



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

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>AN/A-22:232</b>	<b>SUBJECT PROPERTY:</b>	60 ACADEMY STREET, ANCASTER
<b>ZONE:</b>	“ER” (Existing Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former Town of Ancaster 87-57, as Amended

**APPLICANTS:**      Owner – Sean & Nicole Todd  
                                 Agent – Benjamin McFadden

The following variances are requested:

1. A side yard setback of 1.2m shall be provided instead of the minimum required side yard setback of 2.0m.

**PURPOSE & EFFECT:**      To permit the construction of a new two-storey addition to the existing Single Detached Dwelling:

**Notes:**

- i. Please be advised that the proposed development is subject to Site Plan Control. As such, a comprehensive zoning review has not been conducted at this time and the variance has been written as requested by the applicant.
- ii. The Ancaster Zoning By-law 87-57 requires properties within an ‘ER’ zone to provide a minimum 1.0m wide unobstructed sod area along the side lot lines.

**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:

<b>DATE:</b>	<b>Thursday, August 11, 2022</b>
<b>TIME:</b>	<b>1:25 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for</b>

	<b>details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- 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, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.



 **Subject Lands**

DATED: July 26, 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, 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](mailto: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.**

Comment packages are available two days prior to the Hearing and are available on our website: [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)

### Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

#### 1. Virtual Oral Submissions

**Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.**

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email [cofa@hamilton.ca](mailto:cofa@hamilton.ca). The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by 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.

#### 2. In person Oral Submissions

**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.**

We hope this is of assistance and if you need clarification or have any questions, please email [cofa@hamilton.ca](mailto: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.

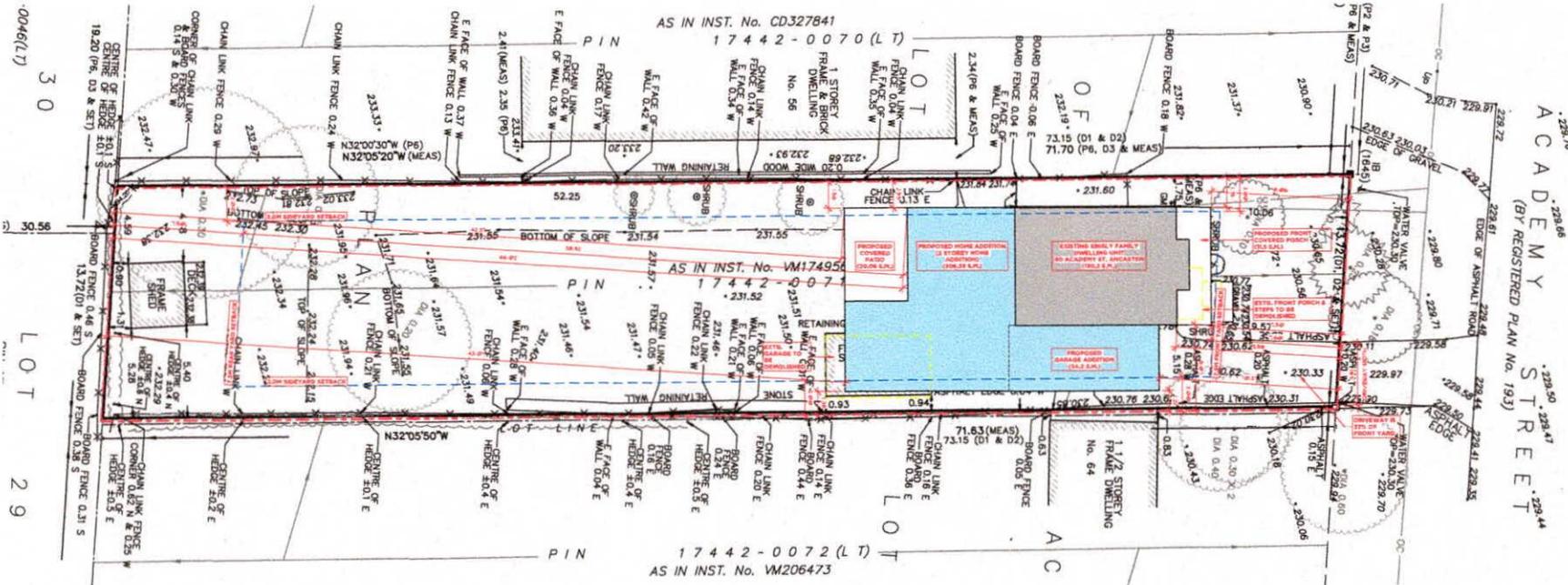
# TODD RESIDENCE HOME ADDITION

## SHEET LIST:

1. A001 - SITE PLAN
2. A101 - BASEMENT & MAIN FLOOR
3. A102 - 2ND FLOOR & ROOF PLAN
4. A201 - ELEVATIONS

## SCOPE OF WORK:

CONSTRUCTION OF NEW HOME ADDITION ON EXTG. PROPERTY NEW ADDITION TO BE 206.35 SQUARE METERS (GROSS FLOOR AREA) AND TWO STOREYS



Site Plan  
11-12-22

Lot Coverage Stats.		
	SQUARE METERS	%
TOTAL LOT AREA (MIN REQ. 695 S.M.)	988.34	
ADDITION & EXTG. HOME	185.97	18.82%
GARAGE (INCLUDED IN ABOVE)		
TOTAL BUILDING COVERAGE	185.97	18.82%
MAXIMUM LOT COVERAGE	345.92	35.00%

Zoning Requirements		
	MINIMUM	PROPOSED
LOT FRONTAGE	18M	13.72 (EXTG.)
FRONT YARD SETBACK	7.5M	7.6M
REAR YARD SETBACK	7.5M	43.07M
SIDE YARD SETBACKS	2M	1.75 (EXTG.) & 1.22 (PROP.)
BUILDING HEIGHT	9.5M	8.4M (EXTG.)
ZONE	ZONE ER (EXISTING RESIDENTIAL)	
MINOR VARIANCE	SIDE YARD SETBACK	



QUALIFICATION DECLARATION  
I, BENJAMIN HOGAN, DESIGNER, HEREBY DECLARE THAT I AM A REGISTERED ARCHITECT IN THE PROVINCE OF ONTARIO AND I AM QUALIFIED TO PREPARE AND SEAL THIS PLAN IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL ACT AND THE REGULATIONS THEREUNDER.

NAME: BENJAMIN HOGAN  
REG. NO.: 18714  
FIRM: BHM DESIGN STUDIO INC.

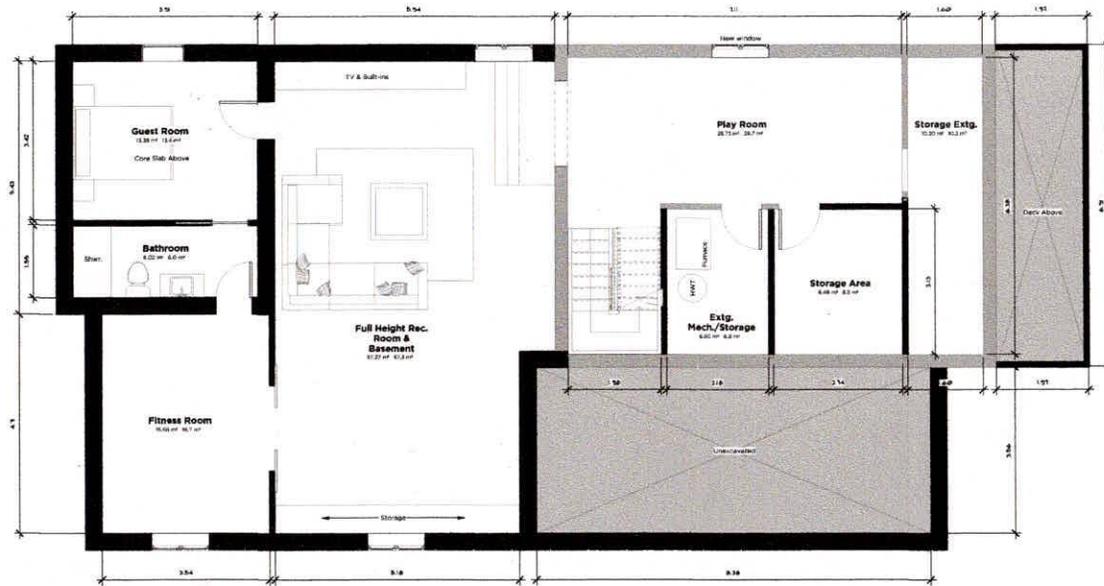
**BH ARCHITECTURAL DESIGN**  
58 Hackney Ridge, Bradford, Ontario  
benjamin@bharchitecturaldesign.com  
519.721.4886

PROJECT:  
Home Address:  
**Todd Residence**

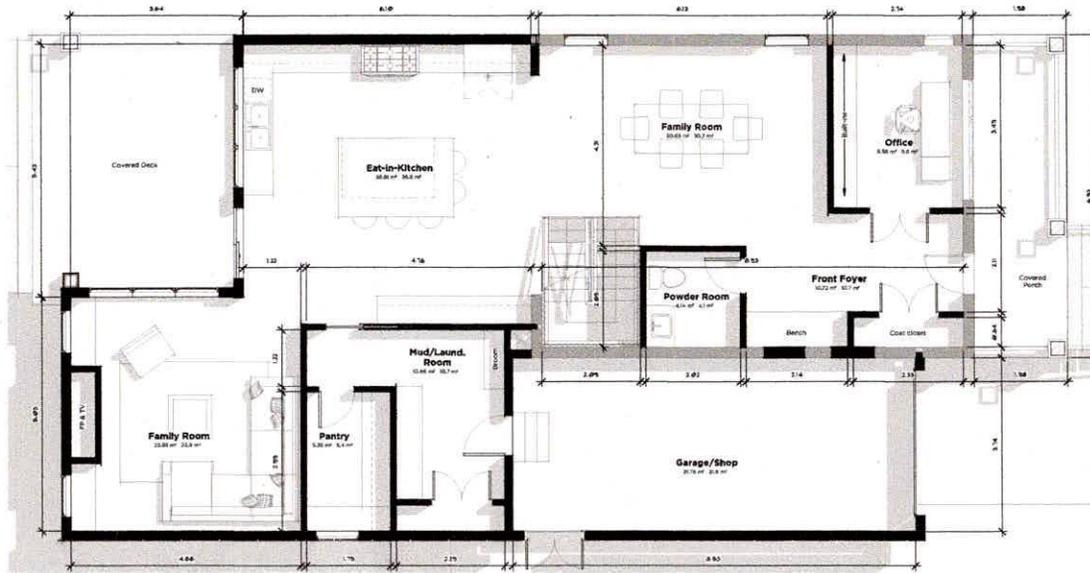
90 Academy Rd Ancaster ON

DRAWING NAME: Cover Page  
DRAWING NO.: A001





1 Basement Floor Plan  
1/4" = 1'-0"



2 Main Floor Plan  
1/4" = 1'-0"

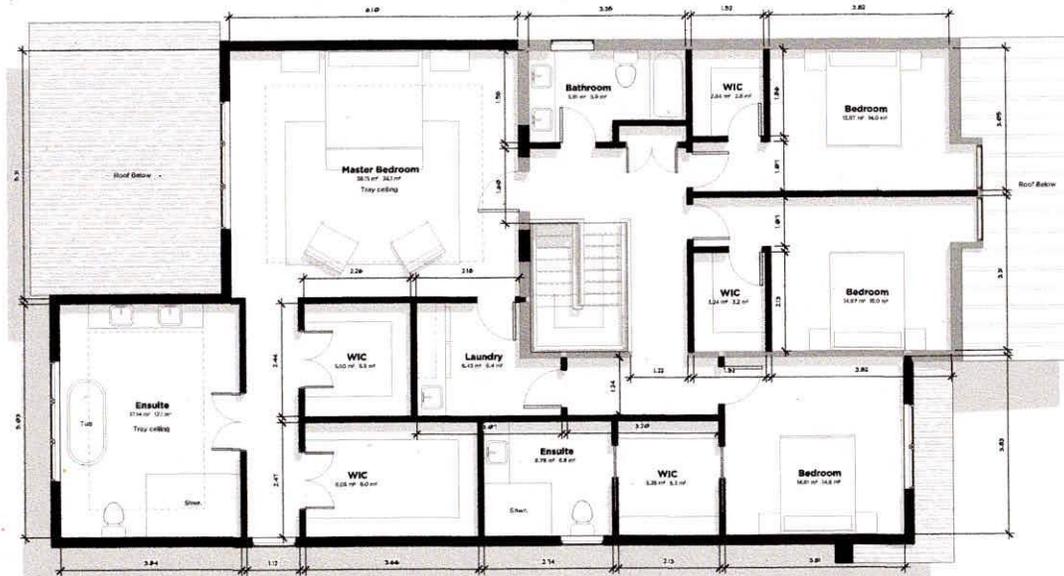


**BN ARCHITECTURAL DESIGN**  
55 Hackney Ridge, Bradford, Ontario  
benjamin@bnarchitecturaldesign.com  
519.721.4886

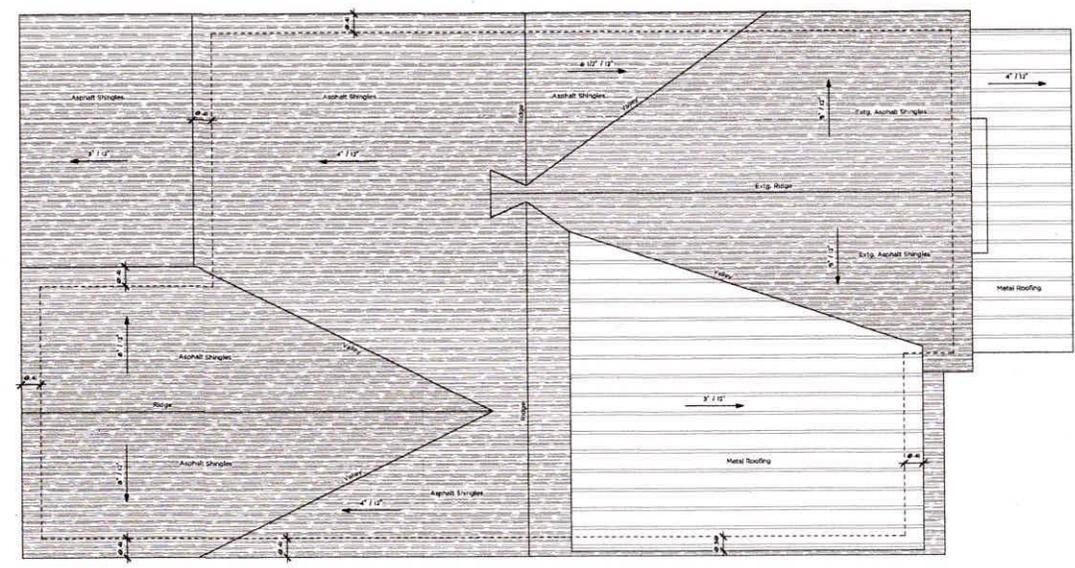
PROJECT:  
Home Addition  
**Todd Residence**

90 Academy Rd Ancestor, ON

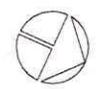
DRAWING NAME: **Basement & Main Floor Plan**  
DRAWING NO.: **A101**



1 Second Floor Plan  
1/4" = 1'-0"



2 Roof Plan  
1/4" = 1'-0"



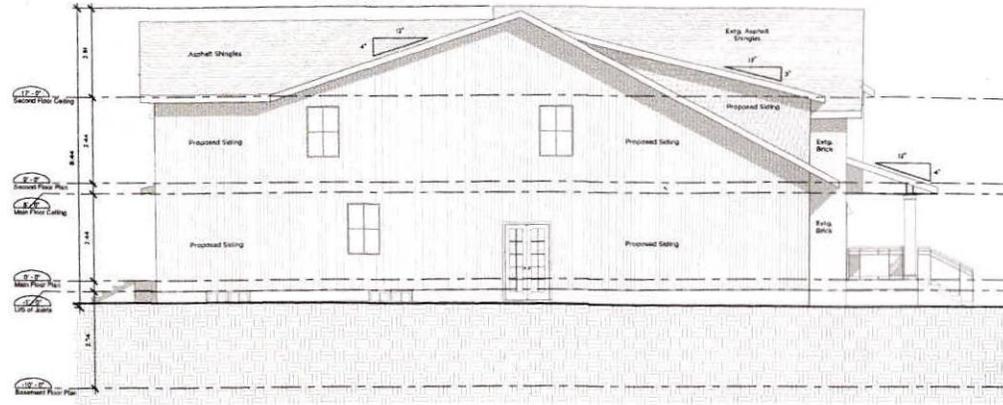
**BH ARCHITECTURAL DESIGN**  
 58 Hackney Ridge, Bradford, Ontario  
 benjamin@bharchitecturaldesign.com  
 519.721.4866

PROJECT  
 Home Addition  
**Todd Residence**

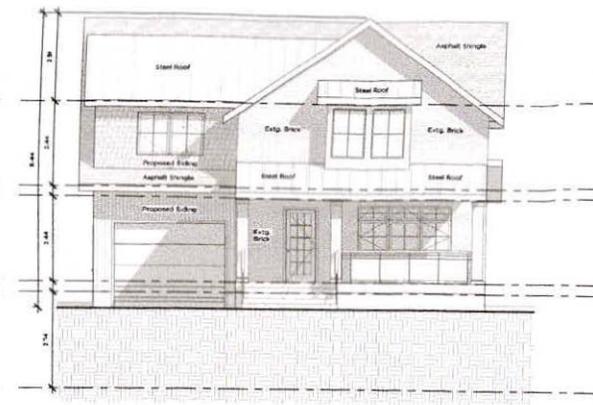
90 Academy Rd Ancaster, ON

DRAWING NAME  
**Second Floor Plan & Roof Plan**

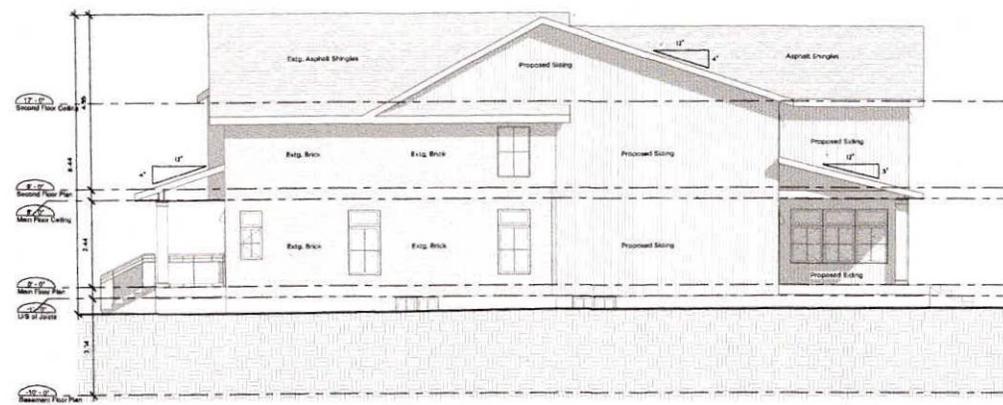
DRAWING NO.  
**A102**



1 Proposed South Elevation  
3/16" = 1'-0"



2 Proposed East Elevation  
3/16" = 1'-0"



3 Proposed North Elevation  
3/16" = 1'-0"



4 Proposed West Elevation  
3/16" = 1'-0"

**BH ARCHITECTURAL DESIGN**  
 55 Hackney Ridge, Bradford, Ontario  
 benjamin@bharchitecturaldesign.com 519.721.4856

PROJECT  
 Home Addition  
**Todd Residence**

90 Academy Rd Ancaster, ON

DRAWING NAME: Elevations  
 DRAWING NO.: A201



### 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)	Sean Todd Nicole Todd	
Applicant(s)*	Sean Todd Nicole Todd	
Agent or Solicitor	Benjamin McFadden	

**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:

Sean Todd Nicole Todd 60 Academy Street, Ancaster, ON L9G 2Y1
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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:

Sideyard setback:  
Required = 2 m  
Proposed = 1.22 m

Second Dwelling Unit       Reconstruction of Existing Dwelling

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

Garage addition & home addition would be too small to use if complied with the new ER zoning requirements

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**):

60 Academy St, Ancaster, ON

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?

Real estate records

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.

June 30/22.  
Date

[Signature]  
Signature Property Owner(s)  
Sean Todd. N. Todd  
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 13.72 m  
Depth 72 m  
Area 988 s.m.  
Width of street 8 m

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 Home: 130.2 m, 6.9 m x 9.4 m, 2 storeys, 8.8 m height  
Existing Detached Garage: 22 s.m., 3.5m x 6m, 3.4 m height

Proposed

Home Addition: 206.4 s.m., 2 storeys, under existing building height  
Garage Addition: 34.2 s.m., under existing building height  
Rear & Front Porches: 32 s.m. (combined)

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

Existing:

Existing home:  
Side yards = 1.75m & 5.1 m  
Front yard = 10 m  
Rear yard = 52 m

Proposed:

Proposed Addition:  
Side yards = 1.22 m & 1.59 m (1.59 is following inline with existing home)  
Front yard = 10.37 m  
Rear yard = 43.07 m

13. Date of acquisition of subject lands:  
Sept 21, 2012
- 
14. Date of construction of all buildings and structures on subject lands:  
approximately 1946
- 
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
Single Family Dwelling Unit
- 
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
Single Dwelling Units
- 
17. Length of time the existing uses of the subject property have continued:  
NA
- 
18. Municipal services available: (check the appropriate space or spaces)  
Water Yes Connected Yes  
Sanitary Sewer Yes Connected Yes  
Storm Sewers \_\_\_\_\_
19. Present Official Plan/Secondary Plan provisions applying to the land:  
NA
- 
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
NA
- 
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.