

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-22:61

APPLICANTS: Agent Parkeight Inc.
Owners L. & C. Battiston

SUBJECT PROPERTY: Municipal address **104 Kendrick Court, Ancaster**

ZONING BY-LAW: Zoning By-law 87-57, as Amended 03-095

ZONING: "R5-410" (Residential Five) district

PROPOSAL: To permit the construction of a single storey addition (sun room) in the rear yard of the existing single detached dwelling notwithstanding that:

1. A rear yard setback of 4.55m shall be provided instead of the minimum required 7.0m rear yard setback.

2. A maximum lot coverage of 42% shall be provided instead of the required 40% maximum lot coverage

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

DATE: Thursday, April 7th, 2022
TIME: 1:40 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

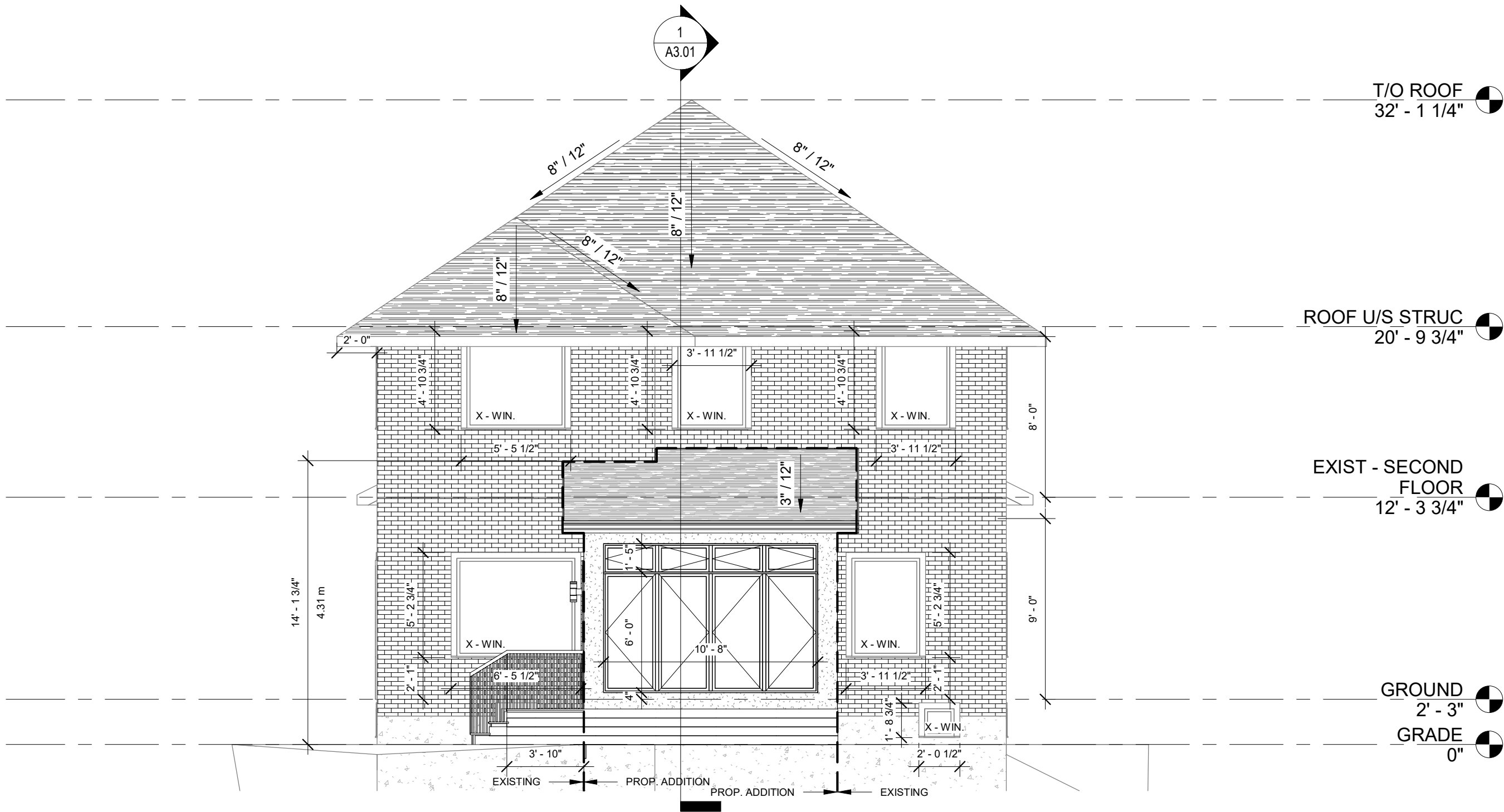
DATED: March 22nd, 2022.

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.



① 3D PERSPECTIVE REAR YARD



1 NORTH ELEVATION
3/16" = 1'-0"

Spatial Separation - Construction of Exterior Walls					
Wall	Area of EBF (m²)	L.D. (m)	L/H or H/L	Permitted Max. % of Openings	Proposed % of Openings
ADD'N REAR	12.5	4.55	N/A	76%	54%
ADD'N SIDE	15.3	4.36	N/A	67%	26%
ADD'N SIDE (DRIVE)	15.3	3.79	N/A	48.17%	43%

PARK EIGHT
ENG // ARCH

REAR ADDITION

104 KENDRICK CRT. ANCASTER

Project No. 21115

Revisions

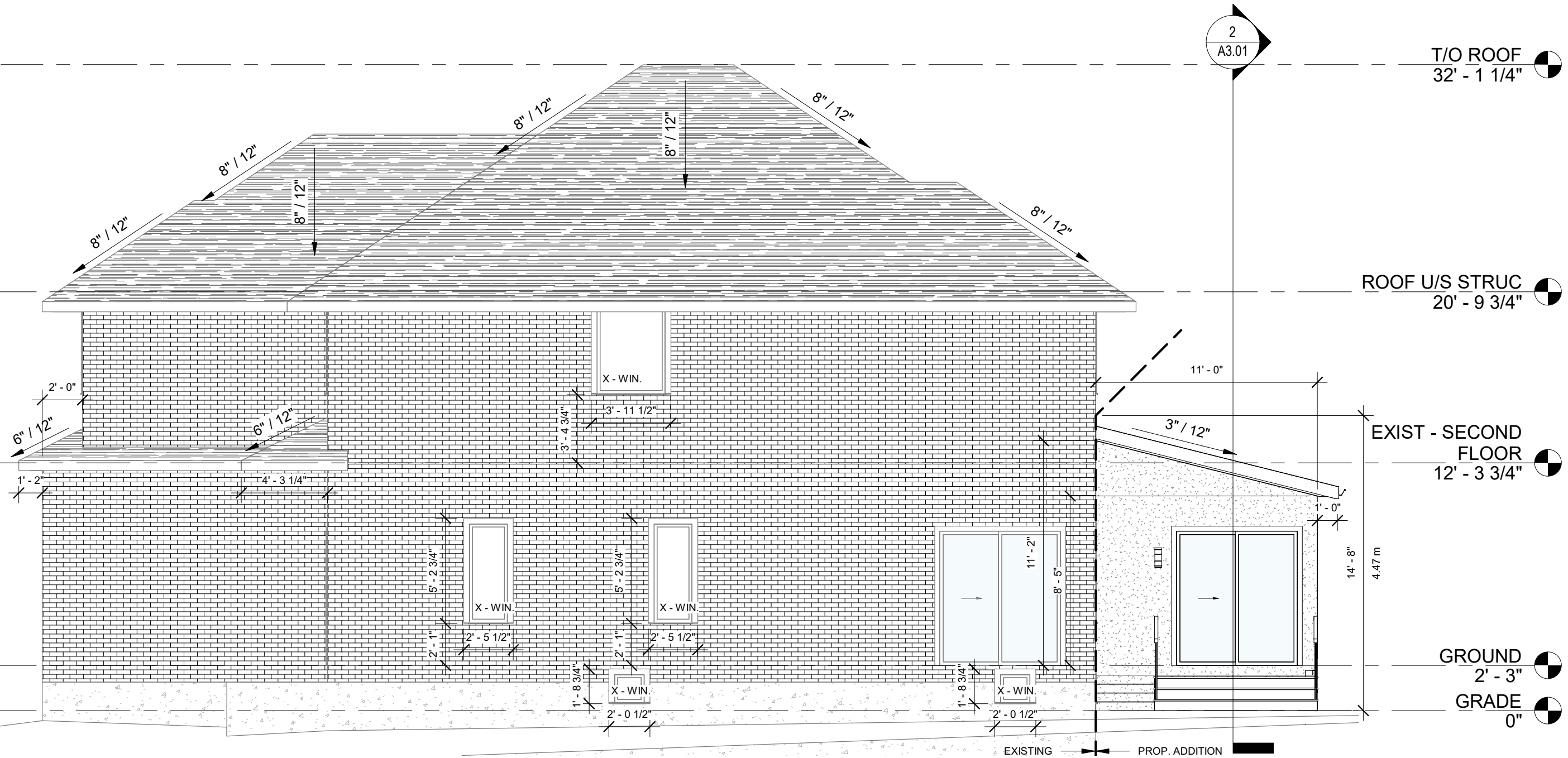
Scale As indicated

ELEVATIONS

A2.01

Sheet No.

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① EAST ELEVATION
3/16" = 1'-0"

PARK
EIGHT
ENG // ARCH

REAR ADDITION

104 KENDRICK CRT. ANCASTER

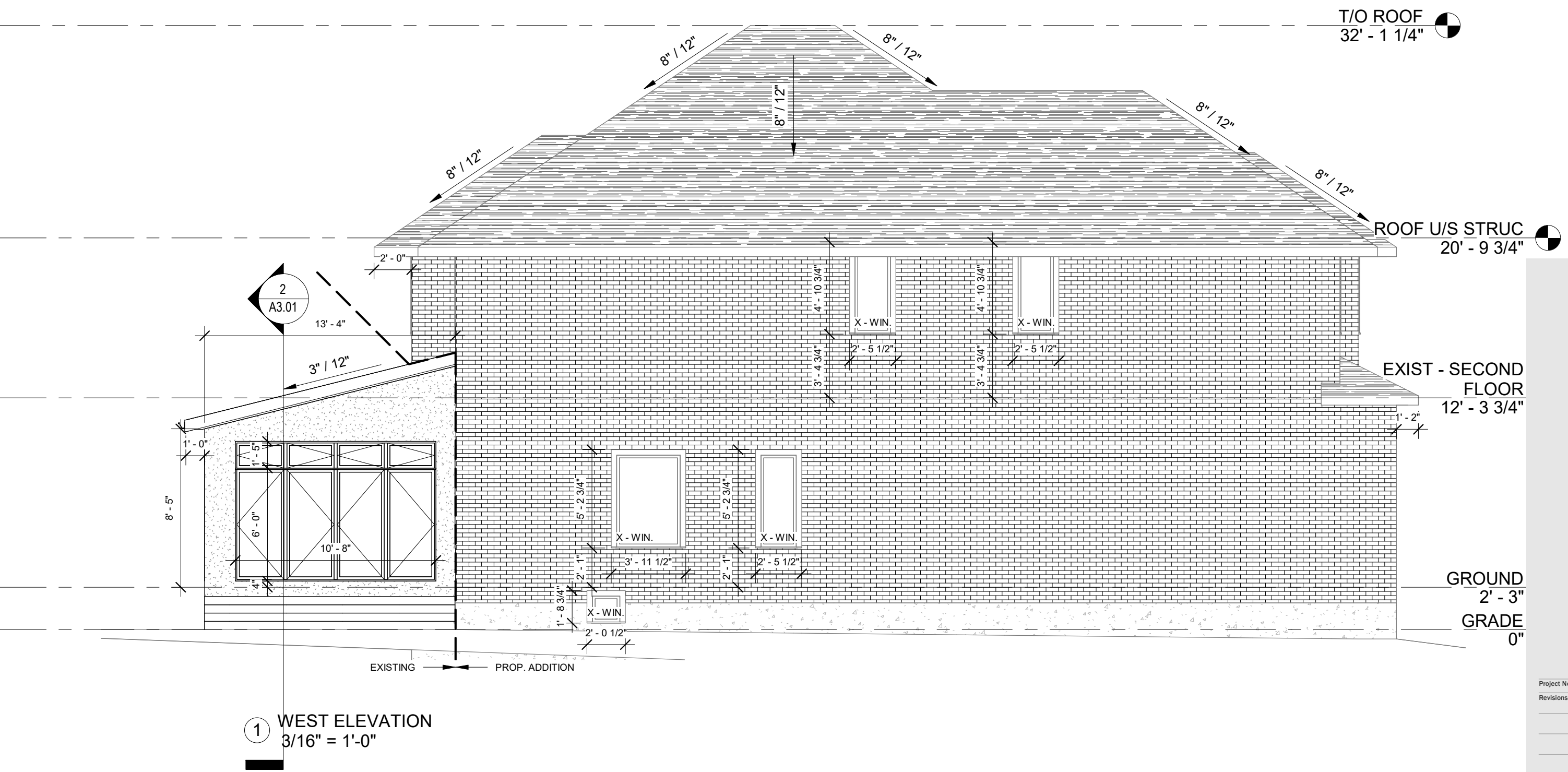
Project No. 21115
Revisions

Scale 3/16" = 1'-0"

ELEVATIONS

A2.02

Sheet No. ©2021



T/O ROOF
32' - 1 1/4"

ROOF U/S STRUC
20' - 9 3/4"

EXIST - SECOND
FLOOR
12' - 3 3/4"

GROUND
2' - 3"
GRADE
0"

1 WEST ELEVATION
3/16" = 1'-0"

PARK
EIGHT
ENG // ARCH

REAR ADDITION

104 KENDRICK CRT. ANCASTER

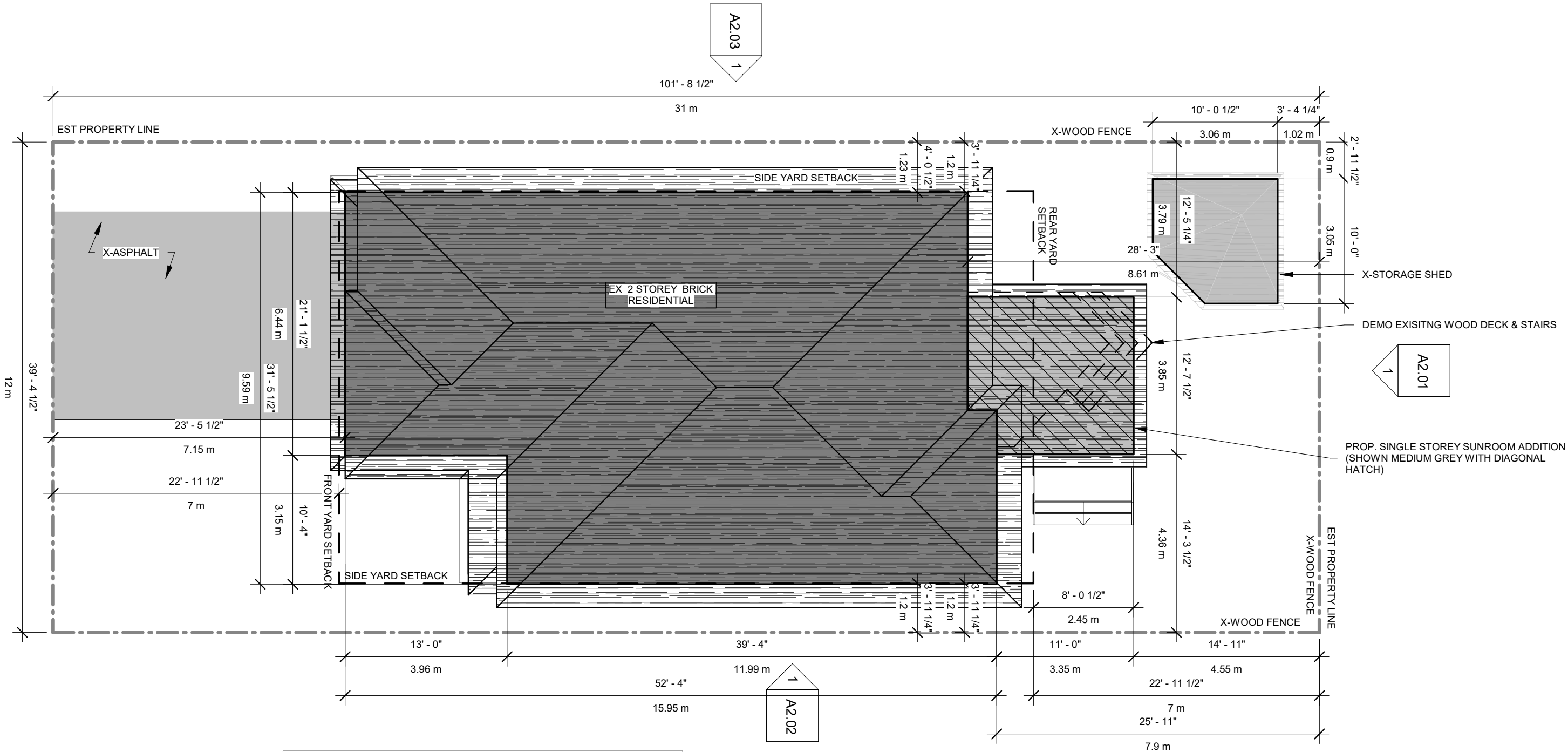
Project No. 21115
Revisions

Scale 3/16" = 1'-0"

ELEVATIONS

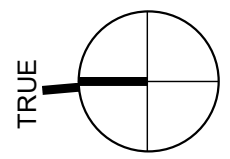
A2.03

Sheet No. ©2021



SITE STATISTICS			
ZONING DESIGNATION = R5	PERMITTED	PROVIDED	
LOT AREA	275m ² minimum	372 m ² EX UNCHANGED	
LOT FRONTAGE	10m minimum	12m	EX UNCHANGED
FRONT YARD SETBACK	7m	7.15m	EX UNCHANGED
SIDE YARD SETBACK			
EX RESIDENTIAL DWELLING	1.2m	1.23m	EX UNCHANGED
PROP. ADDITION		3.79m	PROPOSED
SIDE YARD (DRIVE)			
EX RESIDENTIAL DWELLING	1.2m	1.2m	EX UNCHANGED
PROP. ADDITION		4.36m	PROPOSED
REAR YARD SETBACK			
EX RESIDENTIAL DWELLING	7m	7.9m	EX UNCHANGED
PROP. ADDITION		4.55m	PROPOSED
BUILDING HEIGHT	10.5m	9.79 m	EX UNCHANGED
LOT COVERAGE	40% minimum 36% EXISTING	40%	PROPOSED

LOT COVERAGE SUMARY:	
LOT AREA: 372m ² EX UNCHANGED	
EX BUILDING AREA:	136.0 m ²
ACCESSORY AREA:	8.5 m ²
PROPOSED ADDITION:	14.8 m ²
	159.97 m ²
LOT COVERAGE DWELLING:	36%
LOT COVERAGE ACCESSORY:	2%
LOT COVERAGE ADDITION:	4%
LOT COVERAGE TOTAL :	42%



PARK
EIGHT
ENG // ARCH

REAR ADDITION

104 KENDRICK CRT. ANCASTER

Project No. 21115
Revisions

Scale As indicated

SITE PLAN

SP1.01

Sheet No. ©2021



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

NAME

MAILING ADDRESS

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:

None

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

Variances

REAR YARD setback Requirement: 7m

Existing: 7.9m Proposed: 4.55m

4. Nature and extent of relief applied for:

Relief from rear yard setback &
40% maximum lot coverage

MAX LOT coverage Requirement: 40%
Existing: 36% Proposed: 42%

☒ Reconstruction of Existing Dwelling

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

Existing subdivision small lot

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**):

104 Kendrick Ct Ancaster, ON L9G 5E8

7. PREVIOUS USE OF PROPERTY

Residential ☒ Industrial ☐ Commercial ☐

Agricultural ☐ Vacant ☐

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?

Existing residential for ±20 years

- 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.

February 1st, 2022

Date


Signature Property Owner(s)
Signature Property Owner(s)

Christine & Luigi Battiston

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	12m
Depth	31m
Area	372m ²
Width of street	7.8m

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: _

Ground floor Area: 1471sf [136m ²]	Width: 31' 5-1/2" [9.59m]
Gross Floor Area: 2771sf [257.4m ²]	Length: 52'-4" [15.95m]
Number of Stories: 2	Height: 32' 1" [9.79m]

F

Ground floor Area: 1722sf [150.8m ²]	Width: 31' 5-1/2" [9.59m] unchanged
Gross Floor Area: 2930sf [272.2m ²]	Length: 63' 4" [19.3m]
	Height: 32' 1" [9.79m] unchanged
Number of Stories: 2 unchanged	

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 yard:	23' 5-1/2"	[7.15m]
Side yard:	4' 1/2"	[1.23m]
Side yard (drive):	3' 11-1/4"	[1.2m]
Rear yard:	25'-11"	[7.9m]

Proposed:

Front yard:	23' 5-1/2"	[7.15m] unchanged	Front Add'n:	n/a
Side yard:	4' 1/2"	[1.23m] unchanged	Side Add'n:	12' 5-1/4" [3.79m]
Side yard (drive):	3' 11-1/4"	[1.2m] unchanged	Side Add'n(drive):	14' 3-1/2" [4.36m]
Rear yard:	14'-11"	[4.55m]	Rear Add'n:	14' 11" [4.55m]

13. Date of acquisition of subject lands:
5+ years
14. Date of construction of all buildings and structures on subject lands:
2000's
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Residential
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Residential
17. Length of time the existing uses of the subject property have continued:
±20 years
18. Municipal services available: (check the appropriate space or spaces)
Water YES Connected YES
Sanitary Sewer YES Connected YES
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? (Zoning By-law Amendment or Minor Variance)
☐ Yes ☒ No
If yes, please provide the file number:
n/a
- 21.1 If a site-specific zoning by-law amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?
☐ Yes ☒ No
- 21.2 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.
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 (please include separate sheet if needed)
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.