

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-21:152

APPLICANTS: Owners A. & R. Spiteri
Agent Brent Wybenga

SUBJECT PROPERTY: Municipal address **154 Beverly Crt., Ancaster**

ZONING BY-LAW: Zoning By-law 87-57, as Amended by By-law 18-105

ZONING: "ER" district Existing Residential

PROPOSAL: To permit the construction of a full two (2) storey addition, along with a proposed roofed over unenclosed front porch, a roofed over unenclosed rear porch and a rear deck to an existing single detached dwelling notwithstanding that;

1. A minimum side yard setback of 1.2 m shall be provided on the westerly side lot line instead of the minimum required of 2.87 m; and

2. A minimum sides yard setback of 1.3 m shall be provided on the easterly side lot line instead of the minimum required of 2.87 m; and

3. A minimum rear yard setback of 6.0 m shall be provided instead of the minimum required rear yard setback of 7.85 m.

Notes:

Variances have been written exactly as requested by the applicant. This property is subject to Site Plan Control; to date, no formal site plan application has been submitted and a full zoning review has not been conducted for the proposed development. Further variances may be required at such time that a formal zoning review is conducted on the proposed development.

A minimum of 1.0 m within the side yard shall be unobstructed and shall not contain structures, walkways, hard surfaced material, and landscaping other than sod. No details have been provided on the submitted sketch; therefore, further variances may be required.

A minimum of 1.0 m within the rear yard shall be unobstructed and shall not contain structures walkways, sidewalks, hard surfaced material, and landscaping other than sod. No details have been provided on the submitted sketch; therefore, further variances may be required.

The maximum building height of two storeys shall not be greater than 9.5 m. The site plan indicated 2 storeys and 9.5 m; however, the proposed total height has not been provided from grade as defined in the zoning by-law; therefore, if the proposed height exceeds the maximum permitted further variances may be required.

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

DATE:	Thursday, May 20th, 2021
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

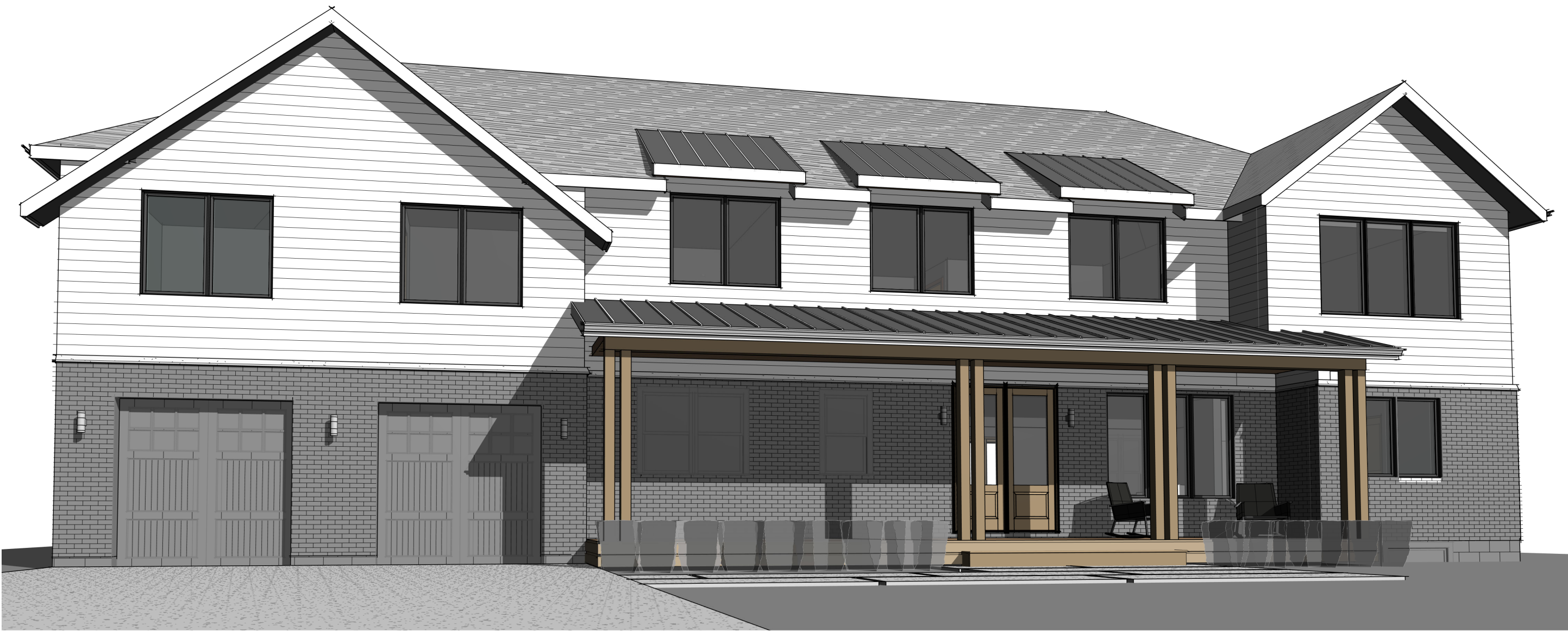
For more information on this matter, including access to drawings illustrating this request:

- 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: May 4th, 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.



PARK
EIGHT
ENG // ARCH

RYAN & ASHLEY SPITERI

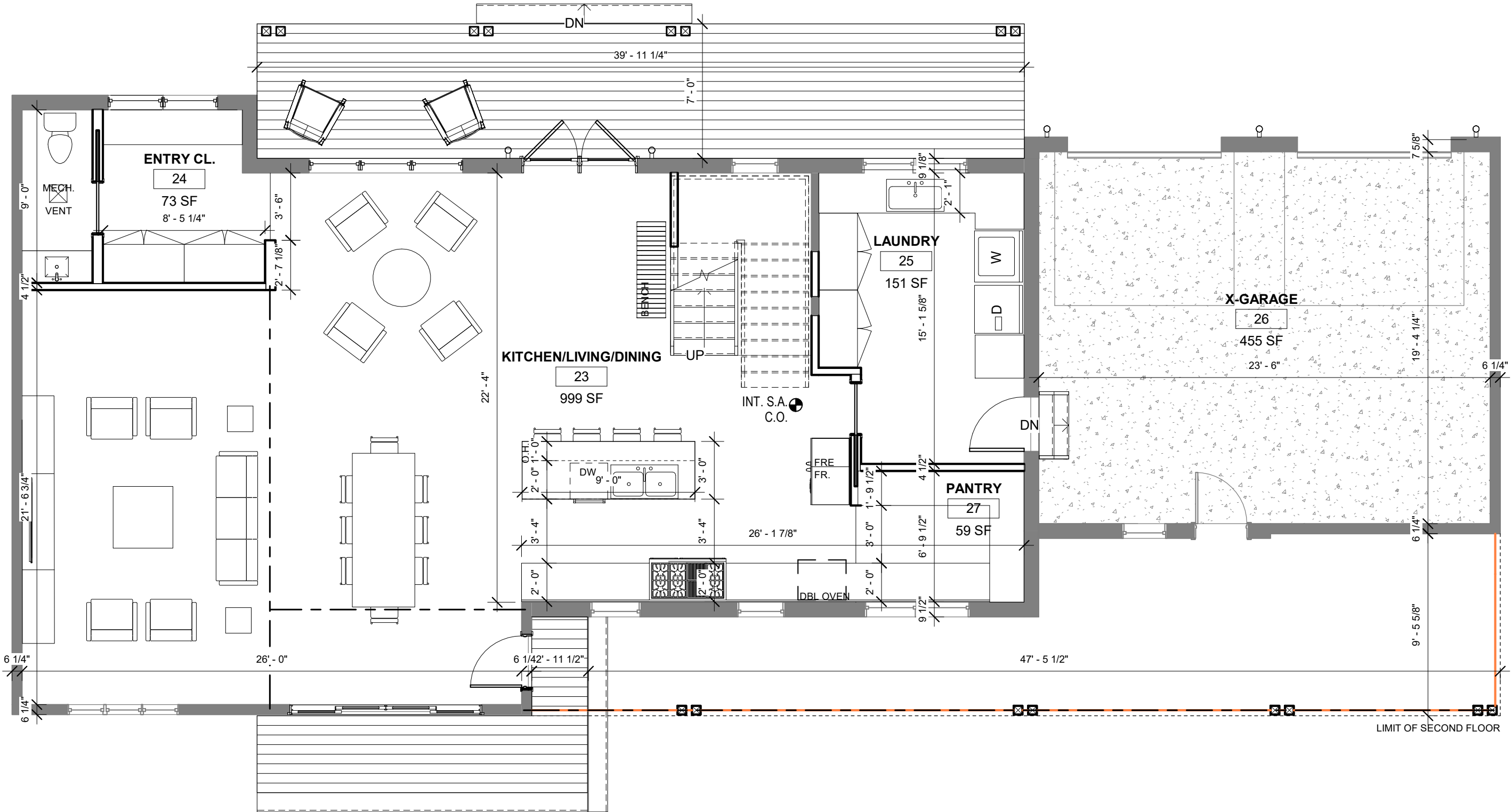
154 BEVERLY COURT, ANCASTER

Project No. 21011
Revisions

Scale
COVER

A0.01

Sheet No. ©2021



1 PROP. GROUND FLOOR
3/16" = 1'-0"

PARK
EIGHT
ENG // ARCH

RYAN & ASHLEY SPITERI

154 BEVERLY COURT, ANCASTER

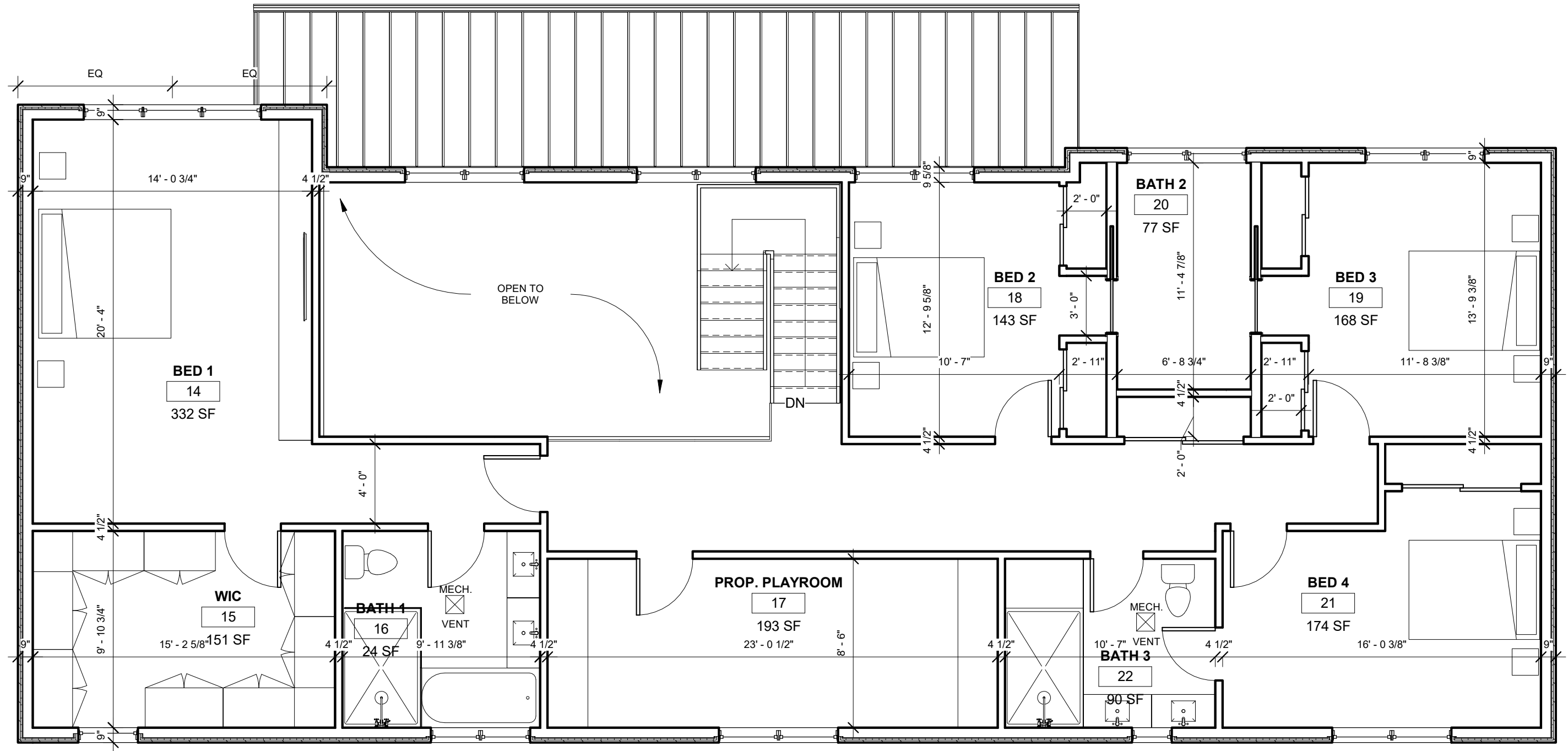
Project No. 21011
Revisions

Scale 3/16" = 1'-0"

PROP. GROUND

A1.02

Sheet No. ©2021





1 FRONT
3/16" = 1'-0"

PARK
EIGHT
ENG // ARCH

RYAN & ASHLEY SPITERI

154 BEVERLY COURT, ANCASTER

Project No. 21011
Revisions

Scale 3/16" = 1'-0"

FRONT ELEVATION

A2.01

Sheet No. ©2021



① BACK
3/16" = 1'-0"

PARK
EIGHT
ENG // ARCH

RYAN & ASHLEY SPITERI

154 BEVERLY COURT, ANCASTER

Project No. 21011

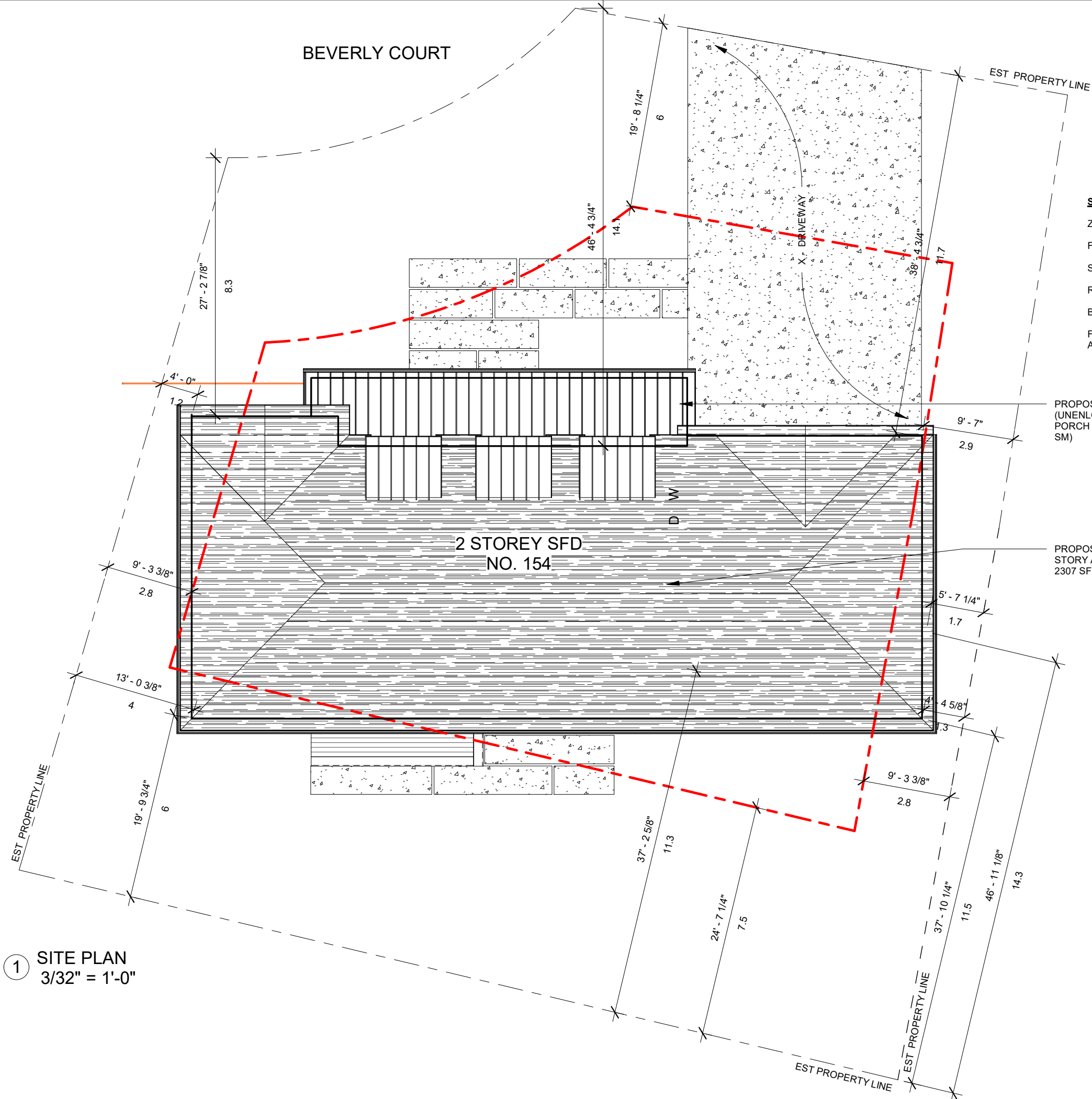
Revisions

Scale 3/16" = 1'-0"

REAR ELEVATION

A2.02

Sheet No. ©2021



SITE STATISTICS

ZONING DESIGNATION = C	PERMITTED	PROVIDED
FRONT YARD SETBACK	6.0 m	8.3 m (EXISTING)
SIDE YARD SETBACK	1.2 m	1.2 m / 1.3 m (EXISTING)
REAR YARD SETBACK	7.5 m	6.0 m (EXISTING)
BUILDING HEIGHT	11.0 m	9.5 m (PROPOSED)
FRONT YARD LANDSCAPE AREA	50%	60% (EXISTING)

PROPOSED COVERED
(UNENLOSED) FRONT
PORCH ~ 279.55 SF (25.9
SM)

PROPOSED 2nd
STORY ADDITION ~
2307 SF (214.3 SM)

1 SITE PLAN
3/32" = 1'-0"

PARK
EIGHT
ENG // ARCH

RYAN & ASHLEY SPITERI

154 BEVERLY COURT, ANCASTER

Project No. 21011
Revisions

Scale 3/32" = 1'-0"

SITE PLAN

SP1

Sheet No. ©2021

Planning and Economic Development
Department
Building Division
Building Engineering and Zoning Section

Committee of Adjustment Comments

TO: Jamila Sheffield
Secretary-Treasurer - Committee of Adjustment
Development Planning

FROM: Maria Romano
(905) 546-2424 Ext. 2722

DATE: April 22, 2021

SUBJECT:	Application:	AN/A-21:152
	Folder Number:	21-118820-00 COA
	Zoning District:	"ER"
	Zoning District Description:	Existing Residential
	Zoning By-Law:	Ancaster Zoning By-Law No. 87-57
	Amending By-Law Number:	18-105
	Address:	154 BEVERLY CRT , ANCASTER
	By-Law Section:	3, 7; 9 & 10
	Anticipated Hearing Date:	June 3, 2021
	Comments Due By:	May 28, 2021

COMMENTS:

To permit the construction of a full two (2) storey addition, along with a proposed roofed over unenclosed front porch, a roofed over unenclosed rear porch and a rear deck to an existing single detached dwelling notwithstanding that;

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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

FOR OFFICE USE ONLY.

APPLICATION NO. _____ DATE APPLICATION RECEIVED _____

PAID _____ DATE APPLICATION DEEMED COMPLETE _____

SECRETARY'S
SIGNATURE _____

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, 2	NAME	ADDRESS
Registered Owners(s)	Ashley Phuong-Spiteri Ryan Spiteri	[REDACTED]
Applicant(s)*		Phone: E-mail:
Agent or Solicitor	cb PACKEIGHT BRENT WYRENGA	[REDACTED]

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

3. Names and addresses of any mortgagees, holders of charges or other encumbrances:
Ashley Phuong-Spiteri, 154 Beverly Court, Ancaster, ON, L9G 1C1
Ryan Spiteri, 154 Beverly Court, Ancaster, ON, L9G 1C1

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

4. Nature and extent of relief applied for:

2ND STORY ADDITION

- SIDE YARD SET BACKS

REQ'D: 2.8m / PROPOSED: 1.2m / 1.3m

- REAR YARD SET BACK
REQ'D = 7.5m / Prop. 6.0m

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

PROPOSED 2ND STORY ADDITION ON EXISTING 1 STORY HOUSE
(FOUNDATION / GROUND FLOOR TO REMAIN AS EXISTING)

6. Legal description and Address of subject lands (registered plan number and lot number or other legal description and where applicable, **street and street number**):

154 BEVERLY COURT ANCASTER ON L9G 1C1

7. PREVIOUS USE OF PROPERTY

Residential ☒ Industrial ☐ Commercial ☐
Agricultural ☐ Vacant ☐

Other _____

- 8.1 If Industrial or Commercial, specify use _____
- 8.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?
Yes ☐ No ☒ Unknown ☐
- 8.3 Has a gas station been located on the subject land or adjacent lands at any time?
Yes ☐ No ☒ Unknown ☐
- 8.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
Yes ☐ No ☒ Unknown ☐
- 8.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
Yes ☐ No ☒ Unknown ☐
- 8.6 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 ☒ Unknown ☐
- 8.7 Have the lands or adjacent lands ever been used as a weapon firing range?
Yes ☐ No ☒ Unknown ☐
- 8.8 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 ☒ Unknown ☐
- 8.9 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 ☒ Unknown ☐

8.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes ☐ No ☒ Unknown ☐

8.11 What information did you use to determine the answers to 9.1 to 9.10 above?

EXISTING RESIDENTIAL SUBDIVISION 60+ YEARS

8.12 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 ☐

9. 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.

March 12/2021
Date

[Signature]
Signature Property Owner

Ashley Phuong-Spiteri
Print Name of Owner

10. Dimensions of lands affected:

Frontage 25.67m
Depth 24 & 32.3m
Area 823.5m
Width of street 6.0m

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: GROUND FLOOR AREA: 184.35m LENGTH: 9.8m
GROSS AREA: 184.35m HEIGHT: 6.5m
NUMBER OF STORIES: 1
WIDTH: 23.6m 240.635m

Proposed
(INCLUDING FRONT & REAR PORCH) GROUND FLOOR AREA: ~~184.35m~~ LENGTH: 9.8m
GROSS AREA: 455.735m HEIGHT: 9.5m
NUMBER OF STORIES: 2
WIDTH: 23.6m

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

Existing: FRONT: 8.3m FRONT PORCH: 9.2m
SIDE: 1.2m / 1.3m
REAR: 6.0m

Proposed: FRONT: 8.3m PORCH (FRONT): 6.9m
SIDE: 1.2m / 1.3m SIDE: 4.3m
REAR: 6.0m

13. Date of acquisition of subject lands:
1-2 YEARS
14. Date of construction of all buildings and structures on subject lands:
ORIGINAL 60/70'S - ADDITION 2000
15. Existing uses of the subject property:
RESIDENTIAL - SFO
16. Existing uses of abutting properties:
RESIDENTIAL - SFO
17. Length of time the existing uses of the subject property have continued:
60+ YEARS
18. Municipal services available: (check the appropriate space or spaces)
Water ✓ Connected ✓
Sanitary Sewer ✓ Connected ✓
Storm Sewers ✓
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:
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. Additional Information
24. 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.