



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

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-22:167	SUBJECT PROPERTY:	60 AMBERLY BOULEVARD ANCASTER
ZONE:	"R3" (Residential 3 Zone)	ZONING BY-LAW:	Zoning By-law 87-57, as Amended

APPLICANTS: **Owners S. Farah & C. Owens**

The following variances are requested:

1. A rear yard setback of 0.3m shall be provided instead of the minimum required 1.5m setback to any lot line that does not abut a street, plus a distance equal to the height that the top edge of the supporting structure is above the grade at the lot line nearest to such pool or structure.

PURPOSE & EFFECT: So as to permit the expansion of an existing deck to be built around an above ground swimming pool.

Notes:

- i. The applicant has indicated through an amendment to the site plan that the proposed deck is 40.64 cm in height from the point of grade to the highest edge of the deck along the rear lot line. As such, the more restrictive requirements of Subsection 7.16 shall apply. Should the proposed deck be taller than 60 cm in height the provisions of 9.10 shall apply and additional variances may be required.

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Thursday, June 23, 2022
TIME:	1:30 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

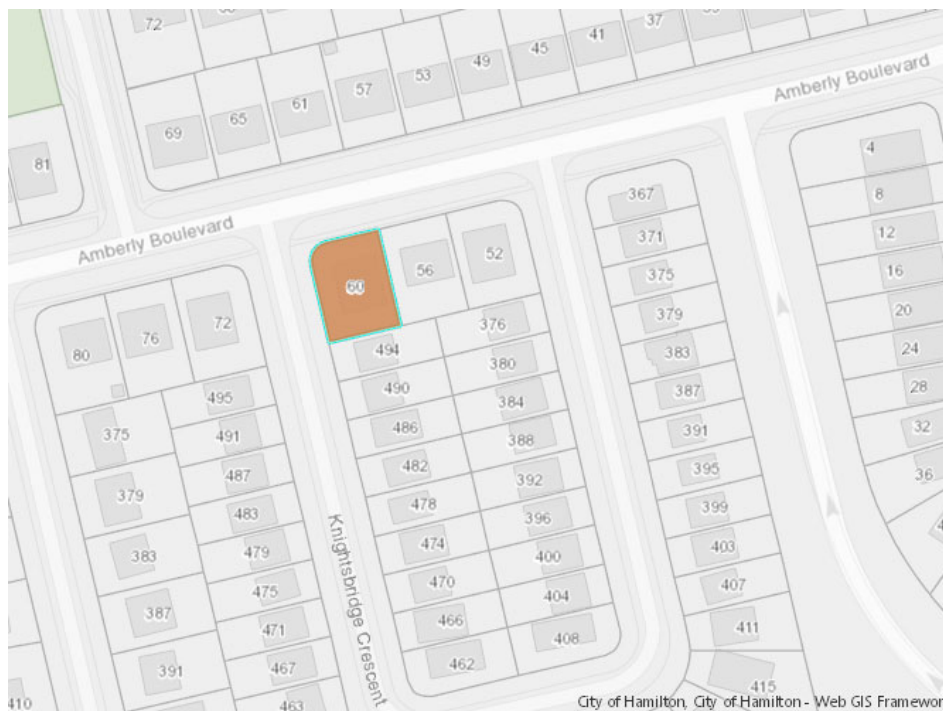
For more information on this matter, including access to drawings illustrating this request and other information submitted:

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

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.



Subject Lands

DATED: June 7, 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, and may include posting electronic versions.

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All comments received by noon two business days before the meeting will be forwarded to the Committee members.

Comments are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions During the Virtual Meeting

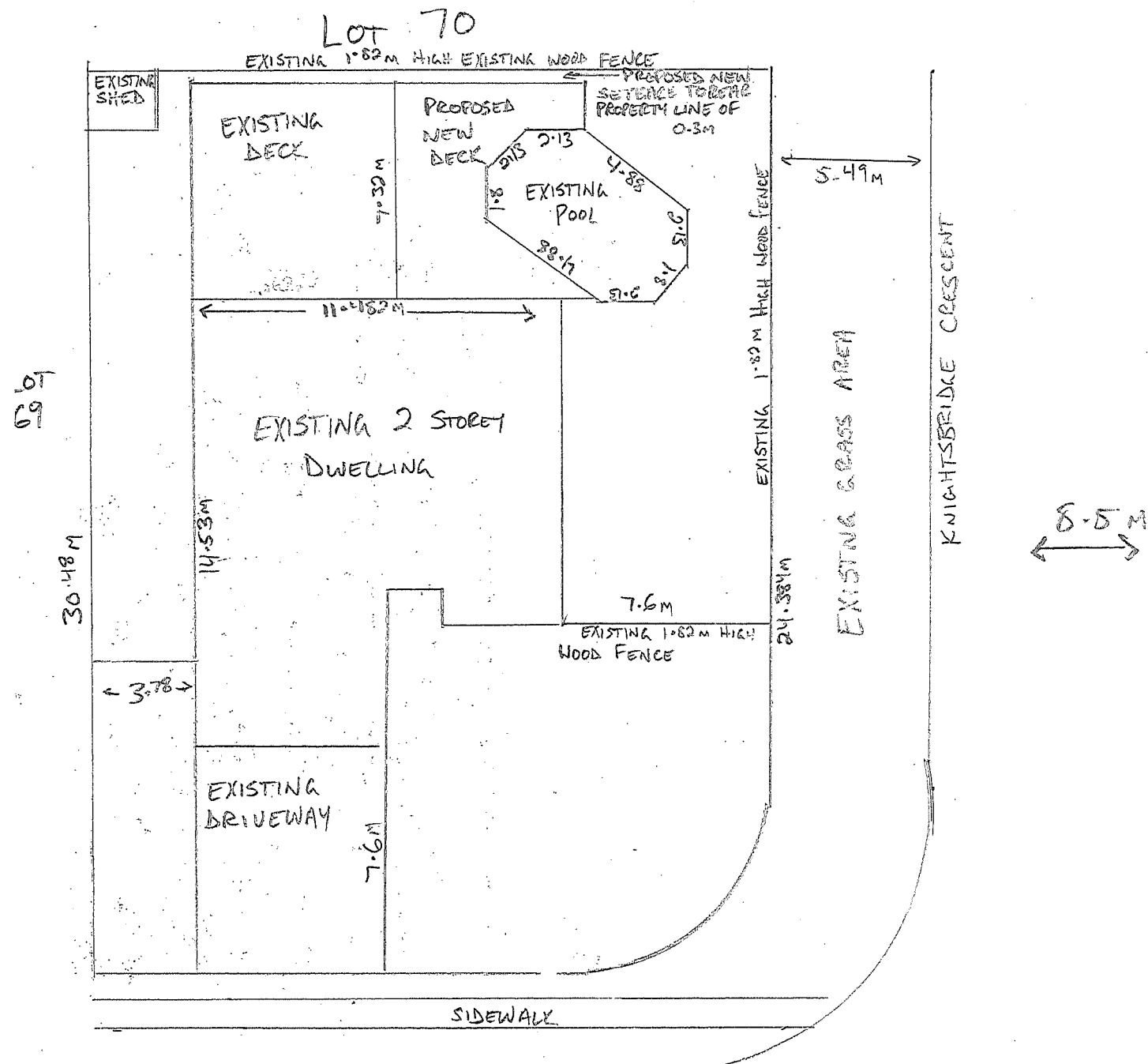
Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. **Interested members of the public must register by noon the day before the hearing.**

To register to participate by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221. The following information is required to register: Committee of Adjustment file number that you wish to speak to, the hearing date, name and address of the person wishing to speak, if they will be connecting via phone or video, and if applicable the phone number they will be using to call in. A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

All members of the public who register will be contacted by Committee Staff to confirm details of the registration prior to the Hearing and provide an overview of the public participation process.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

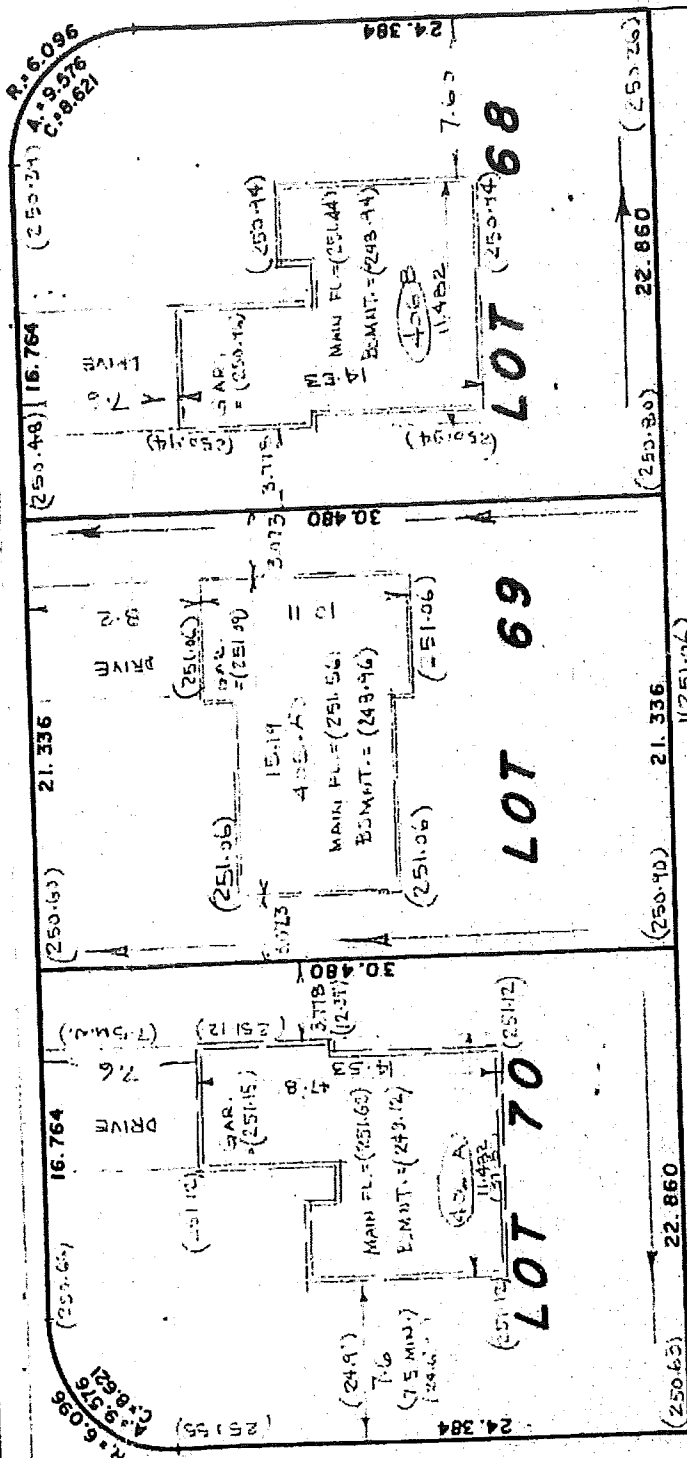


Plan of Survey
SHOWING
LOTS 68, 69 AND 70
LAND TITLES PLAN M-
MELANIE GARDENS - PHASE ONE
TOWN OF ANCASTER
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
SCALE: 1:250
METRIC

AMBERLY DRIVE

KNIGHTSBRIDGE CRESCENT

KNIGHTSBRIDGE CRESCENT



LOT 50 LOT 67

SEWELL & SEWELL
484 GUELPH LINE, BURLINGTON
BURLINGTON
634-9405/634-9466
Robert George Sewell
ROBERT GEORGE SEWELL
ONTARIO LAND SURVEYOR
DATE: SEPT. 26/77 REF. N
OCT. 11/1979 NOV. 7/1979

60 Amberley Blvd. ANC.



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)	SYDNEY FARAH COYANNE OWENS		
Applicant(s)*	SYDNEY FARAH COYANNE OWENS		
Agent or Solicitor			Phone: E-mail:

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: TO ALLOW FOR AN AMENDMENT FROM ANCASTER ZONING BY-LAW 7.14 (a) and (b) TO CONSTRUCT AN ATTACHED DECK TO AN ON-GROUND POOL CLOSER TO THE REAR LOT LINE THAN THE 1.5 M. CURRENTLY PERMITTED
- ☐ Second Dwelling Unit ☒ Reconstruction of Existing Dwelling

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

AN ABOVE GROUND POOL WAS INSTALLED WHICH WON'T ALLOW FOR AN ATTACHED DECK TO STAY 1.5 M FROM THE REAR LOT LINE. THE NEW DECK WOULD MATCH UP TO AN EXISTING DECK AT THE SAME GRADE.

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**):

LOT 70 MELANIE GARDENS - PHASE 1

60 AMBERLY BOULEVARD ANCASTER

7. PREVIOUS USE OF PROPERTY

Residential ☒ Industrial ☐ Commercial ☐

Agricultural ☐ Vacant ☐

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?

AREA WAS FARMLAND PRIOR TO DEVELOPMENT

- 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.

APRIL 24/2022
Date

Sydney Farah
Coyanne Owens
Signature Property Owner(s)
Sydney Farah
Coyanne Owens
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 26.34m
Depth 30.48m
Area 802.84 m²
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: 2 STOREY HOUSE WITH ATTACHED ONE STOREY GARAGE.

GROUND FLOOR AREA IS APPROXIMATELY 252 SQUARE METRES

SEE ORIGINAL SITE PLAN (ATTACHED) + 1991 ADDITION (ATTACHED)

EXISTING 55 SQUARE METRE EXISTING DECK. AND APPROXIMATELY 40 SQUARE METRE POOL

Proposed

APPROXIMATE 30 SQUARE METRE DECK. TO MEET EXISTING DECK.

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

Existing: WEST SIDE OF HOUSE 7.6M FROM ROAD AND EAST SIDE 3.78M FROM LOT LINE
FRONT OF GARAGE 7.6M TO FRONT LOT LINE. POOL 1.5M TO REAR LOT LINE.
EXISTING DECK. 0.3M FROM REAR LOT LINE.

Proposed:

TO ADD A NEW DECK MATCHING EXISTING DECK AT A DISTANCE OF 0.3M FROM REAR LOT LINE. ALL OTHER DIMENSIONS TO REMAIN UNCHANGED

13. Date of acquisition of subject lands: JULY 1998
14. Date of construction of all buildings and structures on subject lands:
1987 (HOUSE) REAR ADDITION 1991 POOL 2020
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:
35 YEARS
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:
R3 NEIGHBOURHOODS
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
R3
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:
- 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.