

**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-22:240</b>	<b>SUBJECT PROPERTY:</b>	887 BISHOP PLACE, ANCASTER
<b>ZONE:</b>	“ER” (Existing Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former Town of Ancaster 87-57, as Amended 18-105

**APPLICANTS:** Owner – Michele & Mark Welch

The following variances are requested:

1. An accessory building in excess of 12 square metres ground floor area shall not be less than 0.85 metres from the rear lot line for any lot located in an Existing Residential “ER” Zone instead of the required accessory buildings in excess of 12 square metres ground floor area shall not be less than 7.5 metres from the rear lot line for any lot located in an Existing Residential “ER” Zone.
2. An eave or gutter may extend 33 centimetres into a required minimum setback area instead of the requirement that no eave or gutter shall extend more than 30 centimetres into a required minimum setback area.

**PURPOSE & EFFECT:** So as to permit the construction of an accessory building (Pavilion) in the rear yard:

**Notes:**

**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>1:30 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>

	details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at <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.



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.

## **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**

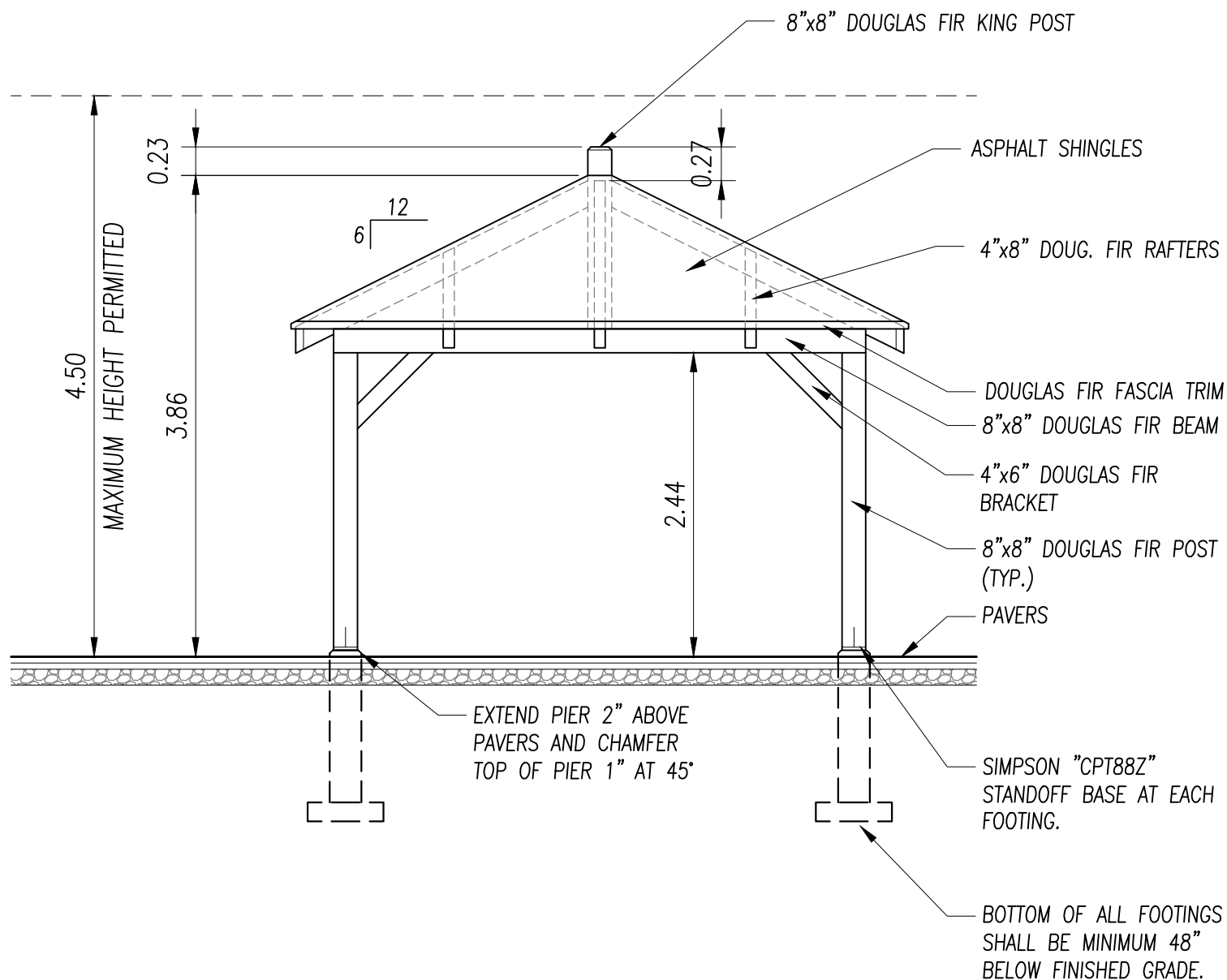
**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.**

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.

SCALE 1 IN. = 30 FT.





PROPOSED ELEVATION (SAME ALL SIDES)

SCALE: 1:48

Project Name

**Pavilion**

887 Bishop Pl.  
Ancaster, ON

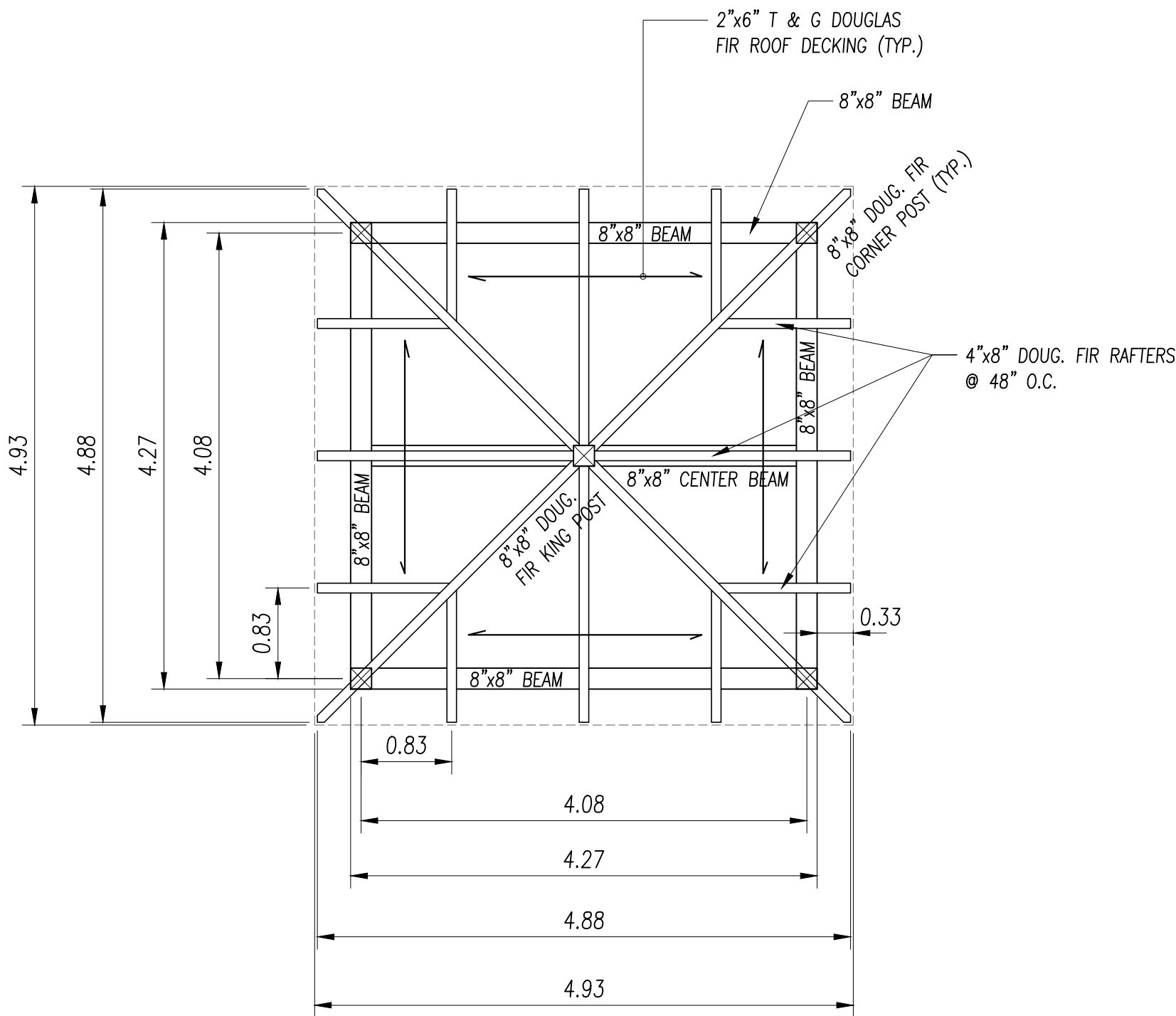
DATE: JUL. 7, 2022

SCALE: AS NOTED

DRAWN: R.O.

REVIEWED: R.O.

**A2.01**



## PROPOSED ROOF FRAMING PLAN

SCALE: 1:48

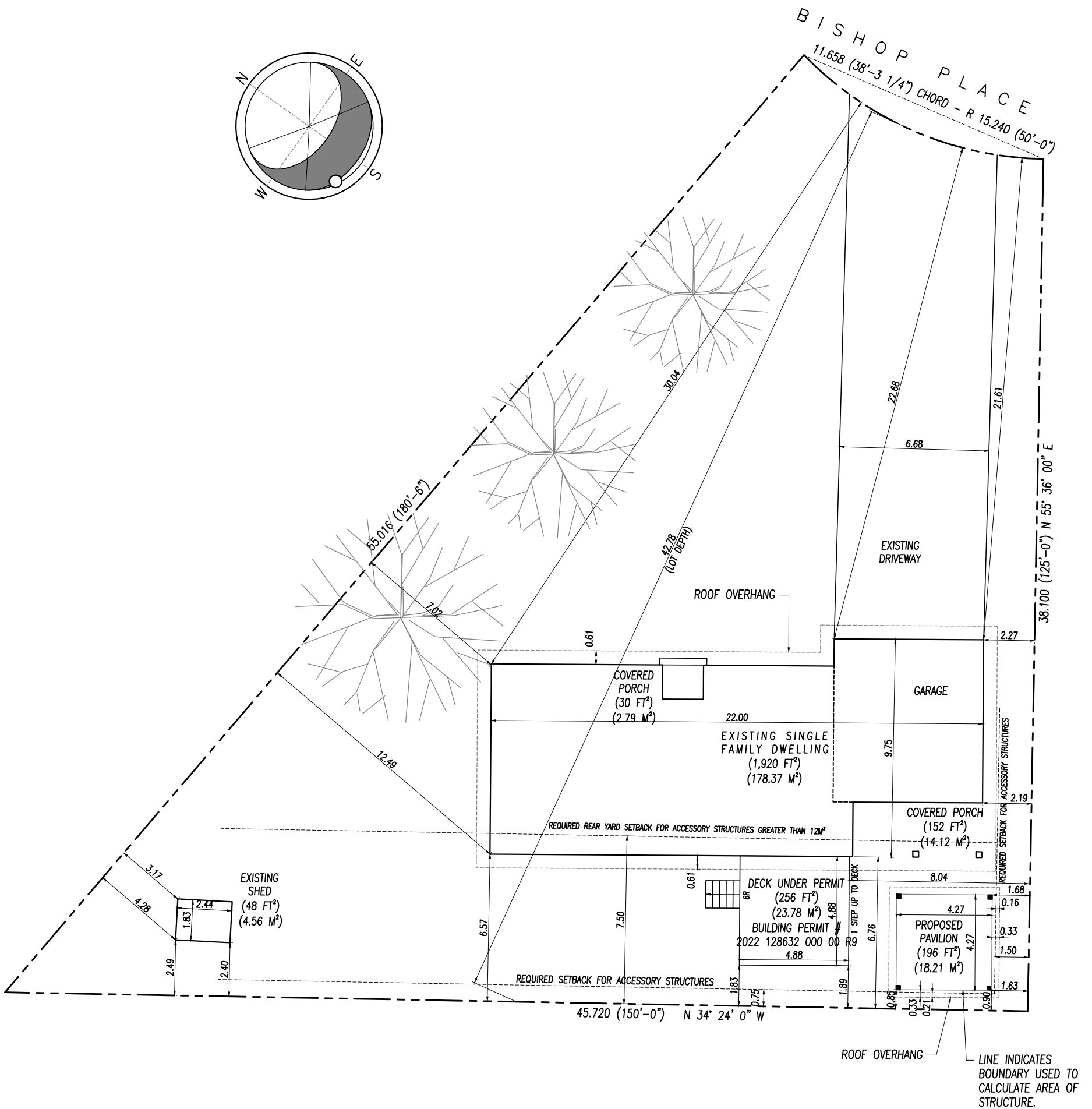
Project Name

**Pavilion**

887 Bishop Pl.  
Ancaster, ON

DATE: JUL. 7, 2022  
SCALE: AS NOTED  
DRAWN: R.O.  
REVIEWED: R.O.

**A1.01**



SITE PLAN  
SCALE: 1:200

Project Name  
**Pavilion**

887 Bishop Pl.  
Ancaster, ON

DATE: JUL. 7, 2022  
SCALE: AS NOTED  
DRAWN: R.O.  
REVIEWED: R.O.

**SP.01**

MUNICIPAL ADDRESS:  
887 BISHOP PL, ANCASTER

ZONING DESIGNATION: ER  
LOT AREA: 1,169 M² (12,582 F²)

LOT COVERAGE  
EXISTING DWELLING: 1,920 FT² / 178.37 M²  
EXISTING SHED: 48 FT² / 4.56 M²  
EXISTING COVERED PORCHES: 182 FT² / 16.91 M²  
PROPOSED PAVILION: 196 FT² / 18.21 M²

PROPOSED LOT COVERAGE:  
FOR ALL EXISTING AND PROPOSED STRUCTURES: 2,346 FT² / 217.95 M² (18.65%)  
MAXIMUM ALLOWABLE LOT COVERAGE: 35%

PROPOSED BUILDING HEIGHT: 3.81M (12'-6")



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	NAME	MAILING ADDRESS	
Registered Owners(s)	Michele Welch, Mark Welch		
Applicant(s)*	Michele Welch		
Agent or Solicitor	Please send all communications to Applicant above.		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:

See separate sheet.

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

The existing backyard does not offer enough space to comply with the required setbacks. The proposed location for the structure is the most ideal location for the purpose of the structure. There are no other suitable locations on the site for the intended use.

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**):

Existing Residential, Registered Plan #769, Lot #56, 887 Bishop Place, Hamilton, L9G3E6

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?

This area is residential.

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.

July 12, 2022

Date

Michele Welch, Mark Welch  
Signature Property Owner(s)

Michele Welch, Mark Welch

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 11.963 m  
Depth 42.773 m  
Area 1,169 sq. m.  
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:

Existing Single Family Dwelling, One Storey, 22M x 9.75M: Ground Floor  
Area-132.5M<sup>2</sup>, Floor Area-178.37 M<sup>2</sup>  
Existing Covered Porches at Main Floor Level: 16.91 M<sup>2</sup>  
Existing Shed, 1.83M x 2.44M: 4.56 M<sup>2</sup>

Proposed

Proposed One Storey Pavilion, 4.27M x 4.27M: 196 FT<sup>2</sup> / 18.21 M<sup>2</sup>

DECK UNDER PERMIT  
#2022 128632 000 00 R9,  
4.88M x 4.88M: 23.78M<sup>2</sup>

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

Existing:

Single Family Dwelling: 2.19m south side, 7.02m north side, 21.61 front, 6.57m rear.  
Shed: 35.64m south side, 3.17m north side, 45.42m front, 2.4m rear  
Deck Under Permit# 2022 128632 000 00 R9: 8.04m south side, 21.05m north side, 32.03m front, 1.83m rear.

Proposed:

Pavilion: 1.63m south side, 27.49m north side, 32.96m front, 0.85m rear



13. Date of acquisition of subject lands:  
Feb. 24, 2021
14. Date of construction of all buildings and structures on subject lands:  
Late 1950s.
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
single family residential
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
single family residential
17. Length of time the existing uses of the subject property have continued:  
Since late 1950s.
18. Municipal services available: (check the appropriate space or spaces)  
Water yes Connected yes  
Sanitary Sewer yes Connected yes  
Storm Sewers not sure
19. Present Official Plan/Secondary Plan provisions applying to the land:  
Existing Residential
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
Parent By-law 87-57, File CI-18A, Existing Residential
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.

## MV\_887 BISHOP PL\_Application

### Item #4

The purpose of this application pertains to the following zoning by-law articles:

#### 7.18 (a),(vi)

(vi) Accessory buildings in excess of 12 square metres ground floor area shall not be located in any minimum rear yard.

The proposed accessory building is 18.21m<sup>2</sup> and is proposed to be located in the rear yard with a 0.75m setback from the rear lot line and an allowable encroachment of 0.30m for eaves and gutters.

#### 7.18 (a),(vi),(A)

Notwithstanding Subsection 7.18 (a) (vi), accessory buildings in excess of 12 square metres ground floor area shall not be less than 7.5 metres from the rear lot line for any lot located in an Existing Residential "ER" Zone. (18-221)

The proposed accessory building is 18.21m<sup>2</sup> and is proposed to be located in the rear yard with a 0.75m setback from the rear lot line and an allowable encroachment of 0.30m for eaves and gutters.