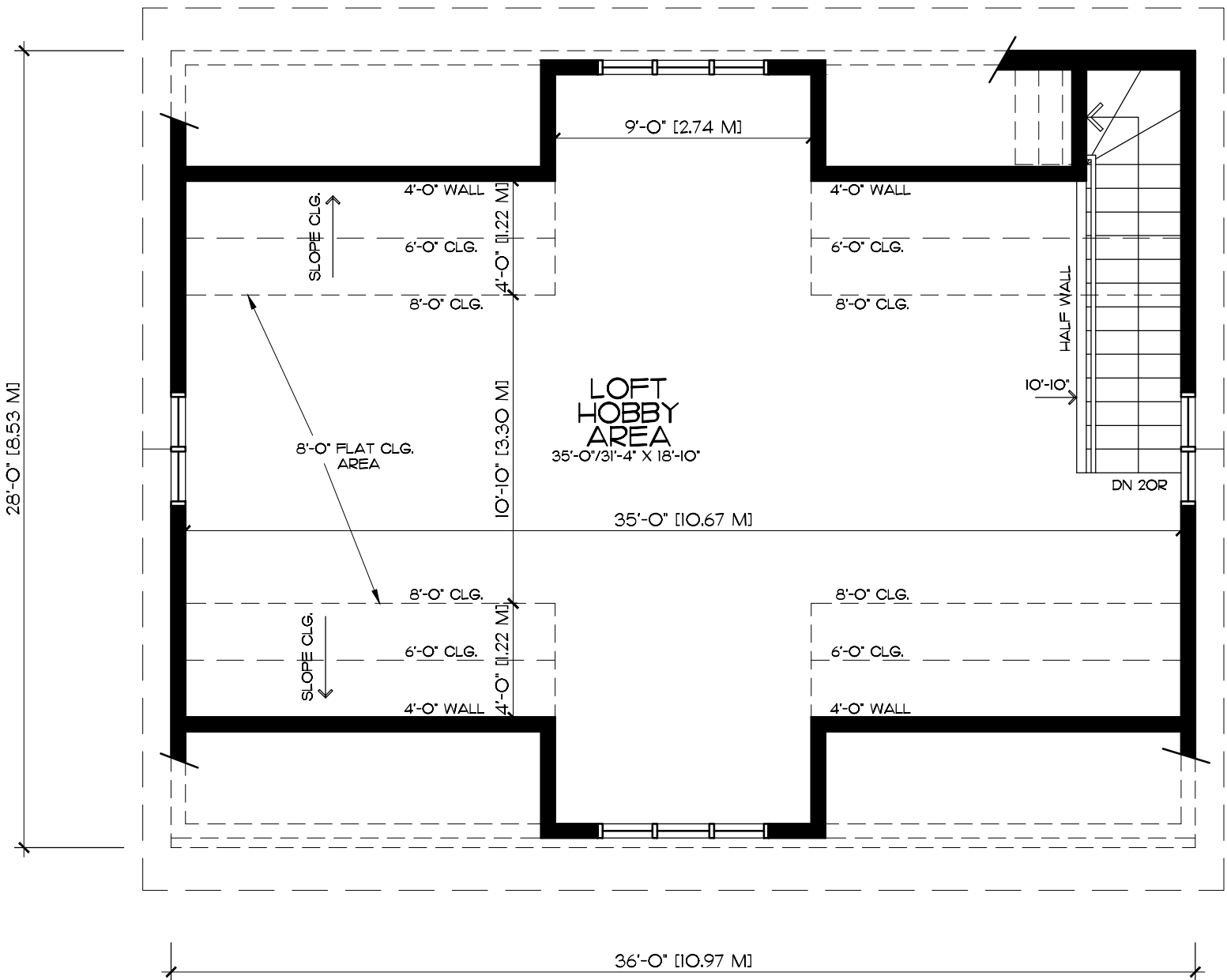
DATE: _____

DESIGN DRAWINGS APPROVED

BY: _____

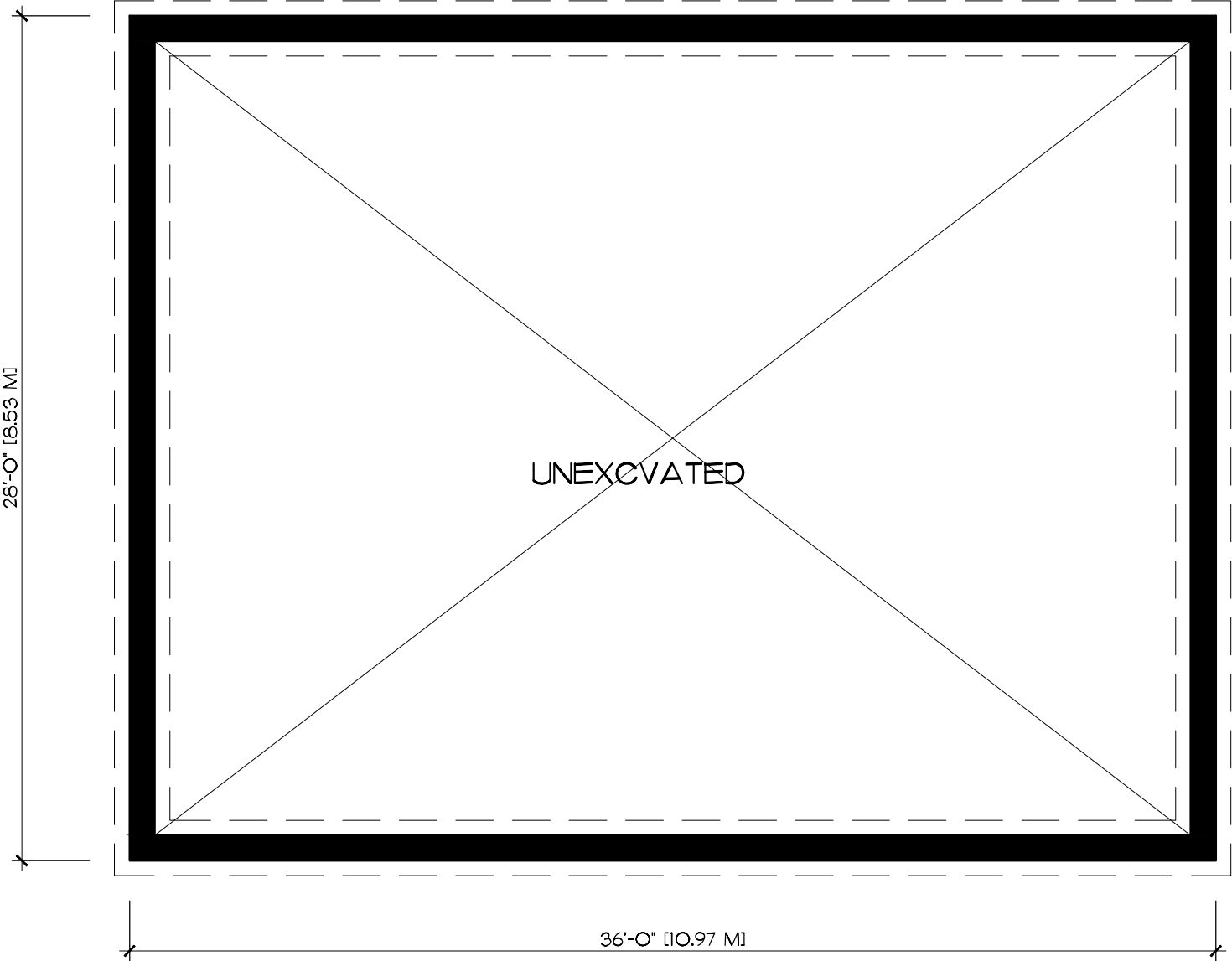
PRINT: _____

SIGN: _____



LOFT FLOOR PLAN

LOFT FLOOR AREA = 730 S.F.



FOUNDATION PLAN

DATE: _____

DESIGN DRAWINGS APPROVED
BY: _____

PRINT: _____

SIGN: _____



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Fax 905-854-9559
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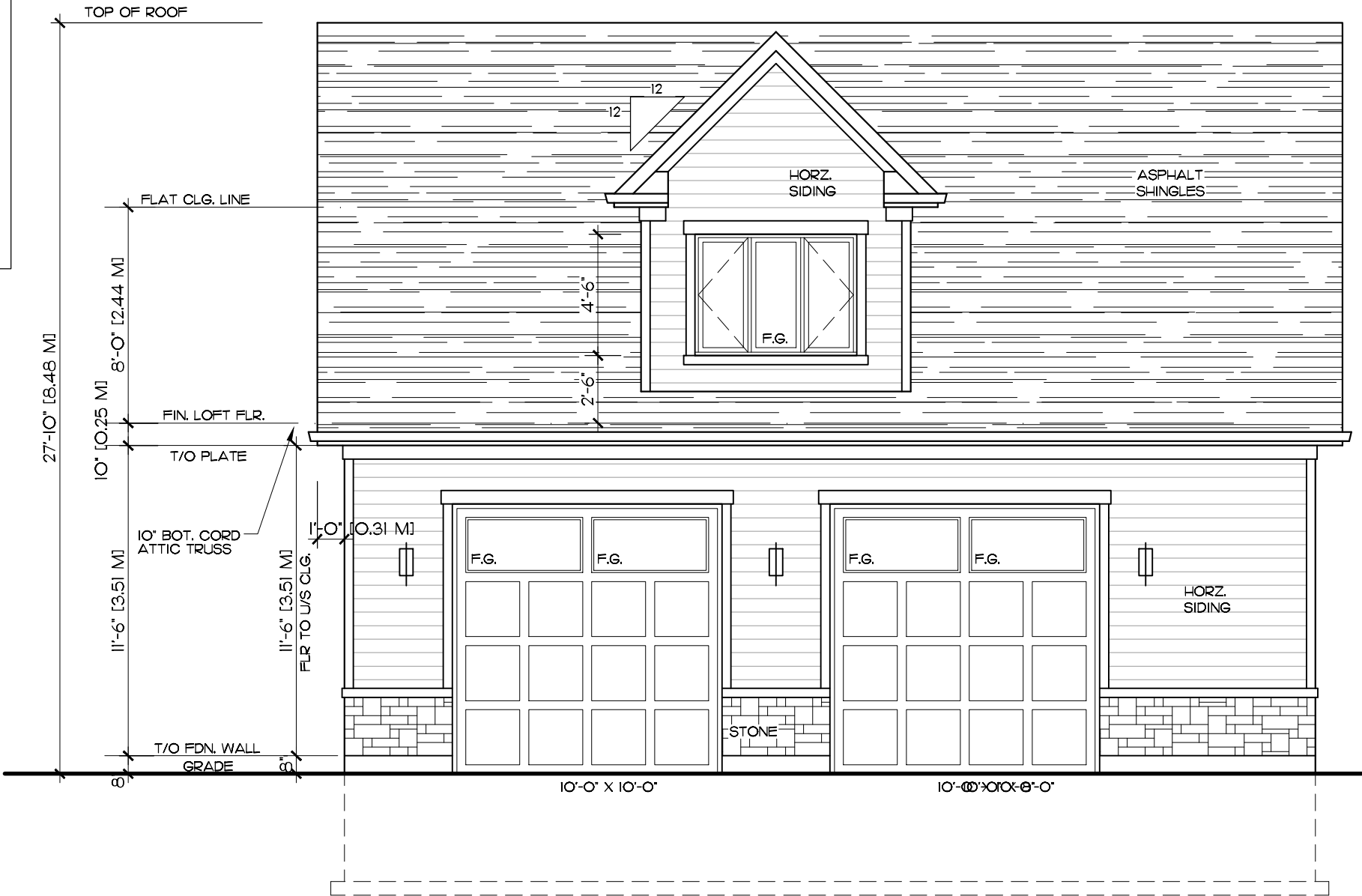


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EMAIL : jeffjansendesign@gmail.com

OWNERS INFORMATION :
HILARY PYPER
29 BERRYHILL AVE.
WATERDOWN, ON
L8B 0E8

D04

DATE: _____
DESIGN DRAWINGS APPROVED
BY: _____
PRINT: _____
SIGN: _____



FRONT ELEVATION
(SOUTH)

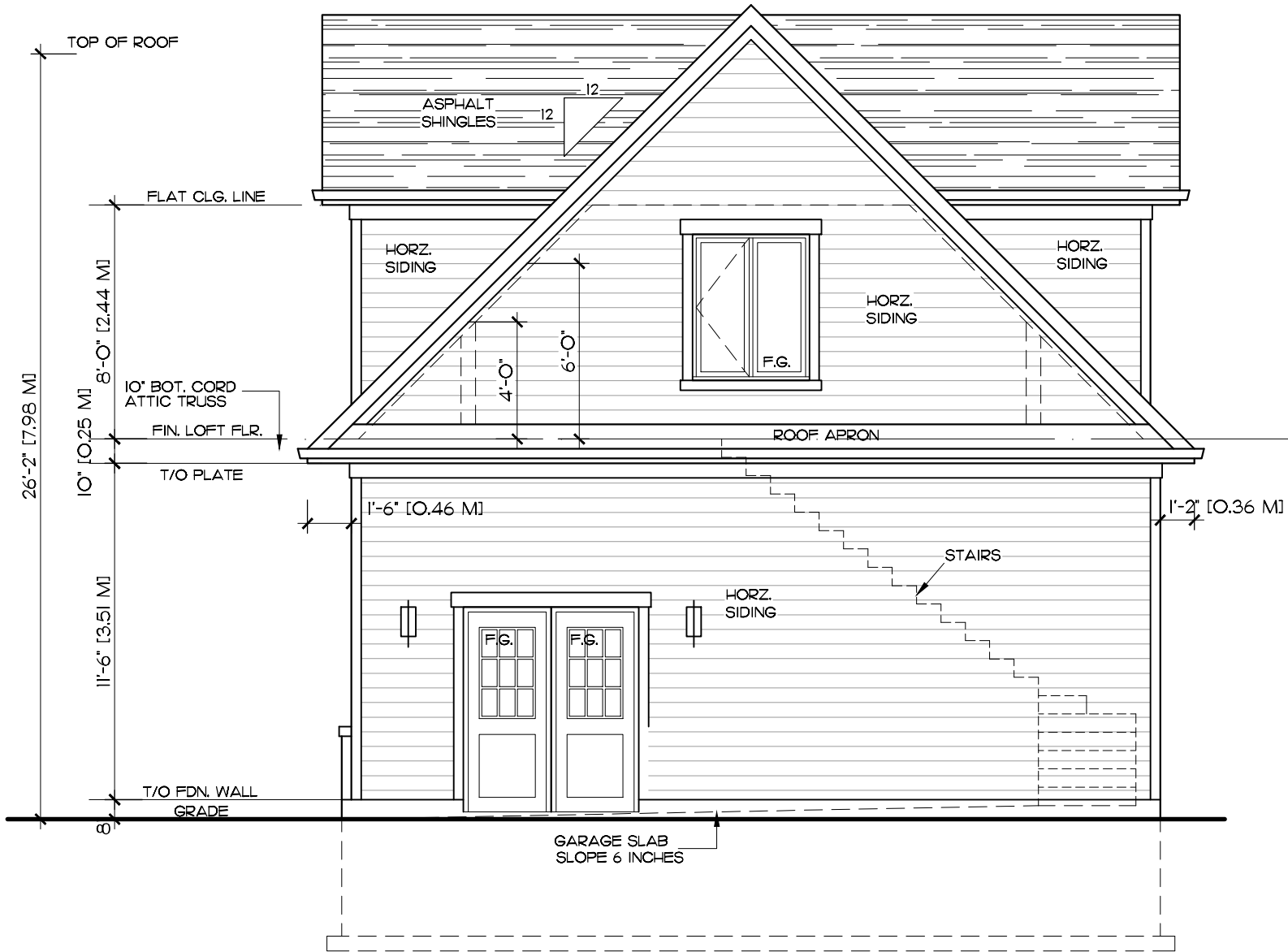


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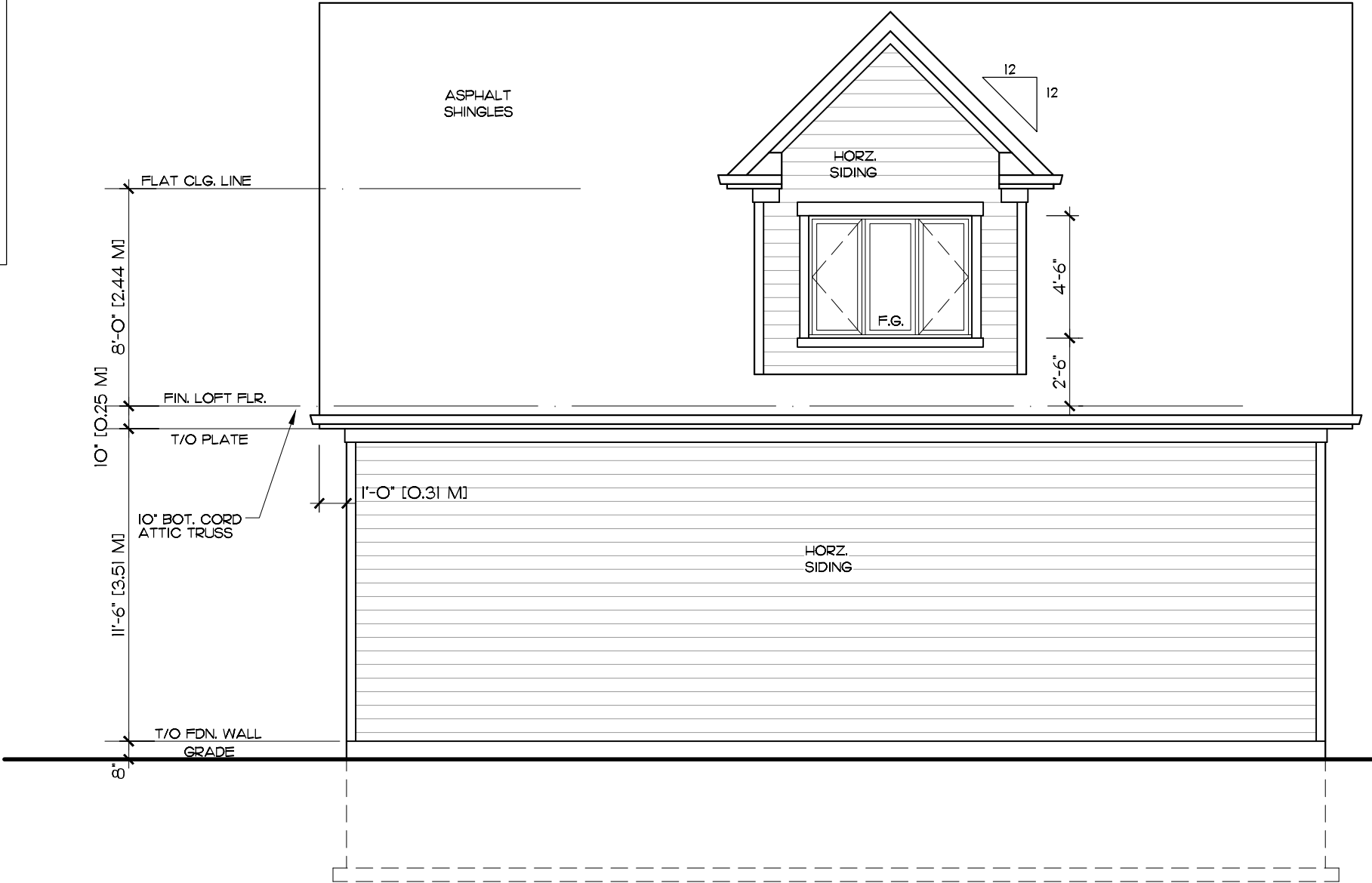
OWNERS INFORMATION :
HILARY PYPER
29 BERRYHILL AVE.
WATERDOWN, ON
L8B 0E8

D05

DATE: _____
DESIGN DRAWINGS APPROVED
BY: _____
PRINT: _____
SIGN: _____



RIGHT ELEVATION
(EAST)



REAR ELEVATION
(NORTH)

DATE: _____

DESIGN DRAWINGS APPROVED
BY: _____

PRINT: _____

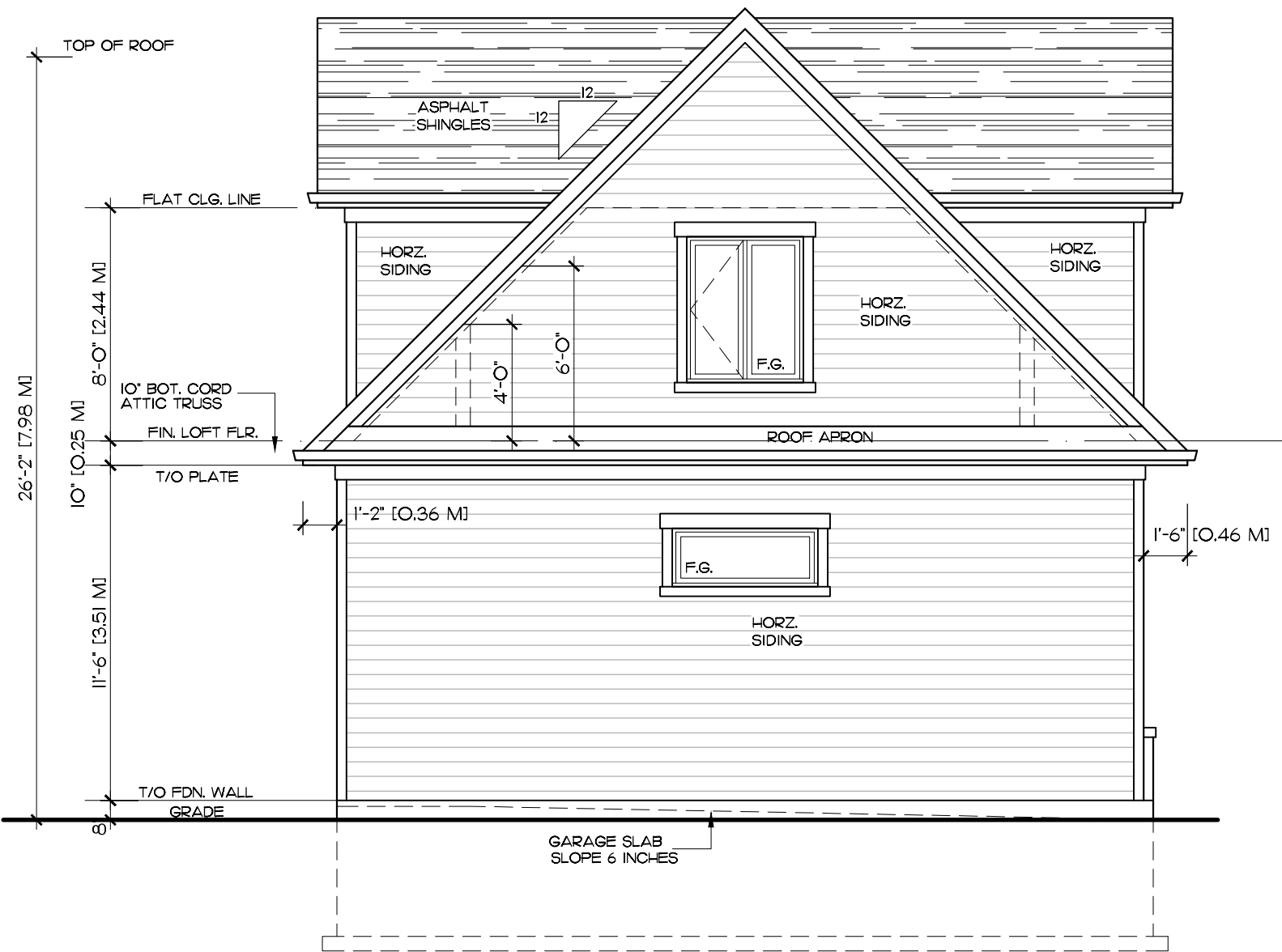
SIGN: _____



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Ph. 905-854-9696
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OWNERS INFORMATION :

HILARY PYPER
29 BERRYHILL AVE.
WATERDOWN, ON
L8B 0E8



LEFT ELEVATION
(WEST)

DATE: _____

DESIGN DRAWINGS APPROVED
BY: _____

PRINT: _____

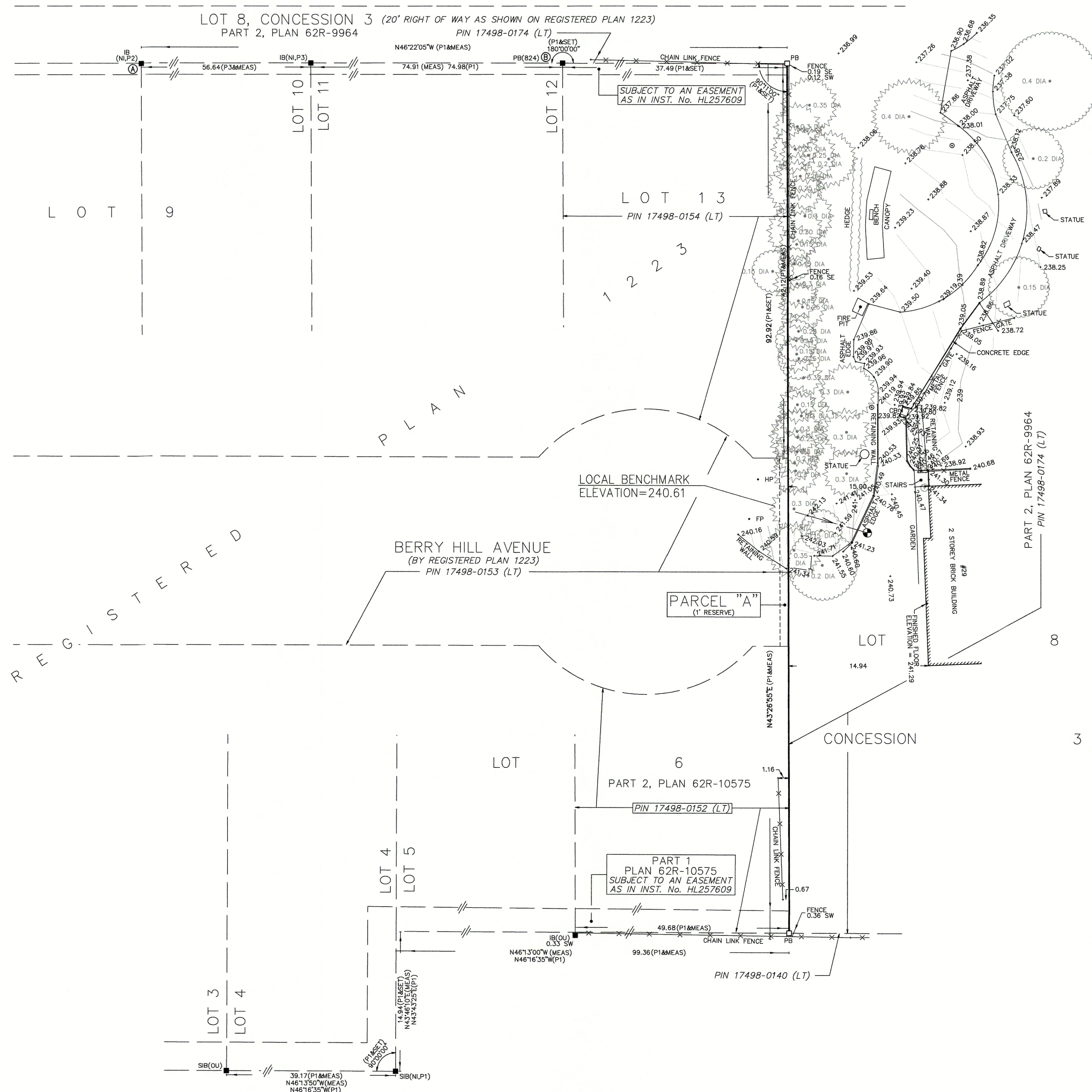
SIGN: _____



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Campbellville, ON, L0P 1B0
Ph. 905-854-9696
Fax 905-854-9559
Cell 905-815-3438
EMAIL : jeffjansendesign@gmail.com

OWNERS INFORMATION :
HILARY PYPER
29 BERRYHILL AVE.
WATERDOWN, ON
L8B 0E8

D07



THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER 2216408

FILE: G:\24-30-202\00\Drawing\24-30-202-00-A.dwg

I require this plan to be deposited under the Registry Act.

Date November 24, 1988
Richard C. Pease
Richard C. Pease

PLAN 62R-9964
Received and Deposited

Date 1988 11 25
John Boyd
Land Registrar for the Registry
Division of Westworth (No. 63)

SCHEDULE			
PART	LOCATION	INSTRUMENT	AREA
1	PART OF LOT 8 CON 3 & PART OF ROAD ALLOWANCE BETWEEN CONCESSIONS 2 & 3	464072 C.D. (1st & 2nd)	15.67 ACRES ±
2	PART OF LOT 8 CON 3 - E. FLAMMOROUGH		1.65 ACRES ±

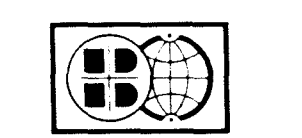
PLAN OF SURVEY
SHOWING
PART OF LOT 8 - CONCESSION 3 & PART OF THE ROAD ALLOWANCE BETWEEN CONCESSIONS 2 AND 3
IN THE GEOGRAPHIC
TOWNSHIP OF EAST FLAMBOROUGH
TOWN OF FLAMBOROUGH
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
SCALE 1" = 60'
J.D. BARNES LIMITED
1988

- Legend**
Bearings shown hereon are astronomic and are referred to the north-eastern limit of Registered Plan No. 1223 on a course of N 45° 35' 30" W.
- denotes planted monument
 - denotes found monument
 - SB denotes standard iron bar
 - SSB denotes short standard iron bar
 - IB denotes iron bar
 - IBP denotes round iron bar
 - CM denotes concrete monument
 - QM denotes S.W. Woods O.L.S.
 - SSS denotes J.T. Peters O.L.S.
 - 912 denotes A.J. Clarke O.L.S.
 - 040 denotes Department of Highways (Ontario)
 - 010 denotes origin unknown
 - 108 denotes J.D. Barnes Limited

Caution
This plan is not a plan of subdivision within the meaning of the Planning Act.

Surveyor's Certificate
I certify that:
1. This survey and plan are correct and in accordance with the Surveys Act and the Registry Act and the regulations made thereunder.
2. The survey was completed on the 24th day of November, 1988.

NOVEMBER 25, 1988
Date
John Boyd
John Boyd
Ontario Land Surveyor

**J.D. BARNES LIMITED**

SURVEYING MAPPING
LAND INFORMATION SERVICES
OFFICE OF ORIGIN
20 JACKSON STREET WEST, SUITE 400
HAMILTON, ONTARIO L8N 4A5
PHONE (416) 522-3511

DRAWN BY: BCP	CHECKED BY: J.B.	REFERENCE NO: 86-29-107-0
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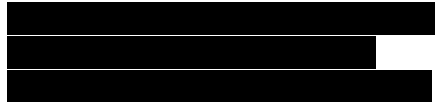
Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division
71 Main Street West, 5th Floor
Hamilton, Ontario, L8P 4Y5
Phone: 905-546-2424 x1719 Fax: 905-546-4202
www.hamilton.ca

Wednesday, July 9, 2025

FILE: ALR
FOLDER: 25-111 ALR
ATTENTION OF: Tran Nguyen
EMAIL: Tran.Nguyen@hamilton.ca

Jansen Consulting c/o Amy Talukder



Attention:

RE: ZONING BYLAW COMPLIANCE REVIEW – IN SUPPORT OF A MINOR VARIANCE APPLICATION
PRESENT ZONING: Conservation / Hazard Land Rural (P6) Zone
ZONING BY-LAW: City of Hamilton Zoning By-law 05-200
ADDRESS: 29 Berry Hill Avenue, Flamborough

An Applicable Law Review respecting zoning bylaw compliance has been completed and the following comments are provided.

COMMENTS:

1. The proposed application is for the construction of a new 1.5 storey detached Accessory Building on a lot containing an existing Single Detached Dwelling.
2. This Applicable Law Review is in support of a Minor Variance Application.
3. Lot line determination:
 - a. This is considered a through lot. As defined in The City of Hamilton's Zoning By-law 05-200, the Front Lot Line for a Through Lot shall mean, at the option of the owner, either of the lot lines abutting a public street.

Front Lot Line The lot line abutting Dundas Street East.

Rear Lot Line The south-easterly lot line.

Side Lot Lines The subject property has four (4) side lot lines. The side lot lines include: the two (2) immediately adjacent lot lines that are perpendicular to the front lot line, the most easterly lot line and the south-westerly lot line.

Flankage Lot Line The entire northwesterly lot line that abuts and extends along Berry Hill Avenue.

4. As defined in Section 3 of the City of Hamilton Zoning By-law 05-200:
 - a. **Flankage Yard** - shall mean a yard extending from the front yard to the rear yard of a lot along a lot line which abuts a street measured to the nearest part of a building on the lot.
 - b. **Front Yard** - shall mean a yard extending across the full width of a lot measured between the front lot line and the nearest part of a building on the lot.
5. For zoning purposes, the yard extending from the flankage lot line to the principal principal dwelling is considered the flankage yard. Based on the current lot configuration, the subject property does not have a front yard as per the definition of Front Yard in the Zoning By-law.
6. The subject land is within the Conservation / Hazard Land (P6) Zone of Hamilton Zoning By-law 05-200.
7. A Development Permit is not required from the Niagara Escarpment Commission (NEC) as the proposed development is located on the portion of the property outside of the Niagara Escarpment Development Control Area (NEC File #APP-2025-00102).
8. The subject land has frontages along Dundas Street East and Berry Hill Avenue at the northwest. The adjacent property to the immediate west and south of the subject property is zoned Conservation / Hazard Land – Rural (P6) Zone. The parcel of land to the immediate northeast of the subject land is zoned Urban residential (Single Detached) R1-6 Zone.
9. Construction of the proposed accessory building is subject to the issuance of a building permit in the normal manner. Be advised that the Ontario Building Code regulations may require specific setbacks and construction types.
10. Any new fences proposed for this development must comply with the regulations contained within the Fence By-law 10-142.
11. The designer shall ensure that the fire access routes conform to the Ontario Building Code. Please be advised that the location of the scale at the access, north of the property, would obstruct the fire access route.
12. The designer shall ensure that the fire access routes conform to the Ontario Building Code.
13. This is listed in the City of Hamilton's Inventory Heritage Buildings as a property of cultural heritage value or interest. Please contact a Cultural Heritage Planner at culturalheritageplanning@hamilton.ca, or visit www.hamilton.ca/heritageplanning for further information.
14. The review of this application is based on the submitted items:
 - a. Site Plan, dated April 4, 2025, as prepared by Jansen Consulting;

- b. Main Floor Plan (Drawing D01), as prepared by Jansen Consulting;
- c. Loft Floor Plan (Drawing D01), as prepared by Jansen Consulting;
- d. Foundation Plan (Drawing D03), as prepared by Jansen Consulting;
- e. Front Elevation – South (Drawing D04), as prepared by Jansen Consulting;
- f. Right Elevation – East (Drawing D05), as prepared by Jansen Consulting;
- g. Rear Elevation – North (Drawing D06), as prepared by Jansen Consulting;
- h. Left Elevation – West (Drawing D07), as prepared by Jansen Consulting; and
- i. Email Correspondence with the Niagara Escarpment Commission, dated May 28, 2025.

15. The proposed development has been reviewed and compared to the standards of the P6 Zone, Section 4 General Regulations and Section 5 Parking Regulations of Hamilton Zoning By-law 05-200, as shown in the chart, below.

Conservation / Hazard Land – Rural (P6) Zone 29 Berry Hill Avenue, Flamborough File Number: ZCR-25-111			
Provision	Required by the By-Law	Provided	Conforming / Non-Conforming
Section 7.6 – Conservation / Hazard Land Rural (P6) Zone Requirements			
Permitted Uses [as per section 7.6.1 of Hamilton Zoning By-law 05-200]	Agriculture Conservation Flood and Erosion Control Facilities Recreation, Passive Secondary Uses to Agriculture Single Detached Dwelling	Existing Single Detached Dwelling to remain on lot. The proposed development is for an accessory garage.	Conforms
Section 7.6.2.3 Single Detached Dwelling Regulations			
New Buildings and Structures [as per section 7.6.2.3(a) of Hamilton Zoning By-law 05-200]	i) Shall not be permitted on a vacant lot.	The proposed development is for a non-vacant lot. Existing single detached dwelling to be maintained. New accessory building proposed.	Conforms
	ii) Shall be in accordance with the requirements of Sections 12.1.3.3 and 4.8.2.	Reviewed Below.	
Expansions to Existing Buildings and Structures [as per section 7.6.2.3(b) of Hamilton Zoning By-law 05-200]	Shall be in accordance with Sections 12.1.3.3 (c), (d), (e), and (f) and 4.8.2.	Not Applicable. Existing single detached dwelling to be maintained. There are no proposed expansions to existing building or structures.	N/A

Conservation / Hazard Land – Rural (P6) Zone 29 Berry Hill Avenue, Flamborough File Number: ZCR-25-111			
Provision	Required by the By-Law	Provided	Conforming / Non-Conforming
Section 4.8 Accessory Buildings in All Zones			
Dwelling Unit – Prohibited Use [as per section 4.8 a) of Hamilton Zoning By-law 05-200]	Unless otherwise provided for in this By-law, Accessory Buildings shall not be used as a dwelling unit.	Proposed detached accessory building (garage) does not contain a dwelling unit.	Conforms
Location - Front Yard and Flankage Yard [as per section 4.8 b) of Hamilton Zoning By-law 05-200]	Accessory Buildings shall not be permitted within a front or flankage yard. <u>Note:</u> The entire northwesterly lot line that abuts and extends along Berry Hill Avenue is considered the Flankage Lot Line. The area between the flankage lot line and principal dwelling is considered the flankage yard. Front Yard – shall mean a yard extending across the full width of a lot measured between the front lot line and the nearest part of a building on a lot.	Conforms The subject property is not located in the flankage yard. (See Section 4.8.1.1 d) iii) below.)	
Where a Zone contains a Maximum Setback [as per section 4.8 d) of Hamilton Zoning By-law 05-200]	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
Maximum Building Height [as per section 4.8 g) of Hamilton Zoning By-law 05-200]	All Accessory Buildings shall have a maximum height of 4.5 metres. <u>Note:</u> 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	Based on the Front Elevation – South (Drawing D04), the proposed building height is 8.48m – measured from grade to the top of roof.	Non-Conforming

Conservation / Hazard Land – Rural (P6) Zone 29 Berry Hill Avenue, Flamborough File Number: ZCR-25-111			
Provision	Required by the By-Law	Provided	Conforming / Non-Conforming
	<p>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.</p>		
<p>Eave and Gutter Encroachment</p> <p>[as per section 4.8 h) of Hamilton Zoning By-law 05-200]</p>	<p>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.</p> <p>Note: As per Section 7.6.2.3 Single Detached Dwelling Regulations – regulations shall be in accordance with Section 12.1.3.3 Regulations for a Single Detached Dwelling.</p> <p>Therefore, the minimum required yards are as follows:</p> <p>Minimum Side Yard: 3.0m Minimum Rear Yard: 10.0m Minimum Required Front Yard: N/A (This subject property does not have a front yard)</p> <p>As per Section 4.8.1.1 d) iii) 2, below, the minimum required Flankage Yard is 1.2m.</p> <p>Flankage Lot Line – shall mean a lot line other than a front lot line that abuts a street.</p> <p>Flankage Yard - shall mean a yard extending from the front yard to the rear yard of a lot along a lot line which abuts a street measured to the nearest part of a building on the lot.</p> <p>The entire northwesterly lot line that abuts and extends along</p>	<p>Based on the Left Elevation (Drawing D07) and Right Elevation (Drawing D06), the eaves project 0.36m into the required front yard. Furthermore, there appears to be an additional projection beyond the eaves (possibly gutters) that are not marked and dimensioned.</p> <p>Encroachment Calculation:</p> <p>Flankage Yard Encroachment Calculations:</p> <p>The current Accessory Building is setback 1.5m from the flankage lot line.</p> <p>Eave Encroachment: $1.5\text{m} - 0.36\text{m} = 1.14\text{m}$ The eaves are setback 1.14m from the flankage lot line.</p> <p>$1.2\text{m} - 1.14\text{m} = 0.06\text{m}$ Therefore, the eaves encroach 0.06m into the required flankage yard whereas the maximum flankage yard encroachment is 0.46m.</p> <p>Gutter Encroachment: Projection of gutters have not been marked and noted. As the gutters extend beyond the eaves, the gutters would constitute as an encroachment into the required flankage yard. However, it does not appear</p>	<p>Eave Encroachment: Conforms</p> <p>Gutter Encroachment: Appears to Conform</p>

Conservation / Hazard Land – Rural (P6) Zone 29 Berry Hill Avenue, Flamborough File Number: ZCR-25-111			
Provision	Required by the By-Law	Provided	Conforming / Non-Conforming
	<p>Berry Hill Avenue is considered the Flankage Lot Line.</p> <p>For zoning purposes, the area between the flankage lot line and principal dwelling is considered the flankage yard.</p> <p>Rear Lot Line - shall mean the lot line farthest and opposite to the front lot line and whereas in the case of a triangular shaped lot, the rear lot line will be the intersection point of the side lot lines.</p> <p>Rear Yard – shall mean a yard extending across the full width of a lot measured between the rear lot line and the nearest part of a building on the lot.</p> <p>Side Lot Line - shall mean any lot line other than a front or rear lot line. The Hypotenuse of a Daylight Triangle shall also be a side lot line.</p> <p>Side Yard – shall mean a yard extending from the front yard to the rear yard measured between the side lot line and the nearest part of a building on the lot.</p>	that the gutter encroachment would exceed the permitted maximum encroachment of 0.46m into the flankage yard.	
Section 4.8.1.1 Buildings Accessory to Single Detached Dwellings, Semi-Detached Dwellings, Duplex Dwellings, Triplex Dwellings, Fourplex Dwellings, and Street Townhouse Dwellings in All Zones (Except A1 and A2 Zones)			
Maximum Lot Coverage [as per section 4.8.1.1 (a) of Hamilton Zoning By-law 05-200]	<p>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.</p> <p>Note: For this property, 45 square metres would be the lesser.</p> <p>$7.5\% \times \text{Lot Area} = 7.5\% \times 70,178.3\text{m}^2 = 5,263\text{m}^2$</p>	<p>As per the Main Floor Plan (Drawing D01), the lot area is 70,178.3m². The accessory building floor area is 93.64m².</p> <p><i>The proposed Accessory Building would exceed the permitted maximum lot coverage of 45m².</i></p>	Non-Conforming
Additional Dwelling Unit – Detached [as per section 4.8.1.1 (b) of Hamilton Zoning By-law 05-200]	<p>An Additional Dwelling Unit – Detached shall not be considered as an Accessory Building.</p>	<p>Not Applicable.</p> <p>And Additional Dwelling Unit – Detached is not proposed.</p>	N/A
Accessory Buildings over 18 Square Metres in GFA	<p>All Accessory Buildings having a Gross Floor Area greater than or equal to 18 square metres shall</p>	<p>The proposed detached accessory building (garage)</p>	Appears to Conform

Conservation / Hazard Land – Rural (P6) Zone 29 Berry Hill Avenue, Flamborough File Number: ZCR-25-111			
Provision	Required by the By-Law	Provided	Conforming / Non-Conforming
[as per section 4.8.1.1 (d) of Hamilton Zoning By-law 05-200]	conform to the following regulations:	has a Gross Floor Area over 18m ² .	
	i) Building Setback from a Rear Lot Line: Minimum 1.2 metre	It appears that the proposed Accessory Building (detached garage) is setback more than 1.2m from the rear lot line.	
	ii) Building Setback from a Side Lot Line: Minimum 1.2 metre	It appears that the proposed Accessory Building (detached garage) is setback more than 1.2m from all side lot lines.	Appears to Conform
	iii) Building Setback from a Flankage Lot Line:	Please see Section 4.8.1.1 d) iii) 2, below.	
	1. Except as required in a Subsection 4.8.1.1 e), Accessory Buildings shall conform to the regulations for the principal use.		
	2. Notwithstanding Subsection 2. 4.8.1.1 d) iii), where a zone does not contain a Flankage Lot Line requirement, the minimum building setback shall be 1.2 metres. <u>Note:</u> Flankage Yard - shall mean a yard extending from the front yard to the rear yard of a lot along a lot line which abuts a street measured to the nearest part of a building on the lot. The entire northwesterly lot line that abuts and extends along Berry Hill Avenue is considered the Flankage Lot Line. The area between the flankage lot line and principal dwelling is considered the flankage yard.	Based on the submitted Site Plan, the Accessory Building is setback 1.5m from the flankage lot line.	Conforms
Vehicular Access [as per section 4.8.1.1 (e) of Hamilton Zoning By-law 05-200]	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.	Not Applicable. Access to the proposed detached garage will be at through an existing asphalt driveway that would be extended.	N/A
Section 4 - General Provisions			

Conservation / Hazard Land – Rural (P6) Zone 29 Berry Hill Avenue, Flamborough File Number: ZCR-25-111			
Provision	Required by the By-Law	Provided	Conforming / Non-Conforming
Minimum Front Yard Landscaped Area (for Single Detached Dwelling) [as per section 4.35 a) of Hamilton Zoning By-law 05-200]	50%	<i>Not Applicable.</i> Based on the current lot configuration, the subject property does not have a front yard as defined in Section 3 of the City of Hamilton Zoning By-law 05-200.	N/A
Minimum Flankage Yard Landscaped Area (for Single Detached Dwelling) [as per section 4.35 b) of Hamilton Zoning By-law 05-200]	50% Note: Flankage Yard - shall mean a yard extending from the front yard to the rear yard of a lot along a lot line which abuts a street measured to the nearest part of a building on the lot. The entire northwesterly lot line that abuts and extends along Berry Hill Avenue is considered the Flankage Lot Line. For zoning purposes, the area between the flankage lot line and principal dwelling is considered the flankage yard.	<i>Insufficient Details</i> The landscaped area percentage in the flankage yard has not been provided.	Unable to Determine Compliance
Required Landscaped Area for Tree Protection and/or Tree Planting [as per section 4.35 c) of Hamilton Zoning By-law 05-200]	i) Each side shall be a minimum 3.75 meters in length; and, ii) Shall not containing hard landscaping or structures.	<i>There appears to be adequate tree planting on site.</i>	Appears to Conform
Section 5 - Parking Regulations			
<i>In accordance with the requirements of Section 5 of Hamilton Zoning By-law 05-200</i>			
Required Parking to be Provided on Same Lot [as per Section 5.1.1 (d) of Hamilton Zoning Bylaw 05-200]	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.	The provided parking spaces are on the same lot requiring the use via proposed Accessory Building (detached garage).	Conforms

Conservation / Hazard Land – Rural (P6) Zone 29 Berry Hill Avenue, Flamborough File Number: ZCR-25-111			
Provision	Required by the By-Law	Provided	Conforming / Non-Conforming
Provision of Parking on a Lot Subject to Multiple Zones [as per Section 5.1.1 (e) of Hamilton Zoning Bylaw 05-200]	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: 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.	Not Applicable. The subject land is in the P6 Zone.	N/A
Minimum Parking Space Dimensions [as per Section 5.2.1 (a) of Hamilton Zoning Bylaw 05-200]	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.	Based on the Main Floor Plan (Drawing D01), the two (2) garage doors will be 10'-0" (3.0m) wide. Although parking spaces are not delineated on the submitted plans, it appears that the proposed garage will be able to accommodate the minimum parking space sizes.	Appears to Conform
Required Increase Width due to Obstruction [as per Section 5.2.1 (b) of Hamilton Zoning Bylaw 05-200]	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;	Not Applicable. Based on the submitted floor plans, it does not appear that the parking spaces within the proposed detached garage will be obstructed.	N/A
Exceptions to Increase in Width due to Obstruction [as per Section 5.2.1 (c) of Hamilton Zoning Bylaw 05-200]	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,	Based on the submitted floor plans, it does not appear that the parking spaces within the proposed detached garage will be obstructed.	Appears to Conform

Conservation / Hazard Land – Rural (P6) Zone 29 Berry Hill Avenue, Flamborough File Number: ZCR-25-111			
Provision	Required by the By-Law	Provided	Conforming / Non-Conforming
	iii) The wall, column or other obstruction does not project more than 0.15 metres into the width of the parking space. 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.		
Access Requirements [as per Section 5.2.4 (a) of Hamilton Zoning By-law 05-200]	a) Access Design Requirements 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: 1. located on the lot; or, 2. located partly on the lot in the case of a mutual driveway; or, 3. by means of a Right-of-Way; and, iii) in the case of a Parking Lot, provide ingress and egress of vehicles to and from a street in a forward motion only.	i) it does not appear that the extended asphalt driveway on the lot would interfere with the normal public use of the street (Dundas Street East). ii) Proposed extension of existing asphalt driveway to accommodate access to garage parking spaces. Access to the site is currently provided by a 20' Right of Way access from Dundas Street (as per submitted Site Plan). iii) Not Applicable	Conforms
Minimum Access Driveway Width [as per Section 5.2.4 (b) of Hamilton Zoning By-law 05-200]	The width of any driveway providing access to a parking space shall be a minimum of 2.7 metres.	<i>Existing Condition.</i> As noted in the submitted Site Plan, the access driveway to the site from Dundas Street East is 20' (6.0m) in width.	Conforms <i>(Existing Condition)</i>
Tandem and Stacked Parking Restrictions and Exceptions [as per Section 5.2.4 (c)]	All parking spaces shall have adequate means of ingress and egress to and from the street or laneway without the necessity of moving any other motor vehicle, except:	It appears that the driveway will provide sufficient ingress and egress for the vehicles.	Conforms

Conservation / Hazard Land – Rural (P6) Zone 29 Berry Hill Avenue, Flamborough File Number: ZCR-25-111			
Provision	Required by the By-Law	Provided	Conforming / Non-Conforming
of Hamilton Zoning By-law 05-200]	i) The accessibility to a maximum of one of the parking spaces for a Single Detached Dwelling may be obstructed by another motor vehicle; and	Applicant to Note.	Applicant to Note.
	ii) Where a parking attendant is one site or a valet service is provided in association with a Commercial parking Facility or Hotel, parking spaces may be designed to include the use of tandem or stacked parking.	<i>Not Applicable.</i>	N/A
5.3 LOCATIONAL, LANDSCAPING AND SURFACE MATERIAL REQUIREMENTS			
Parking Facility Surface Material Requirements [as per Section 5.3.4 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 hard surface material, crushed stone, permeable pavers or gravel, and shall be maintained in a dust free condition.	Existing Condition Existing asphalt parking surface to be maintained.	Conforms <i>(Existing Condition)</i>
Parking Facility Surface Material Requirements [as per Section 5.3.4 of Hamilton Zoning By-law 05-200]	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.	Not Applicable. Parking provided via proposed detached garage.	N/A

Conservation / Hazard Land – Rural (P6) Zone 29 Berry Hill Avenue, Flamborough File Number: ZCR-25-111			
Provision	Required by the By-Law	Provided	Conforming / Non-Conforming
	ii) Notwithstanding Section 5.3.4 a), in the Industrial Zones, where crushed stone or gravel is provided, the access driveway shall be designed such that a minimum of 10.0 metres extending from the streetline shall be constructed and maintained with asphalt, concrete or other hard surfaced material, and shall be maintained in a dust free condition.	<p>Not Applicable.</p> <p>The subject land is not located in the Industrial Zones; it is located within a Commercial Zone.</p>	N/A
	b) <u>Parking Lots in All Zones, except the Rural Zones</u> Parking Lots in all zones, except the Rural Zones, shall be designed and maintained with stable surfaces such as asphalt, concrete, or other hard surfaced material, or permeable pavers.	Existing asphalt parking surface to be maintained.	Conforms
5.7 PARKING SCHEDULES			
Parking Schedules [as per Section 5.7 of Hamilton Zoning By-law 05-200]	a) <u>Parking Rate Areas</u> Where this By-law indicates that a Parking Rate Area (PRA) applies for the purpose of calculating a parking requirement or permission, such Parking Rate Area shall apply to lands and shall be indicated as Parking Rate Area (PRA1), (PRA2) and (PRA3) on Schedule "A" – Zoning Maps.	The subject land is subject to PRA3. As such, the parking requirements are subject to the standards for PRA3.	
	b) <u>Application of Parking Rate Areas</u> Where a parking rate or requirement contained in this By-law does not contain reference to a Parking Rate Area (PRA), such parking rate shall apply to all lands throughout the City. Only where a parking rate refers to a specific Parking Rate Area, and where such use is located within that specified Parking Rate Area, shall there be any modification to the parking rate, and only in the manner prescribed.		

Conservation / Hazard Land – Rural (P6) Zone 29 Berry Hill Avenue, Flamborough File Number: ZCR-25-111			
Provision	Required by the By-Law	Provided	Conforming / Non-Conforming
Minimum Required Parking Rate Schedule [as per Section 5.7.1 of Hamilton Zoning By-law 05-200] and ZON-042	<p>a) i) <u>Minimum Required Parking Rate Schedule for Residential Uses:</u></p> <p>Parking spaces shall be provided in the minimum quantity specified in Column 2 hereunder for each use listed in Column 1:</p> <p><u>Single Detached Dwelling:</u></p> <p>b) In all other areas, 1 per unit.</p> <p>Hence, the existing required parking for the single detached dwelling is one (1) parking space.</p>	<p>The proposed detached garage looks to be able to accommodate two (2) parking spaces.</p>	<p>Conforms</p>

Yours truly,

Tran Nguyen

for the Manager of Zoning and Committee of Adjustment



Hamilton

Committee of Adjustment

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

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

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

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Registered Owners(s)	HILARY PYPER		
Applicant(s)	AMY TALUKDER JEFF + JANSEN OF JANSEN CONSULTING		
Agent or Solicitor	↑		Phone:
			E-mail:

1.2 Primary contact

☒ Applicant

☐ Owner

☐ Agent/Solicitor

1.3 Sign should be sent to

☒ Applicant

☐ Owner

☐ Agent/Solicitor

1.4 Request for digital copy of sign

☒ Yes*

☐ No

If YES, provide email address where sign is to be sent

1.5 All correspondence may be sent by email

☒ Yes*

☐ No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

1.6 Payment type

☐ In person

☐ Cheque

☒ Credit over phone*

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	29 BERRY HILL AVE, WATERDOWN		
Assessment Roll Number	303330200000000		
Former Municipality	FLAMBOROUGH		
Lot	8	Concession	3
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:

- 1) BUILDING HEIGHT OF ACCESSORY STRUCTURE (DETACHED GARAGE)
ALLOWED = 4.5M PROPOSED = 8.48M
- 2) MAXIMUM LOT COVERAGE OF ALL ACCESSORY BUILDINGS
ALLOWED = 45M² PROPOSED = 132.24M²
(NEW BUILDING = 93.64M²)

☐ Second Dwelling Unit

☐ Reconstruction of Existing Dwelling

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

IT IS NOT POSSIBLE TO COMPLY DUE TO OWNER'S NEED OF GARAGE SPACE (NO CURRENT ATTACHED/DETACHED) + OUTDOOR/SEASONAL ITEM STORAGE SPACE, THE LOT TO BE USED FOR PERSONAL HOBBY SPACE.

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
6.1M (DUNDAS ST. FRONTAGE)	541M / 364M	70178.30 M ²	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)

*FY SETBACK HAS BEEN DETERMINED TO BE @ DUNDAS ST- IF YOU
LOOK @ SURVEY, NO BUILDING IS EVEN CLOSE CALL MIN. 31.31M MIN.
AWAY)

Existing:

Type of Structure	FLANKING Front Yard Setback (SEE SURVEY)	Rear Yard Setback	Side Yard Setbacks	Date of Construction
SFD	14.45M	39.5M +/-	28.59M + 49.30M	1936
Shed #1	6.91M	41.5.80M +/-	31.10M + 66M	2000s
Shed #2	28.87M	39.5M +/-	26.72M + 71.80M	2000s
Pool Shed	31.31M	39.1.54M +/-	47.4M + 48.64M	2000s
Unheated Studio	4M	41.6M +/-	27.55M + 67.43M	1936
GAZEBO	10.03M	41.80M +/-	28.79M + 63.76M	2015 +/-

Proposed:

Type of Structure	FLANKING Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Detached garage	1.5M	41.4.40M	29.22M + 58.76M	SPRING 2026

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
SFD	331 M2	390 M2	2	8.5-9M +/-
SHED #1 + 2 (same)	5.9 M2	5.9 M2	1	3.5M
POOL SHED	9.48 M2	9.48 M2	1	3.5M
UNHEATED STUDIO	18.50 M2	18.50 M2	1	4M
GAZEBO	10.80 M2	10.80 M2	1	3.5M

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
DETACHED GARAGE	93.67 M2	161.46 M2	2	8.48M

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.):
- SINGLE DETACHED DWELLING
- 4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):
- SINGLE DETACHED DWELLINGS

7 HISTORY OF THE SUBJECT LAND

- 7.1 Date of acquisition of subject lands:
- JANUARY 1ST, 2006
- 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:
- ALWAYS (ATLEAST SINCE 1936)
- 7.5 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) NEIGHBOURHOODS

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

ALLOWED USE AS PER OFFICIAL PLAN.

7.6 What is the existing zoning of the subject land? PL6 ZONE

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: 0

8.3 Additional Information (please include separate 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
