

## **NOTICE OF PUBLIC HEARING** **Minor Variance**

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**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-21:401

**APPLICANTS:** Agent Cedar Springs Landscape Group c/o Justin Tenhage  
Owner Adrian Bartels

**SUBJECT PROPERTY:** Municipal address **1627 Jerseyville Rd. W., Ancaster**

**ZONING BY-LAW:** Zoning By-law 05-200, as Amended

**ZONING:** "A1" (Agricultural (A1)) Zonedistrict

**PROPOSAL:** To permit the construction of a cabana accessory to a single detached dwelling notwithstanding that:

1. A maximum gross floor area of 280m<sup>2</sup> shall be permitted for all accessory buildings instead of the maximum required accessory building gross floor area of 258m<sup>2</sup> as granted pursuant to Variance No. 1 of Minor Variance File No. AN/A-21:83.

NOTE:

i) Variance No. 1 of Minor Variance File No. AN/A-21:83 was granted to permit construction of the 257.1m<sup>2</sup> detached garage under construction.

ii) The proposed cabana has a gross floor area of 22.7m<sup>2</sup>. Be advised that only that 14'4" x 17'0" portion of the cabana which has full walls is considered when determining gross floor area. The remaining 14'4" x 29'0" portion is not considered part of the gross floor area as there are only two (2) walls or no walls.

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

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**DATE:** Thursday, December 9th, 2021  
**TIME:** 1:25 p.m.  
**PLACE:** Via video link or call in (see attached sheet for details)  
To be streamed at  
[www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

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### **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:

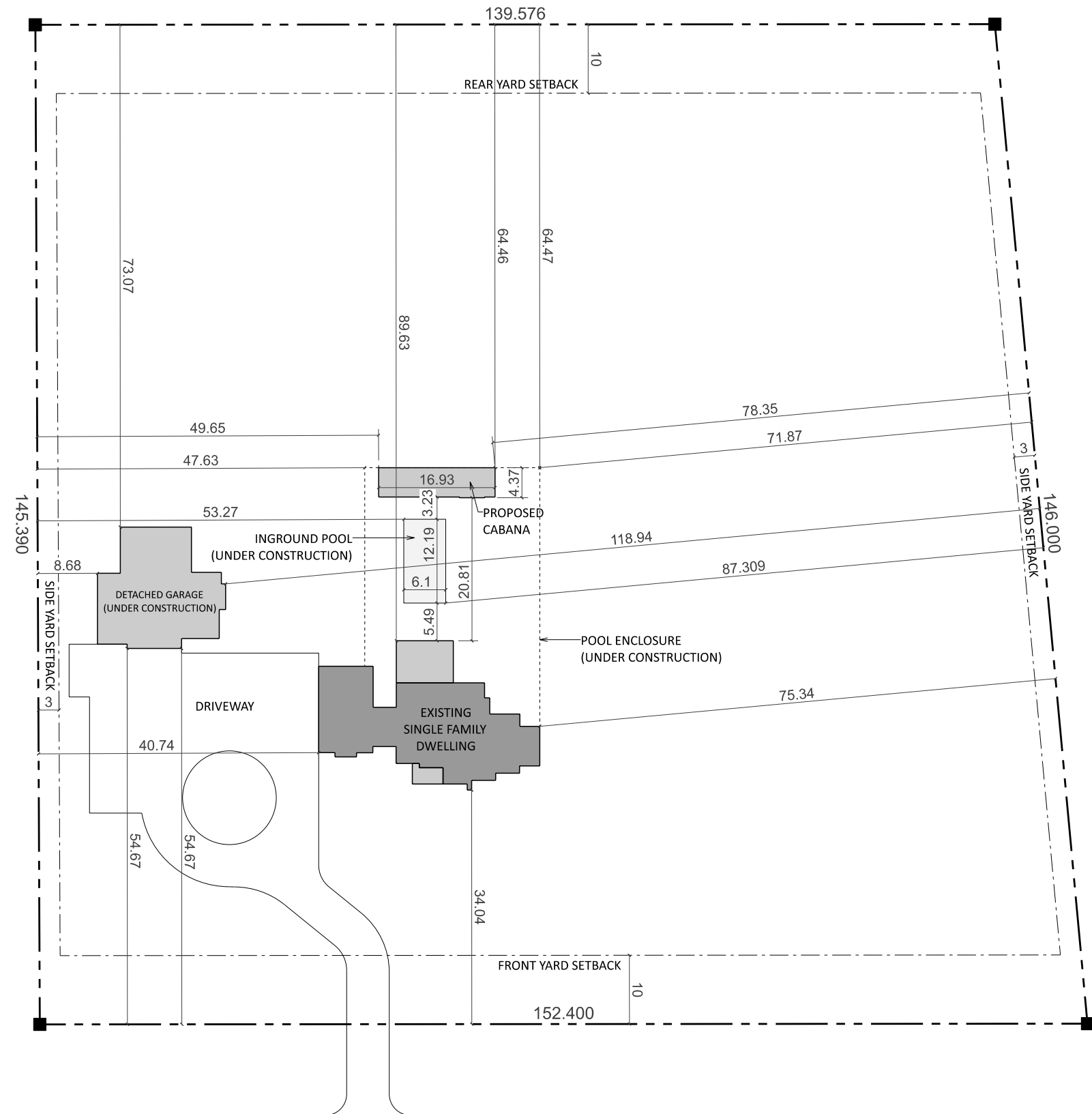
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: November 23rd, 2021.

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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.***



**LEGEND**

- DWELLING
- ACCESSORY STRUCTURE
- POOL
- PROPERTY BOUNDARY
- POOL ENCLOSURE
- PROPERTY STAKE
- EDGE OF ROADWAY

ALL DIMENSIONS IN METRES  
DIMENSIONS AND SCALE  
ARE APPROXIMATE

	SITE DATA		
	SQ. FT.	SQ. M.	%
RESIDENCE			
LOT AREA	231,133 SQ. FT.	21,473 SQ. M.	
EXISTING SINGLE FAMILY DWELLING	7,259 SQ. FT.	674.4 SQ. M.	3.14%
EXISTING GARAGE	2,767 SQ. FT.	257.1 SQ. M.	1.20%
PROPOSED CABANA	668 SQ. FT.	62 SQ. M.	0.29%
PROPOSED LOT COVERAGE (ACCESSORY)	3,435 SQ. FT.	319.1 SQ. M.	1.49%
ACCESSORY BUILDINGS			
MAXIMUM LOT COVERAGE (ACCESSORY)	11,560 SQ. FT.	1,074 SQ. M.	5% (OR 200 SQ. M.)

JERSEYVILLE ROAD WEST

1627 JERSEYVILLE ROAD WEST  
SCALE: 1:750

- GENERAL NOTES:
- THESE DRAWINGS ARE THE PROPERTY OF CEDAR SPRINGS LANDSCAPE GROUP AND MAY NOT BE COPIED, IN WHOLE OR IN PART, WITHOUT THE EXPRESSED WRITTEN PERMISSION OF CEDAR SPRINGS LANDSCAPE GROUP
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  - ALL CONSTRUCTION PRACTICES AND MATERIALS USED ARE TO COMPLY WITH THE LATEST EDITION OF THE ONTARIO BUILDING CODE

Ministry of Municipal Affairs and Housing

**Ontario**

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER

**QUALIFICATION INFORMATION**  
REQUIRED UNLESS EXEMPT UNDER 2012 OBC DIV. C, 3.2.5.1

**JUSTIN TENHAGE**  
NAME  
**119026**  
BCIN

SIGNATURE

**REGISTRATION INFORMATION**  
REQUIRED UNLESS EXEMPT UNDER 2012 OBC DIV. C, 3.2.4.1

**CEDAR SPRINGS LANDSCAPE GROUP**  
NAME  
**119909**  
BCIN

**Cedar Springs**  
LANDSCAPES

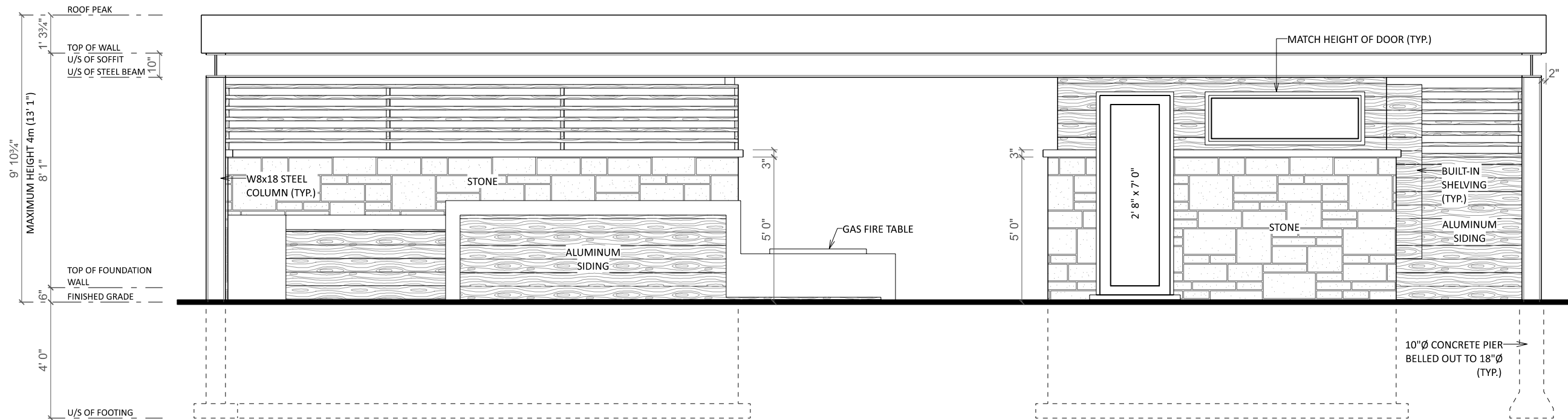
**905-333-6789**  
[www.cedarsprings.net](http://www.cedarsprings.net)  
3242 South Service Rd W Oakville, ON

CLIENT:  
**BARTELS RESIDENCE**  
**1627 JERSEYVILLE RD. W**  
**ANCASTER, ON**

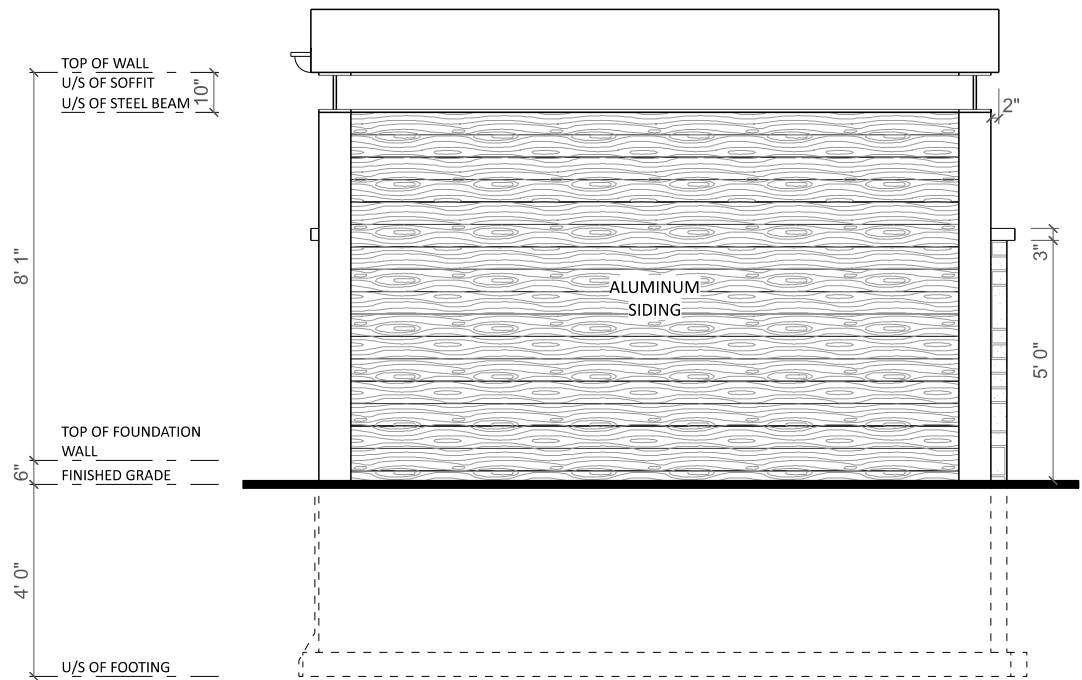
PROJECT:  
**668 SQ. FT. CABANA**

DRAWING TITLE:  
**SITE PLAN**

DATE: <b>November 03, 2021</b>	PAGE #: <b>1</b> OF <b>7</b>
DRAWN BY: <b>J.T.</b>	



**FRONT ELEVATION**  
SCALE: 1/4" = 1'-0"



**LEFT ELEVATION**  
SCALE: 1/4" = 1'-0"

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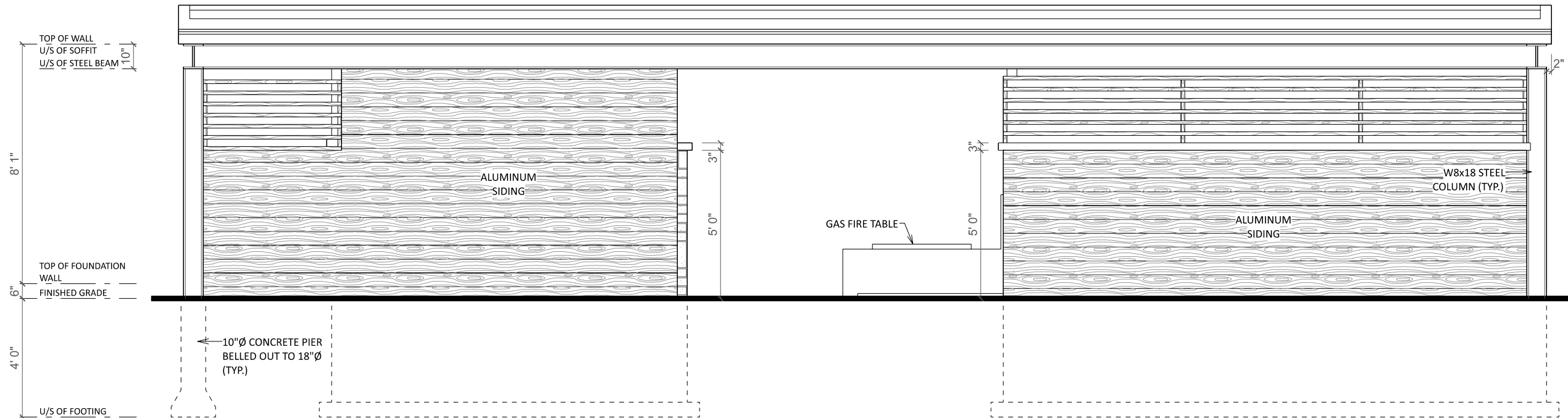
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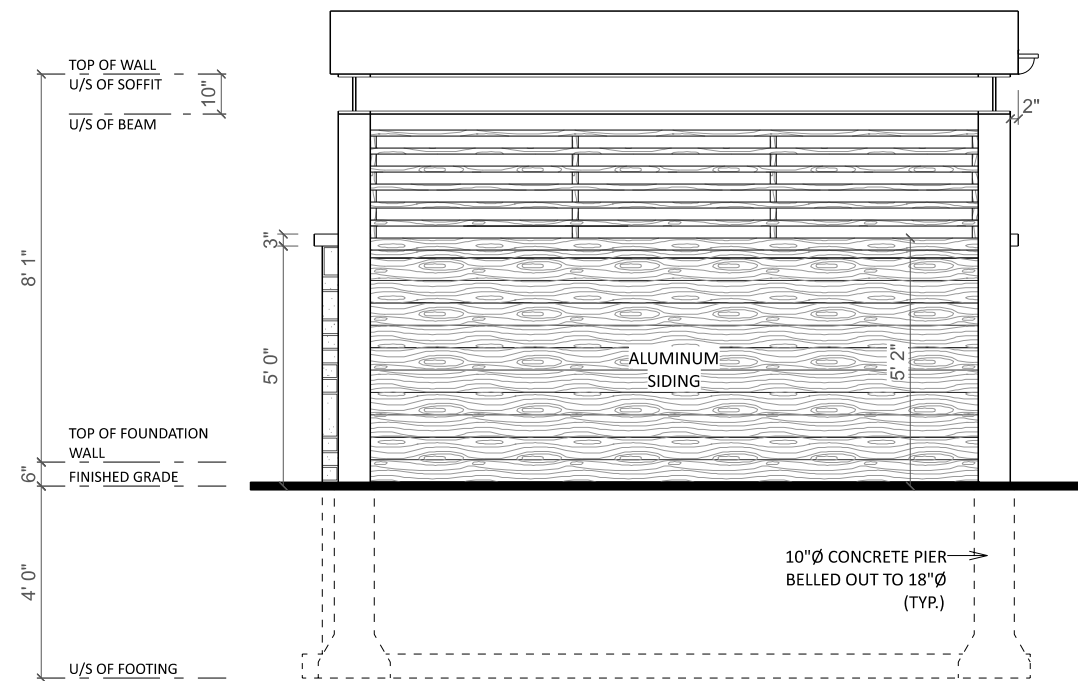
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DRAWING TITLE:  
**FRONT & LEFT ELEVATIONS**

DATE: <b>November 03, 2021</b>	PAGE #: <b>2</b> OF <b>7</b>
DRAWN BY: <b>J.T.</b>	



**REAR ELEVATION**  
SCALE: 1/4" = 1'-0"



**RIGHT ELEVATION**  
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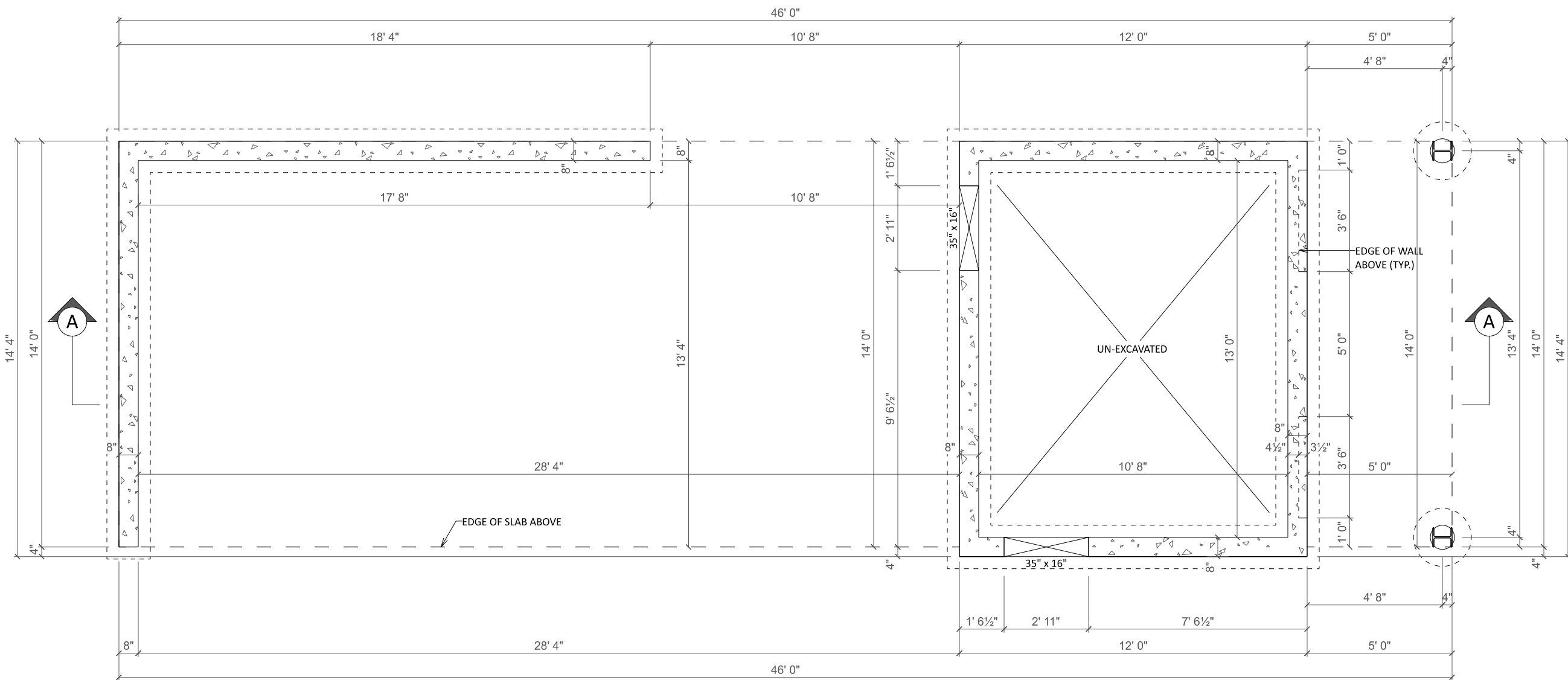
PROJECT:  
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DRAWING TITLE:  
**REAR & RIGHT ELEVATIONS**

DATE:  
**November 03, 2021**

DRAWN BY:  
**J.T.**


PAGE #:  
**3**  
OF **7**



FOUNDATION PLAN

SCALE: 1/4" = 1'-0"

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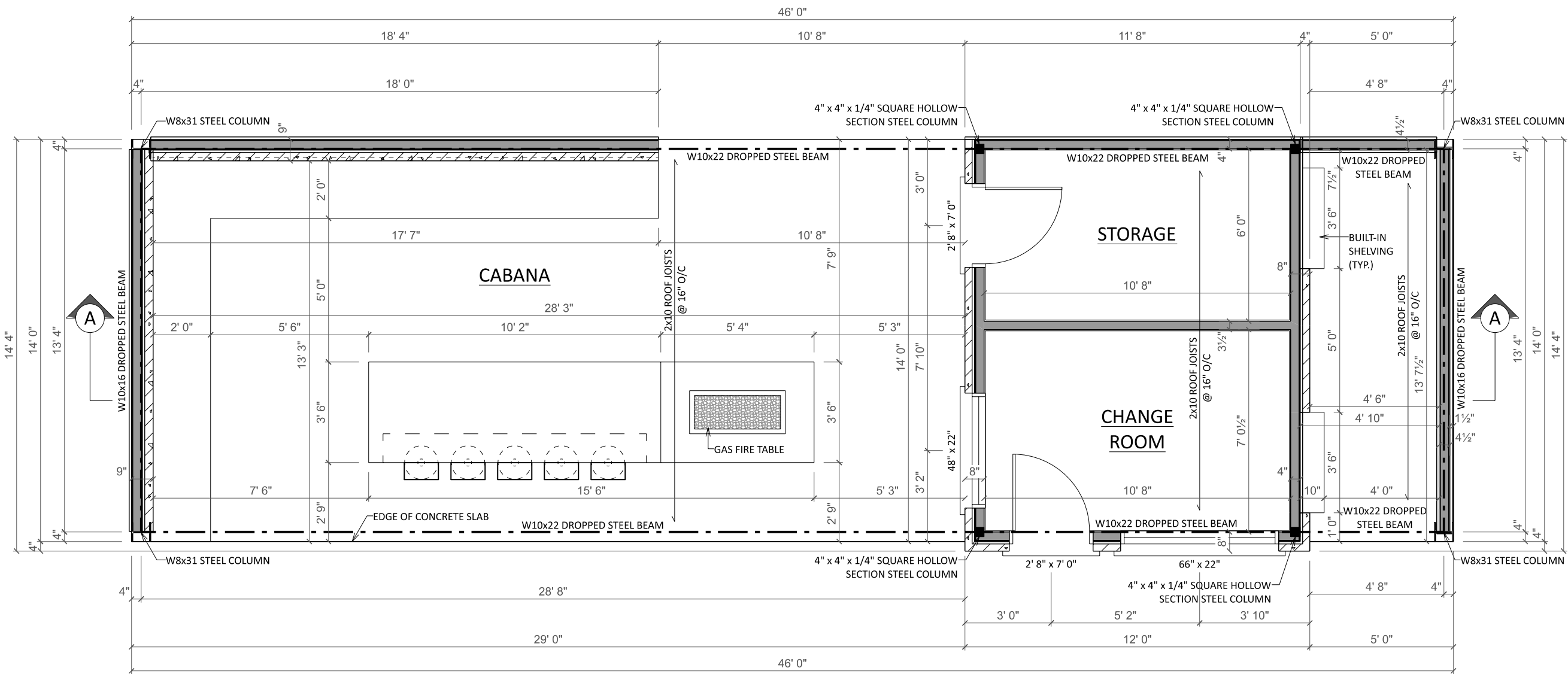
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FOUNDATION PLAN

DATE: November 03, 2021	PAGE #: <div>4 OF 7</div>
DRAWN BY: J.T.	



MAIN FLOOR PLAN

SCALE: 1/4" = 1'-0"

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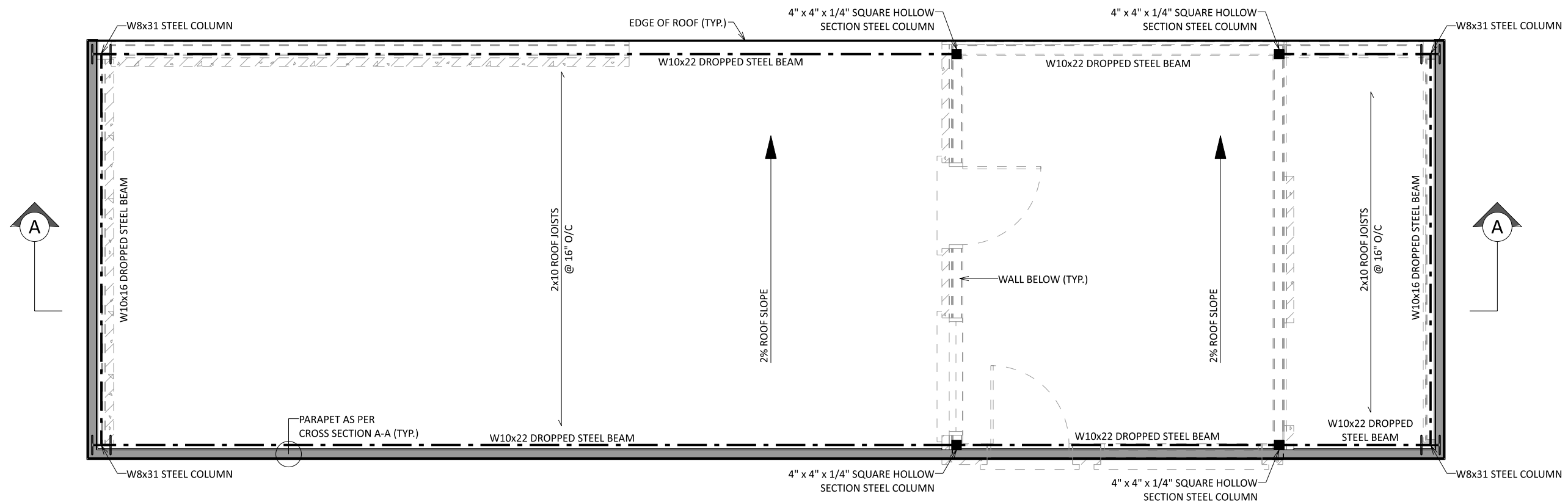
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PROJECT:  
**668 SQ. FT. CABANA**

DRAWING TITLE:  
**MAIN FLOOR PLAN**

DATE: <b>November 03, 2021</b>	PAGE #: <b>5</b>
DRAWN BY: <b>J.T.</b>	OF <b>7</b>





## ROOF PLAN

SCALE: 1/4" = 1'-0"

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### QUALIFICATION INFORMATION

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NAME

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CEDAR SPRINGS LANDSCAPE GROUP

NAME

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905-333-6789

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CLIENT:

BARTELS RESIDENCE  
1627 JERSEYVILLE RD. W  
ANCASTER, ON

PROJECT:

668 SQ. FT. CABANA

DRAWING TITLE:

ROOF PLAN

DATE:

November 03,  
2021

DRAWN BY:

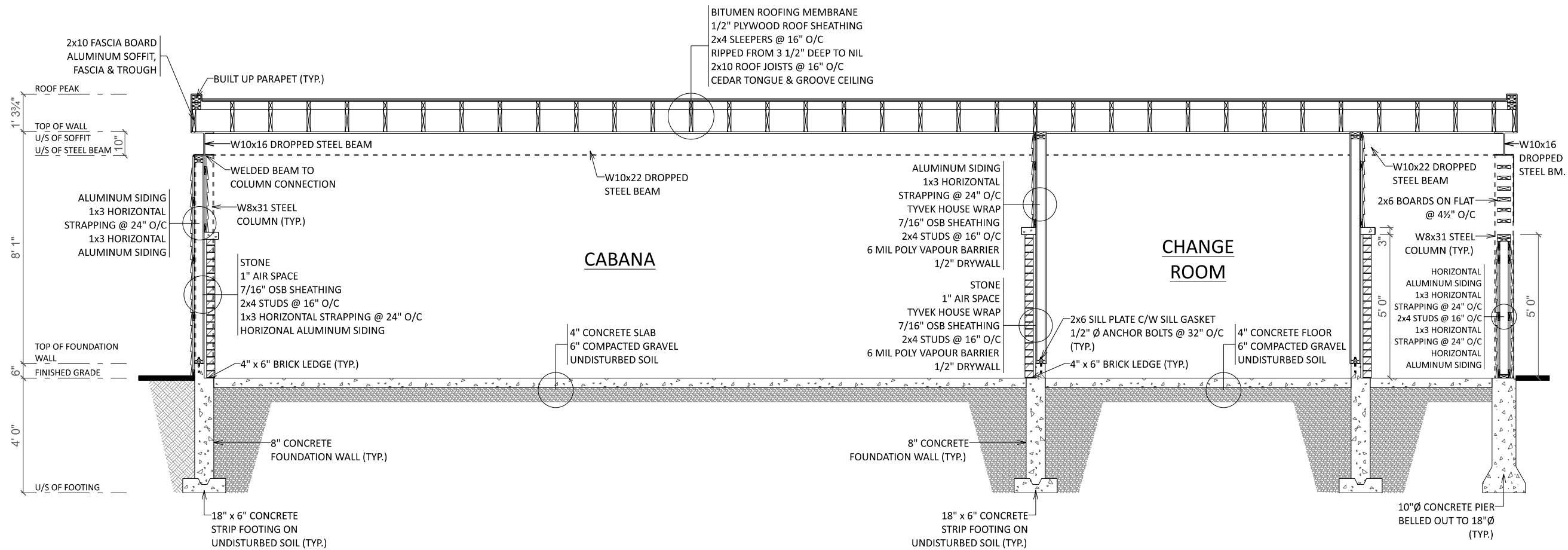
J.T.

PAGE #:

6

OF 7





**CROSS SECTION A-A**  
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DRAWING TITLE:  
**CROSS SECTION A-A**

DATE: <b>November 03, 2021</b>	PAGE #: <b>7</b> OF <b>7</b>
DRAWN BY: <b>J.T.</b>	



Hamilton

**Committee of Adjustment**

City Hall, 5<sup>th</sup> Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: [cofa@hamilton.ca](mailto: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	MAILING ADDRESS
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:  
Relief from Zoning By-law No. 05-200 - 4.8.2 - maximum 5% lot coverage for accessory buildings @ structure, to a maximum gross floor area of 200 square metres. Proposed accessory building to have a gross floor area of 62 sq. m.

☐ Secondary Dwelling Unit      ☐ Reconstruction of Existing Dwelling

5. Why it is not possible to comply with the provisions of the By-law?  
The accessory building (proposed) to which Minor Variance application No. An/A-21:83 applies has a gross floor area of 258 sq. m.- exceeding the maximum permitted gross floor area lot coverage of 200 sq. m. (Existing total lot coverage of accessory buildings is 258 sq. m).

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**):  
PT LT 27, CON 2 ANCASTER, PART 1, 62R11665;; CITY OF HAMILTON

7. PREVIOUS USE OF PROPERTY

Residential ☒      Industrial ☐      Commercial ☐  
Agricultural ☐      Vacant ☐      Other ☐

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?

Historical Site Documentation

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.

25 Oct, 2021

Date

*Adrian Bartels*

Signature Property Owner(s)

Adrian Bartels

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	152.40 m
Depth	145.39 m
Area	21,473 sq.m
Width of street	7.5 m +/-

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:

Single family dwelling: GroundFA: GFA:351.8 sq.m - Two storey - Width:32.2m  
Length:18m - Height: 9.14m  
Rear deck: GFA:50.7m - Width:8.3m - Length:6.1m - Height:4.3m  
Front porch: GFA:11.2m - Width:4.5m - Length:3.0m - Height:4.3m

Proposed

Detached garage (under construction): GFA:258 sq.m - One storey -  
Width:18.64m Length:17.6m - Height:7.1m  
Cabana (this application): GFA: 62 sq.m - One storey - Width:14m - Length:4.4m  
Height:3.0m

12. Location of all buildings and structures on or proposed for the subject lands; (Specify distance from side, rear and front lot lines)

Existing:

Dwelling: 93.3m to rear - 40.7m to left - 75.3m to right - 34.0m to front  
Rear deck: 89.6m to rear - 52.1m to left - 86.7m to right - 49.6m to front  
Front porch: 107.5m to rear - 54.3m to left - 89.9m to right - 34.9m to front

Proposed:

Detached garage (under construction): 73.1m to rear - 8.7m to left - 118.9m to  
right - 34.7m to front  
Cabana (this application): 64.5 to rear - 52.6m to left - 78.4m to right - 76.6m to  
front

13. Date of acquisition of subject lands:  
Feb 18, 2021
- 
14. Date of construction of all buildings and structures on subject lands:  
Residence - 2021    Detached garage - under construction
- 
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
Single family dwelling
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
Agricultural
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 type="checkbox"/> | Connected | <input type="checkbox"/> |
| Sanitary Sewer | <input type="checkbox"/> | Connected | <input type="checkbox"/> |
| Storm Sewers   | <input type="checkbox"/> |           |                          |
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:  
Zoning by-law No. 05-200 - Agricultural (A1) Zone
21. Has the owner previously applied for relief in respect of the subject property?  
Yes ☒                      No ☒  
If the answer is yes, describe briefly.  
Minor Variance AN/A-21:83 - Relief from lot coverage restriction (accessory)
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  
N/A
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.