



Hamilton

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-21:298

APPLICANTS: Owner Misko Kancko
Agent Nik Miskovic

SUBJECT PROPERTY: Municipal address **64 Lover's Lane, 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 new two-storey single family dwelling including a deck and accessory structure(s) [in-ground pool, cabana and hot tub] in the rear yard notwithstanding that:

1. A minimum front yard setback of 9.15 metres shall be permitted, instead of the requirement that the required front yard setback shall be within twenty (20) percent of the average front yard setback of the one nearest principle dwelling facing the same street (i.e. between 13.84 metres and 20.74 metres).
2. A minimum 1.90 metre northerly side yard setback shall be permitted, instead of the minimum 2.74 metre northerly side yard setback required.
3. A minimum 4.70 metre southerly side yard setback shall be permitted, instead of the minimum 6.0 metre side yard setback required for a flankage yard.
4. A minimum rear yard setback of 1.80 metres shall be permitted, instead of the minimum 16.0 metre rear yard setback required.
5. An accessory building (in-ground pool) in excess of 12 square metres, shall be permitted to be 3.8 metres from the rear lot line, instead of the minimum 7.5 metre setback required.

NOTE:

1. Specific details regarding the projection of sills, cornices, bay windows etc. of the proposed single family dwelling were not indicated on the submitted site plan. Please note that should the variance requested to permit a reduced minimum front, side and rear yard setback be approved, as per Section 7.12(a), sills, cornices, bay windows etc. shall be permitted to project into the new minimum yard(s) a distance of not more than 0.60 metres. Additional variances may be required if compliance with Section 7.12(a) is not possible.

2. Specific details regarding the projection of eaves/gutters of the proposed single family dwelling were not indicated on the submitted site plan. Please note that should the variance requested to permit a reduced minimum front, side and rear yard setback be approved, as per Section 7.12(b), eaves and gutters shall be permitted to project into the new minimum side yard a distance of not more than 0.60 metres, or into the minimum front yard and rear yard a distance of not more than 1.5 metres. Additional variances may be required if compliance with Section 7.12(b) is not possible.
3. Please note that should the variance requested to permit a reduced minimum front yard setback be approved, the proposed front porch and steps will not project into the minimum front yard, and will therefore comply with Section 7.12(d).
4. Please note that as per Section 7.13(a), on any corner lot in any Zone, no obstruction, whether permanent or temporary, that blocks vision between a height of 75 centimeters and 2.4 metres above the centre line grade of the street, is permitted within a daylighting triangle of 10 metres. Additional variances may be required if compliance with Section 7.13(a) is not possible.
5. Please note that should the variance requested to permit a reduced minimum rear yard setback, the proposed accessory structure (in-ground pool) will not be located in a required rear yard, and will therefore comply with Section 7.18(a)(vi).
6. Specific details regarding the proposed parking spaces on the lot have not been provided, however, it appears a minimum of two (2) parking spaces, as required by Section 7.14(b)(i)(A), can be accommodated in the proposed garage and driveway. Additional variances may be required if compliance with Section 7.14 is not possible.
7. Please note that elevation drawings were not provided to confirm the height of the proposed accessory structure(s). Please note that as per Section 7.18(a)(iv), the maximum height for an accessory building is 4.5 metres. Additional variances may be required if compliance with Section 7.18(a)(iv) is not possible.
8. A building permit is required for the construction of the proposed development. Be advised that Ontario Building Code regulations may require specific setback and construction types.

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

DATE: Thursday, September 9th, 2021
TIME: 2:05 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

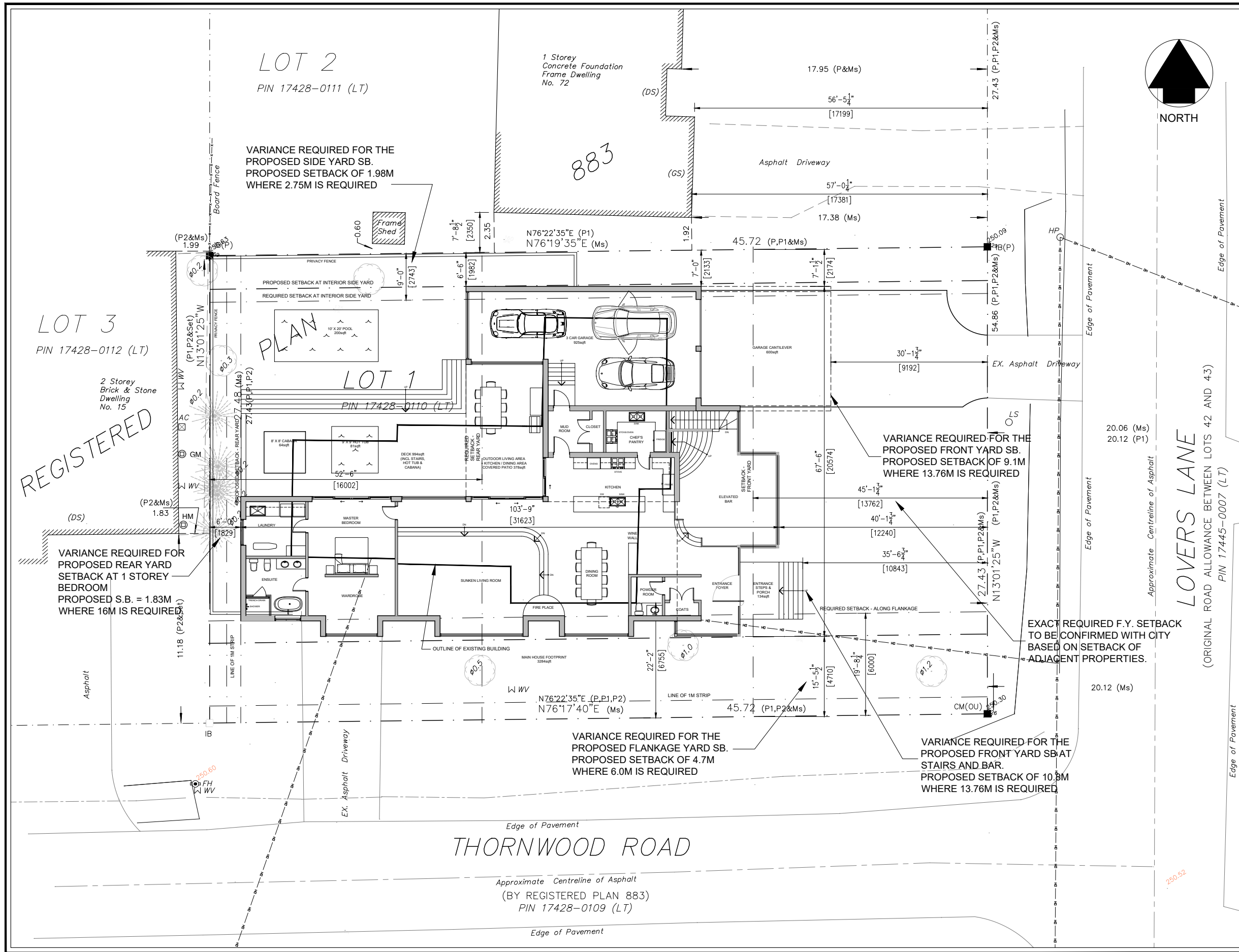
For more information on this matter, including access to drawings illustrating this request:

- 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 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.



RESERVED

No.	REVISION	DATE
7	ISSUED FOR REVIEW	JULY 16 - 2021
6	ISSUED FOR REVIEW	JULY 15 - 2021
5	ISSUED FOR REVIEW	JULY 13 - 2021
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2	ISSUED FOR REVIEW	JUNE 25 - 2021
1	ISSUED FOR REVIEW	JUNE 24 - 2021

NOTE:
THE CONTRACTOR WILL CHECK AND VERIFY ALL DIMENSIONS AND JOB CONDITIONS ON THE JOB SITE AND REPORT ANY DISCREPANCY TO THE DESIGNER PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
ALL DRAWINGS ARE THE PROPERTY OF THE DESIGNER AND MAY NOT BE COPIED, REPRODUCED OR ALTERED WITHOUT WRITTEN PERMISSION FROM THE DESIGNER. ANY PROPOSED ALTERATIONS TO THE CONSTRUCTION AS SHOWN ON THE DESIGN DRAWINGS, MUST BE VERIFIED BEFORE COMMENCEMENT BY THE DESIGNER.
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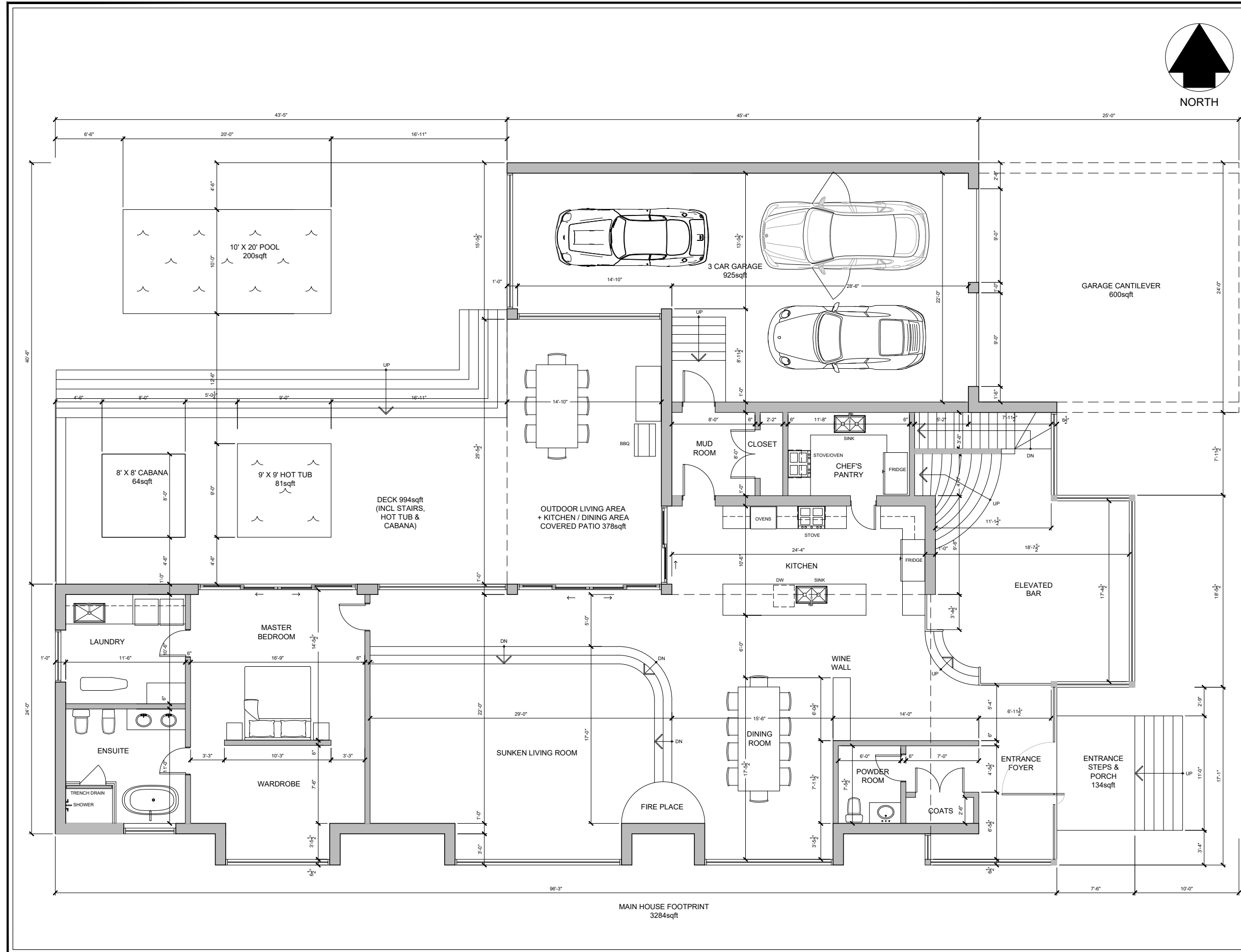
ARCHIMAGE DESIGN
& drafting services inc.
1281 Richmond Road, Burlington, Ontario
905 331 8453, info@archimage.ca, www.archimage.ca

FOR REVIEW

PROJECT:
KANCKO RESIDENCE
64 LOVERS LANE
ANCASTER, ONTARIO

SHEET TITLE:
**PRELIMINARY SITE PLAN
ALT 5
1/8"=1'-0"**

SCALE: AS NOTED	DATE: JUNE, 2021
DRAWN BY: AWG	SHEET NO.:
CHECKED BY: AWG	SP1
FILE NO. MK-21-06	01 of XX



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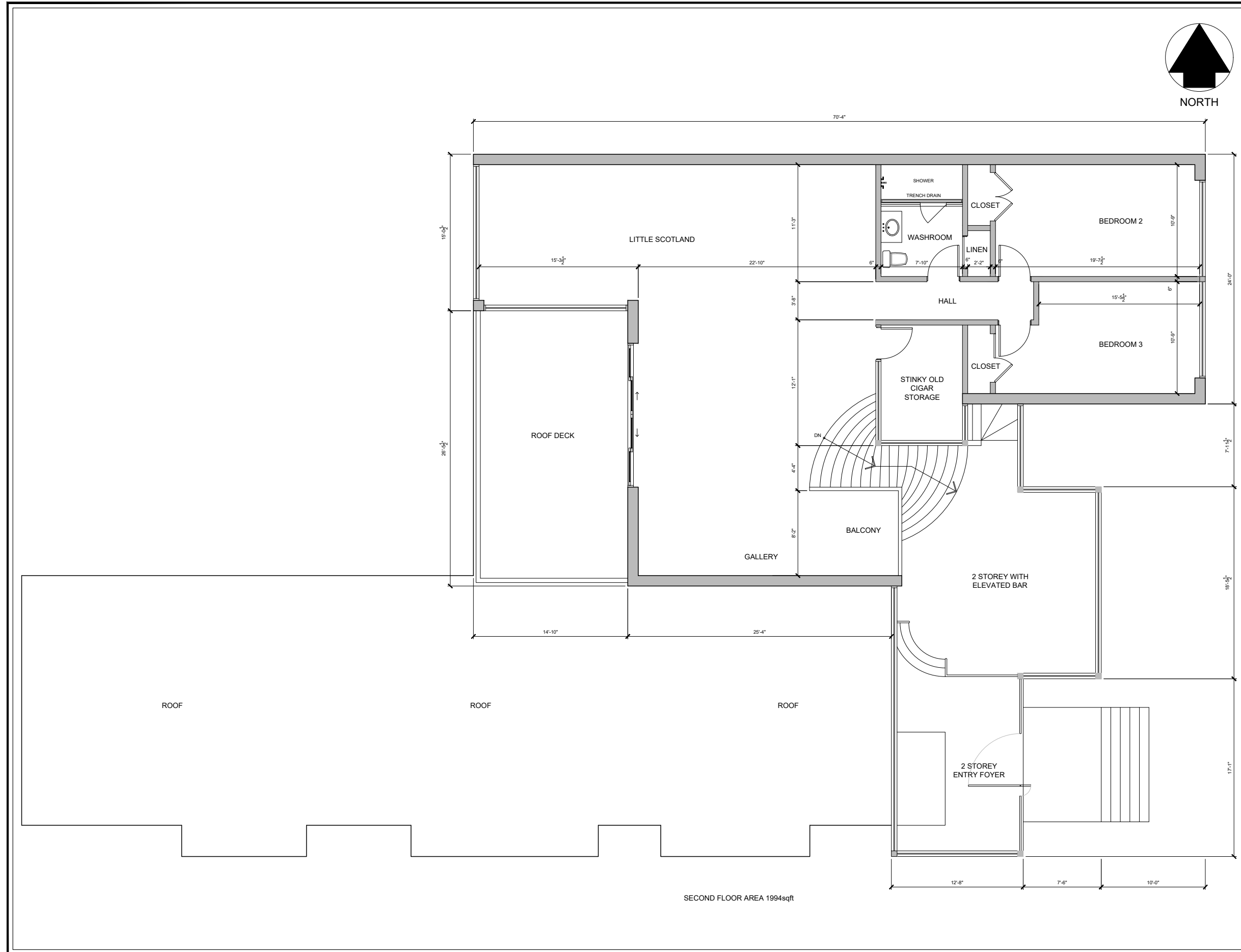
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FOR REVIEW

PROJECT:
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 ANCASTER, ONTARIO

SHEET TITLE:
**PRELIMINARY GROUND FLOOR
 ALT 5
 1/4"=1'=0"**

SCALE: AS NOTED	DATE: JUNE, 2021
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FILE NO. MK-21-06	02 of XX



SECOND FLOOR AREA 1994sqft

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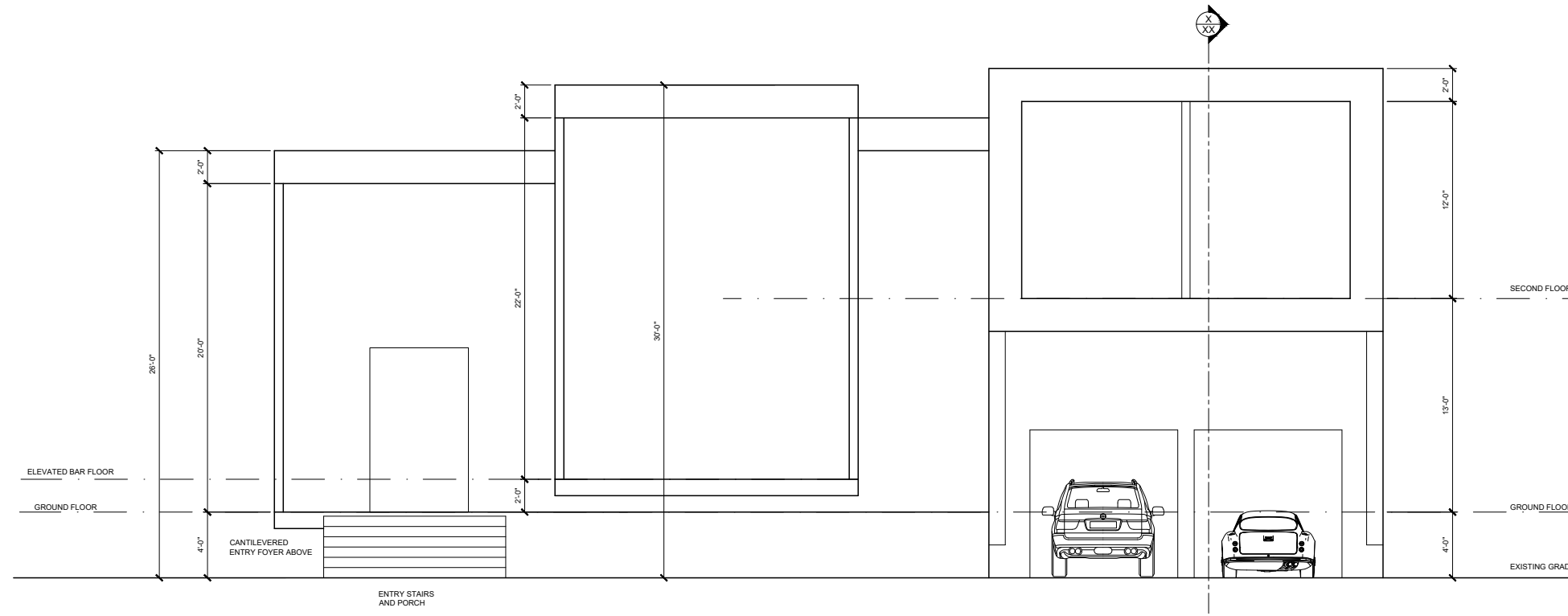
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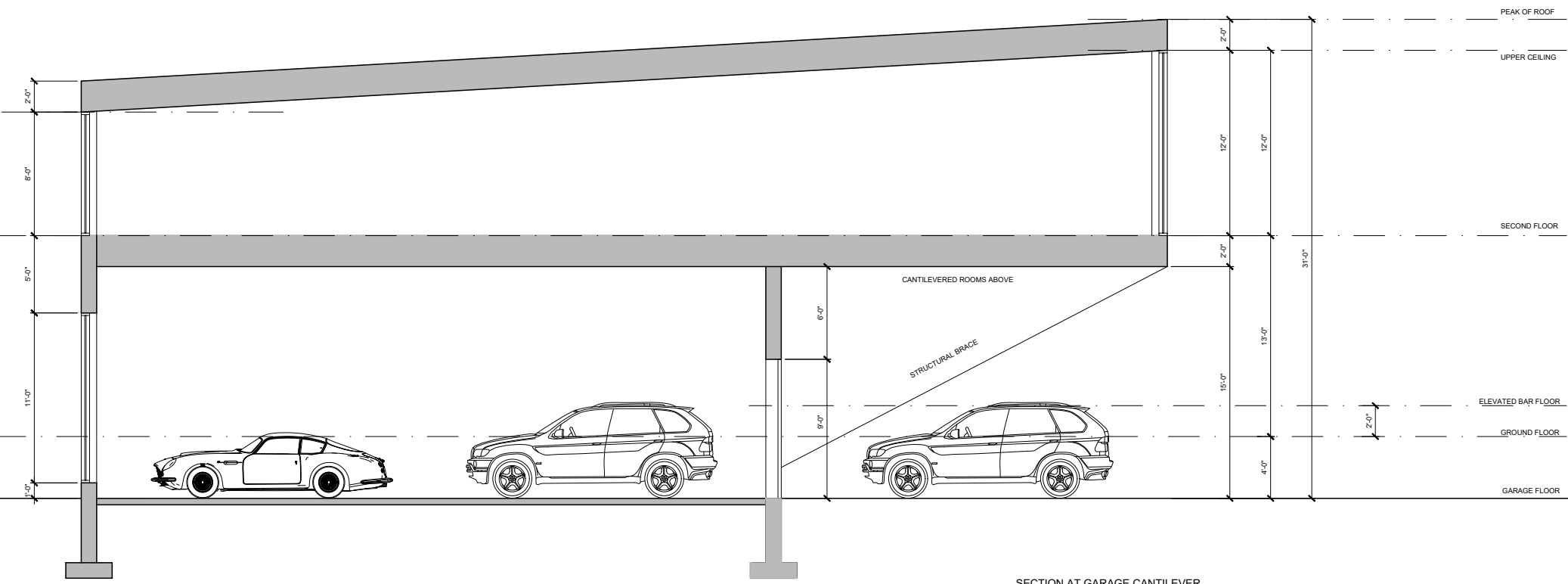
PROJECT:
KANCKO RESIDENCE
64 LOVERS LANE
ANCASTER, ONTARIO

SHEET TITLE:
PRELIMINARY SECOND FLOOR ALT 5
1/4"=1'=0"

SCALE: AS NOTED	DATE: JUNE, 2021
DRAWN BY: AWG	SHEET NO.:
CHECKED BY: AWG	A1.2
FILE NO. MK-21-06	



FRONT MASSING ELEVATION



SECTION AT GARAGE CANTILEVER

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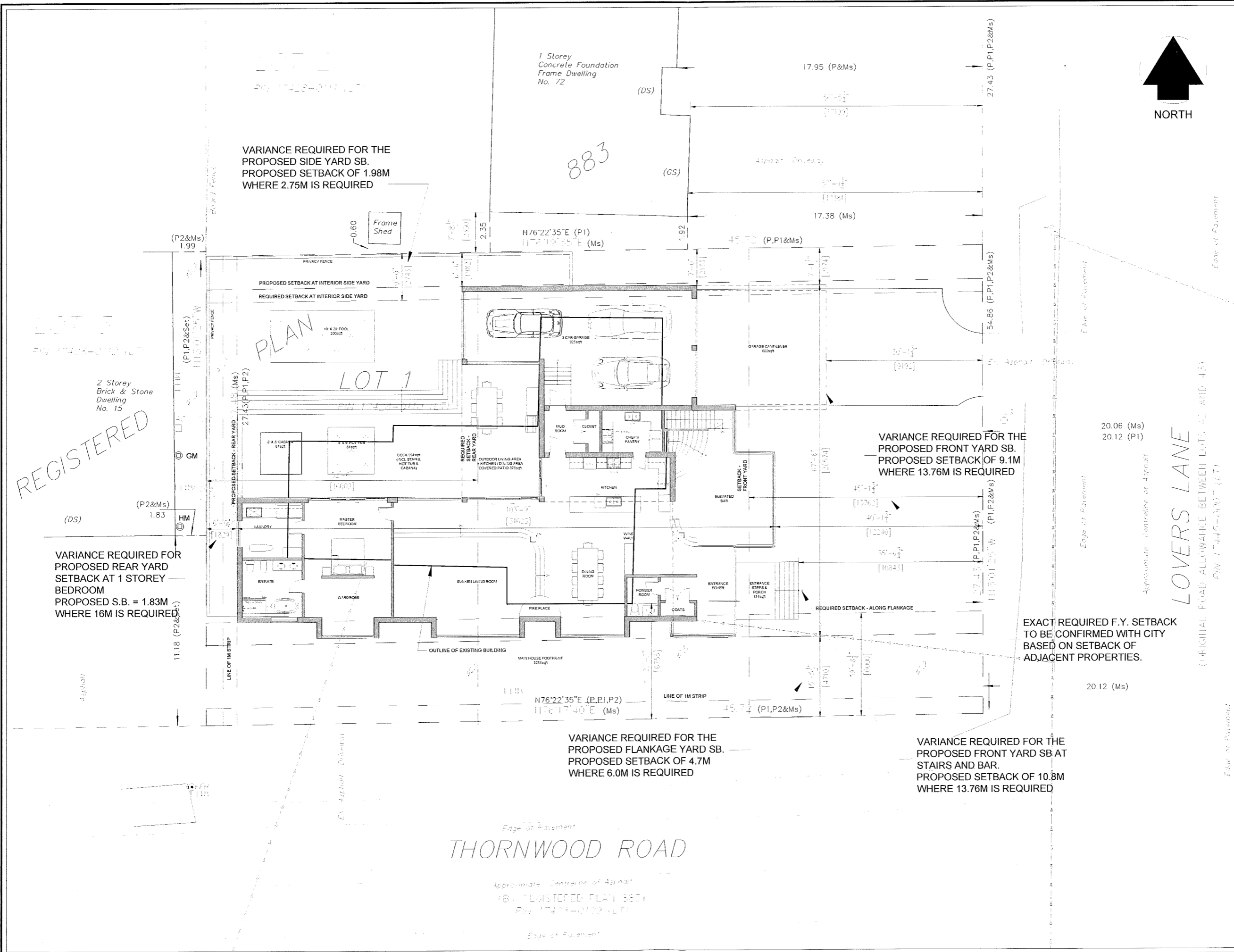
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FILE NO. MK-21-06	



VARIANCE REQUIRED FOR THE PROPOSED SIDE YARD SB. PROPOSED SETBACK OF 1.98M WHERE 2.75M IS REQUIRED

VARIANCE REQUIRED FOR THE PROPOSED FRONT YARD SB. PROPOSED SETBACK OF 9.1M WHERE 13.76M IS REQUIRED

VARIANCE REQUIRED FOR PROPOSED REAR YARD SETBACK AT 1 STOREY BEDROOM PROPOSED S.B. = 1.83M WHERE 16M IS REQUIRED

VARIANCE REQUIRED FOR THE PROPOSED FLANKAGE YARD SB. PROPOSED SETBACK OF 4.7M WHERE 6.0M IS REQUIRED

VARIANCE REQUIRED FOR THE PROPOSED FRONT YARD SB AT STAIRS AND BAR. PROPOSED SETBACK OF 10.8M WHERE 13.76M IS REQUIRED

EXACT REQUIRED F.Y. SETBACK TO BE CONFIRMED WITH CITY BASED ON SETBACK OF ADJACENT PROPERTIES.

THORNWOOD ROAD

LOVERS LANE

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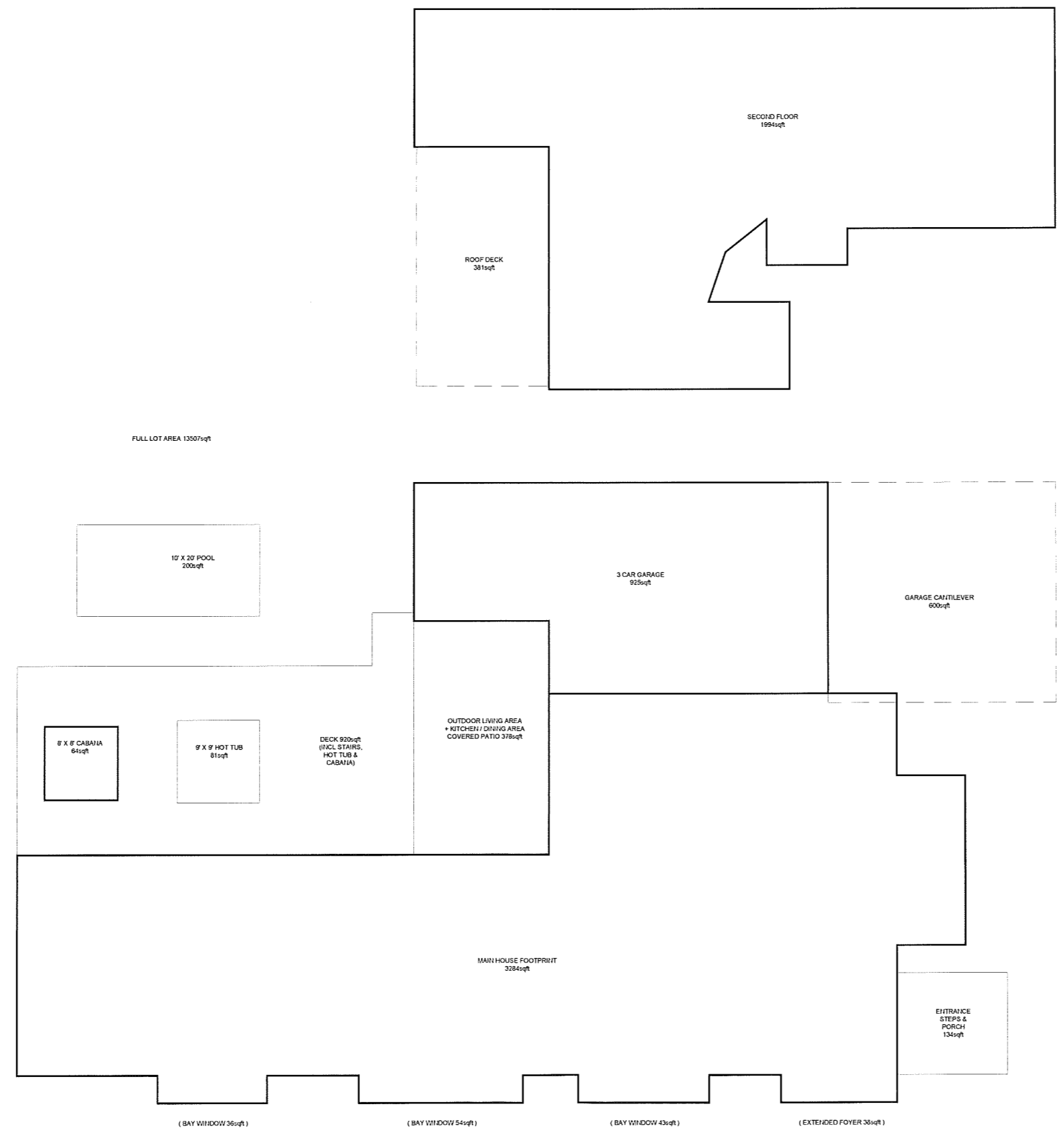
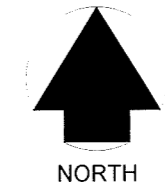
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64 LOVERS LANE
ANCASTER, ONTARIO

SHEET TITLE:
PRELIMINARY SITE PLAN ALT 5
1/8"=1'-0"

SCALE: AS NOTED	DATE: JUNE, 2021
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FULL LOT AREA 13507sqft

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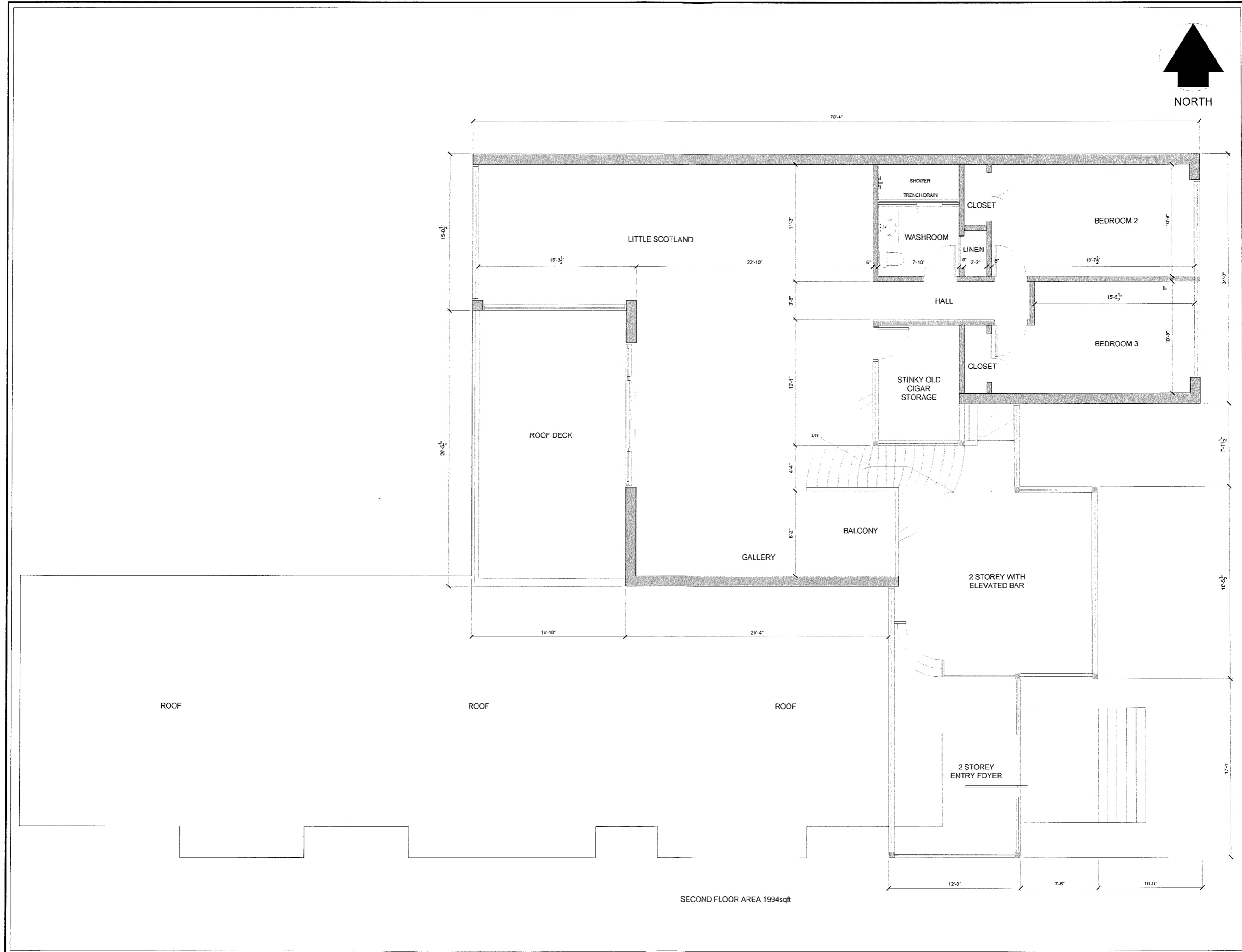
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64 LOVERS LANE
ANCASTER, ONTARIO

SHEET TITLE:
PRELIMINARY GROUND FLOOR ALT 5 AREAS NTS

SCALE: AS NOTED	DATE: JUNE, 2021
DRAWN BY: AWG	SHEET NO.:
CHECKED BY: AWG	A1
FILE NO: MK-21-06	



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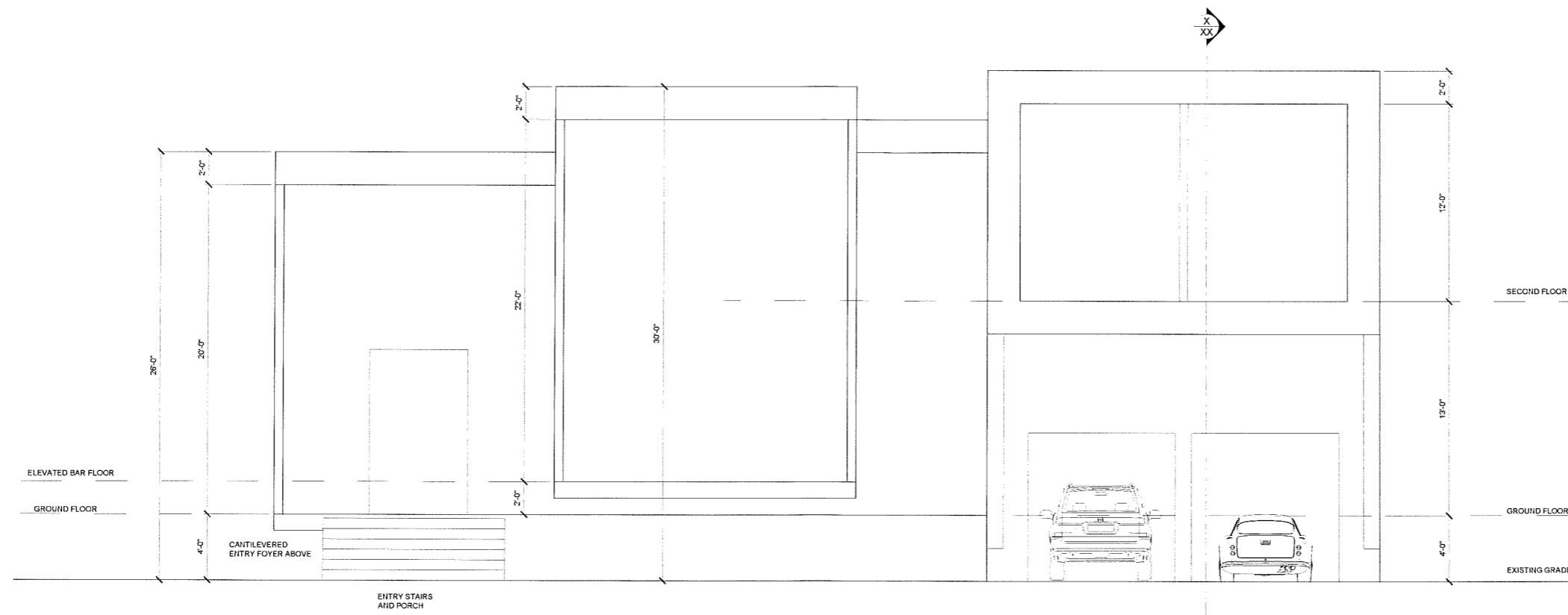
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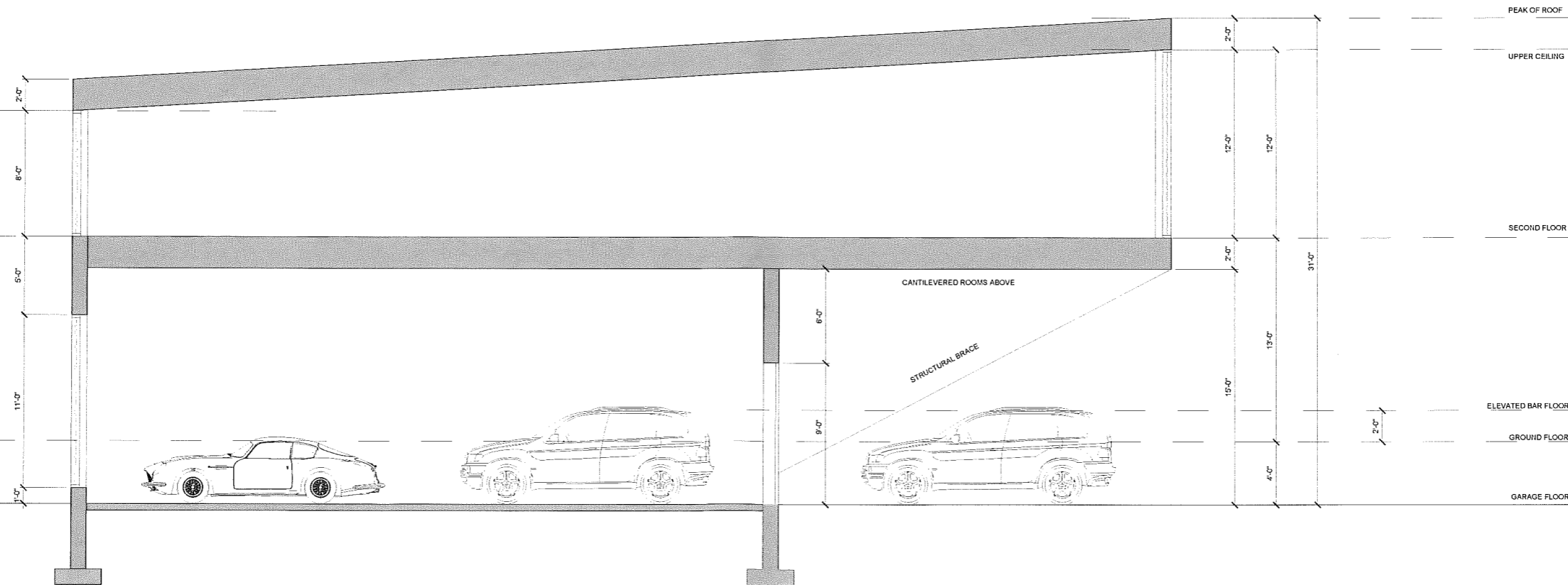
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PRELIMINARY SECOND FLOOR ALT 5
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SCALE: AS NOTED	DATE: JUNE, 2021
DRAWN BY: AWG	SHEET NO.:
CHECKED BY: AWG	A1.2
FILE NO: MK-21-06	<u>02</u> of <u>XX</u>



FRONT MASSING ELEVATION



SECTION AT GARAGE CANTILEVER

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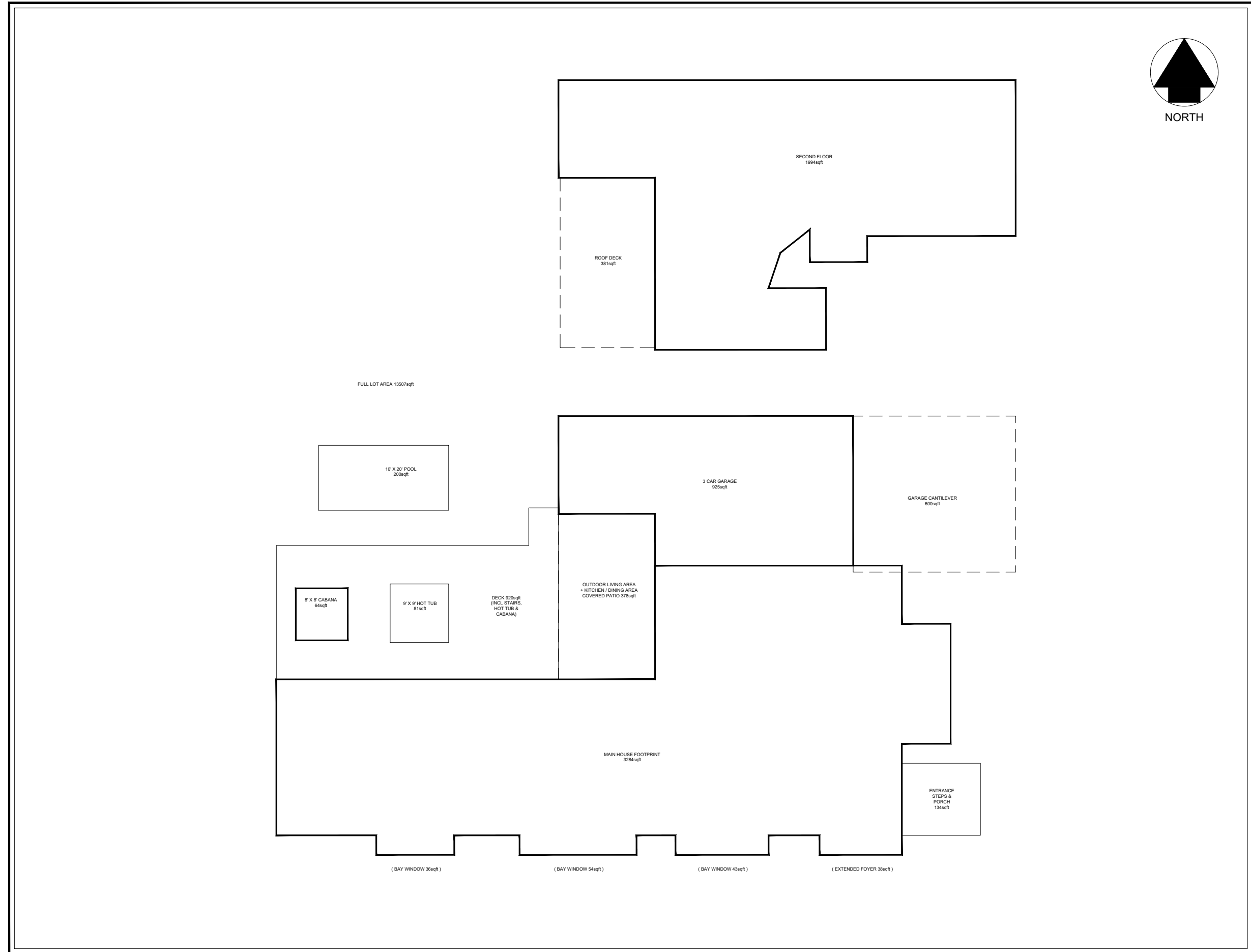
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SHEET TITLE:
**PRELIMINARY GROUND FLOOR
ALT 5 AREAS
NTS**

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FILE NO: MK-21-06	



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 <u>July 29/21</u>
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	MAILING ADDRESS
Registered Owners(s)	Misko Kancko	
Applicant(s)*	Nik Miskovic Warm Homes	
Agent or Solicitor		

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:

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:
New house build

Secondary Dwelling Unit Reconstruction of Existing Dwelling

5. Why it is not possible to comply with the provisions of the By-law?
The reason is that it is a corner lot with too many previsions not making the lot viable.
The current house is encouraging on new bylaws as well.

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**):
64 Lovers Lane Ancaster Ontario L9G1G5

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial
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
- 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?

It is a excited lot with a house on it since early 1900's

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 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.

July 27/21
Date

[Signature]
Signature Property Owner(s)

Misko Kancko
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 90'
Depth 150'
Area 13,507 sq/ft
Width of street _____

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: 2456 Sq/Ft
+ 132 Sq/Ft(Existing Porch) + 50 Sq/Ft Existing Shed

Proposed
3414 Sq/Ft Proposed house
+ 378 Sq/Ft covers (backyard patio) + 595 Sq/Ft Balcony Cantilever over garage
+ 90 Sq/Ft Cabana

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 55', Side South 22'2, Side North 11, Rear 14'

Proposed:
Front 30', Side South 18' ,Side North 6'6, Rear 6'

13. Date of acquisition of subject lands:
June 19 2021
-
14. Date of construction of all buildings and structures on subject lands:
AS SOON AS VARIANCE IS APPROVED
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Single family
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Single family
17. Length of time the existing uses of the subject property have continued:
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers | <input type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
yes
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
yes
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.