

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-21:217

APPLICANTS: Owner Mafizur Rahman
Agent Sarfraz Chaudhry

SUBJECT PROPERTY: Municipal address **4 Derbyshire St., Ancaster**

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

ZONING: R4 district (Residential "R4" Zone)

PROPOSAL: To permit the construction a 4.9m x 7.65m, 37.5m² northerly two storey addition and to recognize the location of the single detached dwelling notwithstanding that:

1. A minimum rear yard of 7.0m shall be provided instead of the minimum required 7.5m rear yard.

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

DATE: Thursday, July 8th, 2021
TIME: 1:35 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

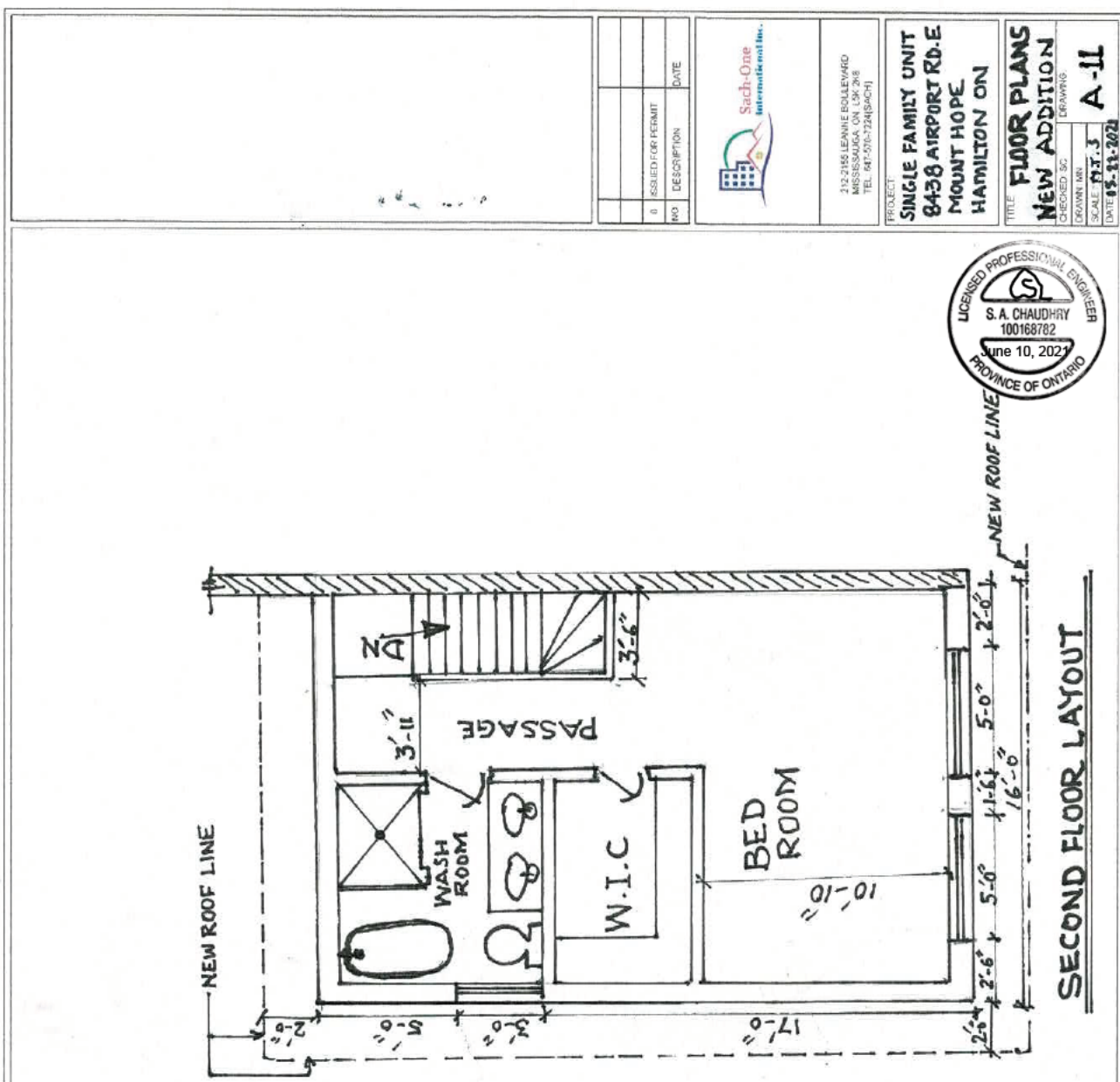
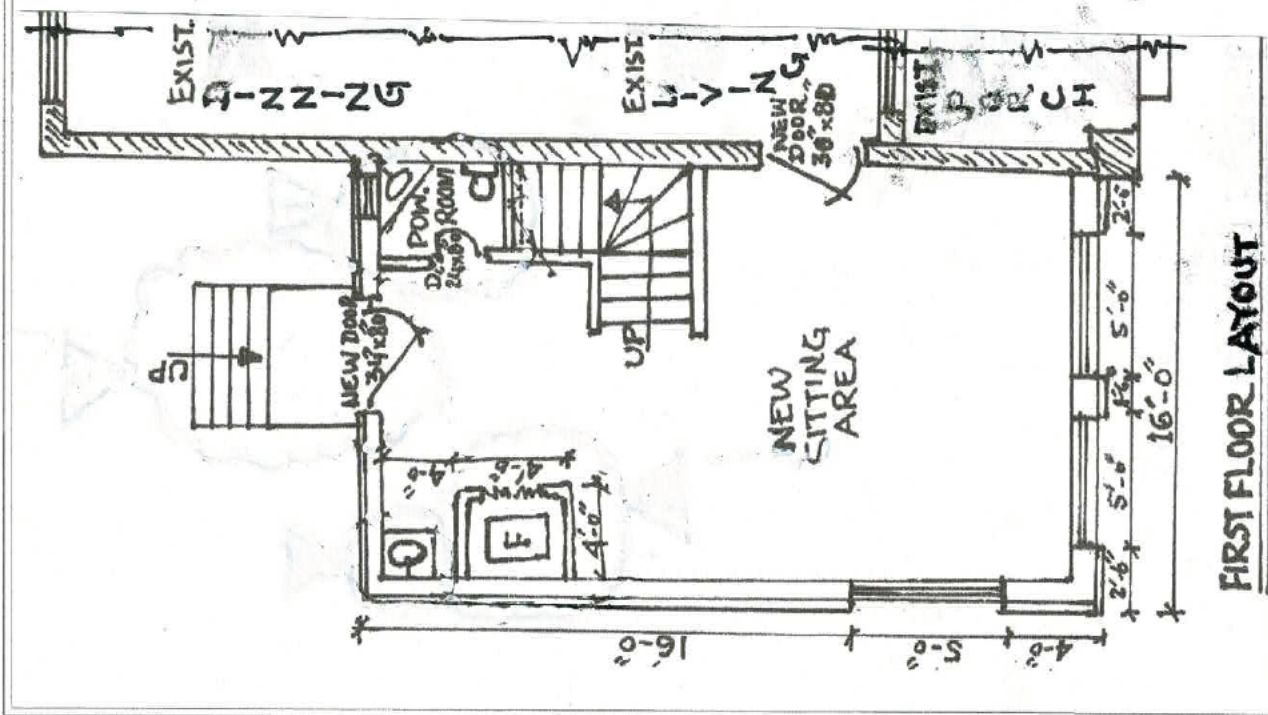
For more information on this matter, including access to drawings illustrating this request:

- 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: June 22nd, 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.



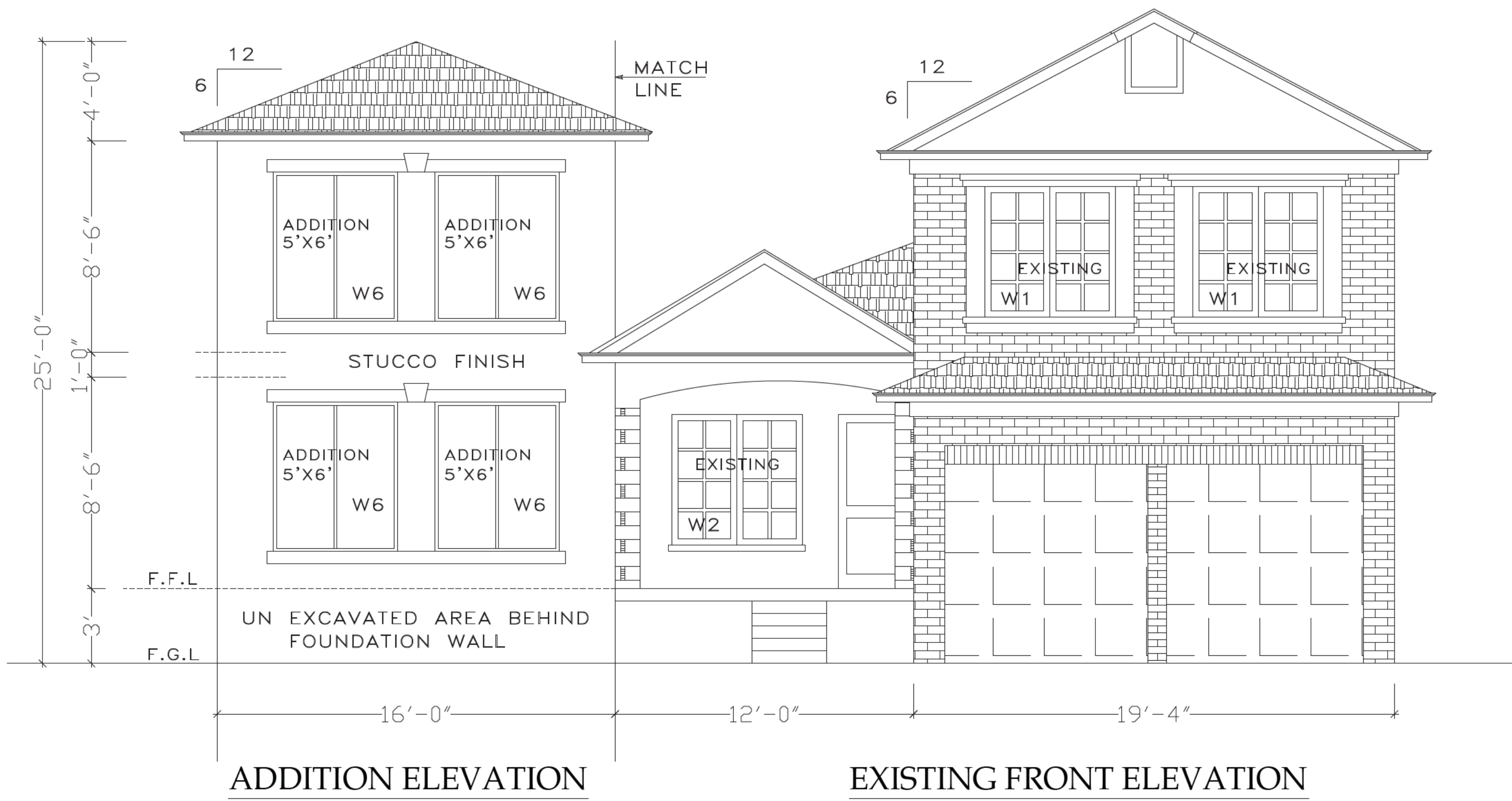
NO.	DESCRIPTION	DATE
0	ISSUED FOR PERMIT	



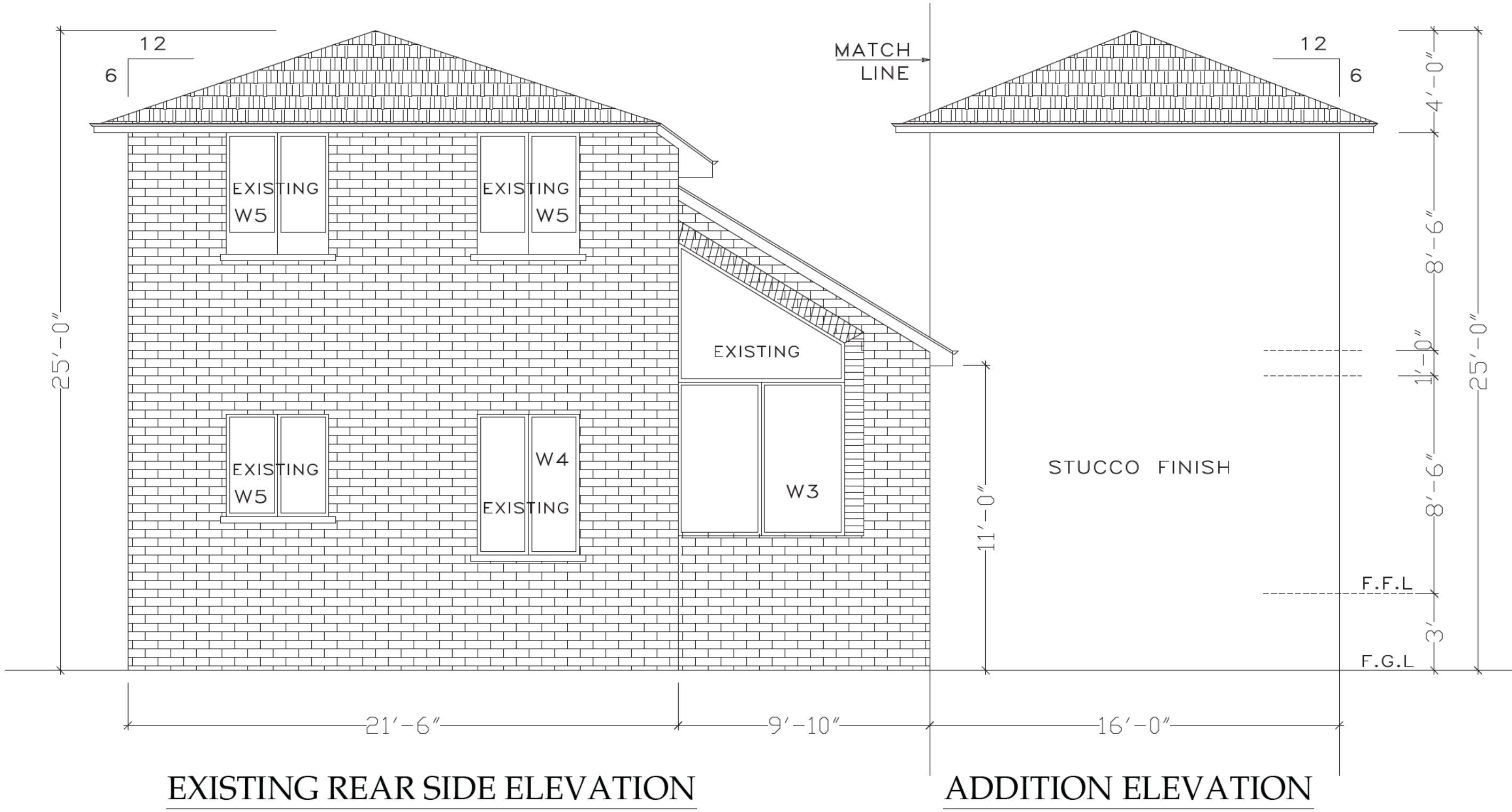
212 2155 LEANNE BOULEVARD
MISSISSAUGA, ON L4X 2N8
TEL: (905) 276-2240

PROJECT:
**SINGLE FAMILY UNIT
8438 AIRPORT RD.E
MOUNT HOPE
HAMILTON ON**

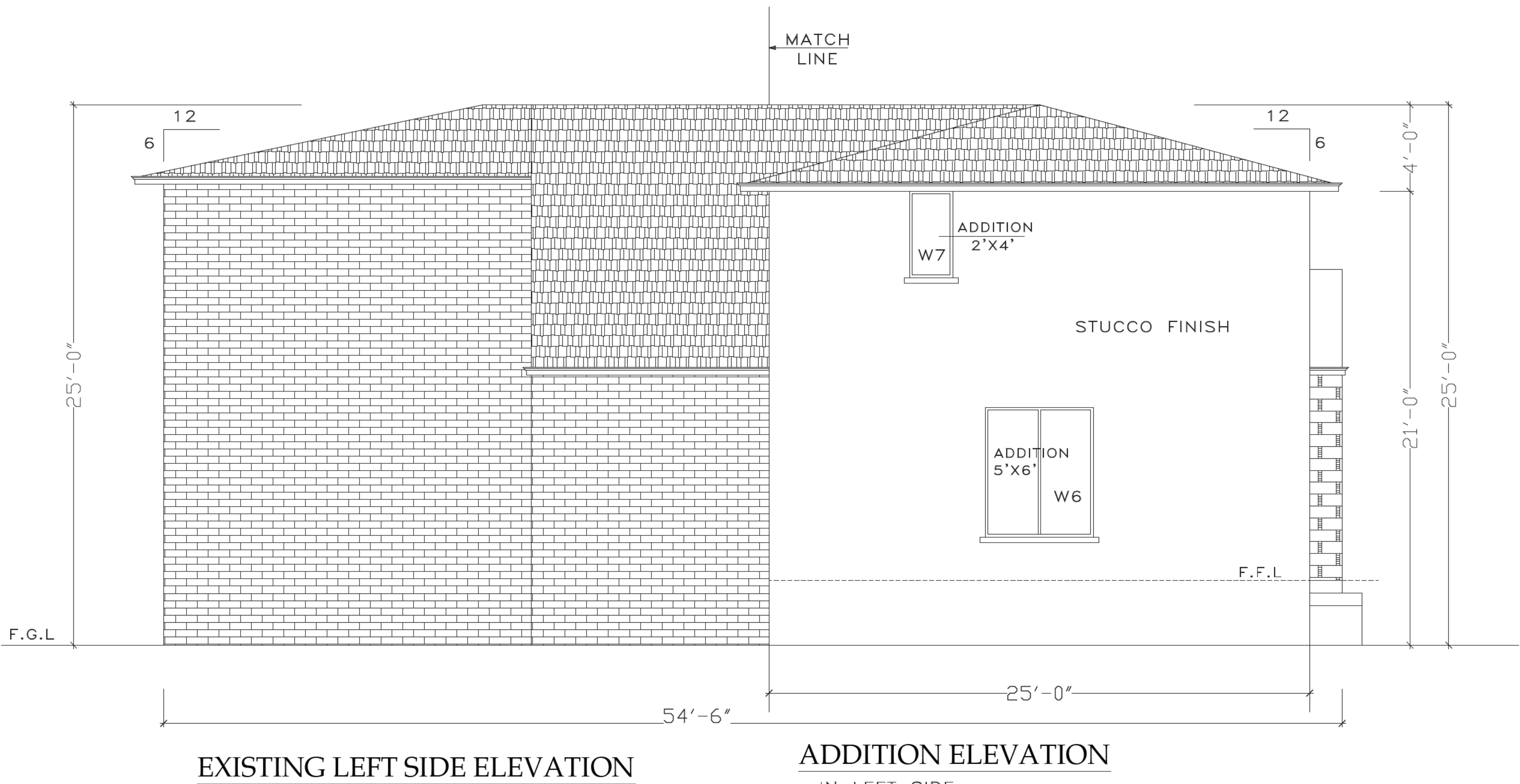
TITLE: **FLOOR PLANS
NEW ADDITION**
DRAWN BY: **A-JI**
SCALE: **N.T.S.**
DATE: **05-11-2021**



- WALL SURFACE AREA: 16X21 =336 SFT
- GLAZED AREA: 4XW6 4X30 =120 SFT



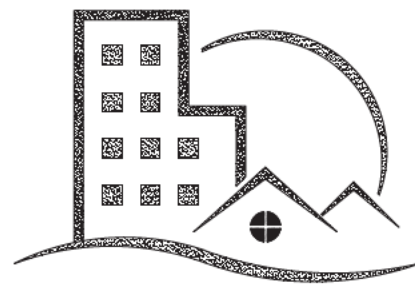
- WALL SURFACE AREA: 16X21 =336 SFT



- WALL SURFACE AREA: 25X21= 525 SFT
- GLAZED AREA: 1XW7 2X4 = 8 SFT
1XW6 5X6 = 30 SFT
TOTAL = 38 SFT



SCHEDULE OF WINDOWS.				
TYPE	SIZE	AREA	SILL.	REMARKS.
W-1	5'-0"x5'-0"	25 SFT	3'-0"	WOODEN
W-2	5'-0"x5'-0"	25 SFT	2'-0"	= =
W-3	6'-6"x9'-0"	58 SFT	1'-6"	ALLUMINIUM
W-4	4'-0"x6'-0"	24 SFT	1'-6"	= =
W-5	4'-0"x4'-0"	16 SFT	3'-0"	= =
W-6	5'-0"x6'-0"	30 SFT	1'-6"	= =
W-7	2'-0"x4'-0"	08 SFT	4'-0"	= =



Sach-One
International Inc.

DESIGN BY

212 - 2155 LEANNE BOULEVARD
MISSISSAUGA ON. L5K 2K8
TEL: 647-570-7224 (SACH)

PROJECT

4 - DERBYSHIRE STREET
ANCASTER, ON. L9G 4X9

TILTE

EXISTING & ADDITIONAL
FRONT, REAR & LEFT SIDE
ELEVATIONS

REVISION

01

DRAWING

DRAWN BY

AZHAR

SCALE

1/4" = 1'-0"

DATE

JAN 18, 2021

1 OF 3

NOTE: THIS PARTIAL SURVEY OF 4-DERBYSHIRE STREET HAS BEEN ENLARGED BY 130% TO SHOW THE REAR SET-BACK OF THE PROPERTY.
REAR SET-BACK FOR EXISTING PROPERTY IS 7.13 METERS AS CAN BE READ FROM DIMENSION MARKED AS *

FIDDLER'S GREEN ROAD

LAND SURVEYING
PLAN SUBMISSION FORM
1135304

THIS PLAN IS NOT VALID
UNLESS IT IS AN EMERGENCY
ORIGINAL COPY
ISSUED BY THE SURVEYOR
In accordance with
Regulation 1026, Section 29

A logo of a surveyor's compass, consisting of a circle with a vertical line through the center and a horizontal line at the bottom, forming a T-shape. The top of the circle is slightly flared out.

DERBYSHIRE STREET
(ESTABLISHED ACCORDING TO REGISTERED PLAN No 6711-800)

* REAR SETBACK FOR NEW ADDITION (2-STORIES)

THE REAR SETBACK FOR NEW ADDITION IS MEASURED AS TO MEIER ON MAY 12, 2021.

LEGEND: DENOTES R. A. CLARKE Q. L. S. (1201)

BUILDING DES. SHOWN INCREASING ARE TO BLOCK UNLESS OTHERWISE NOTED	THIS REPORT WAS PREPARED FOR LOSANGELES POLICE
---	---

BEARINGS ARE ASTRONOMIC AND REFERRED TO THE
NORTHERN LIMIT OF THE KING'S HIGHWAY No 53
AS SHOWN ON REGISTERED PLAN No 62M-800
HAVING A BEARING OF N 7° 44' 05" E

SURVEYOR'S CERTIFICATE:

THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM

THE SURVEY WAS COMPLETED ON THE 21ST DAY OF AUGUST 1987

AUGUST 25, 1997

DATE

W. L. L. L. L. L.

527 10000

WILLIAM L. L. L. L.

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

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SURVEY FOR 4-DERBYSHIRE STREET ANCESTER ON

A. J. Blake and Associates Ltd.
UNIVERSITY SURVEYORS • DRAINAGE ENGINEERS
PROFESSIONAL PLANNERS
155 JAMES STREET SOUTH, SUITE 125
WILLOWDALE, ONTARIO M2H 3A6, CANADA
TEL: 416-491-6701 FAX: 416-491-2949



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

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)	MAFIZUR RAHMAN	[REDACTED]
Applicant(s)*		Phone: _____ E-mail: _____
Agent or Solicitor	SARFRAZ GHADDHY OF SACH-ONE INT'L INC.	[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:

a. RBC BANK, ANCASTER ON

b. An Easement on SOUTH-WEST side of Property is registered. Half of This easement is in LOT 26 as shown on Survey (attached). Total easement is 6.75 m wide. LOT 26 has 3.375 m and THIS PROPERTY LOT 25 has 3.375 m wide easement on it. PART 6 PLAN 62R-14077.

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:

- i) REAR SET-BACK OF EXISTING HOUSE IS NOT COMPLYING WITH ZONING REQUIREMENT. IT'S 7.13 METERS INSTEAD OF 7.5 METERS AS REQUIRED BY ZONING.
- ii) REAR SET-BACK FOR ADDITION (2-STORY) ALSO DOES NOT COMPLY WITH ZONING REQUIREMENT. IT'S 7.0 METER INSTEAD OF 7.5 METER AS REQUIRED BY ZONING. RELIEF OF HALF METER IS REQUESTED IN REAR SET-BACK FOR EXISTING AND NEW 2-STORY ADDITION.

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

EXISTING BUILDING WAS CONSTRUCTED ABOUT 20 YEARS AGO AND DOES NOT MEET THE REAR SET-BACK REQUIREMENT. SAME BUILDING LINES WERE FOLLOWED IN NEW 2-STORY ADDITIONAL CONSTRUCTION, WHICH HAS CREATED A MINOR VARIANCE OF 0.5 METERS IN REAR SET-BACK. SO WITHOUT APPROVAL OF THIS MINOR VARIANCE, ZONING REQUIREMENTS CANNOT BE SATISFIED.

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):

4-DERBYSHIRE STREET ANCASTER ON L9G 4X9.

7. PREVIOUS USE OF PROPERTY

Residential ☒ Industrial ☐ Commercial ☐

Agricultural ☐ Vacant ☐

Other _____

8.1 If Industrial or Commercial, specify use N.A

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 8.1 to 8.10 above?

EXISTING PROPERTY HISTORY
PROPERTY SURVEY
SITE MEASUREMENTS AND OBSERVATIONS

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.

May 12, 2021
Date


Signature Property Owner

MAFIZUR RAHMAN
Print Name of Owner

10. Dimensions of lands affected:

Frontage ARC = 11.481M, CHORD = 11.203M, RADIUS = 15.0
Depth NORTH SIDE = 29.023M, SOUTH SIDE = 39.577M
Area REAR = 41.891M A = 1,056.54M²
Width of street CUL-DE-SAC 15 METER RADIUS

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:

2 STOREY SINGLE FAMILY DWELLING = 137.83M²
COVERED AREA RATIO = 137.83/1056.54 = 13%

Proposed AREA OF 2-STOREY ADDITION = 37.5M² = (4.9 x 7.65) = 3.5% OF LOT.

TOTAL AREA AFTER ADDITION = 137.83 + 37.5 = 175.33M²

TOTAL COVERAGE AFTER ADDITION = 16.5%

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 SET-BACK = 7.53M, NORTH SIDE SET-BACK = 12.84M
SOUTH SIDE SET-BACK = 1.4M REAR SET-BACK = 7.13M.

Proposed:

FRONT SET-BACK = 7.95M, NORTH SIDE = 7.95M
SOUTH SIDE SET-BACK = 1.4M REAR SET-BACK = 7.0M

13. Date of acquisition of subject lands:
UNKNOWN
14. Date of construction of all buildings and structures on subject lands:
AT LEAST 20 YEARS
15. Existing uses of the subject property:
SINGLE FAMILY DWELLING (RESIDENTIAL)
16. Existing uses of abutting properties: N.A.
17. Length of time the existing uses of the subject property have continued:
SINCE LAST 20 YEARS
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|----------|-----------|----------|
| Water | <u>✓</u> | Connected | <u>✓</u> |
| Sanitary Sewer | <u>✓</u> | Connected | <u>✓</u> |
| Storm Sewers | <u>✓</u> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
N.A.
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
N.A.
21. Has the owner previously applied for relief in respect of the subject property?
☐ Yes ☒ No
 If the answer is yes, describe briefly.
N.A.
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. N.A.

PART 25 AFFIDAVIT OR SWORN DECLARATION

This declaration to be sworn by a Commissioner of Oaths.

I, SARFRAZ A. CHAUDHRY P.Eng. of the SACH-ONE INTERNATIONAL INC. of CITY OF MISSISSAUGA
in the REGION of PEEL solemnly declare that:

All of the above statements are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

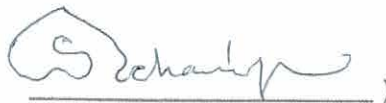
Declared before me at the

at the City of Mississauga

in the Province

of Ontario

this 13 day of May A.D. 2021


Applicant

A Commissioner, etc.


Sarfraz A. Chaudhry

PART 26 OWNERS AUTHORIZATION

As of the date of this application, I (NAME) MAFIZUR RAHMAN am the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I hereby authorize:

SARFRAZ A. CHAUDHRY P.Eng. of SACH-ONE INTERNATIONAL INC.

to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application.

DATE May 12, 2021

SIGNED 

PART 27 CONSENT OF THE OWNER

Complete the consent of the owner concerning personal information set out below.

Consent of Owner to the Disclosure of Application Information and Supporting Documentation

Application information is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all *Planning Act* applications and supporting documentation submitted to the City.

I, MAFIZUR RAHMAN, the Owner, hereby agree and acknowledge
(Print name of Owner)

that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

May 12, 2021
Date


Signature of Owner