

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-21:13

APPLICANTS: Richie Khanna on behalf of the owner Nariender Kahoor

SUBJECT PROPERTY: Municipal address **110 Curran Rd., Ancaster**

ZONING BY-LAW: Zoning By-law 87-57, as Amended by By-law 11-014

ZONING: "R4-612" (Residential) district

PROPOSAL: To permit the development of a rear deck, including a roofed over section of the deck above the first storey for a single detached dwelling, notwithstanding that:

1. The maximum area for a deck shall be 59 square metres instead of the maximum required 40 square metres;
2. The minimum setback from a deck to the rear lot line shall be 4.4 metres instead of the minimum 6.0 metres

NOTES:

1. The variances are written as requested by the applicant.
2. The property is zoned Site-Specific Residential (R4-612) Zone in Ancaster Zoning By-law 87-57. Site-Specific 612 was approved under amending by-law 11-014 and includes a special provision to permit the front yard to be 4.5 metres and 6.0 metres to an attached garage.
3. The proposed feature is recognized as a deck. The Ancaster Zoning By-law provides the following definition for deck:

Deck means a platform or series of platforms, accessory to a dwelling unit, exceeding a height of 60 cm measured from the lowest point of grade at the platform perimeter to the floor of the platform. Decks may be free-standing or attached to a dwelling and are intended for use as an outdoor living area. Decks may be roofed over with a trellis or trellis-like structure only, screened-in and enclosed by a hand rail not exceeding a height of 122 cm above the platform floor, otherwise a deck shall not be enclosed. Any and all stairs, as measured to the exterior parameters of the framing structure, shall be considered to constitute part of the deck with respect to all relevant setbacks and lot coverage regulations. Any decking less than 60 cm in height shall not be considered to be a deck for the purpose of this by-law, but rather, shall be considered as landscaping material only.

In addition to the above, the Ancaster Zoning By-law does not define the term “balcony”. However, for interpretation purposes, a balcony would not have stairs or support columns as part of its structure.

4. The lot coverage requirements of the Zoning By-law for residential dwellings do not apply to unenclosed decks and their associated stairs.

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

DATE:	Thursday, February 18th, 2021
TIME:	1:55 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: February 2nd, 2021.

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.

MINOR VARIANCE
110 CURRAN ROAD,
ANCASTER, ON L9K 0G6



PROPOSED DECK IMAGE



AREA OF WORK



KEY MAP



ARCHITECTURAL

CONSULTANTS

SCOPE OF WORK:
1. NEW REAR DECK

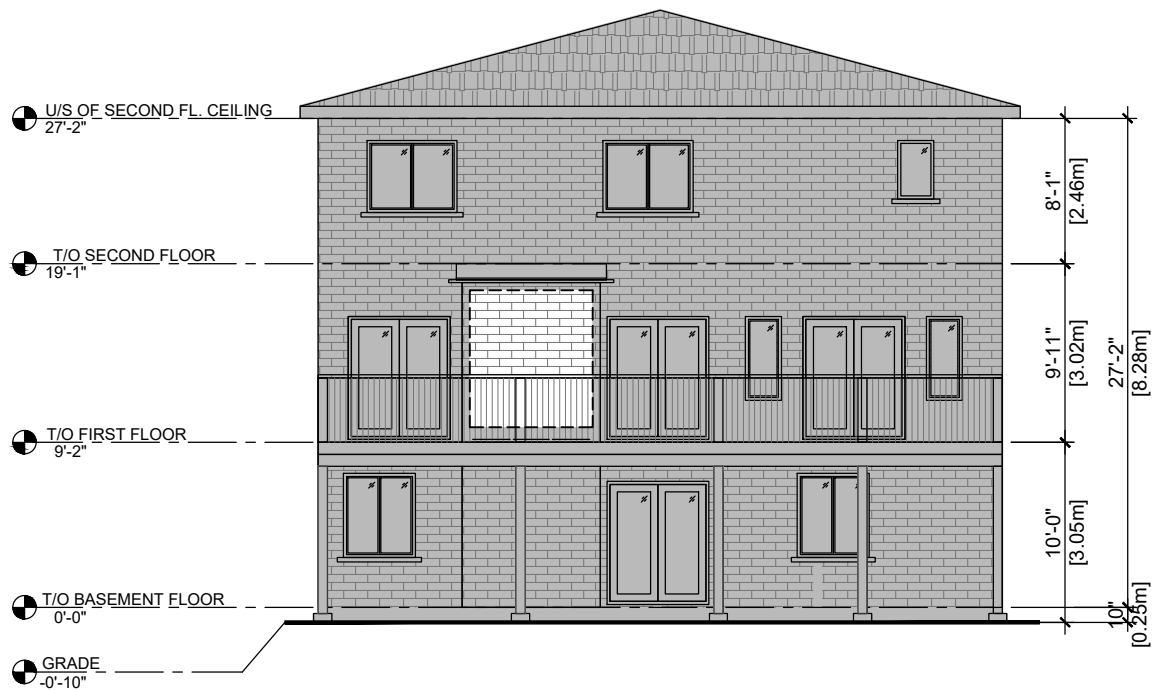
SCOPE OF WORK								
TITLE/SITE		REVISIONS						
A0.01 COVER PAGE								
SITE PLAN								
SP1.01 SITE PLAN								
ARCHITECTURAL								
A2.01 EXISTING AND PROPOSED REAR ELEVATIONS								



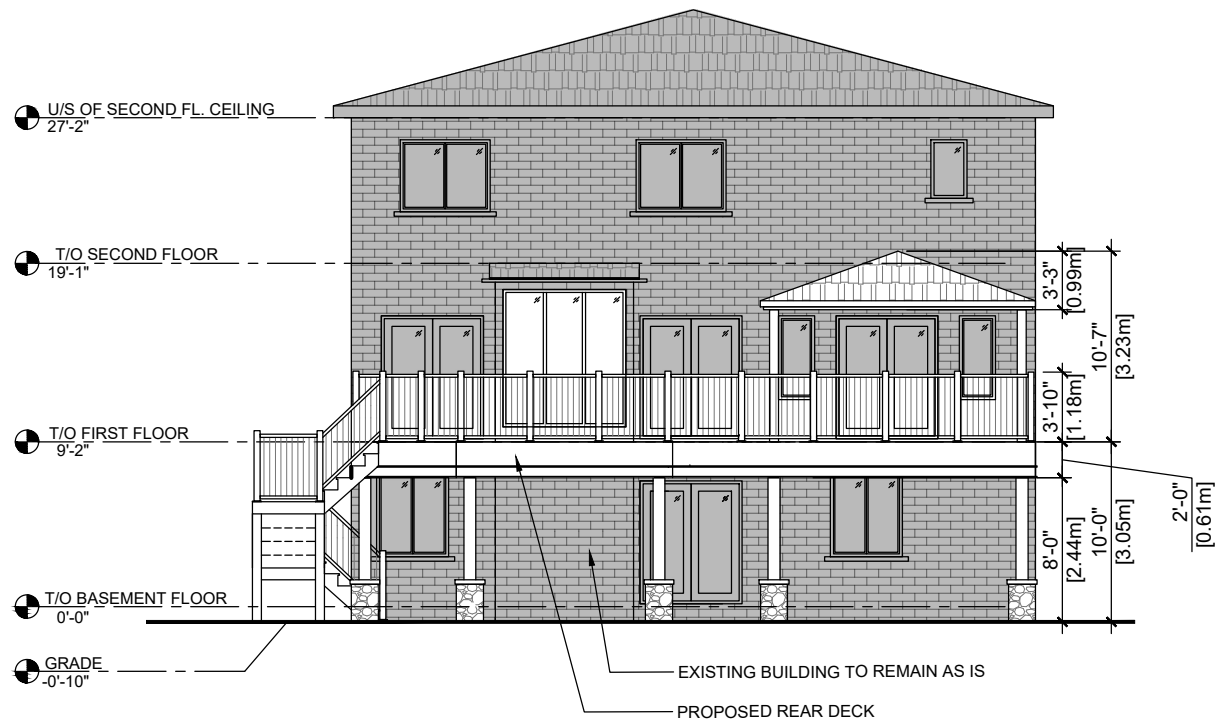
R&R Designs Inc.
92 Stapleton Ave, Hamilton, ON, L8H 3N6
(905) 547 8668
Richie Khanna | richie@r-designs.net
www.r-designs.net

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1	2020-12-03	MINOR VARIANCE	EH
NO.	DATE	DESCRIPTION	BY
REVISIONS			
PROJECT ADDRESS		110 CURRAN ROAD, ANCASTER, ON L9K 0G6	
SCALE		AS NOTED	
DATE		2020-12-03	
PAGE TITLE		COVER PAGE	
PROJECT NO. RR84-2020		DRAWING NO. A0.01	
DRAWN BY SM			
REVIEWED BY RK			

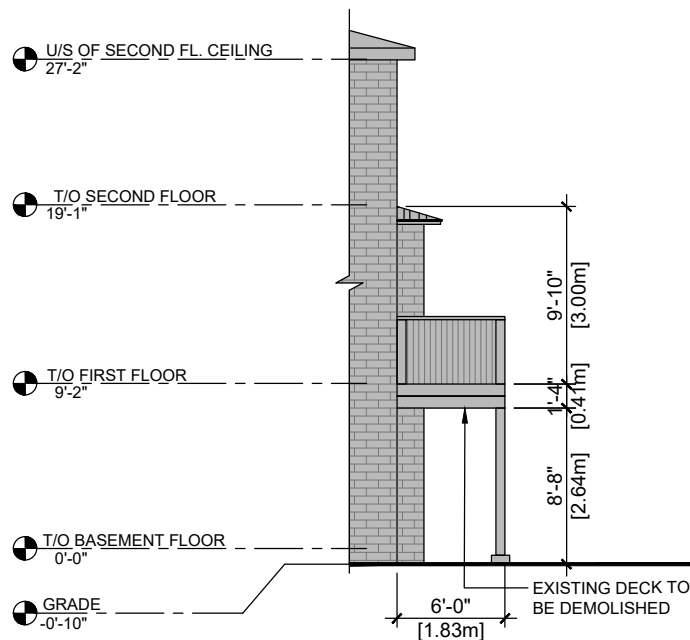
SHEET INDEX



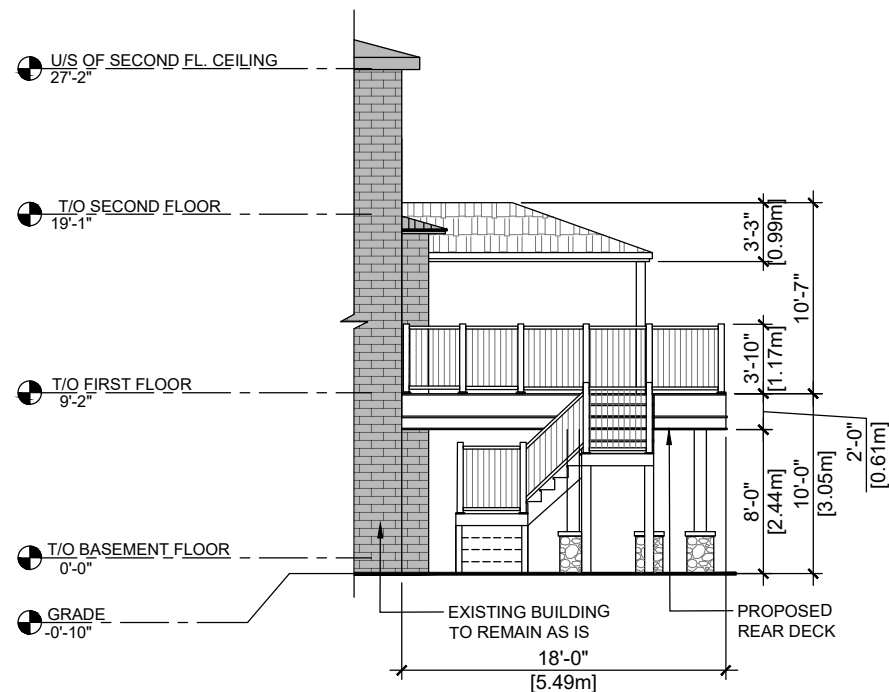
1 EXISTING REAR ELEVATION
Scale: 3/32"=1'-0"



2 PROPOSED REAR ELEVATION
Scale: 3/32"=1'-0"



1 EXISTING SIDE ELEVATION
Scale: 3/16"=1'-0"



4 PROPOSED SIDE ELEVATION
Scale: 3/32"=1'-0"



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SCALE	AS NOTED		
DATE	2020-12-03		
PAGE TITLE	EXISTING REAR AND PROPOSED REAR ELEVATION		
PROJECT NO. RR84-2020	DRAWING NO. A2.01		
DRAWN BY SM			
REVIEWED BY RK			

CURRAN ROAD

1

PROPOSED SITE PLAN

Scale: 3/32"=1'-0"

SITE STATISTICS			
	EXISTING	PROPOSED	REQUIRED
SITE LOT	0.125 ACRE (505.7 m²)	-	400 m²
FRONTAGE	43'-4" (13.22 m)	-	12 m
DEPTH	111'-3" (33.92 m)	-	
ZONING CODE	R4-612	-	
ZONING MAP	ANCASTER	-	
PARENT BY-LAW	87-57 ANCASTER, 11-014	-	
FRONT YARD LANDSCAPING	54%	-	50% MIN
LOT COVERAGE	HOUSE: 34.78% (175.87 m²)	-	35% MAX

BUILDING SETBACKS			
	EXISTING	PROPOSED	REQUIRED
FRONT	26'-10" (8.18 m)	NO CHANGE	7.5 m
REAR	33'-11" (10.34 m)	NO CHANGE	7.5 m
NORTH SIDE	4'-1" (1.25 m)	NO CHANGE	1.2 m
SOUTH SIDE	4'-1" (1.26 m)	NO CHANGE	1.2 m

ANCASTER ZONNING 9.10: NEW REAR DECK STATISTICS			
	EXISTING	PROPOSED	REQUIRED
MAXIMUM DECK AREA	20 m²	628.95 f² (58.43 m²)	40 m²
REAR SETBACK		14'-8" (4.46 m)	6 m
NORTH SIDE SETBACK		4'-1" (1.25 m)	1.2 m MINIMUM
SOUTH SIDE SETBACK		4'-6" (1.36 m)	1.2 m MINIMUM
HEIGHT	10'-8" (3.25 m)	NO CHANGE	

ANCASTER ZONING 3.39: "DECK"	
REQUIRED	PROPOSED
"DECK" - MEANS A PLATFORM OR SERIES OF PLATFORMS, ACCESSORY TO A DWELLING UNIT, EXCEEDING A HEIGHT OF 60 CM MEASURED FROM THE LOWEST POINT OF GRADE AT THE PLATFORM PERIMETER TO THE FLOOR OF THE PLATFORM. DECKS MAY BE FREE-STANDING OR ATTACHED TO A DWELLING AND ARE INTENDED FOR USE AS AN OUTDOOR LIVING AREA. DECKS MAY BE ROOFED OVER WITH A TRELLIS OR TRELLIS-LIKE STRUCTURE ONLY, SCREENED-IN AND ENCLOSED BY A HAND RAIL NOT EXCEEDING A HEIGHT OF 122 CM ABOVE THE PLATFORM FLOOR, OTHERWISE A DECK SHALL NOT BE ENCLOSED. ANY AND ALL STAIRS, AS MEASURED TO THE EXTERIOR PARAMETERS OF THE FRAMING STRUCTURE, SHALL BE CONSIDERED TO CONSTITUTE PART OF THE DECK WITH RESPECT TO ALL RELEVANT SETBACKS AND LOT COVERAGE REGULATIONS. ANY DECKING LESS THAN 60 CM IN HEIGHT SHALL NOT BE CONSIDERED TO BE A DECK FOR THE PURPOSE OF THIS BY-LAW, BUT RATHER, SHALL BE CONSIDERED AS LANDSCAPING MATERIAL ONLY.	PROPOSED DECK WITH PROPOSED HIP ROOF.

Another project by



Architectural services | Residential & Commercial

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SCALE	AS NOTED		
DATE	2020-12-03		
PAGE TITLE	SITE PLAN		
PROJECT NO.	RR84-2020	DRAWING NO.	SP1.01
DRAWN BY	SM		
REVIEWED BY	RK		
			2 OF 3



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

Planning and Economic Development Department
Planning Division

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 NARENDER KAPOOR Telephone No. _____
FAX NO. _____ E-mail address _____
2. Address _____
_____ Postal Code _____
3. Name of Agent Richie Khanna 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:

_____ Postal Code _____

_____ Postal Code _____

6. Nature and extent of relief applied for:
Maximum deck area 58.43m², required 40m².
Rear setback 4.46m, required 6m.
Proposed deck covered partially with hip roof, required trellis or trellis-like structure only.
7. Why it is not possible to comply with the provisions of the By-law?
Existing conditions

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):
110 Curran Rd, Ancaster,
Zone "R4-612"

9. PREVIOUS USE OF PROPERTY
 Residential X Industrial Commercial
 Agricultural Vacant
 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?

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.

DEC. 16/2020
Date

Signature Property Owner

NARENDAR KAPOOR
Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>13.22m</u>
Depth	<u>33.92m</u>
Area	<u>505.7 m²</u>
Width of street	<u>3.8m</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: Existing house footprint = 175.87 m²; 2 storeys + basement; width = 11.58m;
length = 15.39 m; height = ~10.4 m

Proposed: n/a

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

Existing: Existing rear deck footprint = 20 m²; rear setback = 8.05 m ; south side = 2.94m;
north side = 1.25m

Proposed: Preopsed rear deck footprint (including stairs) = 58.43 m²; rear setback = 4.46m;
south side setback = 1.36m; north side setback = 1.25m

13. Date of acquisition of subject lands:
MARCH 2 / 2018
14. Date of construction of all buildings and structures on subject lands:
MARCH 2 / 2018
15. Existing uses of the subject property: Residential sigle family, zone R4-612
16. Existing uses of abutting properties: Residential
17. Length of time the existing uses of the subject property have continued:
Unknown
18. Municipal services available: (check the appropriate space or spaces)
Water yes Connected yes
Sanitary Sewer yes Connected yes
Storm Sewers yes
19. Present Official Plan/Secondary Plan provisions applying to the land:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Zone R4-612, ByLaw 87-57 ANCASTER, Parent ByLaw 11-014
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