

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-21:353

APPLICANTS: Owners Eugene Maida

SUBJECT PROPERTY: Municipal address **572 Highvalley Rd., Ancaster**

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

ZONING: "R3-626" (Residential) district

PROPOSAL: To permit the construction of a 34.21 square metre accessory building ("cabana") in the rear yard on a residential parcel of land notwithstanding that:

1. An accessory building ("cabana") with a gross floor area of 34.21 square metres shall be permitted to be located in the required 7.5 metre rear yard and located 6.4 metres from the rear lot line, instead of the requirement that accessory buildings in excess of 12 square metres shall not be located in any minimum rear yard.

2. An eave and gutter shall be permitted to extend 37 centimetres into the required minimum side yard setback area and into the required minimum rear yard, instead of the maximum 30 centimetres permitted.

NOTE:

1. Please note that should Variance No. 1 as indicated above be approved to permit an accessory building to be located in the required 7.5 metre rear yard, the eave and gutter of the proposed accessory building as indicated on the submitted site plan would extend 37 centimetres into the newly established minimum setback area, instead of the maximum 30 centimetres permitted. Therefore, Variance No. 2 has been included for zoning compliance of Section 7.18(a)(viii), should the noted variance be approved.

2. A building permit is required for the construction of the proposed accessory building. 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, November 4th, 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

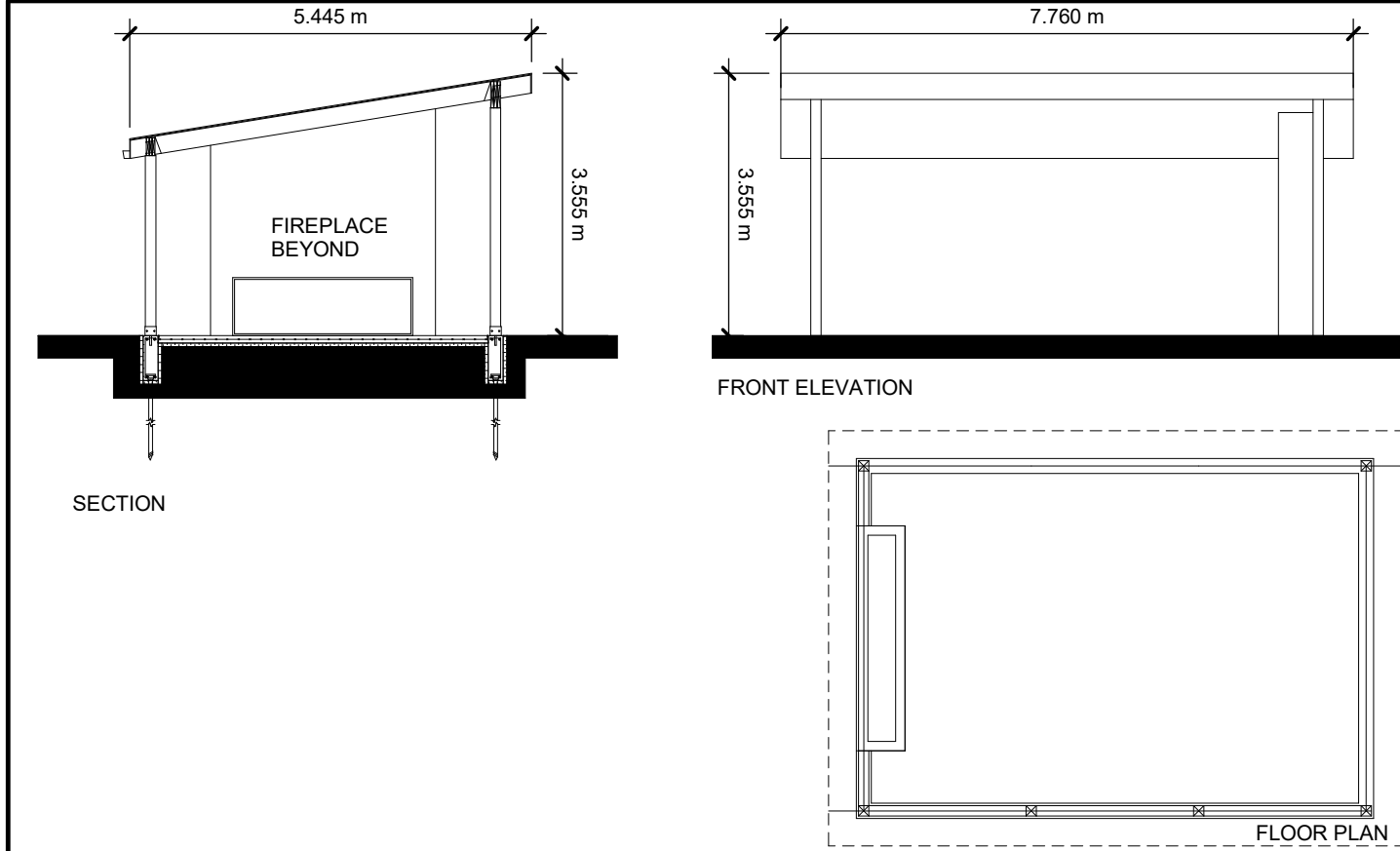
For more information on this matter, including access to drawings illustrating this request:

- 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: October 19th, 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.



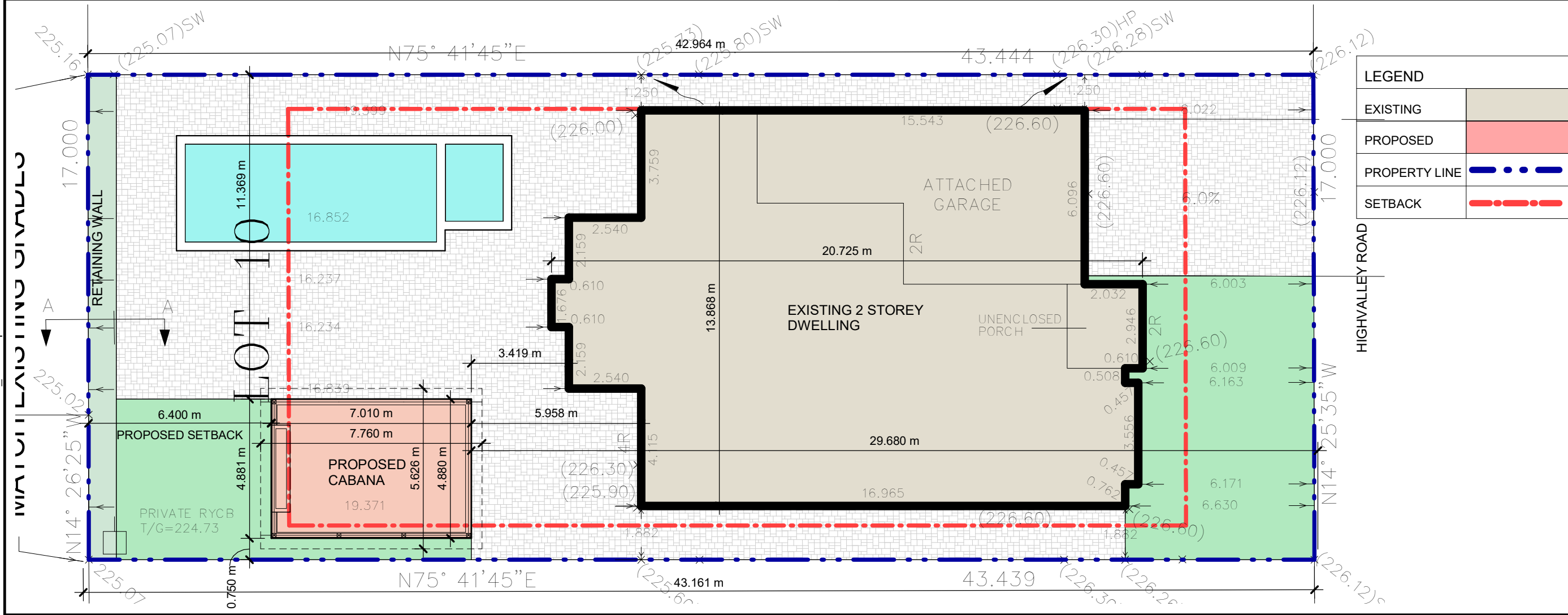
GENERAL PROVISIONS		
ZONING DESIGNATION: R3-626 ANCASTER ZONING BY-LAW 87-57 LEGAL DESCRIPTION: LOT 10 PLAN 62M-1212		
ZONING DATA	REQUIRED	PROVIDED
LOT FRONTAGE	15m	17m
LOT AREA	500 MSQ MIN	730 SQM
REAR YARD	7.5m	6.4m
SIDE YARD - SOUTH	1.5m	.75m

SITE STATISTICS - PROPOSED			
DESCRIPTION	AREA (SM)	AREA (SF)	%
LANDSCAPE + DRIVEWAY			
GRASS	115.39 m²	1242 ft²	15.8%
PATIO STONE	298.84 m²	3217 ft²	40.9%
POOL	35.68 m²	384 ft²	4.9%
LANDSCAPE + DRIVEWAY	449.91 m²	4843 ft²	61.6%
LOT COVERAGE			
EXISTING	246.27 m²	2651 ft²	33.7%
PROPOSED	34.21 m²	368 ft²	4.7%
LOT COVERAGE	280.48 m²	3019 ft²	38.4%
OVERALL EXISTING SITE: 7	730.39 m²	7862 ft²	100.0 %
ALLOWABLE SITE COVERAGE: 42.5%			

Chamberlain Architect
Services Limited
Unit 1, 4671 Palladium Way .
Burlington . Ontario
L7M 0W9 . Canada
Tel: 905.631.7777
www.chamberlainipd.com

NO.	ISSUED	DATE
SPA	MINOR VARIANCE	2021.09.16

SEAL



TRUE NORTH

PROJECT NAME
HIGHVALLEY ROAD

PROJECT ADDRESS
572 HIGHVALLEY ROAD
ANCASTER

SHEET NAME
SITE PLAN - PROPOSED

DRAWN BY
sm
PLOT DATE
06/24/21
SCALE
As indicated

DRAWING:
A001



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

**Registered
Owners(s)**

Applicant(s)*

**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:
REQUESTING REDUCTION IN REAR YARD SETBACK , FROM 7.5m TO 6.4m

☐ Secondary Dwelling Unit ☐ Reconstruction of Existing Dwelling

5. Why it is not possible to comply with the provisions of the By-law?
WE REQUIRE ADDITIONAL SEPARATION BETWEEN THE HOUSE AND
ACCESSORY STRUCTURE

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 10 PLAN 62M-1212

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?

HISTORIC LAND DATA

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.



Date

Signature Property Owner(s)

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	17m
Depth	43.16m
Area	730.4sm
Width of street	10m

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 DETACHED DWELLING , 343SM, 20.7mx13.8m x 10m high

Proposed

7.7mx5.6mx3.6m HIGH CABANA, 34.5sm GFA, 1 STOREY

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 - 6.009m
REAR - 16.234m
SOUTH SIDE - 1.882m
NORTH SIDE - 1.25M

Proposed:

FRONT - 6.009m (EXISTING)
REAR - 6.4m (ACCESSORY)
SOUTH SIDE - .75M (ACCESSORY)
NORTH SIDE - 1.25M (EXISTING)

13. Date of acquisition of subject lands:

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.):

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 ☒

Connected ☒

Sanitary Sewer ☒

Connected ☒

Storm Sewers ☒

19. Present Official Plan/Secondary Plan provisions applying to the land:

BUILT UP AREA

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:

BYLAW 87-57

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.