

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.: AN/A-20:155

APPLICANTS: Nick Carrescia, owner

SUBJECT PROPERTY: Municipal address **148 John Frederick Dr., Ancaster**

ZONING BY-LAW: Zoning By-law 05-200, as Amended by By-law 16-244

ZONING: "I1" (Neighbourhood Institutional) district

PROPOSAL: To construct a swimming pool with accessory building to the existing semi-detached dwelling notwithstanding that:

1. The accessory building shall be permitted within the front yard at a distance of 0.6m from the front lot line, whereas the by-laws states no accessory building shall be located within a front yard.

2. The accessory building having a maximum gross floor area of less than 10.0 square metres shall be permitted to have a maximum building height of 5.0m and is located 0.6m from the front lot line and 0.6m from the northerly side lot line, instead of the required maximum building height of 3.0m to be located within the required side yard setback of 1.2m.

3. The outdoor swimming pool shall be permitted to be located in the required front yard at a distance of 1.2m from the front lot line and 1.0m from the northerly side lot line, instead of the requirement that the outdoor swimming pool may be located in any yard except the required front yard and shall be located a minimum of 1.25 metres from any lot line, measured from the water's edge to the lot line.

NOTES:

1. Detailed drawings of the proposed accessory building, to be used as a storage shed, have not been provided from which to confirm maximum building height. The owner shall ensure the maximum height of the accessory building shall be 5.0m or less and the maximum height of the underside of any fascia eaves, overhang or the lower ends of the roof joists shall be 3.0 metres or less. Otherwise, further variances will be required.

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

DATE: Thursday, September 10th, 2020

TIME: 2:00 p.m.

PLACE: Via video link or call in (see attached sheet for details)
To be streamed at www.hamilton.ca/committeeofadjustment
for viewing purposes only

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, including deadlines for submitting to be seen by the Committee.

Orally: If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

MORE INFORMATION

For more information on this matter, including access to drawings illustrating this request:

- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: August 25th, 2020.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.

SITE AND GRADING PLAN

OF PART OF

BLOCK 4

PLAN 62M-1226

IN THE

CITY OF HAMILTON

SCALE: 1:200 metres



S.D. McLAREN, O.L.S. - 2016

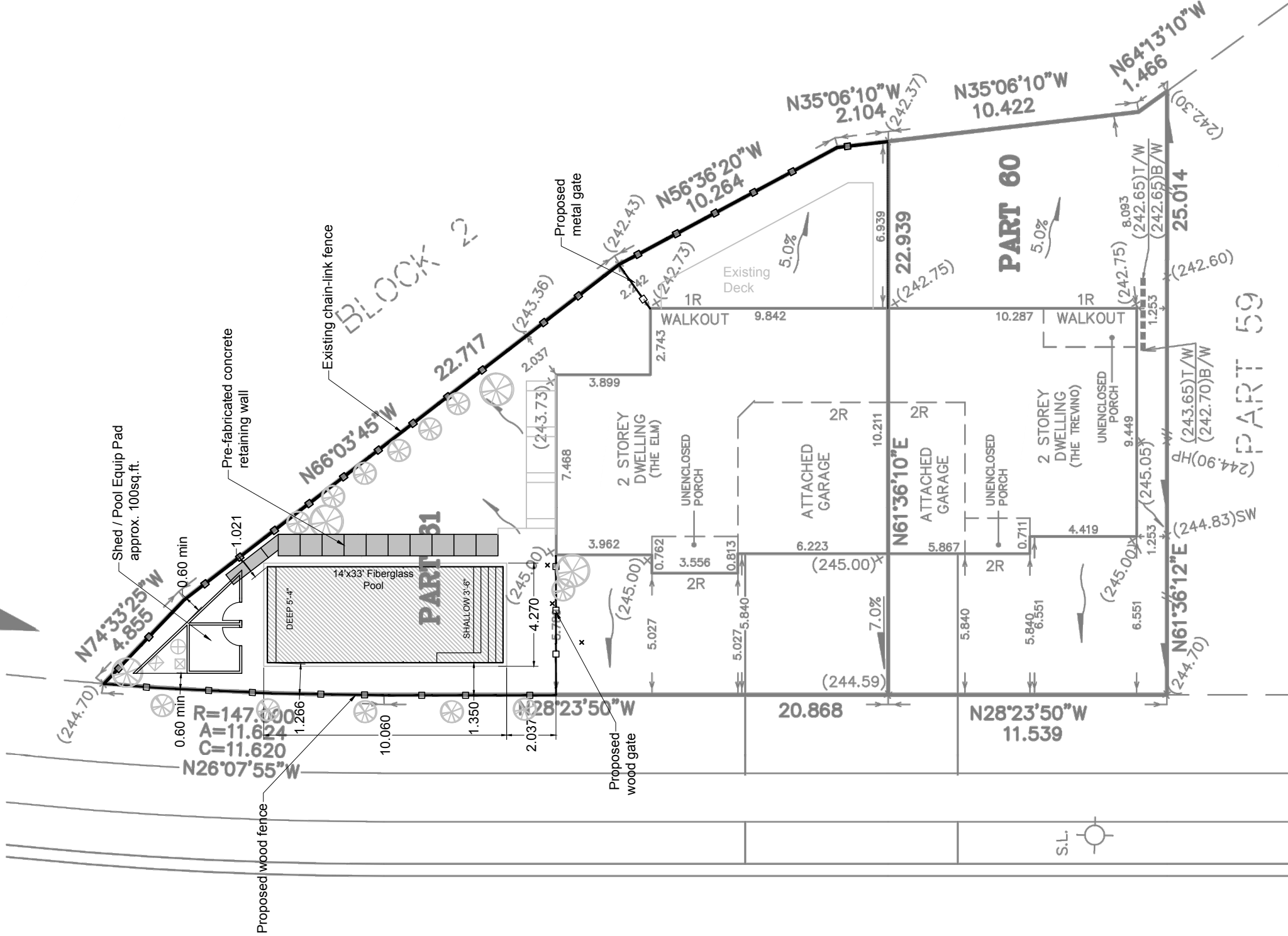
BENCH MARK:

TOWN OF ANCASTER BENCHMARK No. 75U135.
ROUSSEAU SCHOOL, ALONG McNIVENS SIDEROAD,
0.08km SOUTH OF MOHAWK ROAD, TABLET IN
WEST CONCRETE FOUNDATION, 4.66m FROM
NORTHEAST CORNER, 9cm BELOW BRICKWORK.
ELEVATION = 228.439m

METRIC NOTE

DISTANCES SHOWN ON THIS PLAN ARE IN
METRES AND CAN BE CONVERTED TO FEET BY
DIVIDING BY 0.3048

JOHN FREDERICK DRIVE



PROPOSED HOUSE ELEVATIONS:

GARAGE FLOOR = 245.00
TOP OF FOUNDATION = 245.25
FIRST FLOOR = 245.50
BASEMENT FLOOR = 242.93
U/S OF FOOTING = 242.70

LOT 59
LOT AREA = 273.0m²
LOT COVERAGE = 37.1%
LOT 60
LOT AREA = 432.7m²
LOT COVERAGE = 30.5%

LEGEND:

000.00 DENOTES EXISTING ELEVATION
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" " RISER
" " REVISER
" " DIMENSION

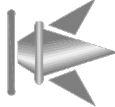
148 JOHN FREDERICK - POOL/RETAINING WALL

SITE PLAN

07/24/2020

N. CARRESCIA

SP1.01

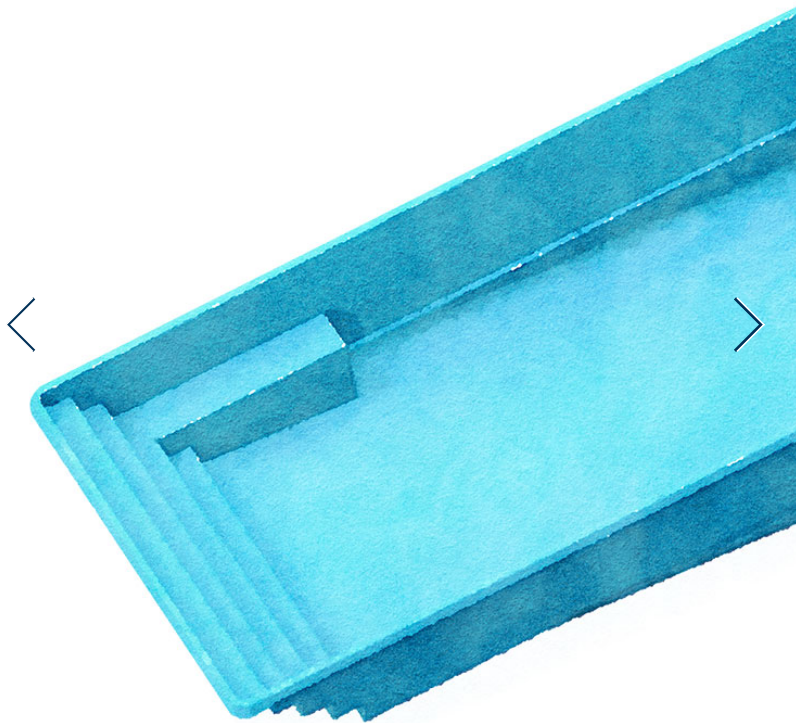


A.T. McLaren Limited
LEGAL AND ENGINEERING SURVEYS

69 JOHN STREET SOUTH, SUITE 230
HAMILTON, ONTARIO, L8N 2B9
PHONE (905) 527-8559 FAX (905) 527-0032

Drawn PS Checked KB/SDM Scale 1:200 Dwg.No. 35105-60&61

Select Language »



FIBERGLASS POOL

Claremont Model

The kids are only young once, learning to swim, birthday and after school pool parties, the Claremont is the perfect pool to finally host the wedding in the pool.

 Save & Print



Specs & Features

+ Sizes & Specs

14 x 33 , Depth 3 - 6 to 5 - 4

Latham Pool Products, Inc

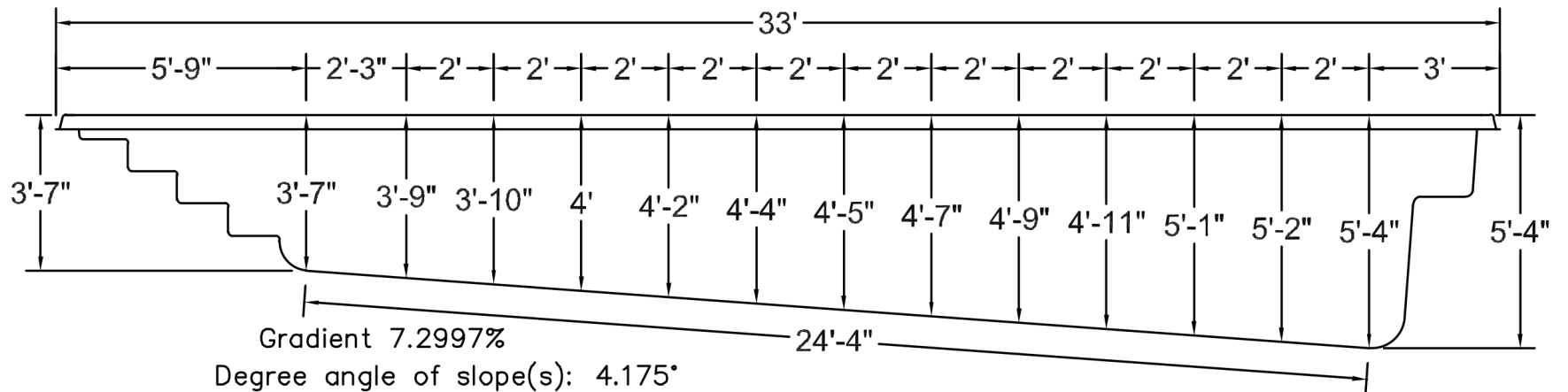


What can we help you with?

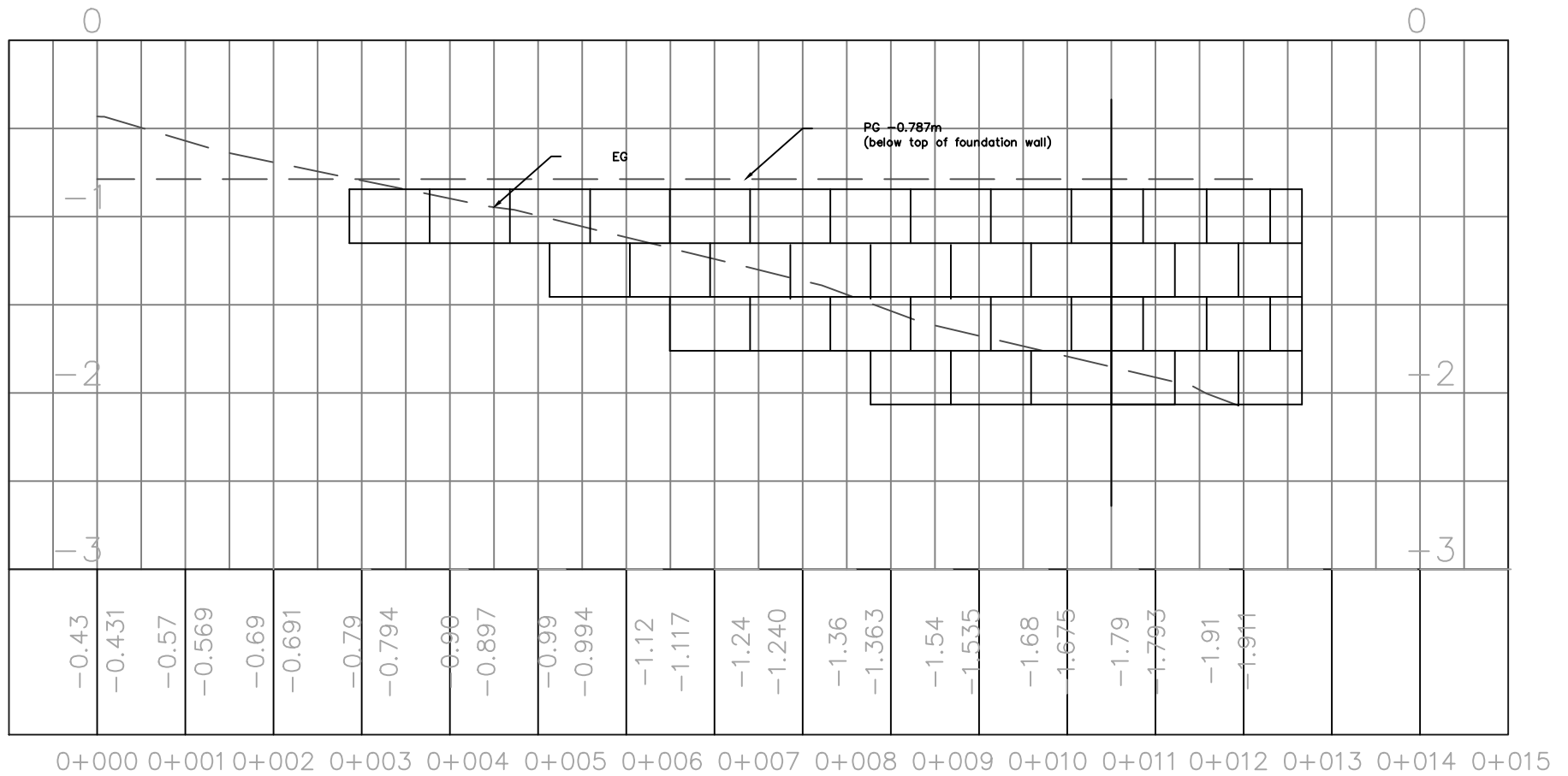
 Log into Messenger

Chat with Latham Pool Products, Inc in Messenger

Figure 2 - Pool Shell Depth Dimensions



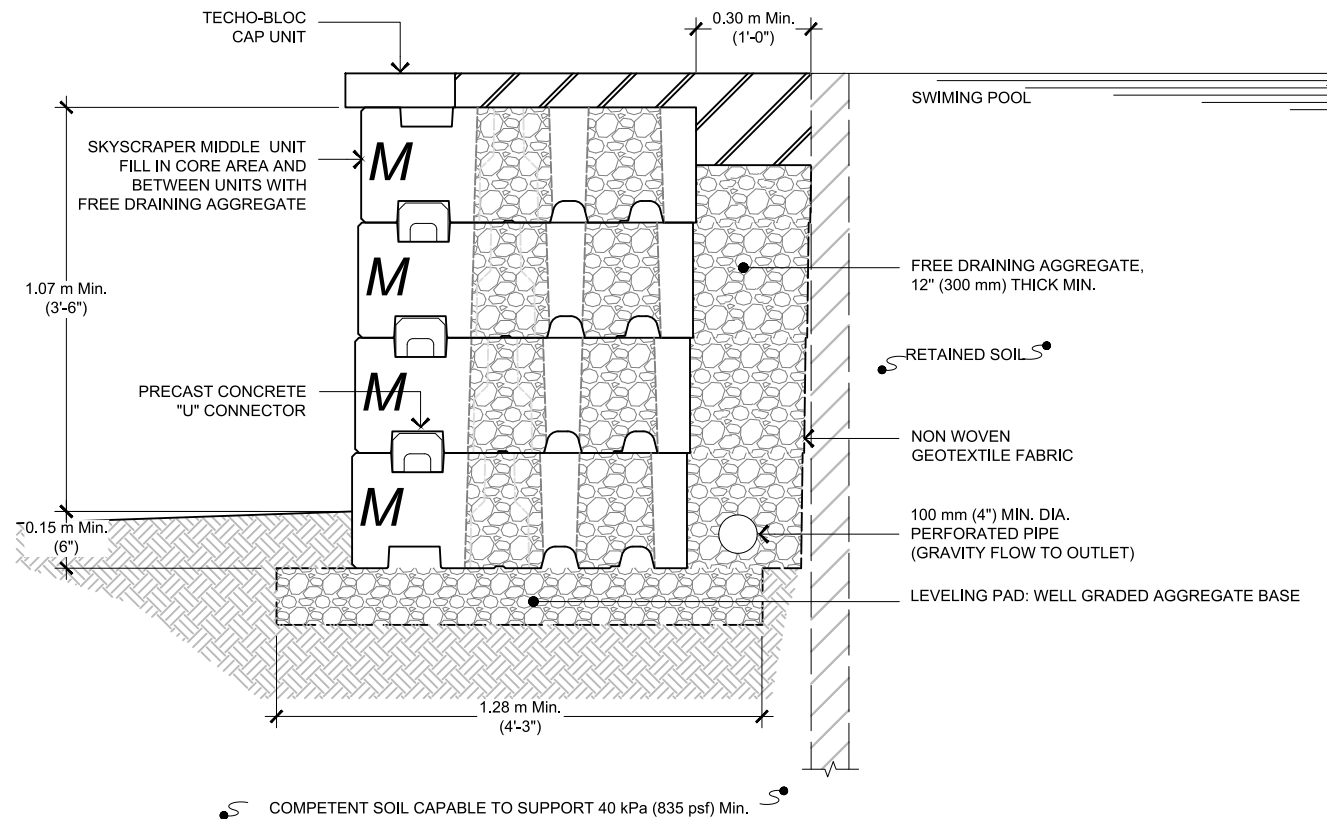
Retaining Wall PROFILE



TECHO—BLOC

1-877-832-4625
www.techo-bloc.com

POOL RETAINING WALL SKYSCRAPER





Hamilton

Planning and Economic Development Department
Planning Division

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

Phone (905) 546-2424 ext. 4221
Fax (905) 546-4202

**PLEASE FILL OUT THE FOLLOWING PAGES AND
RETURN TO THE CITY OF HAMILTON PLANNING
DEPARTMENT.**

FOR OFFICE USE ONLY.

APPLICATION NO. _____ DATE APPLICATION RECEIVED _____

PAID _____ DATE APPLICATION DEEMED COMPLETE _____

SECRETARY'S
SIGNATURE _____

**CITY OF HAMILTON
COMMITTEE OF ADJUSTMENT
HAMILTON, ONTARIO**

The Planning Act

Application for Minor Variance or for Permission

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

1. Name of Owner Nicholas Carrescia [REDACTED]
FAX NO. _____ E-mail address [REDACTED]
2. Address 148 John Frederick Drive, Ancaster, ON

Postal Code L9G 0G5
3. Name of Agent _____ Telephone No. _____
FAX NO. _____ E-mail address. _____
4. Address _____

Postal Code _____

Note: Unless otherwise requested all communications will be sent to the agent, if any.

5. Names and addresses of any mortgagees, holders of charges or other encumbrances:
Royal Bank of Canada
59 Wilson Street West, Ancaster, ON Postal Code L9G 1N1

Postal Code _____

Text

6. Nature and extent of relief applied for:
Pool and pool equipment location cannot meet requirements of By-law No. 05-200, s4.11
- pool and pool equipment to be located within front yard space
- pool cannot meet minimum setback of 1.25m from lot lines, as measured from the water's edge
Accessory building (storage shed) to be located within front yard space (By-law No. 05-200, s4.8.1)
7. Why it is not possible to comply with the provisions of the By-law?
Irregular, corner lot (triangular)

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):
148 John Frederick Drive, Ancaster
PART BLOCK 4, Plan 62M-1226
being Part 61 on Plan 62R-20554
9. PREVIOUS USE OF PROPERTY
Residential _____ Industrial _____ Commercial _____
Agricultural _____ Vacant X
Other _____
- 9.1 If Industrial or Commercial, specify use

- 9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?
Yes _____ No X Unknown _____
- 9.3 Has a gas station been located on the subject land or adjacent lands at any time?
Yes _____ No X Unknown _____
- 9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
Yes _____ No X Unknown _____
- 9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
Yes _____ No X Unknown _____
- 9.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?
Yes _____ No X Unknown _____
- 9.7 Have the lands or adjacent lands ever been used as a weapon firing range?
Yes _____ No X Unknown _____
- 9.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?
Yes _____ No X Unknown _____

- 9.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?
 Yes _____ No X Unknown _____
- 9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?
 Yes _____ No X Unknown _____
- 9.11 What information did you use to determine the answers to 9.1 to 9.10 above?
I am the original purchaser of the dwelling and vacant land from Losani Homes (1998) Ltd. and
can confirm answers 9.1 to 9.10 are true to the best of my knowledge and as documented in the
land transfer/deed agreement.
- 9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.
 Is the previous use inventory attached? Yes _____ No X

ACKNOWLEDGEMENT CLAUSE

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

2020-07-31

Date


Signature Property Owner

Nicholas Carrescia
Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>32.488 metres</u>
Depth	<u>22.939 metres</u>
Area	<u>432.7 sq. metres</u>
Width of street	<u>12 metres</u>

11. Particulars of all buildings and structures on or proposed for the subject lands:
 (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: Two-storey semi-detached dwelling, Tot. building coverage = 1425 sq.ft.,
Tot. floor area = 2251 sq.ft., 13.741m (width) x 10.211m (length)

Proposed: Fiberglass Pool "Claremont model by Latham Pools"
33' length x 14' width, depth @ 3'-6" (shallow) and 5'-4" (deep)
Storage Shed (triangular), approx 100 sq.ft, 4.3m width x 4.5m length x 9.0m height

12. Location of all buildings and structures on or proposed for the subject lands:
 (Specify distance from side, rear and front lot lines)

Existing: Dwelling setbacks: 5.004m (minimum) from front lot line; 2.066m (minimum) from rear
lot line; 7.948m (minimum) from side lot line

Proposed: Pool Setbacks: 1.25m* (minimum) from front lot line; 1.0m* (minimum) from side lot line

*as measured to water's edge

Storage Shed / Pool Equipment Pad: 0.6m from front lot line; 0.6m from side lot line

13. Date of acquisition of subject lands:
June 21, 2017
14. Date of construction of all buildings and structures on subject lands:
June 21, 2017
15. Existing uses of the subject property: Residential
16. Existing uses of abutting properties: Residential
17. Length of time the existing uses of the subject property have continued:
3 years
18. Municipal services available: (check the appropriate space or spaces)
Water X Connected X
Sanitary Sewer X Connected X
Storm Sewers X
19. Present Official Plan/Secondary Plan provisions applying to the land:
Urban, Neighbourhood Institutional (I1)
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
05-200, 16-244
21. Has the owner previously applied for relief in respect of the subject property?
Yes No
If the answer is yes, describe briefly.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
Yes No
23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

NOTE: It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps



BY E-MAIL

July 30, 2020

GC-ANC

Nicholas Carrescia
148 John Frederick Drive
Ancaster, ON L9G 0G5

Dear Mr. Carrescia:

RE: Letter of Permission for the Installation of an In-Ground Pool and Construction of a Retaining Wall

**Location: 148 John Frederick Drive
Part Lot 48, Concession 3, City of Hamilton (Ancaster)**

Staff of the Hamilton Conservation Authority (HCA) have reviewed the above-noted proposal including your site plan dated July 24, 2020 (attached).

The subject property is affected by the *HCA Development, Interference with Ontario Regulation 161/06 (HCA's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses)* made under the *Conservation Authorities Act, R.S.O. 1990* as it is located in close proximity to a tributary of Ancaster Creek. However, as shown on the site plan, the proposed pool and retaining wall will be located outside of the flood and erosion hazards associated with the watercourse. Therefore, please accept this correspondence as written permission for the proposed pool installation and retaining wall construction on lands regulated by the HCA. We do not have any objection to the issuance of a pool enclosure and/or building permit by the municipality.

If you have any questions regarding the above, please do not hesitate to contact the undersigned at ext. 131.

Darren Kenny
Watershed Officer

July 30, 2020
Date

Encl. approved site plan

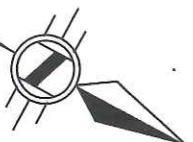
c.c. Chanell Ross, Plan Examination Secretary, City of Hamilton, Building Division (by mail)

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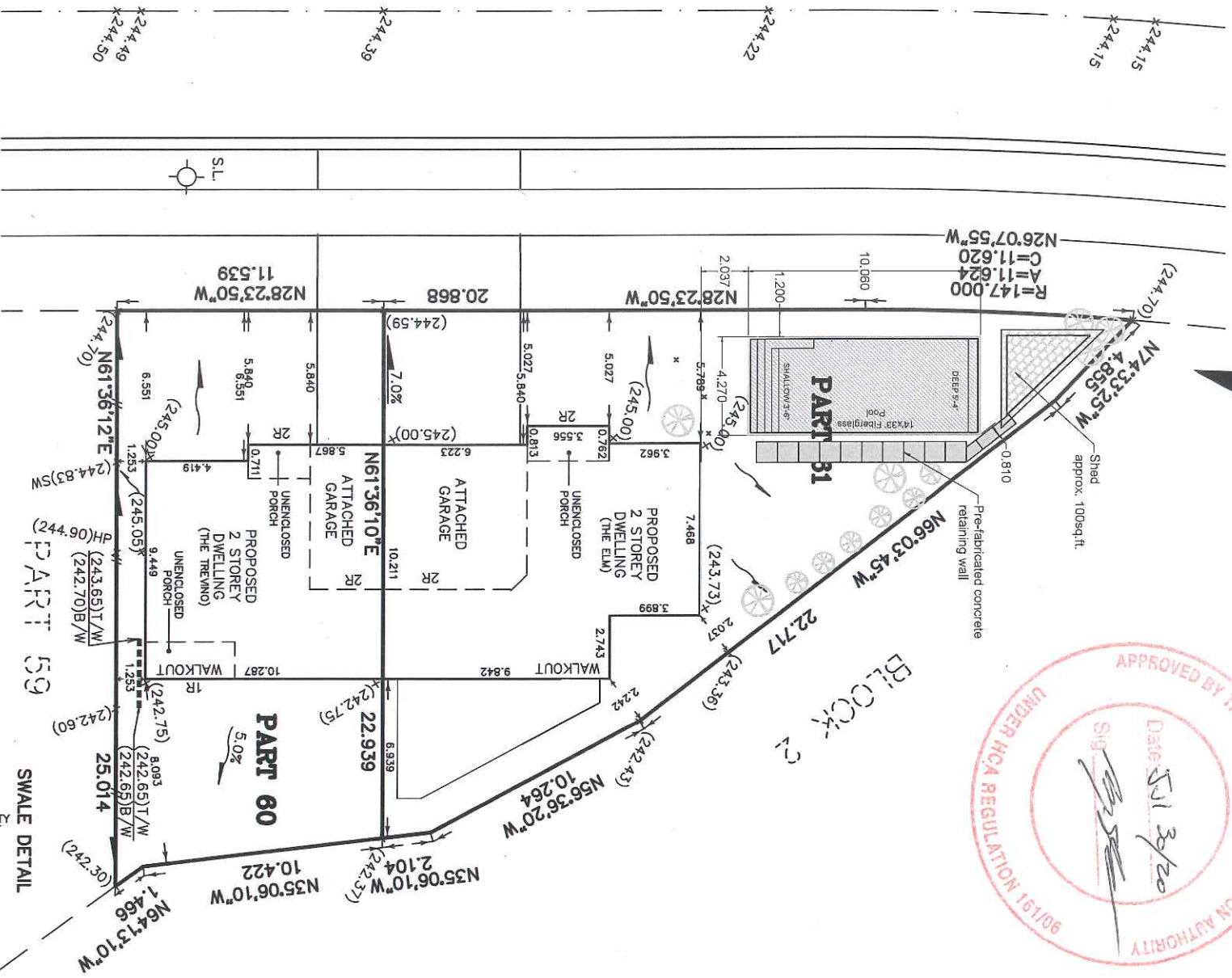
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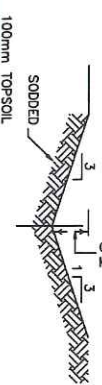
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148 JOHN FREDERICK - POOL/RETAINING WALL
SITE PLAN
07/24/2020

SP-1.01

A.T. McLaren Limited
LIEUT. AND ENGINEERING SURVEYS
69 JOHN STREET SOUTH, SUITE 230
HAMILTON, ONTARIO, L8N 2B9
PHONE (905) 527-8559 FAX (905) 527-0032

Drawn PS Checked KB/SDM Scale 1:200 Dwg.No. 35105-60461