



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-22:06

APPLICANTS: Agent Shane Van Barneveld
Owners M. & L. Johnston & N. J. Bush

SUBJECT PROPERTY: Municipal address **175 Parkview Dr., Ancaster**

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

ZONING: "ER" (Existing Residential) district

PROPOSAL: To permit the construction of a new single detached dwelling notwithstanding that;

1. A maximum lot coverage of 36.7% shall be permitted instead of the maximum 35% lot coverage permitted.
2. A minimum front yard of 5.1m shall be permitted instead of the minimum 7.048m front yard required.
3. A minimum rear yard 10.7m shall be permitted instead of the minimum 12.351m rear yard required.

Note: Variances have been written exactly as requested by the applicant. This property is subject to Site Plan Control; to date, no formal site plan application has been submitted and a full zoning review has not been conducted for the proposed development. Further variances may be required at such time that a formal zoning review is conducted on the proposed development.

The zoning By-law requires that a minimum of 1.0m of required side yards and rear yard are maintained unobstructed and shall not contain structures, walkways, sidewalks, hard surfaced material and landscaping other than sod. No details were provided from which to determine compliance; therefore, further variances may be required.

The elevation plans do not show the height dimension from grade as defined in the zoning by-law. In addition, please refer to Building Division Policy ZON-031 for calculating the average grade. Otherwise, further variances may be required.

The applicant shall confirm the lot depth as defined in the zoning By-law in order to confirm that the requested rear yard variance is correct.

Our Division has previously made the interpretation that a roofed-over deck at the rear of the dwelling is considered part of the principal building and is therefore subject to the principle building requirements.

The zoning By-law requires a minimum of two (2) parking spaces for a single detached dwelling. The applicant shall clearly delineate and properly label and dimension the parking spaces in order to determine compliance. Otherwise, further variances may be required.

The zoning By-law permits eaves or gutters to 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 details were provided from which to determine compliance. Therefore, further variances may be required.

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

DATE: Thursday, February 17th, 2022
TIME: 2:50 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:

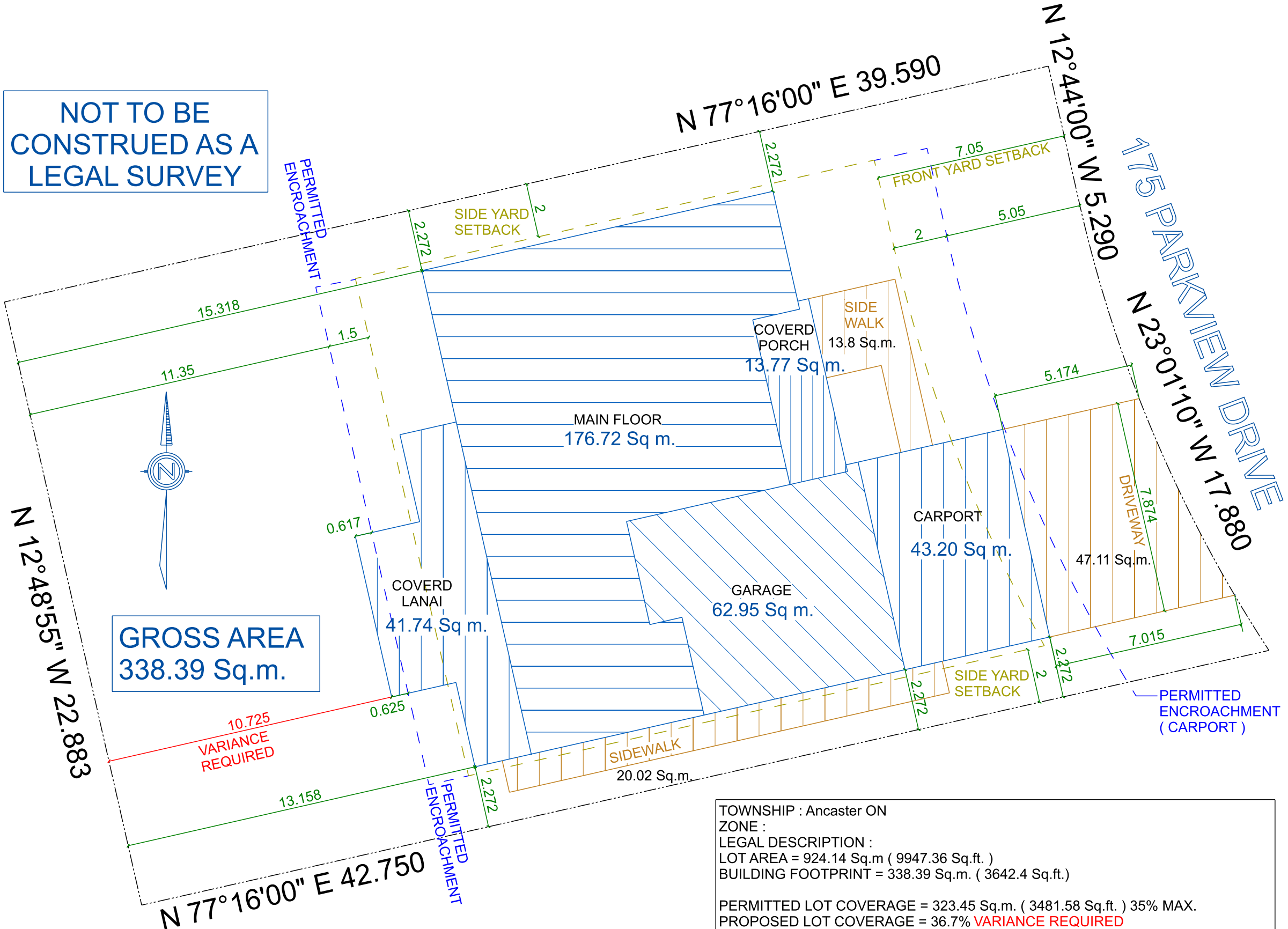
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: February 1st, 2022.

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.

NOT TO BE
CONSTRUED AS A
LEGAL SURVEY



GROSS AREA
338.39 Sq.m.

10.725
VARIANCE
REQUIRED

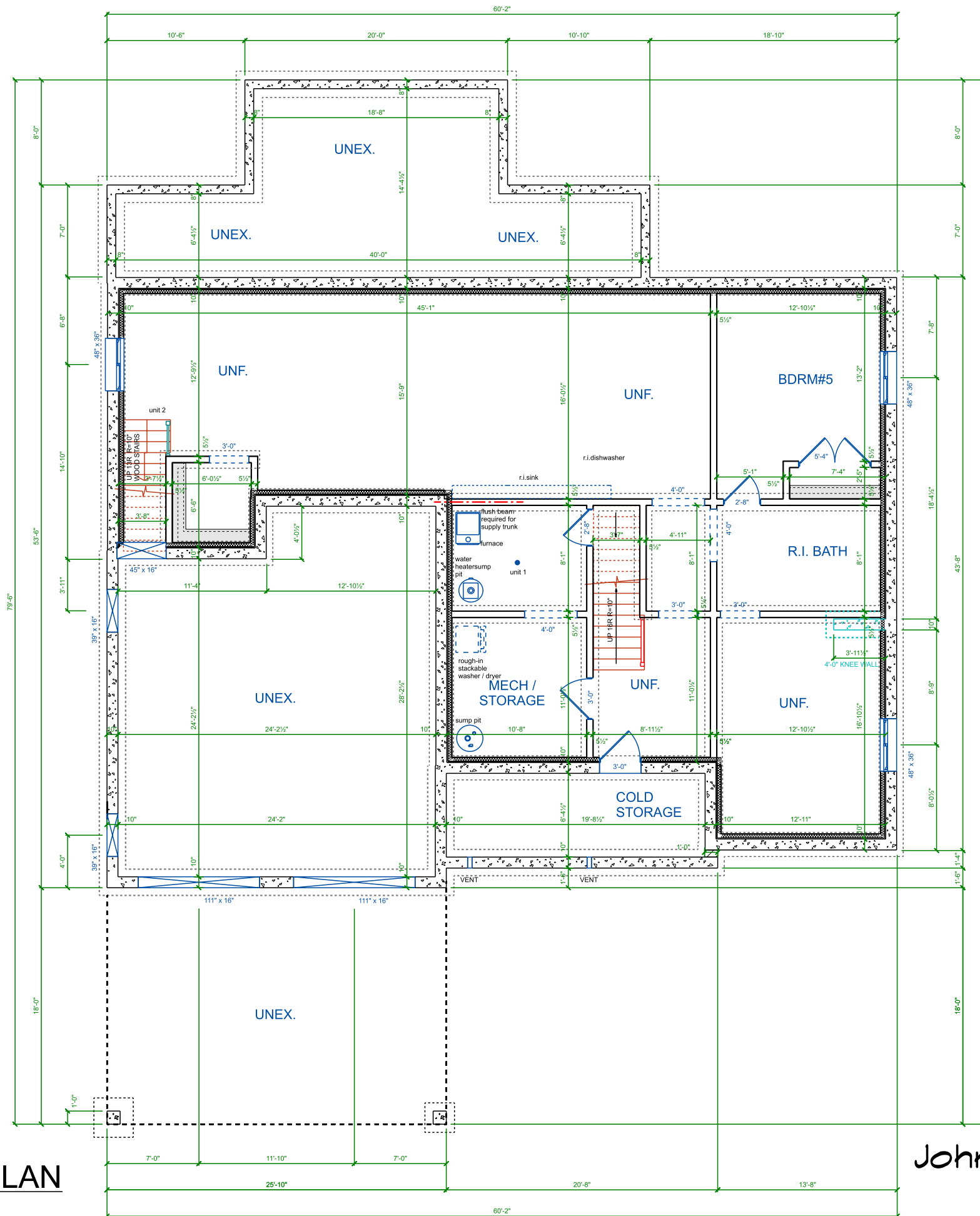
TOWNSHIP : Ancaster ON
 ZONE :
 LEGAL DESCRIPTION :
 LOT AREA = 924.14 Sq.m (9947.36 Sq.ft.)
 BUILDING FOOTPRINT = 338.39 Sq.m. (3642.4 Sq.ft.)
 PERMITTED LOT COVERAGE = 323.45 Sq.m. (3481.58 Sq.ft.) 35% MAX.
 PROPOSED LOT COVERAGE = 36.7% **VARIANCE REQUIRED**
 MAX. BUILDING HEIGHT = 9.5m. (31.17')
 PROPOSED BUILDING HEIGHT = 9.48m. (31'-1.875")
 DRIVEWAY AND SIDEWALK = 80.93 Sq.m.
 TOTAL COVERAGE = 419.32 Sq.m.
 LANDSCAPE OPEN SPACE = 504.82 Sq.m. (54.6%)

5A SITE PLAN
SCALE: 1:150

Johnston Residence

175 Parkview Drive
Ancaster ON
December 15, 2021





5B BASEMENT FLOOR PLAN
 SCALE: 0.1094" = 1'-0"

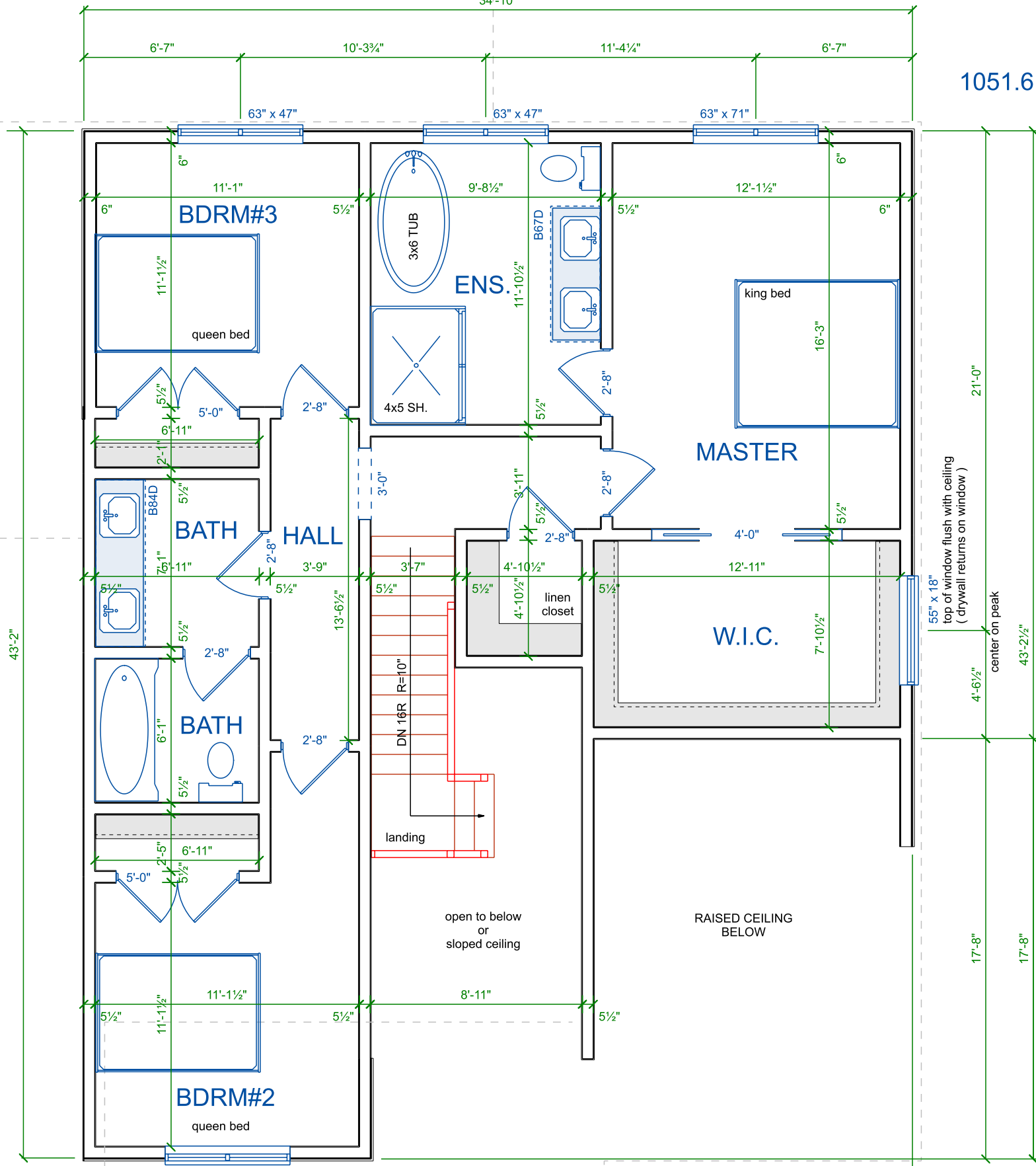
Johnston Residence

175 Parkview Drive
 Ancaster ON
 December 4, 2021



5A UPPER FLOOR PLAN

1051.6 sq. ft.



OPTIONAL BONUS ROOM TRUSSES

OPTIONAL BONUS ROOM TRUSSES

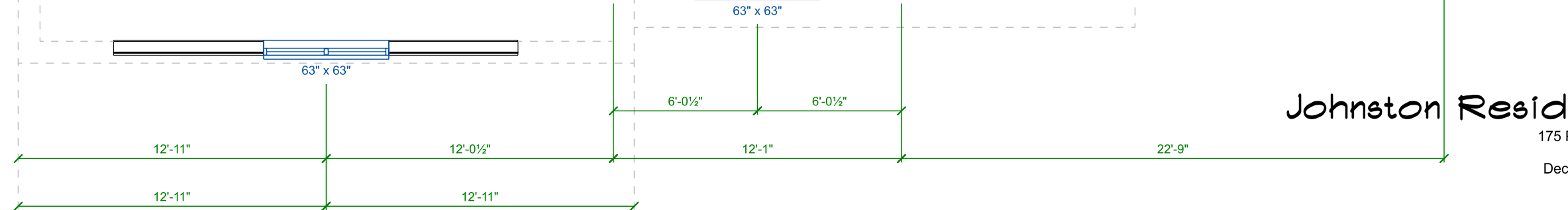
open to below or sloped ceiling

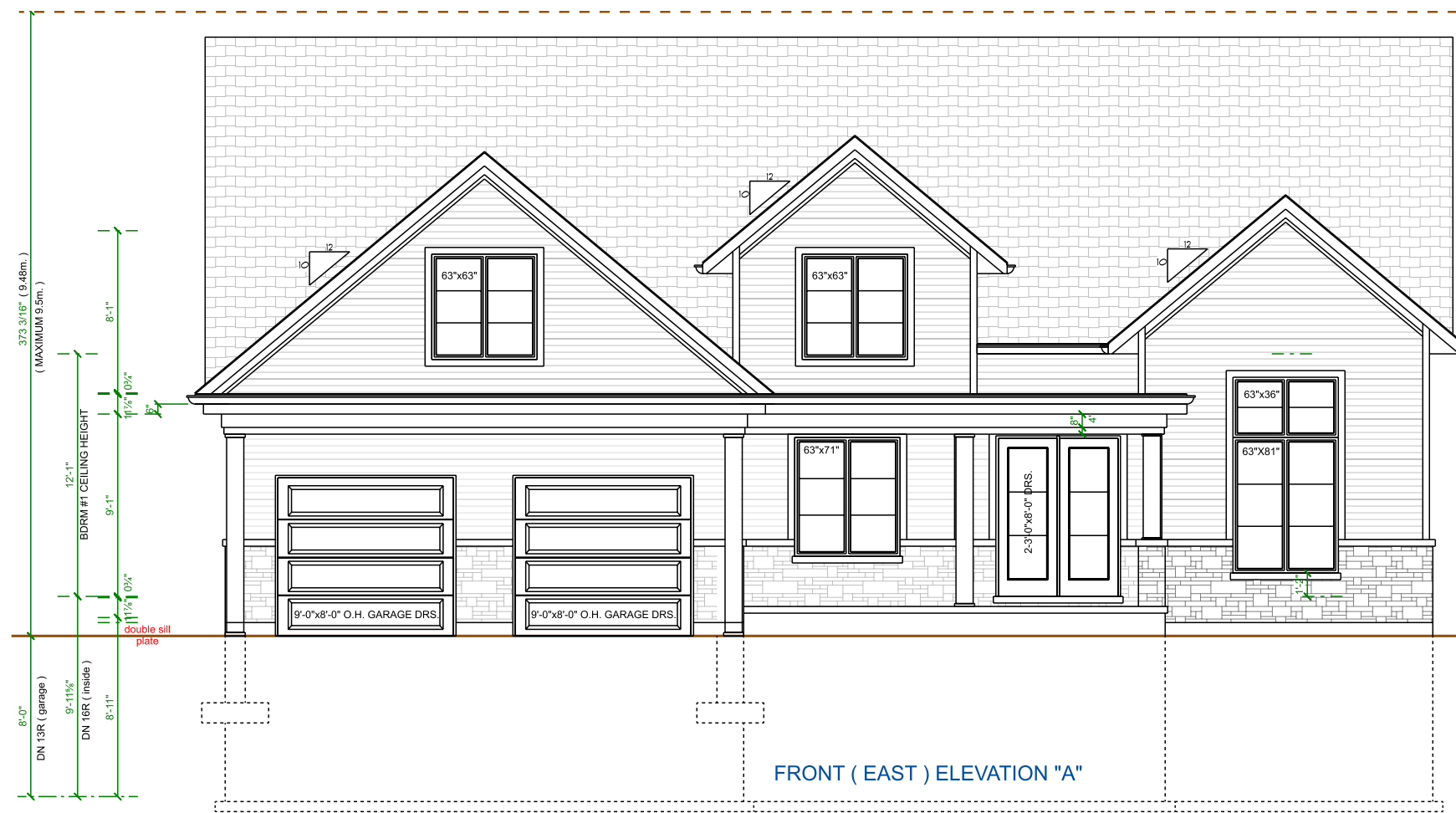
RAISED CEILING BELOW



Johnston Residence

175 Parkview Drive
Ancaster ON
December 4, 2021





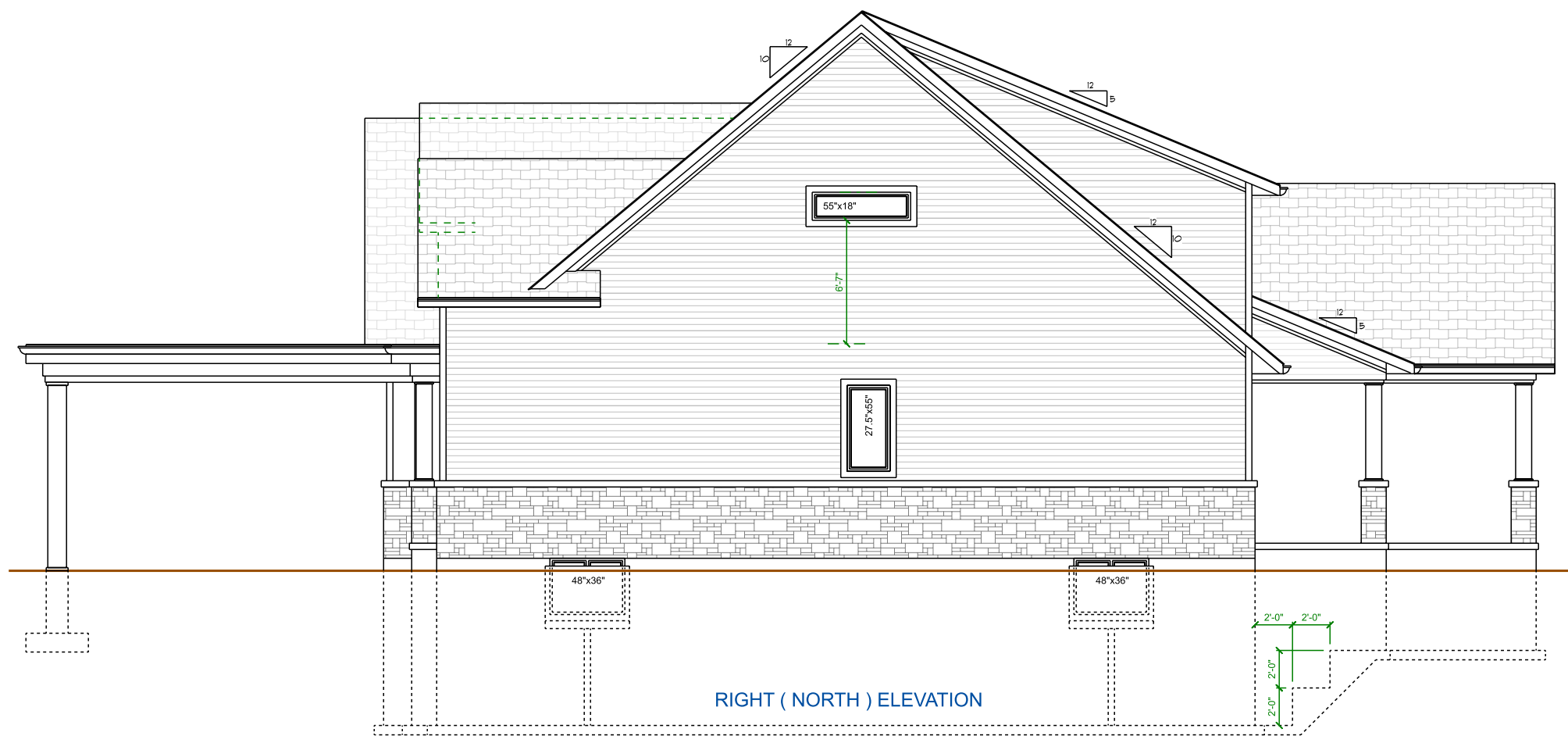
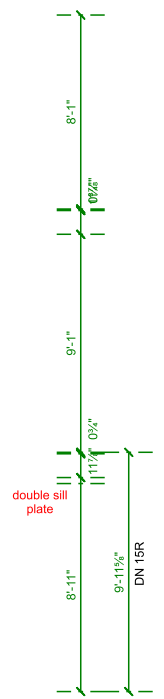
5A ELEVATIONS
SCALE: 1/8" = 1'-0"



Johnston Residence

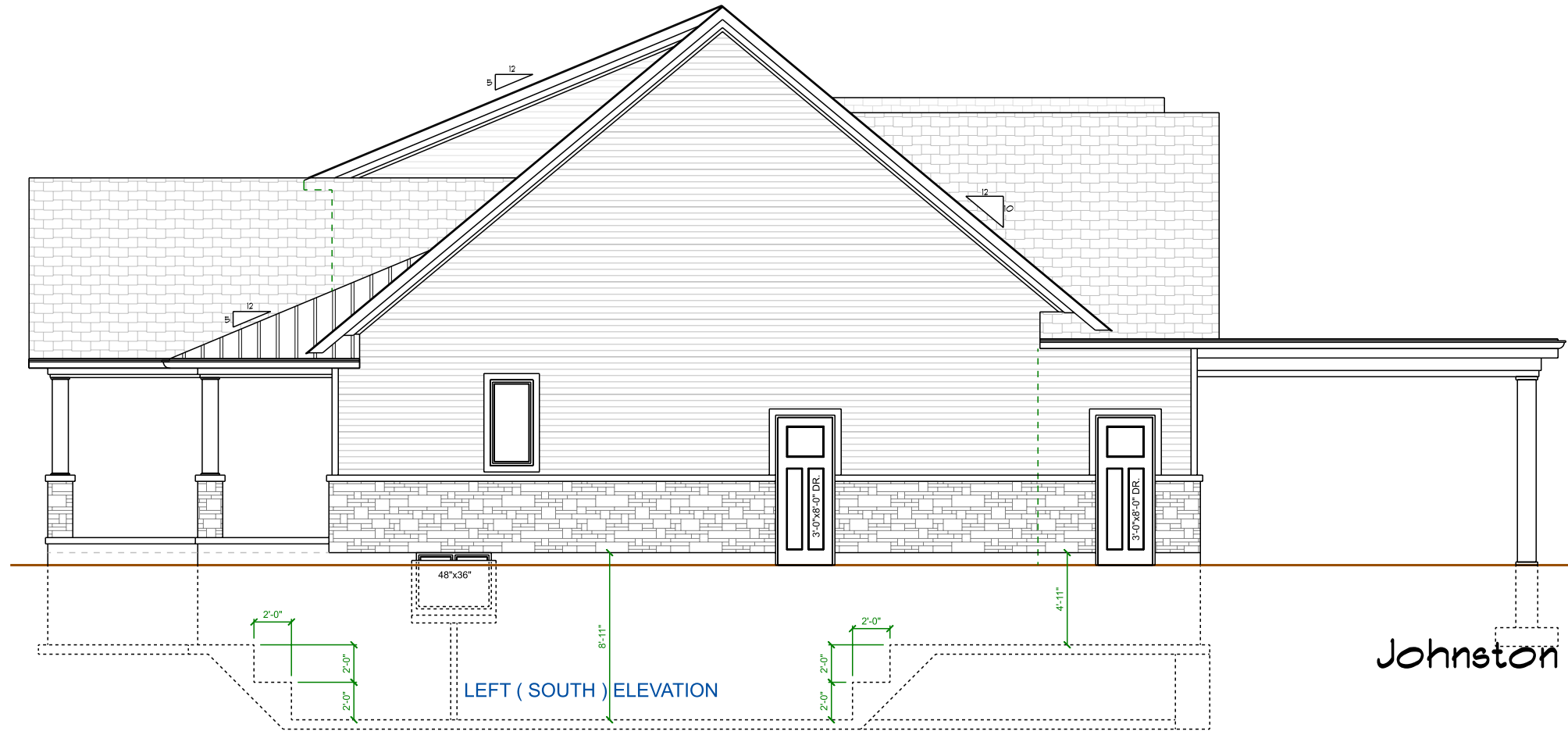
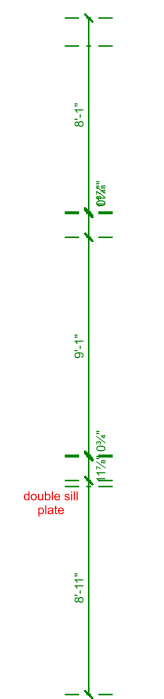
175 Parkview Drive
Ancaster ON
December 4, 2021





RIGHT (NORTH) ELEVATION

5A ELEVATIONS
SCALE: 1/8" = 1'-0"



LEFT (SOUTH) ELEVATION

Johnston Residence

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Ancaster ON
December 4, 2021





Hamilton

Committee of Adjustment

City Hall, 5th Floor,
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Hamilton, ON L8P4Y5

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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

	NAME	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:
N/A

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:

1-To permit 2.10m rear covered porch encroachment into the required rear yard setback instead of the allowable 1.5.

2- To permit lot coverage of 37% instead of the required 35%.

*Please add any other required variances as per the site plan submitted with this application.

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

The proposed new family dwelling addition cannot comply with the current zoning by-law regulations due to the existing lot conditions.

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 BLK MISENER, PL 1095, AS IN HL209189; HAMILTON

PIN 17429-0359

175 Parkview Dr, Ancaster, ON L9G 1Z4

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other N/A

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 9.1 to 9.10 above?

Previous uses of the subjected property.


8.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, 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 **(N/A)**

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.

Dec 9/21
Date


Signature Property Owner

Michael Johnston
Print Name of Owner

10. Dimensions of lands affected:

Frontage 23.25m
Depth 42.75m
Area 924.14m²
Width of street 7.0 m (TO BE CONFIRMED BY PUBLIC WORKS)

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: See attached plans.

Proposed See attached plans.

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

Existing: See attached plans.

Proposed: See attached plans.

13. Date of acquisition of subject lands:
Sep 08, 2021
-
14. Date of construction of all buildings and structures on subject lands:
Aug 23, 1962
-
15. Existing uses of the subject property:
RESIDENTIAL
16. Existing uses of abutting properties:
RESIDENTIAL
17. Length of time the existing uses of the subject property have continued:
SINCE BUILT
18. Municipal services available: (check the appropriate space or spaces)
Water YES Connected -
Sanitary Sewer YES Connected -
Storm Sewers YES
19. Present Official Plan/Secondary Plan provisions applying to the land:
N/A
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
N/A
21. Has the owner previously applied for relief in respect of the subject property?
 Yes No
If the answer is yes, describe briefly.
N/A
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.