



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-22:172	SUBJECT PROPERTY:	128 JUDITH CRESCENT, ANCASTER
ZONE:	“ER” (Existing Residential)	ZONING BY-LAW:	Zoning By-law 87-57, as Amended By-law 18-105

APPLICANTS: Agent D. Braun
Owner B. Shangrow

The following variances are requested:

1. A minimum of 18 % being 10.4 m rear yard setback shall be provided instead of the regulation in the By-Law which states that lots with a depth greater than 50 metres shall provide 40 % rear yard setback being 23.2 m

PURPOSE & EFFECT: To permit the construction of a one storey side garage addition to the existing single detached dwelling.

Notes:

- i. Eaves or gutters that project into any minimum rear yard a distance of not more than 1.5 metres. No details provided; therefore, further variances may be required.
- ii. A maximum height of 7.5 m for a one storey dwelling is required to be provided. No details provided; therefore, further 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:	1:40 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

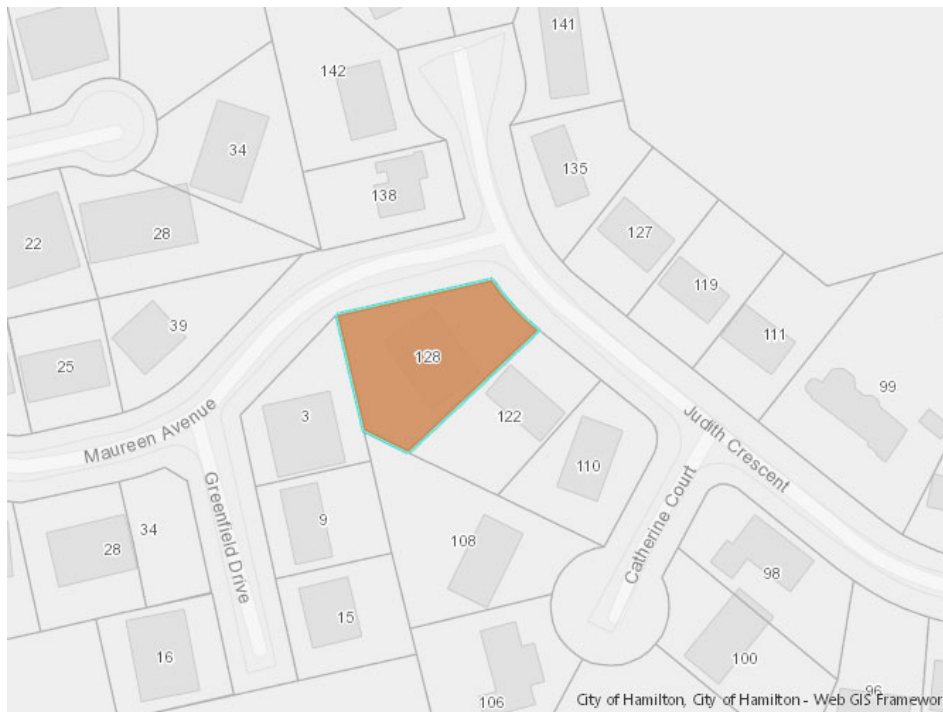
For more information on this matter, including access to drawings illustrating this request and other information submitted:

- 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.



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.



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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

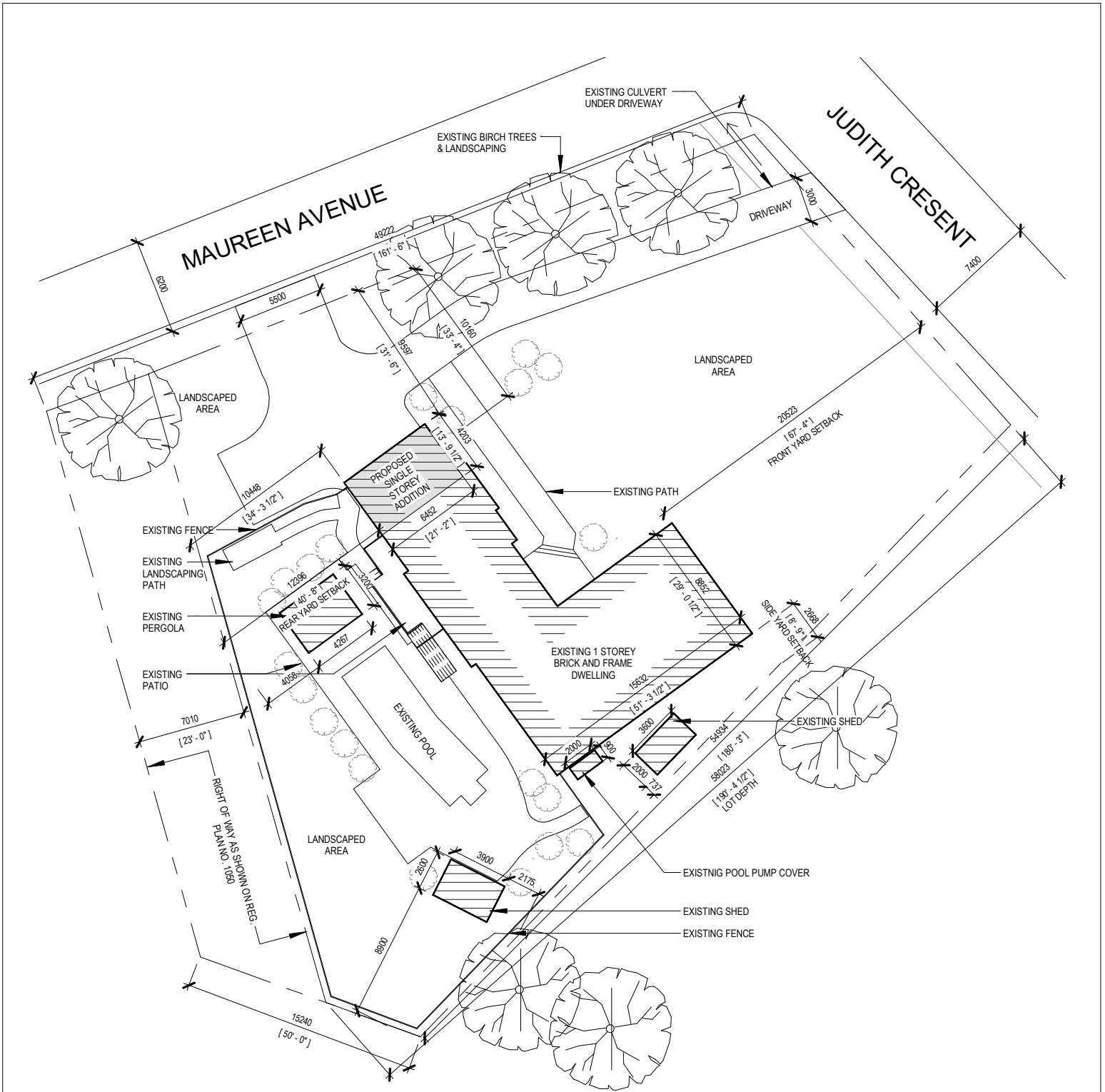
Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. **Interested members of the public must register by noon the day before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



 HATCHED ZONE ILLUSTRATES EXTENT OF PROPOSED SINGLE STOREY ADDITION

REGISTERED PLAN NO. 1050
 LOT 25 IN MANSFIELD PARK, TOWNSHIP OF ANCASTER

SITE STATISTICS
 AS PER ZONING BY-LAW NO. 87-57 OF THE TOWN OF
 ANCASTER (CITY OF HAMILTON)
 SECTION 10: EXISTING RESIDENTIAL 'ER' ZONE

- LOT AREA: 1,860 SQM (0.46ACRES)
- EXISTING GFA: 258 SQM (2,780 SQFT) *includes accessory structures
- PROPOSED GFA: 291 SQM (3,140 SQFT)
- EXISTING LOT COVERAGE: 13.8%
- PROPOSED LOT COVERAGE: 15.6%
- ALLOWABLE SIDE-YARD SETBACK: 6m FOR A FLANKAGE YARD

- ALLOWABLE REAR-YARD SETBACK: 40% OF THE LOT DEPTH (WHICH = 23.2M)
- EXISTING REAR-YARD SETBACK: 21.3% OF THE LOT DEPTH (WHICH = 12.4M)
- RELIEF OF REAR-YARD SETBACK TO: 18% OF LOT DEPTH (WHICH=10.4M)

Minor Variance Application
 128 Judith Crescent, Ancaster
 April 19, 2022



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)	Brian Shangrow	
Applicant(s)*	Brian Shangrow	
Agent or Solicitor	Devin Braun	

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:

Brian Shangrow 128 Judith Crescent, Ancaster, ON L9G 1L4

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:

We are asking for relief on the rear yard setback to facilitate the existing non-conforming 1950's single family home and garage addition. The bylaw outlines 40% lot depth for the rear yard setback and we are asking for relief to 25% based on the existing house.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

The existing 1950's house was built non-compliant to the current bylaw's rear yard setback.

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**):

128 Judith Crescent, Lot 25 in Mansfield Park, Registered Plan No. 1050 in the Township of 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?

The site is within an old residential neighborhood and is the original structure that has been built on the site.

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.

19 APRIL 2022
Date

Brim Shangrow
Signature Property Owner(s)

BRIM SHANGROW
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 67'4"
Depth 190'4 1/2"
Area 1,860 sqm
Width of street 7.4m

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: _

1 storey 'L' shaped house, 2 sheds with a total GFA of 258SQM.
At the longest dimensions, the house is 21.5m x 15.5m

Proposed

Attached garage adding 27SQM of GFA

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

Existing:

67'4" Front Yard Setback
8' 8 1/2" Side Yard Setback
40' 8" Rear Yard Setback at Right of Way

Proposed:

34' 3.5" Rear Yard Setback at Right of Way

13. Date of acquisition of subject lands:
April 2012
14. Date of construction of all buildings and structures on subject lands:
1958
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:
64 years
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:
Neighbourhoods (UHOP)
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
ER Zone
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:
ANA-17:237
- 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)
The existing single family dwelling is non-conforming to the existing by-law, this application is to see it recognized as a legal non-conformance in order to allow for a small addition to the attached garage.
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.