

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-21:341

APPLICANTS: Owners Marc McNaughton & Laurie Carther

SUBJECT PROPERTY: Municipal address **335 Devonshire Rd., Ancaster**

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

ZONING: "R3" (Residential "R3") Zone

PROPOSAL: To permit the construction of a one storey rear addition (roof attached to the rear of the house to cover existing deck) to the existing single detached dwelling notwithstanding that;

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

Notes:

eaves or gutters that project into any minimum side yard a distance of not more than 60 centimetres, or into any minimum front or minimum rear yard a distance of not more than 1.5 metres. Insufficient information provided to determine compliance; therefore, further variances may be required. A maximum building height of 10.5 m is required to be provided. Insufficient information provided to determine compliance; therefore, further variances may be required.

Please note that setbacks for the principal dwelling have been applied since the proposal does not meet the definition of a Deck or a Unenclosed Porch.

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

DATE: Thursday, October 21st, 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: October 5th, 2021.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

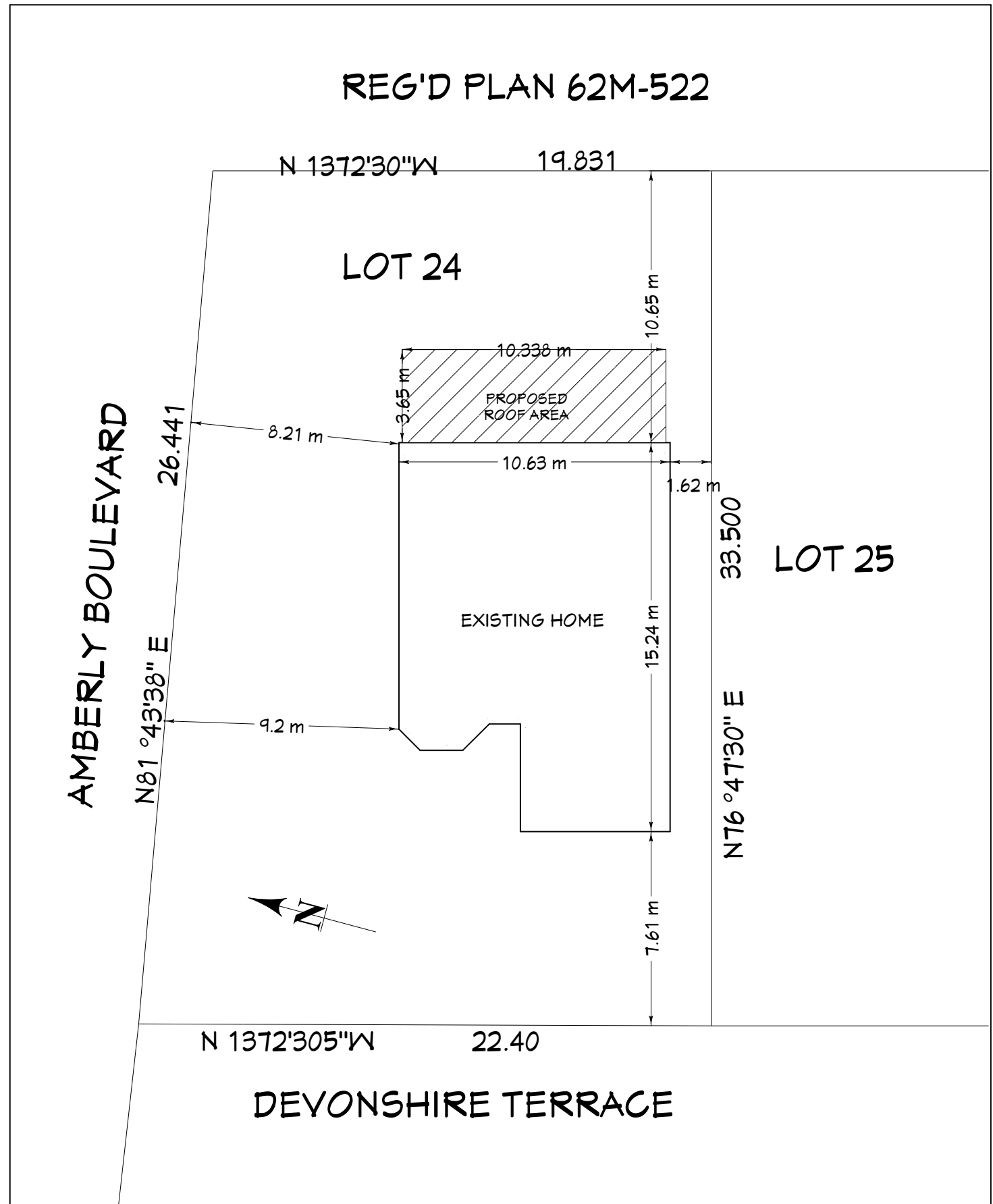
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.



GENERAL NOTES

TYPE	DESCRIPTION
DIMENSIONS	SITE PLAN IS METRIC. ALL OTHER DRAWINGS ARE IMPERIAL
AREAS	GROSS FLOOR AREA IS TO EXTERIOR OF WALLS.

AREA:
EXISTING HOME: 1551 SQ.FT.
PORCH ROOF : 406 SQ.FT.
TOTAL AREA: 1963 SQ.FT.
LOT AREA: 7562 SQ.FT
LOT COVERAGE: 26%
(INCL. ROOF)



PROJECT DESCRIPTION:

335 Devonshire
Terrace Ancaster
ON
DETACHED GARAGE

To the best of my knowledge these plans are drawn to comply with owner's and/ or builder's specifications and any changes made on them after prints are made will be done at the owner's and / or builder's expense and responsibility. The contractor shall verify all dimensions and enclosed drawing. SANDD Construction Ltd. is not liable for errors once construction has begun. While every effort has been made in the preparation of this plan to avoid mistakes, the maker can not guarantee against human error. The contractor of the job must check all dimensions and other details prior to construction and be solely responsible thereafter.

THESE DRAWINGS ARE THE PROPRIETARY WORK PRODUCT AND PROPERTY OF SANDD CONSTRUCTION LTD., DEVELOPED FOR THE EXCLUSIVE USE OF SANDD CONSTRUCTION LTD. USE OF THESE DRAWINGS AND CONCEPTS CONTAINED THEREIN WITHOUT THE WRITTEN PERMISSION OF SANDD CONSTRUCTION LTD. IS PROHIBITED.

SITE PLAN

DRAWINGS PROVIDED BY:



sanddconstruction@outlook.com
PH/F 905-679-5991

REGISTRATION INFORMATION

The undersigned has reviewed and takes responsibility for this design and has the qualifications set out in the Ontario Building Code to be a designer

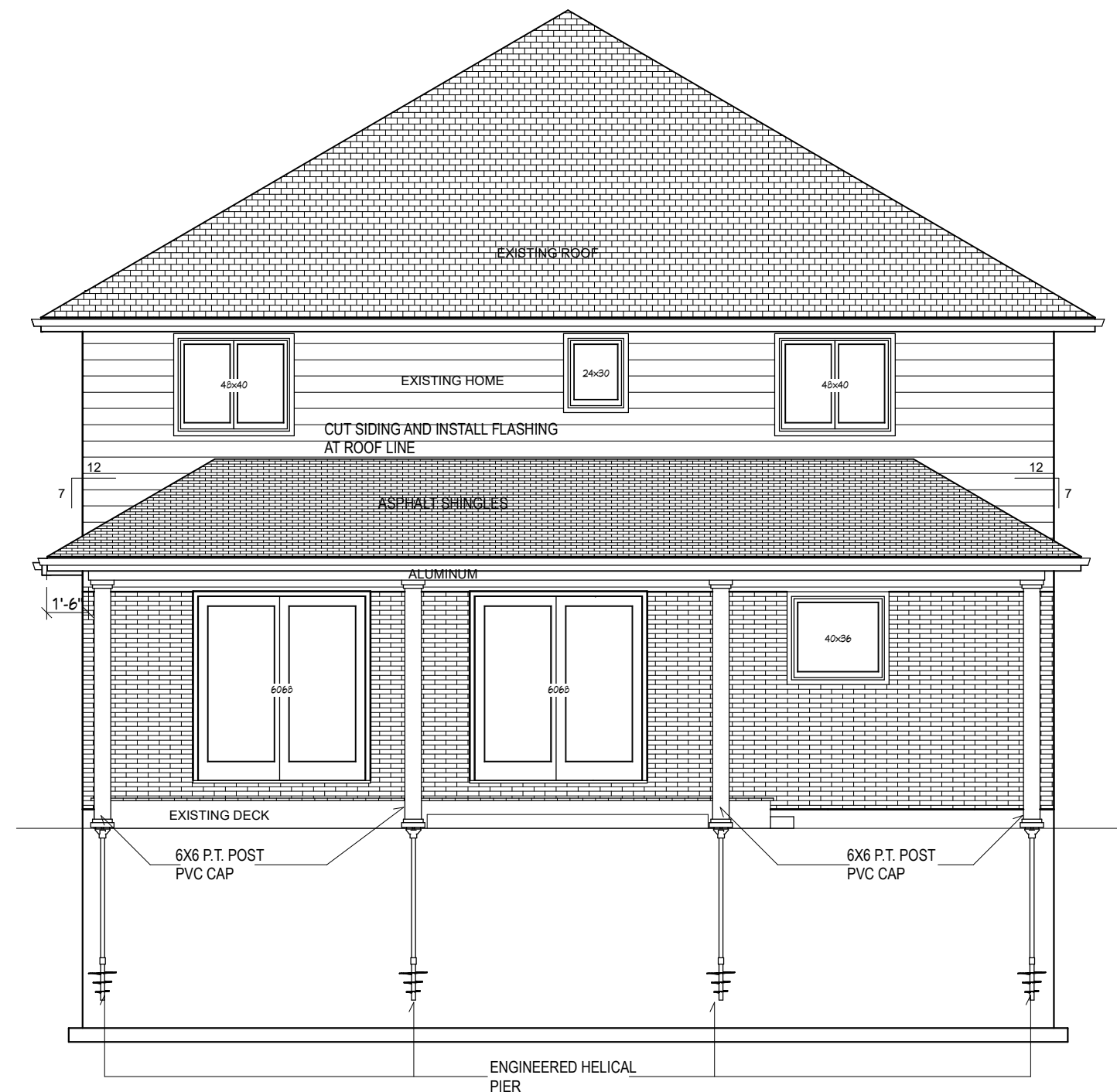
FIRM : SANDD Construction Ltd. B.C.I.N # 47221
INDIVIDUAL: JAMES SUPPLE B.C.I.N # 36897

NO.	DESCRIPTION	DATE
1	FOR REVIEW	2021-06-08
2	FOR PERMIT	2021-09-14

DATE: 2021-09-14

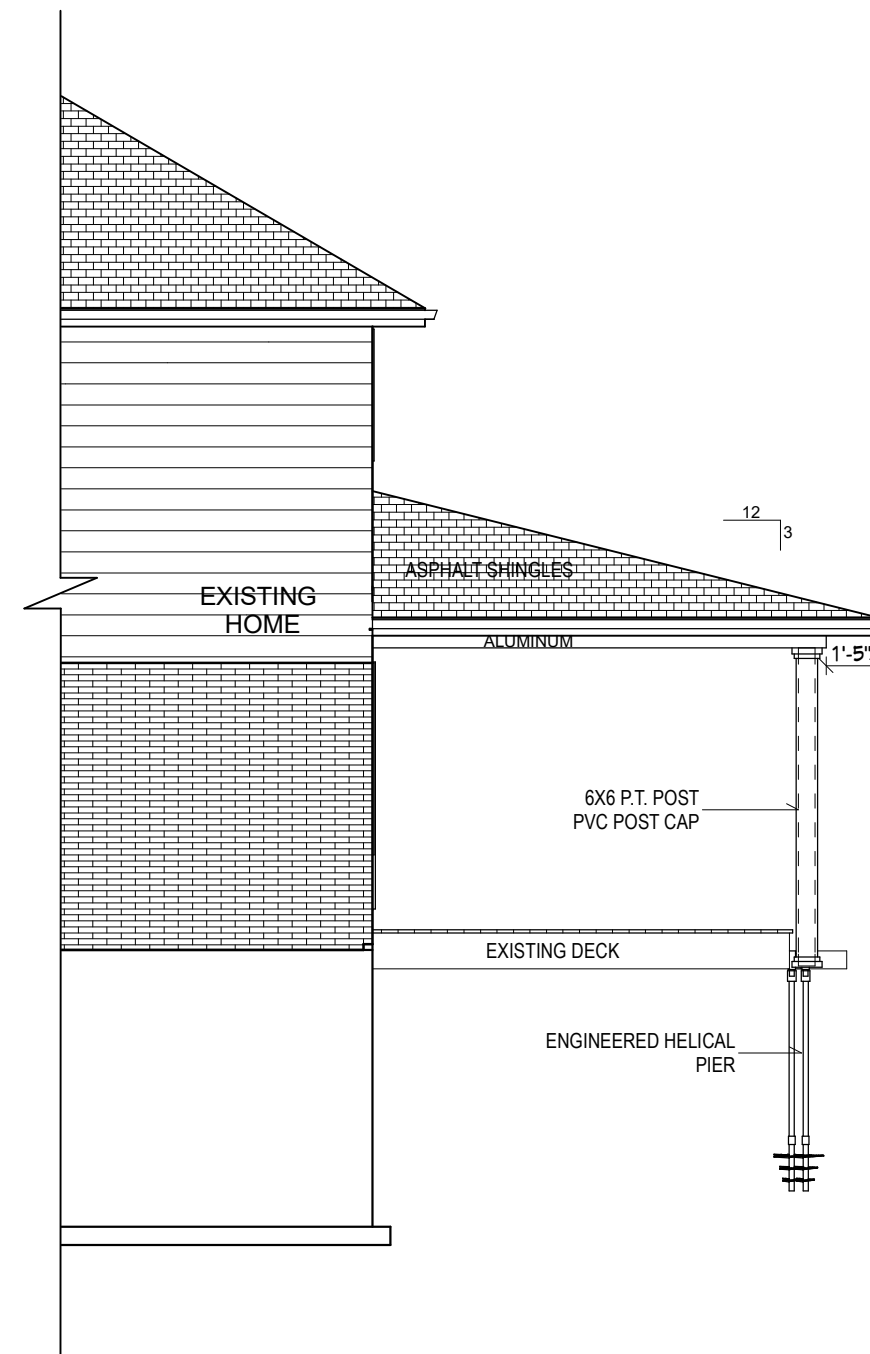
SCALE: 3/16"=1'-0"

SHEET: **A-1**



E2 REAR ELEVATION

3/16" : 1'



E2 RIGHT ELEVATION

1/4" : 1'

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ELEVATIONS

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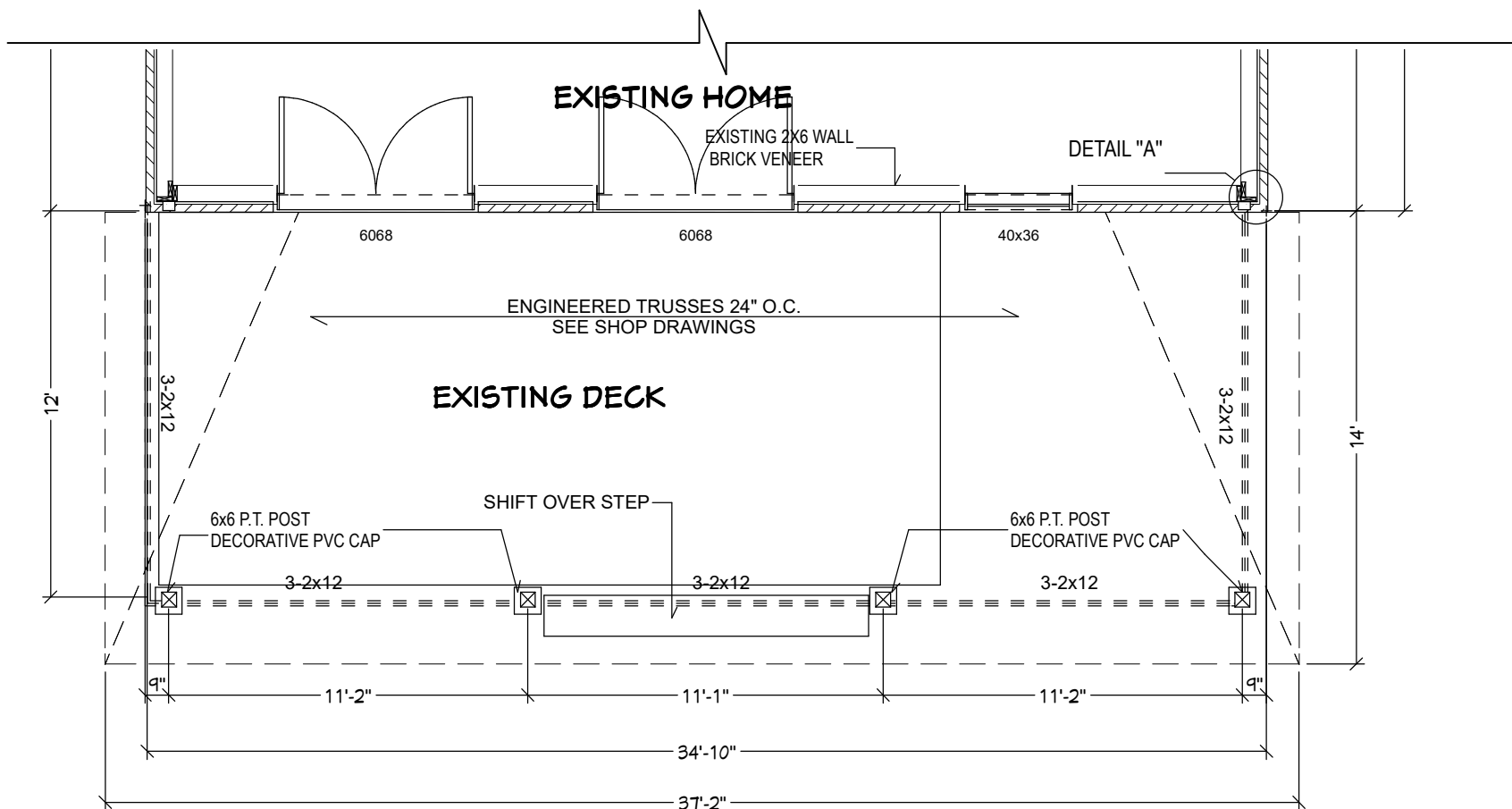
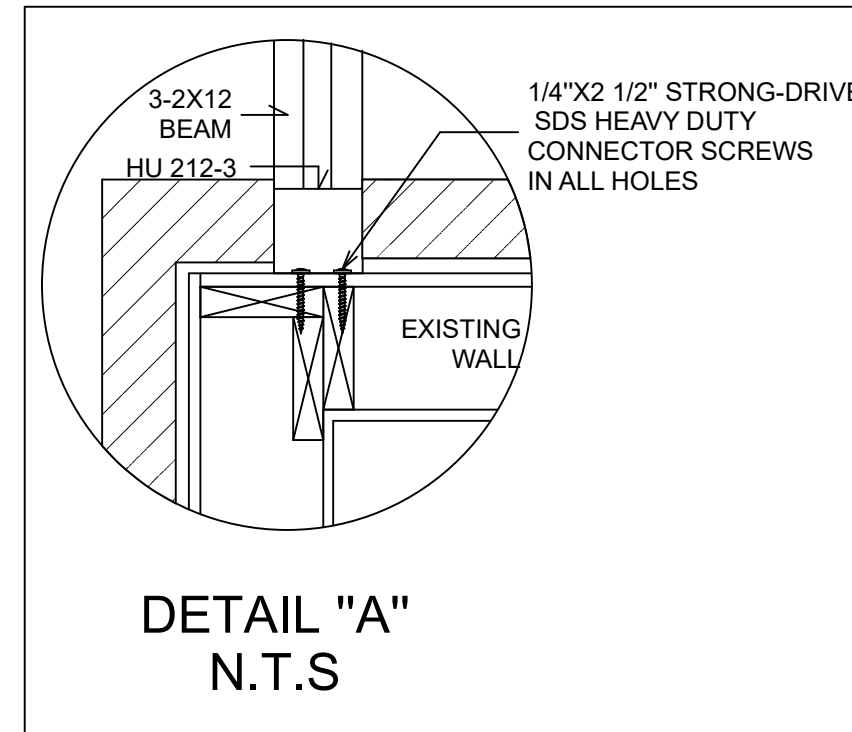
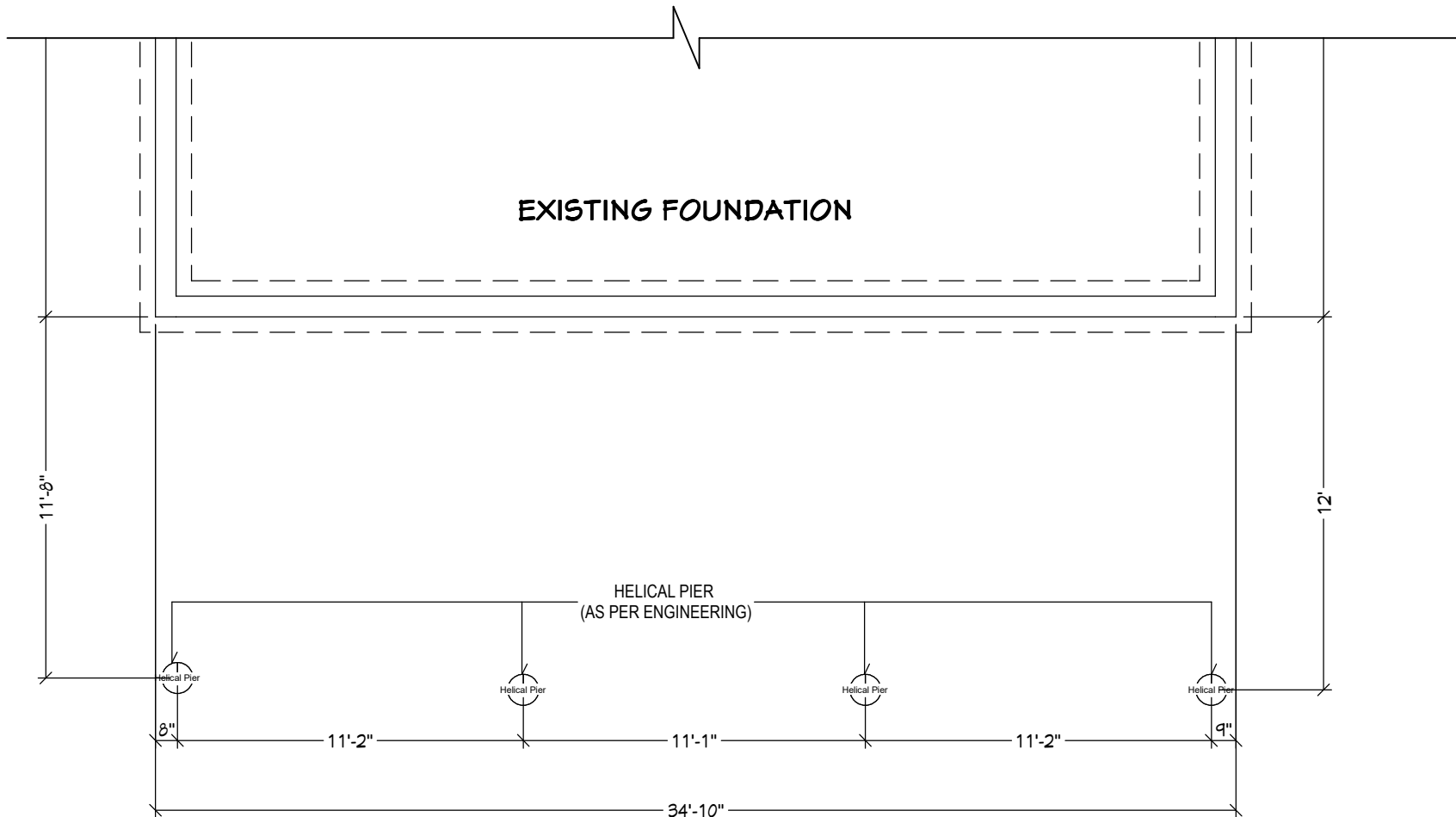
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DATE: 2021-09-14

SCALE: 3/16"=1'-0"

SHEET: **A-2**

CONTRACTOR TO VERIFY ALL DIMENSIONS BEFORE PROCEEDING. ALL WORK TO CONFORM TO THE O.B.C.



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Terrace Ancaster
ON
DETACHED GARAGE**

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**FLOOR
PLAN**

DRAWINGS PROVIDED BY:



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PH/F 905-679-5991

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J. Supple

NO.	DESCRIPTION	DATE
1	FOR REVIEW	2021-06-08
2	FOR PERMIT	2021-09-14

DATE: 2021-09-14

SCALE: 3/16"=1'-0"

SHEET: **A-3**

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	
Registered Owners(s)	Marc McNaughton and Laurie Carther	
Applicant(s)*	Marc McNaughton and Laurie Carther	
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:

None.

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:

Propose building a roof over an existing backyard deck and patio providing for a rear yard setback of 7.0 meters in lieu of the required 7.5 meters.
- ☐ Secondary Dwelling Unit

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

Proposal is to cover the entire existing deck to provide protection from rain and direct sunshine.
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**):

335 Devonshire Terrace, Ancaster, Ontario. Registered Plan 62M-522 Lot 24.
7. PREVIOUS USE OF PROPERTY

Residential ☒

Industrial ☐

Commercial ☐

Agricultural ☐

Vacant ☐

Other ☐

Other _____

8.1 If Industrial or Commercial, specify use NA

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 ☐
- APPLICATION FOR A MINOR VARIANCE (May 2021)
- Page 2 of 6

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?

Local knowledge and research of existing by-laws.

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.

SEPT. 13, 2021
Date

Marc McNaughton Laurie J. Carther
Signature Property Owner(s)

Marc McNaughton/Laurie Carther
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>22.40 meters</u>
Depth	<u>33.5 meters</u>
Area	<u>Square meters</u>
Width of street	<u>9.14 Meters</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: _

Two story residential single family house with a footprint of 144.7 square meters.

Proposed

Two story residential single family house with an addition of a single story roof attached to the rear of the house to cover an existing deck and patio with an additional footprint of 37.7 square meters resulting in a total footprint of 182.4 square meters.

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: 7.61 meters.
Left Side: 1.62 meters
Right front: 9.2 m. Right rear: 8.21 meters
Rear: 10.65 meters

Proposed:

Front: 7.61 meters.
Left Side: 1.62 meters
Right front: 9.2 m. Right rear: 8.21 meters
Rear: 7.0 meters

13. Date of acquisition of subject lands:
August 2004
-
14. Date of construction of all buildings and structures on subject lands:
1989
-
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:
32 YEARS
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 checked="" type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
Registered Plan 62M-522 Lot 24.
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Residential - R3
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.