



Hamilton

## COMMITTEE OF ADJUSTMENT

City Hall, 5<sup>th</sup> 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](mailto:cofa@hamilton.ca)

# 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
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**APPLICATION NO.:** AN/A-22:106

**APPLICANTS:** Owner A. Abbott

**SUBJECT PROPERTY:** Municipal address **5 Valridge Court, Ancaster**

**ZONING BY-LAW:** Zoning By-law 87-57, as Amended 02-001

**ZONING:** "R5-471" (Residential "R5") Zone

**PROPOSAL:** To permit the construction a 3.66m (12'0") x 9.60m (31'6") accessory building (cabana) at the rear of an existing single-family dwelling notwithstanding that:

1. A minimum rear yard of 0.7m shall be provided to the 75'3¼" (22.95m) rear lot line and a minimum rear yard of 1.8m shall be provided to the 35'8¾" (10.89m) rear lot line for the accessory building (cabana) instead of the requirement that accessory buildings in excess of 12m<sup>2</sup> ground floor area shall not be located in any minimum rear yard (being 7.0m).

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

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**DATE:** Thursday, May 12th, 2022

**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](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:

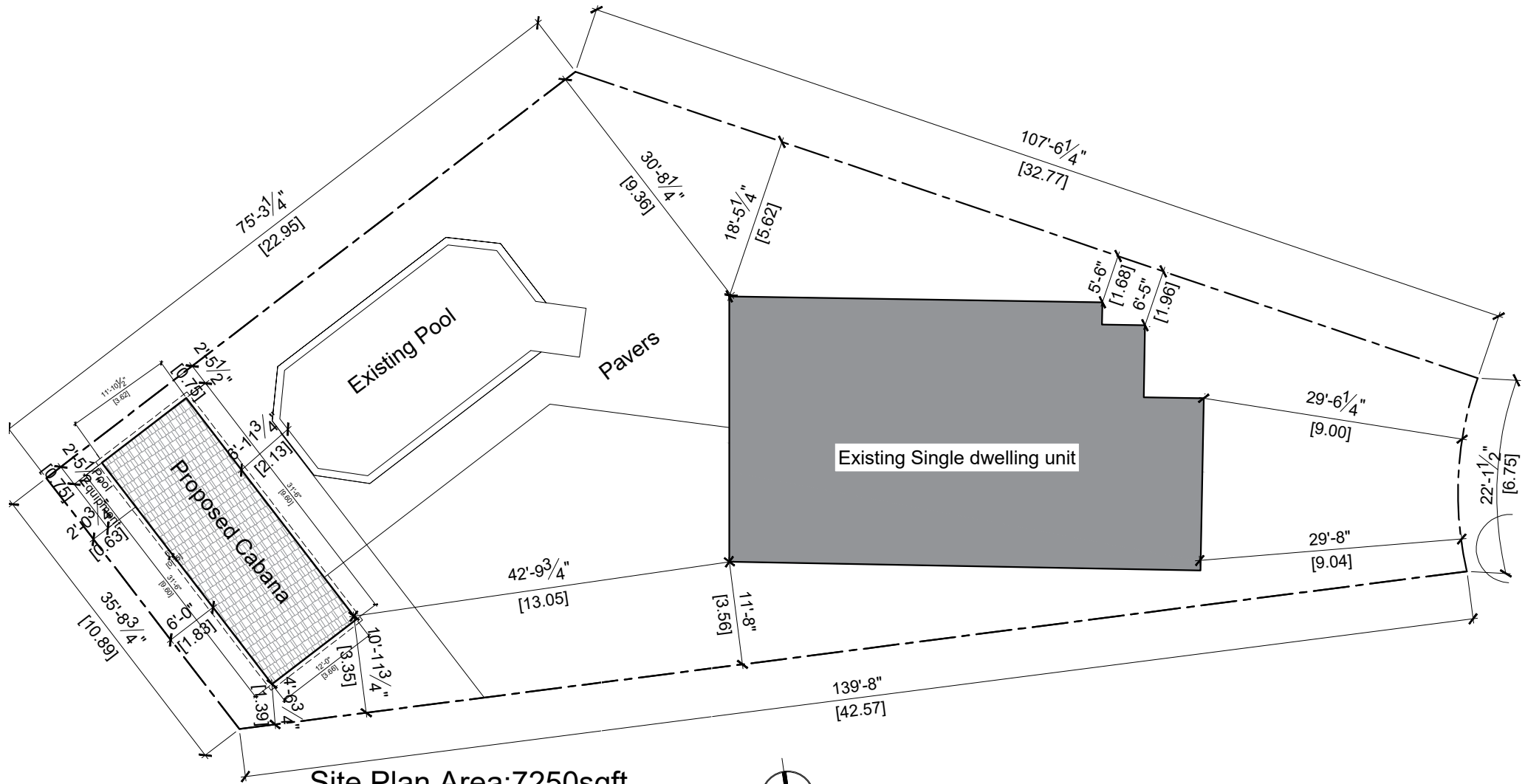
- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: April 26th, 2022.

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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.***



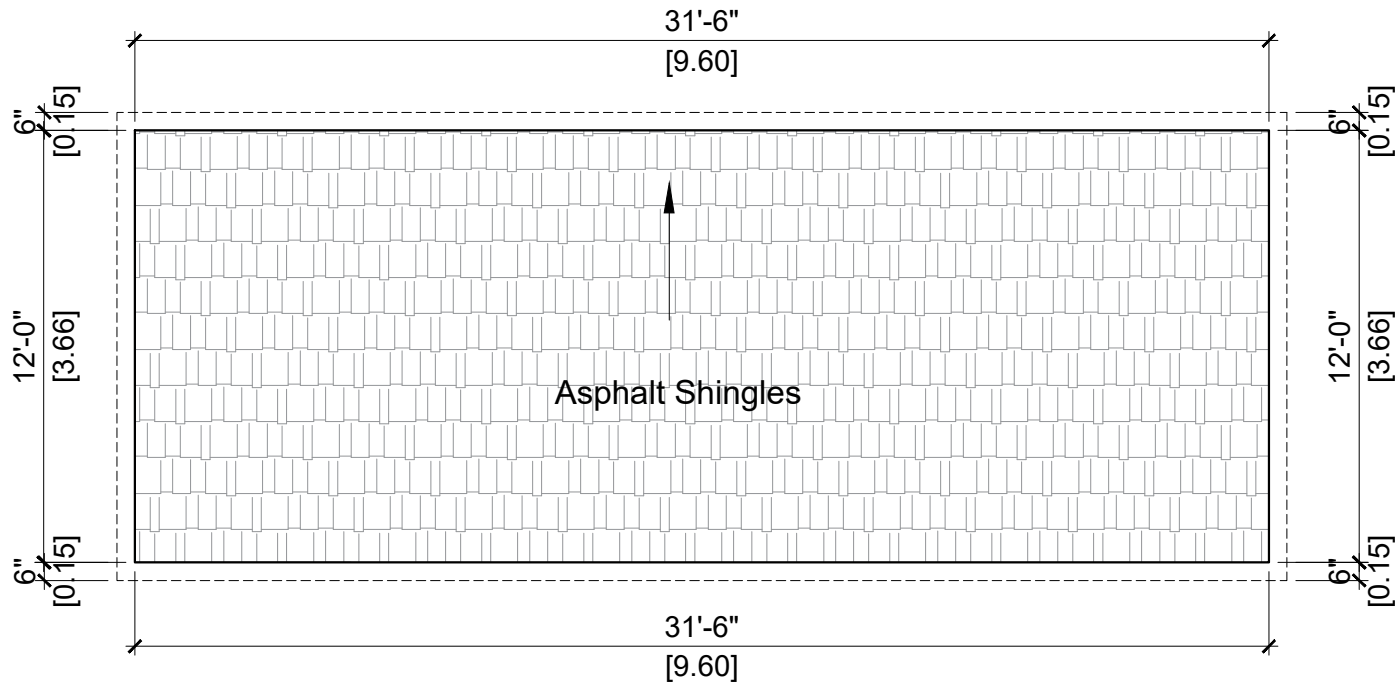
Site Plan  
 Scale: 1/16" = 1'

The undersigned has reviewed and take responsibility for this design, and has the qualifications and meet the requirements set out in the Ontario Building Code to be a designer

**QUALIFICATION INFORMATION**

Required unless design is exempt under Div.C 3.2.5.1 of the Building Code

Franceska Tishi	Signature	112519
Name		BCIN



Cabana Layout  
 Scale: 3/16" = 1'

The undersigned has reviewed and take responsibility for this design, and has the qualifications and meet the requirements set out in the Ontario Building Code to be a designer

**QUALIFICATION INFORMATION**

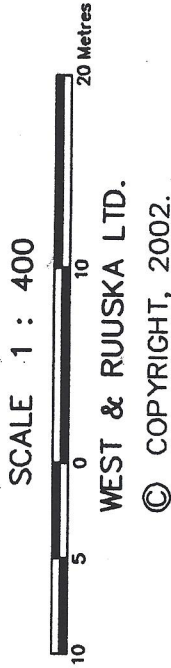
Required unless design is exempt under Div.C 3.2.5.1 of the Building Code

Franceska Tishi		112519
Name	Signature	BCIN

SURVEYOR'S REAL PROPERTY REPORT, PART 1 OF 2  
 PLAN OF SURVEY OF

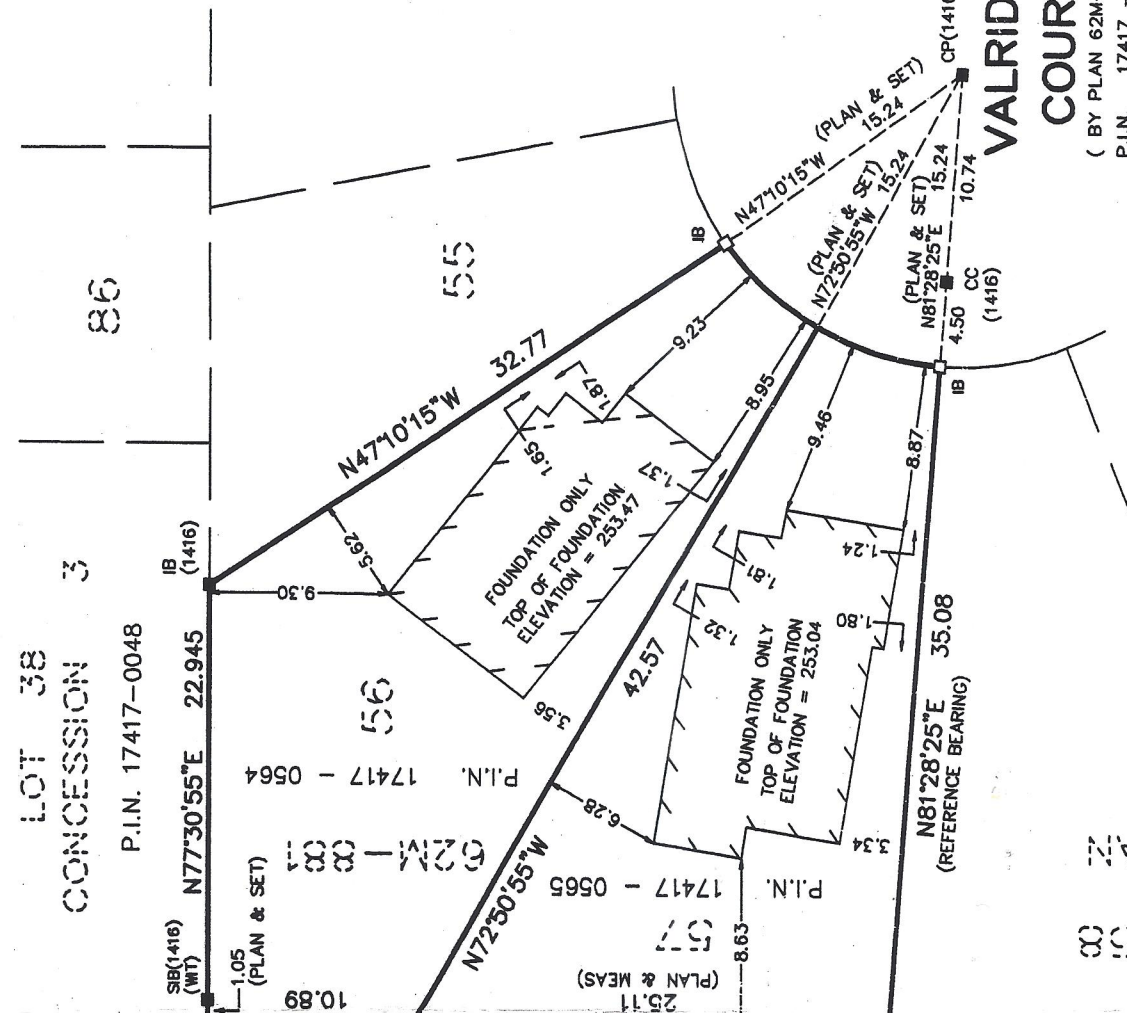
# LOTS 56 and 57 PLAN 62M-881

( FORMERLY IN THE TOWN OF ANCASTER )  
**CITY OF HAMILTON**



**ASSOCIATION OF ONTARIO  
 LAND SURVEYORS**  
 PLAN SUBMISSION FORM  
**1405501**

**THIS PLAN IS NOT VALID  
 UNLESS IT IS AN EMBOSSED  
 ORIGINAL COPY  
 ISSUED BY THE SURVEYOR**  
 In accordance with  
 Regulation 1026, Section 29(3).



**SURVEYOR'S CERTIFICATE**  
 I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 13th DAY OF MAY, 2002.

DATED: MAY 24, 2002.

*Daniel Kreze*  
 DANIEL KREZE, ONTARIO LAND SURVEYOR

**W+R**  
**WEST & RUUSKA LTD.** Ontario Land Surveyors  
 17 NELSON STREET  
 BRANTFORD, ONT., N3T 2M6  
 PHONE: (519) 752-8641

DRWN: TSK CHKD: DK  
 CAD Disk: 833 Code Disk:  
 FRACARSAN CORPORATION  
 F990184

**NOTE**  
 THIS PLAN IS NOT FOR REGISTRATION PURPOSES.  
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND  
 CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.  
 BEARINGS ARE ASTROMOMIC AND ARE REFERRED TO  
 THE SOUTHERLY LIMIT OF LOT 57, SHOWN ON PLAN  
 62M-881, AS N81°28'25"E.

□ DENOTES SURVEY MONUMENT SET  
 ■ SURVEY MONUMENT FOUND  
 IB IRON BAR  
 SB STANDARD IRON BAR  
 1416 S.M. RUUSKA, O.L.S.  
 PLAN PLAN 62M-881  
 CC CUT CROSS  
 CP CONCRETE PIN

THIS REPORT WAS PREPARED FOR CURRENT  
 TRANSACTIONS INVOLVING FRACARSAN  
 CORPORATION AND THE UNDERSIGNED  
 ACCEPTS NO RESPONSIBILITY FOR USE BY  
 OTHER PARTIES



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

	<b>NAME</b>	<b>MAILING ADDRESS</b>
<b>Registered Owners(s)</b>		
<b>Applicant(s)*</b>		
<b>Agent or Solicitor</b>		

**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:

Secondary Dwelling Unit                      Reconstruction of Existing Dwelling

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

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**):

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?

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.

22 March, 2022

Date

  
Signature Property Owner(s)

Andrea Abbott

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 6.75m  
Depth 42.57  
Area 673m<sup>2</sup>  
Width of street \_\_\_\_\_

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 dwelling unit 2 stories, ground floor are is 142sqm

Proposed

Cabana  
1 storey  
35sqm  
3.62mx9.6m  
Height 2.00m

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

Existing:

From rear: 22.43  
From side :0.75  
From the other side :1.39m  
From the front : 9.23m

Proposed:

From rear: 1.83  
From side :5.62  
From the other side :3.56m  
From the front:38.08m



13. Date of acquisition of subject lands:  
\_\_\_\_\_
14. Date of construction of all buildings and structures on subject lands:  
\_\_\_\_\_
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
17. Length of time the existing uses of the subject property have continued:
18. Municipal services available: (check the appropriate space or spaces)
- |                |           |
|----------------|-----------|
| Water          | Connected |
| Sanitary Sewer | Connected |
| Storm Sewers   |           |
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:
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.