

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-21:394

APPLICANTS: Agent Jenny Bognar
Owner Ryan Marshall

SUBJECT PROPERTY: Municipal address **84 Cumming Crt., Ancaster**

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

ZONING: "ER" (Existing Residential) district

PROPOSAL: To permit the construction of a one storey rear addition to the existing single detached dwelling; notwithstanding that:

1. A minimum rear yard setback of 7.18m shall be permitted instead of the minimum 8.87m rear yard setback required.

Note: The lands are subject to Site Plan Control.

The Ancaster Zoning By-law 87-57, states that a minimum of one metre within the side and the rear yard shall be unobstructed and shall not contain structures, walkways, sidewalks, hard surfaced materials and landscaping other than sod. No details were provided from which to determine compliance. As such, further variances may be required.

While the proposed height indicated is 5.42m, the elevation plans do not show the height dimension measured from grade. Therefore, compliance could not be confirmed.

Details respecting eaves and gutter projections were not shown from which to determine compliance. Therefore, further variances may be required.

The required front yard setback could not be determined as no survey was submitted showing the location of the adjacent dwellings. Therefore, compliance respecting the unenclosed porch projection into the front yard could not be determined and further variances may be required.

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

DATE: Thursday, December 9th, 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

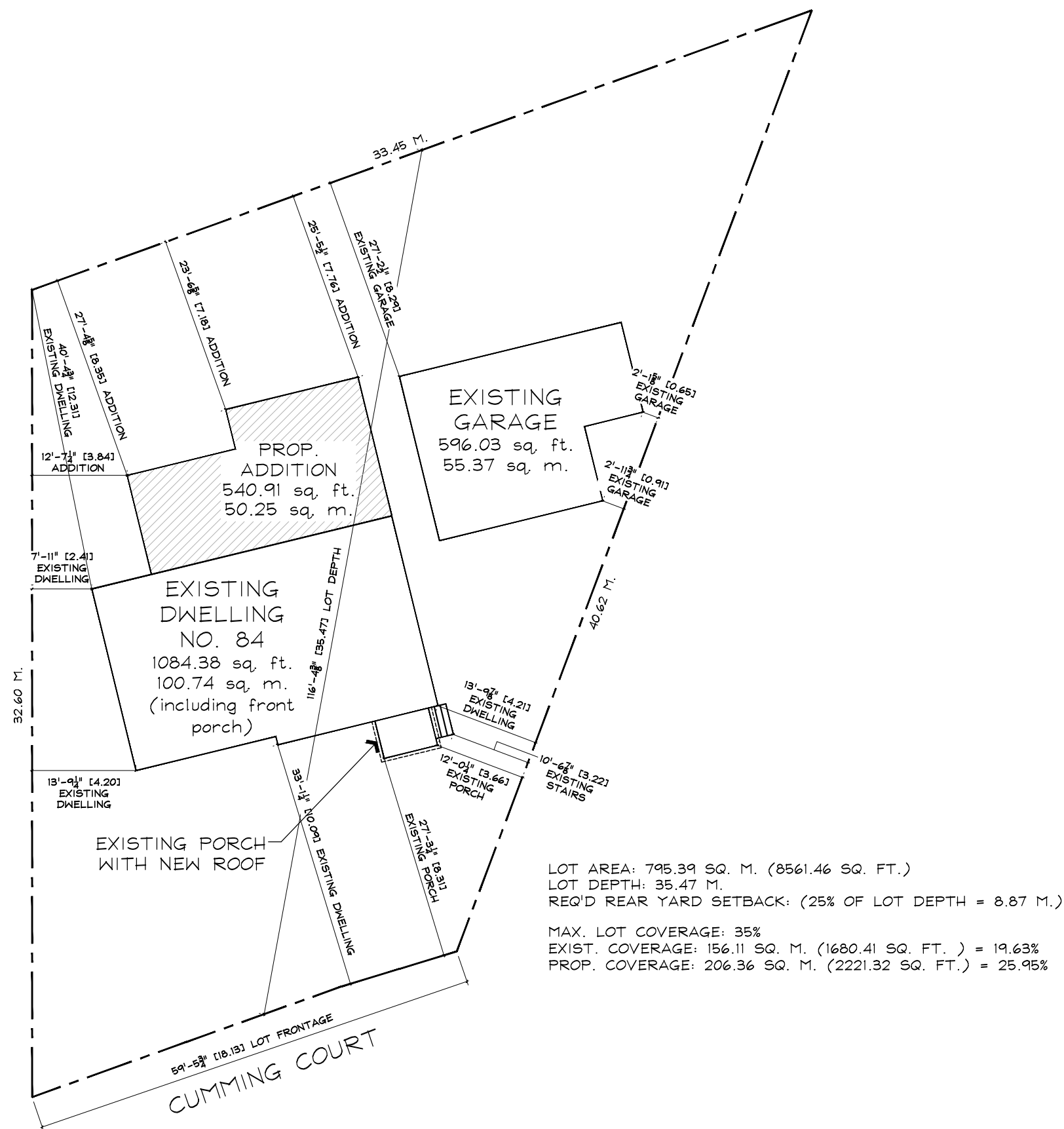
For more information on this matter, including access to drawings illustrating this request:

- 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: November 23rd, 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.



THE MARSHALL/
CORMIER RESIDENCE
84 CUMMING COURT
ANCASTER, ON
L9G 1V3

 **drafting
+ design**

■ 193 East 43rd Street ■
■ Hamilton, ON ■ L8T 3C3 ■
■ jbdraftinganddesign@live.ca ■
■ 905.517.6027 ■


10.25.21 signature required
Jennifer Bognar reviews and takes responsibility for the
design work described in this document
firm bcin 103416 ■ individual bcin 33001

DATE	ISSUE DESCRIPTION
10.07.21	ISSUED FOR REVIEW
10.13.21	ISSUED FOR REVIEW
10.25.21	ISSUED FOR C.O.F.A.

ALL DIMENSIONS AND INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE AND ANY DISCREPANCIES REPORTED TO THE DESIGNER PRIOR TO CONSTRUCTION AND FABRICATION OF ITS COMPONENTS. SHOULD EXISTING CONDITIONS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED ON THE DRAWINGS, THE DESIGNER MUST BE NOTIFIED IMMEDIATELY. THE DESIGNER IS NOT LIABLE FOR ANY CHANGES MADE BY THE CONTRACTOR WITHOUT THE DESIGNER'S KNOWLEDGE AND PERMISSION.

FEATURES OF CONSTRUCTION NOT FULLY SHOWN ARE ASSUMED TO BE THE SAME CHARACTER AS THOSE NOTED FOR SIMILAR CONDITIONS.

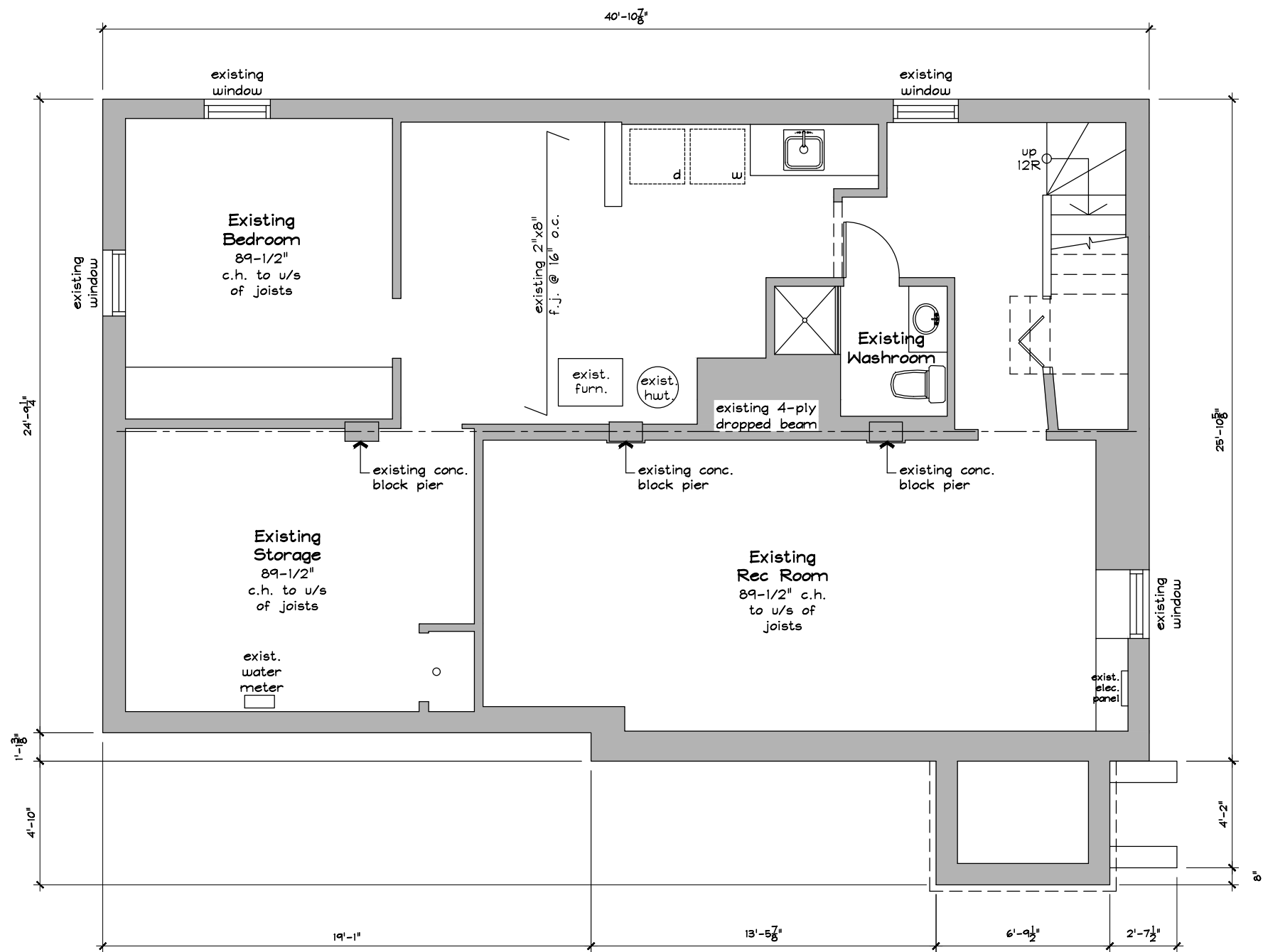
UNLESS SPECIFICALLY NOTED OTHERWISE ON THE DRAWINGS, NO PROVISION HAS BEEN MADE IN THE DESIGN FOR CONDITIONS OCCURRING DURING CONSTRUCTION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE ALL NECESSARY BRACING, SHORING, SHEET PILING, OR OTHER TEMPORARY SUPPORTS, TO SAFEGUARD ALL EXISTING OR ADJACENT STRUCTURES AFFECTED BY THIS WORK.

ALL DRAWINGS AND RELATED DOCUMENTS SHALL REMAIN THE PROPERTY AND COPYRIGHT OF JB DRAFTING AND DESIGN. USE LATEST REVISED DRAWINGS. DO NOT SCALE DRAWINGS.

SITE
PLAN
1:200

SHEET

A1 OF 6



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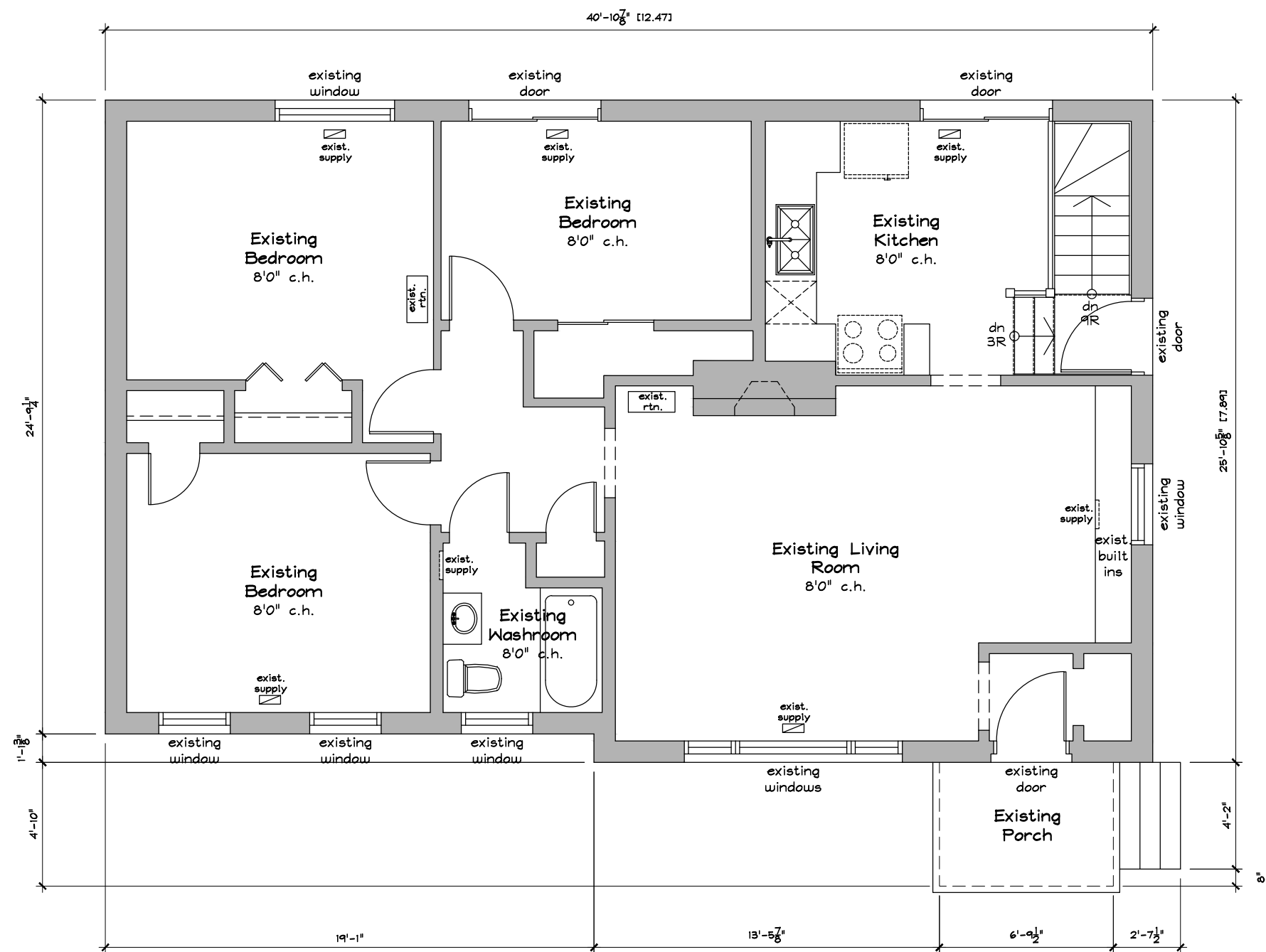
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EXISTING
BASEMENT PLAN
3/16" = 1'-0"



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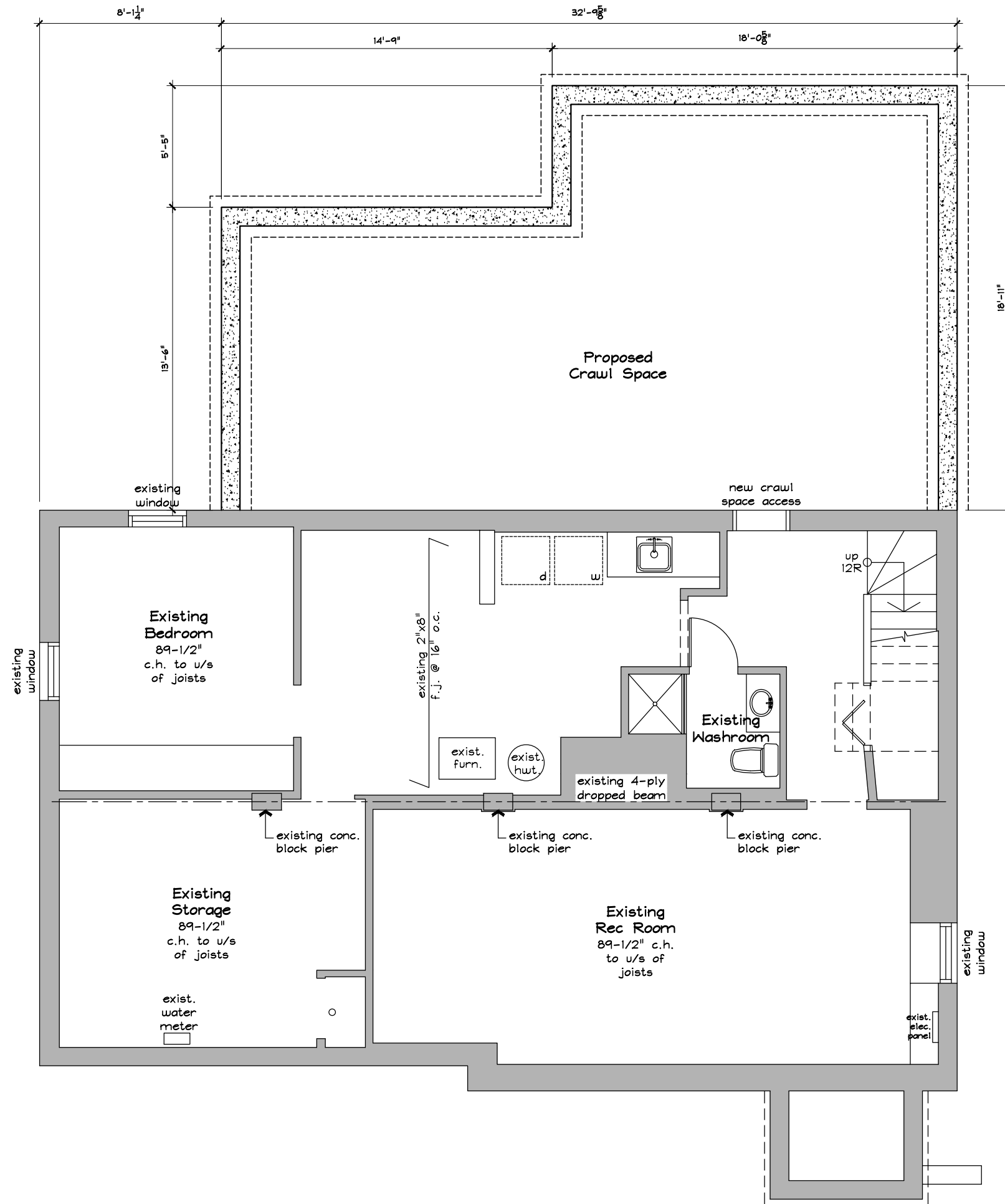
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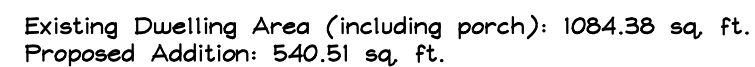
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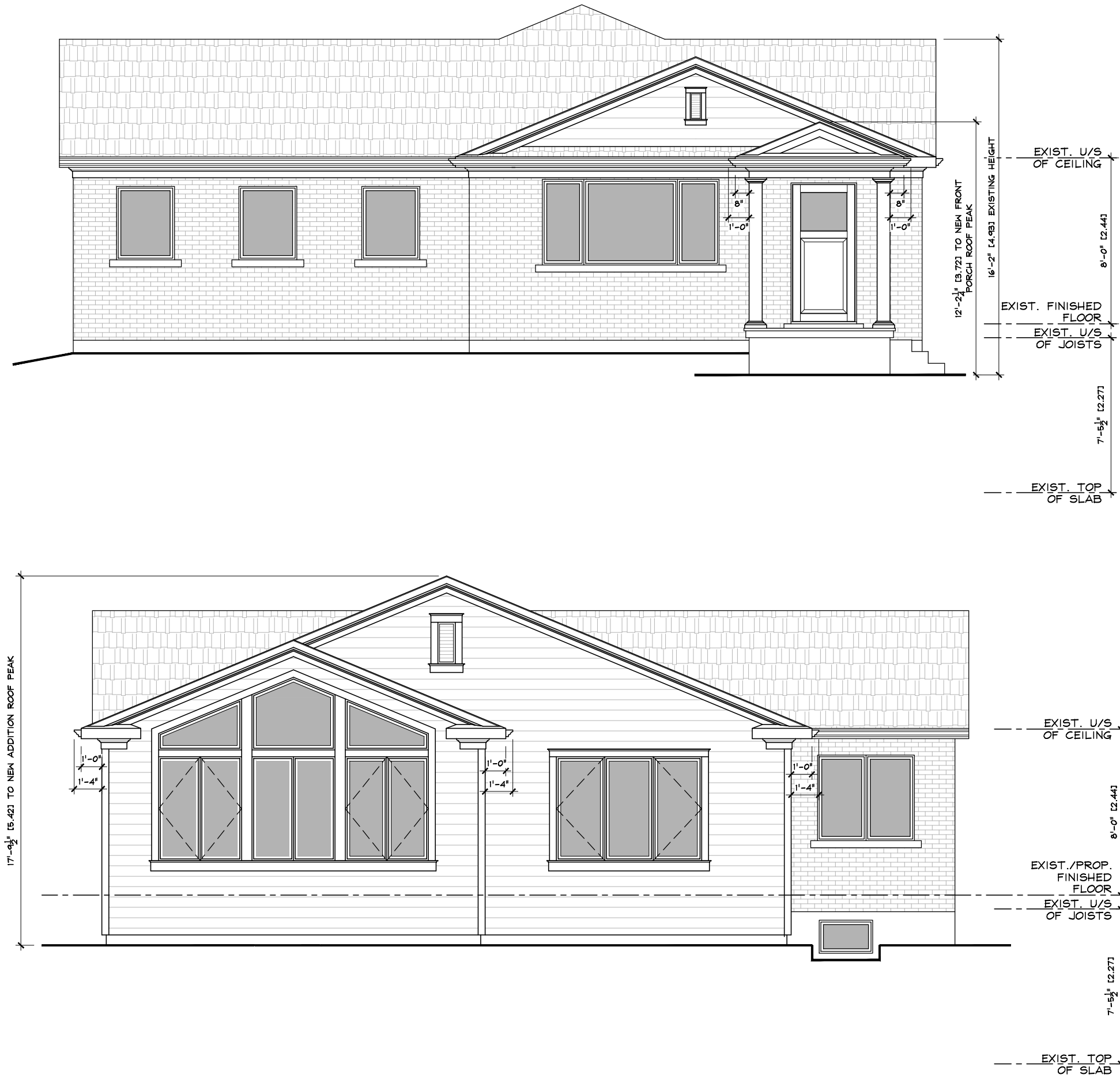
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PROPOSED
BASEMENT PLAN
3/16" = 1'-0"

SHEET
A4
OF 6



A5



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PROPOSED FRONT
& REAR ELEVATIONS
3/16" = 1'-0"



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:

Scotiabank - Queenston & Nash

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:

Variance for rear yard setback of 7.18 m. instead of required 8.87 m.

☐ Secondary Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

Existing larger lot depth and odd lot shape requires a larger required rear setback instead of the min. of 7.5 m. along with placement of existing dwelling makes it difficult to put a decent sized addition on the rear of the existing dwelling.

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**):

84 Cumming Court, Ancaster ON

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?

Knowledge of area

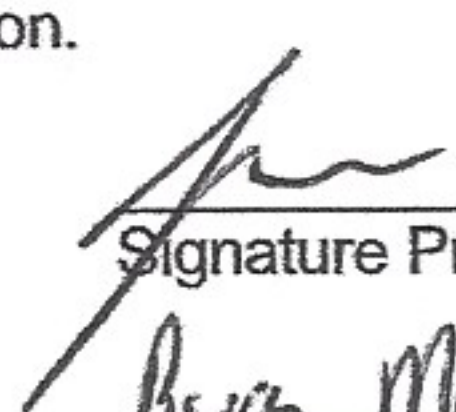
8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

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.

Oct 22 / 21
Date


Signature Property Owner(s)

Ryan Marshall & Beed Cormier
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>18.13 m.</u>
Depth	<u>35.47 m.</u>
Area	<u>795.39 sq. m.</u>
Width of street	<u>20.0 m.</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: _

96.38 sq. m. ground floor area, 1 story, 7.89 m. width, 12.47 m. length,
4.93 m. height

Proposed

150.99 sq. m. ground floor area, 1 story, 5.42 m. addition height

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 = 10.09 m., Right = 4.21 m., Rear = 12.31 m., Left = 2.41 m.

Proposed:

To addition - Rear = 7.18 m., Left = 3.84 m.

13. Date of acquisition of subject lands:
May 20/21
14. Date of construction of all buildings and structures on subject lands:
1953
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:

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

ER
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.