COMMITTEE OF ADJUSTMENT



City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5 Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202

E-mail: cofa@hamilton.ca

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-21:280

APPLICANTS: Owner JAX Holdings Inc.

Agent Fabio DiVincenzo

SUBJECT PROPERTY: Municipal address 777 Montgomery Dr., Ancaster

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

ZONING: ER district (Existing Residential Zone)

PROPOSAL: To permit the construction of a two (2) storey single detached

dwelling upon demolition of the existing single detached dwelling,

notwithstanding,

A maximum building height of 10.4 metres shall be permitted instead of the maximum permitted building height of 9.5 metres.

NOTES:

The drawings submitted with this application are not legible; as such the variance has been written as requested by the applicant. The applicant shall ensure compliance all other applicable zoning requirements, as outlined in Building Division comments provided for site plan application DAER-21-078.

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

DATE: Thursday, September 9th, 2021

TIME: 1:45 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.

AN/A-21: 280 Page 2

MORE INFORMATION

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

- Visit <u>www.hamilton.ca/committeeofadjustment</u>
- 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 24th, 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.

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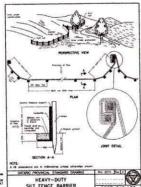
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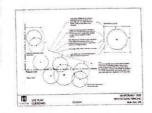
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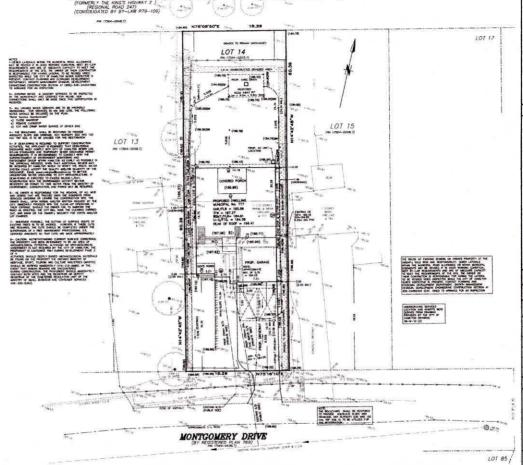
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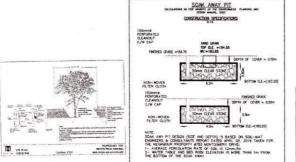
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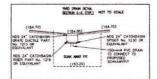


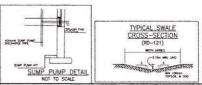






(NAME CHANGED BY BY-LAW 71 -2426 REGISTERED AS INSTRUMENT AB233886) WILSON STREET EAST







EXISTING TREE (X) EXISTING TREE REMOVED PROPOSED ENTRANCE LOCATION

LOCATION AND DIRECTION OF FLOW OF DOWNSPOUTS - LOCATION AND DIRECTION OF SUMP PLIMP WATER METER LOCATION

Im UNOBSTRUCTED GRASSED AREA S/S SANITARY SERVICES WATER SERVICES

TITANCES AND ELEVATIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE INVERTED TO PEET CHADING BY 0,3048.

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JUNE 22, 2021 A.H. REVISED AS PER CITY COMMENTS D MAR 03, 2021 AN ISSUED FOR REVIEW No. DATE BY DESCRIPTION REVISIONS



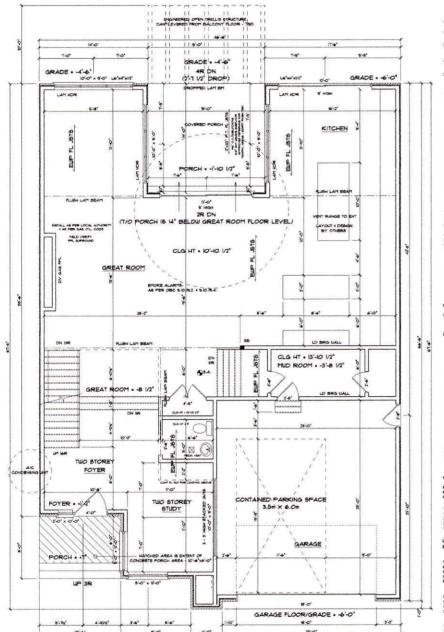
PLAN SHOWING PROPOSED SITE, GRADING, EROSION,

777 MONTGOMERY DRIVE, ANCASTER BEING LOT 14

REGISTERED PLAN 769 CITY OF HAMILTON (CITY FILE # DAER-21-078)

ASHENHURST NOUWENS & ASSOCIATES INC. Professional Engineers & Ontario Land Surveyors 225 KING WILLIAM STREET, SUITE 204, HAMILTON, ONTARIO LBR 181 (905) 529-6318 (905) 529-4314 1-800-524-6224 FAX: (905) 529-6551 e-mail: onl@ashashureinouwens.co

9	DWN BY: AN	CHK BY: A.N.	DWG No.	
7000	SCALE: 1 : 200		21017 50	
	DATE: MAR 13, 2020		7 -1 017 30	١



TIT MONTGOMERY ANGASTER, ONTARIO

MAIN FLOOR 2100 SQFT

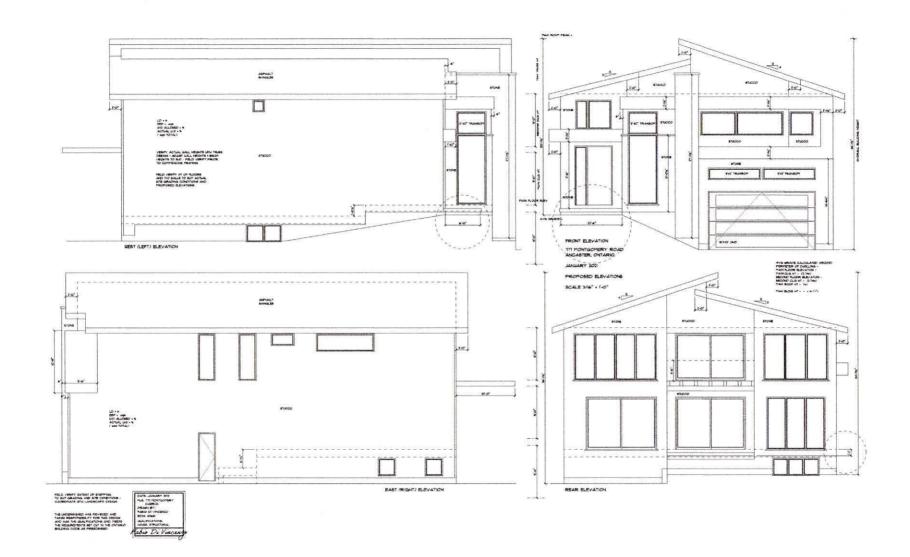
JANUARY 2021

SCALE 1/4" . 1'-0"

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE COULD PLATFORS AND, METTS THE REQUIREMENTS SET OUT IN THE CITARY BULDRIG CODE AS PRESCRIBED.

DATE: JANUARY 2021 FLE- TIT MONTSOMERY DRAIN BY: RABIO DI VINCENZO BCN: 43661

MINIMUM UNDBSTRUCTED DIMENSIONS WITHIN GARAGE ARE IT BIDE (5.3h) AND 20"-10" DEEP (6.3h)





As you can see in this photo the house beside is extremely higher due to the drastic change in grading/elevation.

Therefore the 2'11" addition in height will still be lower than the neighbour.



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

Υ.
DATE APPLICATION RECEIVED
DATE APPLICATION DEEMED COMPLETE

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	MAILING ADDRESS		
Registered Owners(s)	JAX HOLDINGS INC		e: il:	
Applicant(s)*	FABIO DIVINCENZO			
Agent or Solicitor	Paul Grespan			

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:

		ional sheets can be submitted if there is not sufficient room to answer the following ions. Additional sheets must be clearly labelled
(4.	Nature and extent of relief applied for:
	5.	Secondary Dwelling Unit Reconstruction of Existing Dwelling Why it is not possible to comply with the provisions of the By-law?
(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): Lot 14 RP 769
		LOT 14, RP 769 777 MONTUOMERY DR, MNCHSTER, L96 3HB
	7.	PREVIOUS USE OF PROPERTY
		Residential
		Agricultural Vacant Other
		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 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 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 O
,	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 Unknown

0.10	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? PENSONAL KNOWUTNUE AS BY MYCEA NESISENT AS
	WELL AS INFORMATION OBTAINED From LONG. TIME
8.12	If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, 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 \int No \int N\hat{h}
9.	ACKNOWLEDGEMENT CLAUSE
J.	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.
	Date Signature Property Owner(s)
	Print Name of Owner(s)
10.	Dimensions of lands affected: 18.29 m
	Depth Area 1104. 26 m
	Width of street 20m + 1-
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: 1 1/2 STONEY S.F.D CW CONTAINED
	HI- 1700 \$ (157.93 m2)
	2 STONEY S.F.D. CLW CONTAINED 2 CAR
	2 STONE S. F.D. CIW CONTINUES - COME
	OTTICAVE AND FULL BASEMENT
12.	CARAGE AND FUU BASEMENT BUILDING FOOTPMNT COVERNAGE = 16.95 % (186.07m) Location of all buildings and structures on or proposed for the subject lands; (Specify distance from side, rear and front lot lines)
	Existing:
	SEE PROPOSED SITE MAND CRADING PUM
	Proposed: PREPARED BY ASNENTWRIT & NOUWENS \$ ASSOCIATES INC. DATED MANCH 13, 2020
	\$ ASSOCIATES INC. DAIDS ITIMION 13, WU
	AND STAVED JUNE 22, 2021

13.	Date of acquisition of subject lands:
	July 30, 2020
14.	Date of construction of all buildings and structures on subject lands:
15.	Existing uses of the subject property (single family, duplex, retail, factory etc.):
	SINGUE FAMILY BUFUING
16.	Existing uses of abutting properties (single family, duplex, retail, factory etc.):
	SINUTE FAMILY DWOUND . MESIDENTIAL
17.	Length of time the existing uses of the subject property have continued:
	PMON TO 1960's +1-
18.	Municipal services available: (check the appropriate space or spaces)
	Water Connected
10	Storm Sewers Propert Official Plan (Secondary Plan provisions applying to the land)
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:
	ER · ANCASTER. 18-105
	LIE MOUSTELL. 10 100
21.	Has the owner previously applied for relief in respect of the subject property?
	Yes No 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 W
23.	Additional Information

24.