



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-21:439

APPLICANTS: Owner Monica Bradshaw

SUBJECT PROPERTY: Municipal address **163 Falling Brook Dr., Ancaster**

ZONING BY-LAW: Zoning By-law 87-87, as Amended by By-law No. 18-105

ZONING: ERdistrict (Existing Residential)

PROPOSAL: To permit the expansion of an existing 216 square metre single detached dwelling to allow for a 195.2 square metre addition on two floors which include an attached garage and additional living space and to allow for changes to the front entrance including the front porch and stairs and to permit a 11.5 square metre rear deck, notwithstanding that:

1. The easterly side yard shall be 1.6 instead of the required 2.0 metres for an interior side yard for a lot with less than 23 metres of lot frontage.

NOTES:

1. The requested variance is written as requested by the applicant.
2. The eaves projection into the minimum easterly side yard will conform providing the requested variance is approved.
3. Parking spaces have not been identified on the submitted plans but it appears that a driveway parking space and enclosed (garage) parking space can be easily provided based on the available space to meet the required parking.

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

DATE: Thursday, February 24th, 2022

TIME: 1:30 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 8th, 2022.

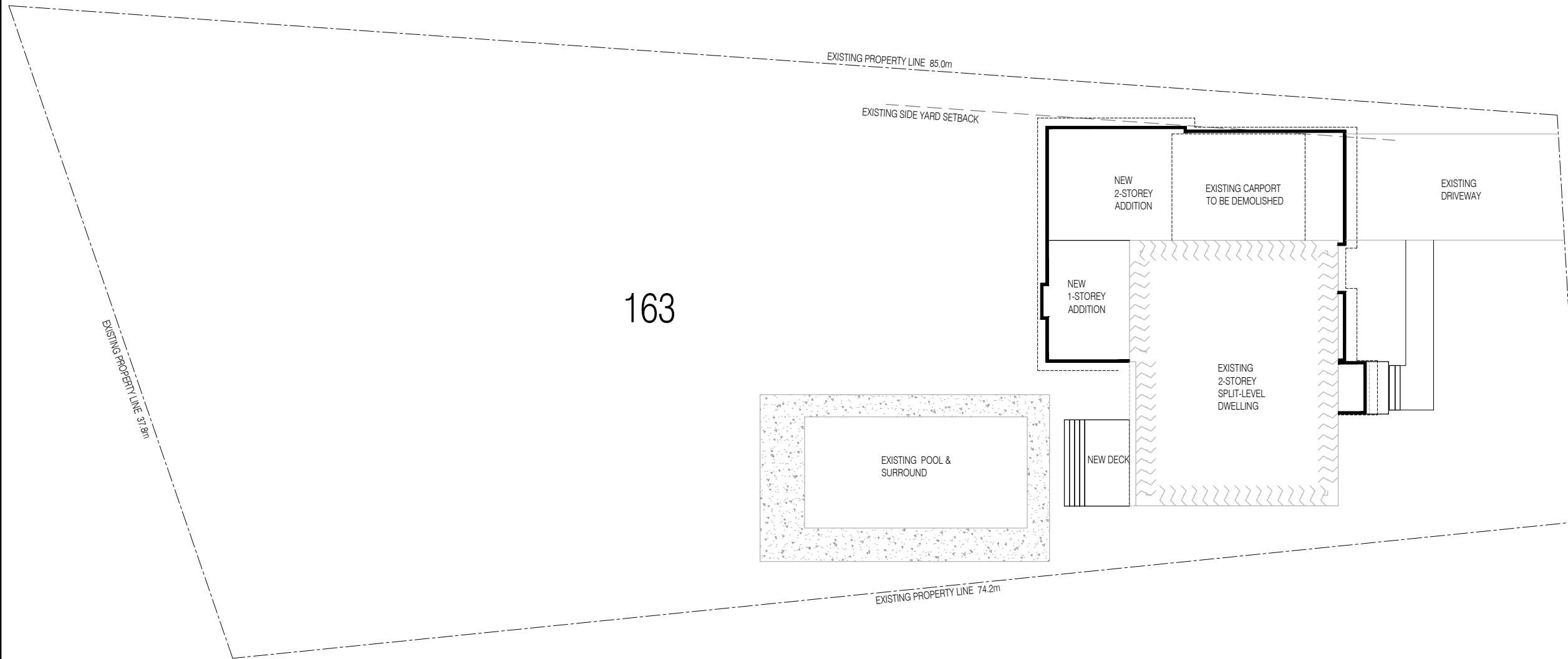
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.

155

163

167



FALLINGBROOK DRIVE

Do Not Scale Drawings

Contractor must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the designer prior to proceeding with any of the work.

These drawings are the property of "Blair Haines Design" and cannot be duplicated in anyway, without consent from "Blair Haines Design".

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.
REGISTRATION & QUALIFICATION INFORMATION
Required unless design is exempt under Part 2.17.5.1 and/or Part 2.17.4.1 of the Ontario Building Code.

BLAIR HAINES
Name
46942
Signature
36156
Firm BCIN
Individual BCIN

No.	Date:	Description:
3	2021-11-29	ISSUED FOR MINOR VARIANCE
2	2021-11-24	RE-ISSUED FOR PRE-CONSULT
1	2021-11-19	ISSUED FOR PRE-CONSULT

REVISIONS

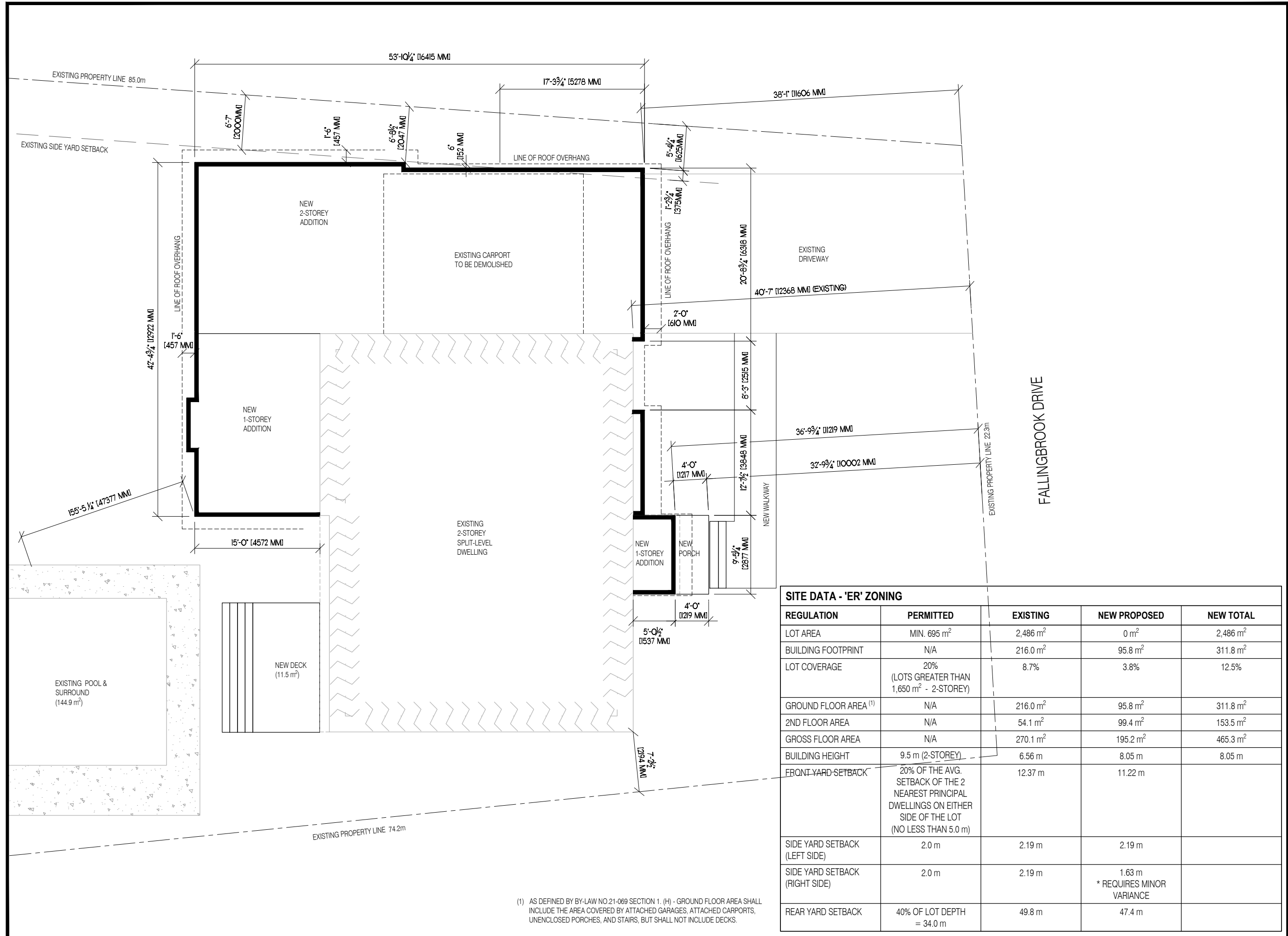

BLAIR HAINES
 DESIGN
 519.732.5055 blairhainesdesign@gmail.com
 16 Augustus Street, Scollard, On, N0E 1R0

Project:
NEW ADDITION
163 FALLINGBROOK DRIVE
ANCASTER, ONTARIO

Sheet Title: **SITE PLAN FULL**

Drawn By: BH
Date: NOV 2021
Scale: N.T.S.

Sheet No.: **A1.0**



SITE DATA - 'ER' ZONING				
REGULATION	PERMITTED	EXISTING	NEW PROPOSED	NEW TOTAL
LOT AREA	MIN. 695 m ²	2,486 m ²	0 m ²	2,486 m ²
BUILDING FOOTPRINT	N/A	216.0 m ²	95.8 m ²	311.8 m ²
LOT COVERAGE	20% (LOTS GREATER THAN 1,650 m ² - 2-STOREY)	8.7%	3.8%	12.5%
GROUND FLOOR AREA ⁽¹⁾	N/A	216.0 m ²	95.8 m ²	311.8 m ²
2ND FLOOR AREA	N/A	54.1 m ²	99.4 m ²	153.5 m ²
GROSS FLOOR AREA	N/A	270.1 m ²	195.2 m ²	465.3 m ²
BUILDING HEIGHT	9.5 m (2-STOREY)	6.56 m	8.05 m	8.05 m
FRONT YARD SETBACK	20% OF THE AVG. SETBACK OF THE 2 NEAREST PRINCIPAL DWELLINGS ON EITHER SIDE OF THE LOT (NO LESS THAN 5.0 m)	12.37 m	11.22 m	
SIDE YARD SETBACK (LEFT SIDE)	2.0 m	2.19 m	2.19 m	
SIDE YARD SETBACK (RIGHT SIDE)	2.0 m	2.19 m	1.63 m * REQUIRES MINOR VARIANCE	
REAR YARD SETBACK	40% OF LOT DEPTH = 34.0 m	49.8 m	47.4 m	

(1) AS DEFINED BY BY-LAW NO.21-069 SECTION 1. (H) - GROUND FLOOR AREA SHALL INCLUDE THE AREA COVERED BY ATTACHED GARAGES, ATTACHED CARPORTS, UNENCLOSED PORCHES, AND STAIRS, BUT SHALL NOT INCLUDE DECKS.

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BLAIR HAINES
 Name: 46942
 Signature: 36156
 Individual BCIN: _____
 Firm BCIN: _____

No.	Date:	Description:
3	2021-11-29	ISSUED FOR MINOR VARIANCE
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REVISIONS

BLAIR HAINES DESIGN

519.732.5055 blairhainesdesign@gmail.com
 16 Augustus Street, Scolland, On, N0E 1R0

Project:
NEW ADDITION
 163 FALLINGBROOK DRIVE
 ANCASTER, ONTARIO

Sheet Title: **SITE PLAN PARTIAL**

Drawn By: BH
 Date: NOV 2021
 Scale: 3/32" = 1'-0"

Sheet No.: **A1.1**



Hamilton

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

	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:
Royal Bank of Canada - 100 King St West, Hamilton, ON L8P 1A2

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 relief of the Minimum Side Yard requirement of 2.0m. Our new addition will encroach on the Side yard setback by 0.375m, for a Proposed Side Yard of 1.625m

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

As the new addition contains a Garage on the Ground Floor, the small encroachment is required to ensure there is adequate room for 2 cars to park side by side within the garage. The concern is that without the small encroachment it will be extremely tight within the garage, and would prevent it from being efficiently utilized.

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**):

163 Fallingbrook Drive, 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?
Information that was provided from previous owner, realtor and lawyer.

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.

Dec. 6 2021
Date


Signature Property Owner(s)

Monica Bradshaw
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>22.3 m</u>
Depth	<u>85.0 m</u>
Area	<u>2,486 m2</u>
Width of street	<u>6.0</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: _

Existing Dwelling: Ground floor area = 216.0m2, Gross floor area = 270.1m2, 2-stories, Width = 20.37m, Length = 11.43m, Height = 6.55m
Existing Pool and Patio: 144.9m2

Proposed

New Addition: Ground floor area = 95.8m2, Gross floor area = 195.2m2, 2-stories, Width = 6.05m, Length = 16.42m, Height = 8.05m

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 = 12.36m, Right Side = 2.0m, Left Side = 2.19m, Rear = 49.81m

Proposed:

Front = 10.0m, Right Side = 1.625m, Left Side = 2.19m, Rear = 47.37m

13. Date of acquisition of subject lands:
June 23, 2021
-
14. Date of construction of all buildings and structures on subject lands:
1964
-
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.):
Single Family Dwelling
17. Length of time the existing uses of the subject property have continued:
Since Construction
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 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:
Zoned as Existing Residential (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.