



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-22:242	SUBJECT PROPERTY:	129 KENDRICK COURT, ANCASTER
ZONE:	R5-411 (Residential)	ZONING BY-LAW:	Zoning By-law former Town of Ancaster 87-57, as Amended

APPLICANTS: Owner – Cody & Lindsay Haubrich
Agent – Greg Potticary

The following variances are requested:

1. A lot coverage of 45% shall be provided instead of the maximum permitted lot coverage of 40%.
2. A side yard setback of 0.7m shall be provided instead of the minimum required side yard setback of 1.2m
3. A rear yard setback of 9.6m shall be provided instead of the minimum required rear yard setback of 14.0m

PURPOSE & EFFECT: To permit the construction of a new roofed-over deck in the rear yard of the existing single detached dwelling

Notes:

- i. Please note that roofed-over decks are subject to the principal building regulations in Ancaster Zoning By-law 87-57.

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, August 25, 2022
TIME:	1:30 p.m.

PLACE:	Via video link or call in (see attached sheet for details)
	2 nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

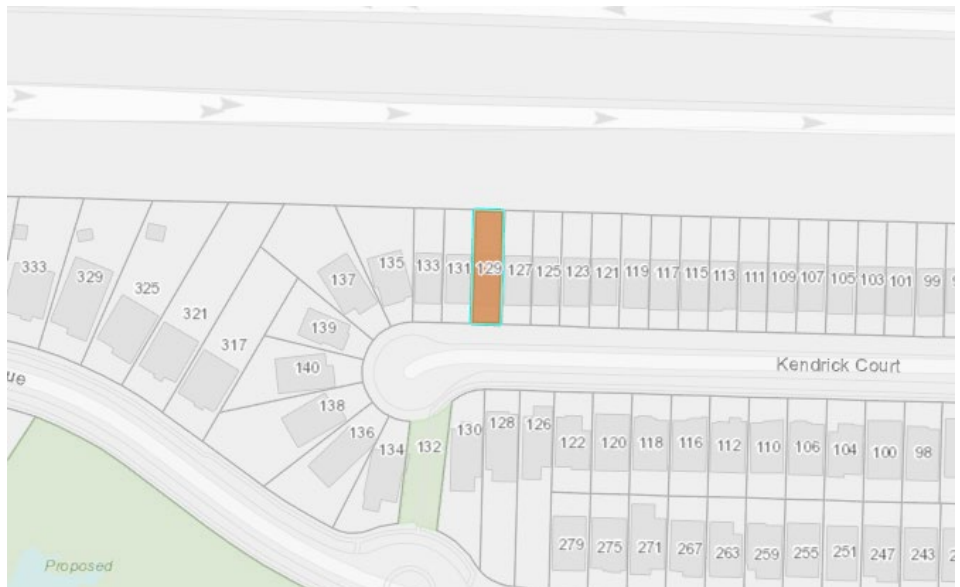
For more information on this matter, including access to drawings illustrating this request and other information submitted:

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th 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.

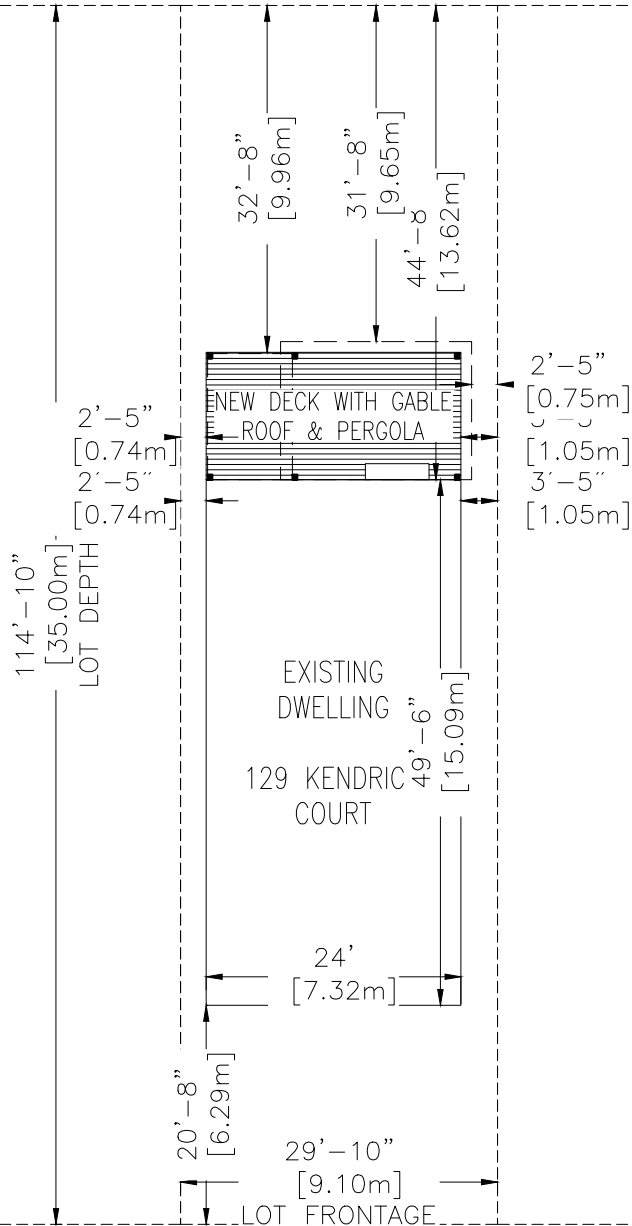


 Subject Lands

DATED: August 9, 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.



LOT SPECIFICATIONS:

Existing Dwelling
 Ground Floor Area = 1189SF (110.5m²)
 Gross Floor Area = 2378SF (221m²)
 Number of Stories = 2

New Deck with Roof & Pergola
 Ground Floor Area = 318SF (30m²)
 Gross Floor Area = 318SF (30m²)
 Number of Stories = 1

1 **SITE PLAN**
 N.T.S.

129 KENDRICK COURT

Hickory Dickory Decks
 Head Office
 115 Dundas St W (Highway #5)
 Dundas, On L9H 7L6
 P: 905-689-4774
 E: hddoffice@gmail.com

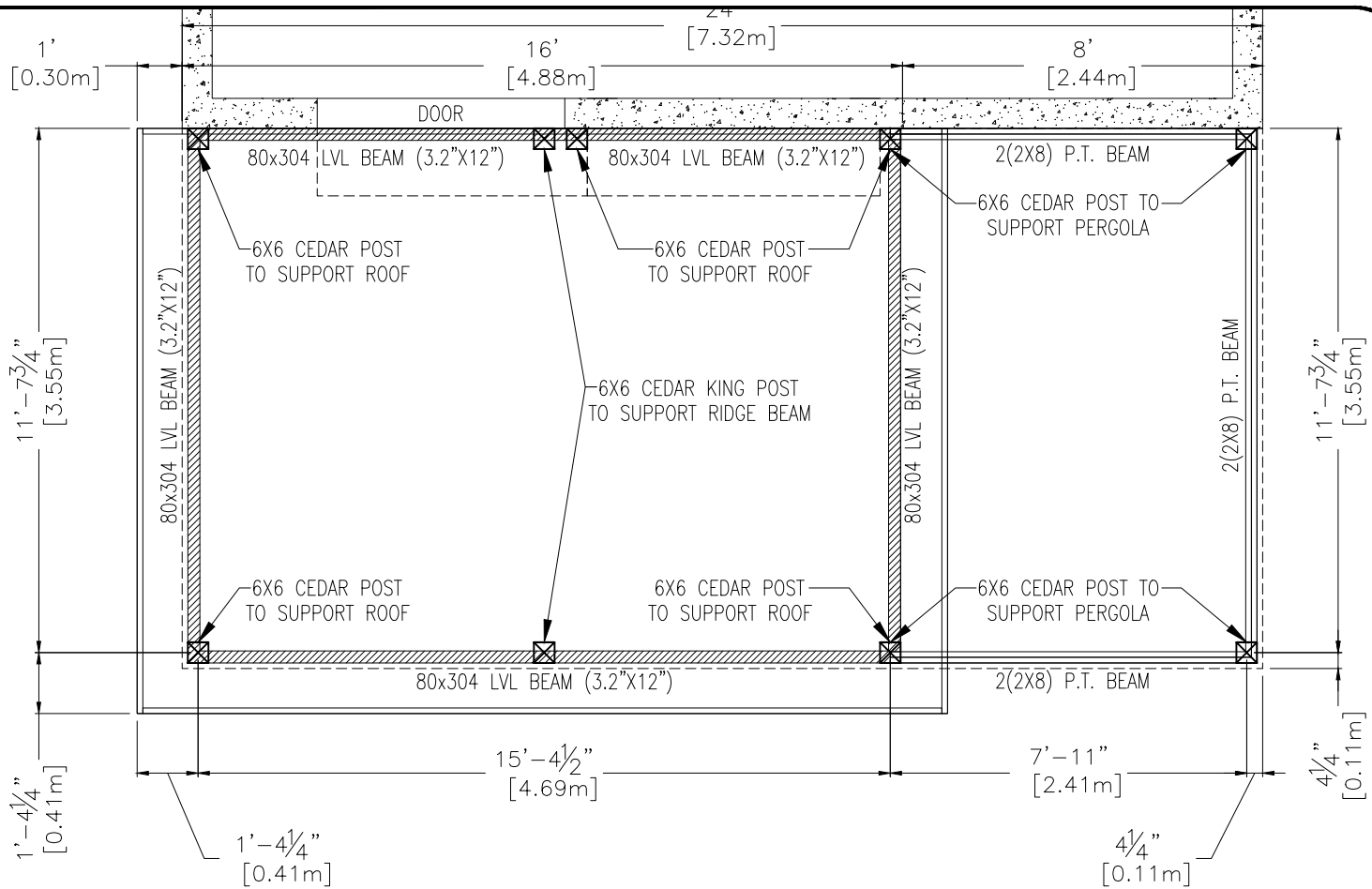
Project Name:
CODY & LINDSAY HAUBRICH

Project Address:
**129 KENDRICK COURT
 ANCASTER, ON L9G 5E8**

I have reviewed and take responsibility for the design and am qualified in the appropriate category as a designer under subsection 3.2.5 of Division C of the Ontario Building Code.

Name: Brad Arnold (BCIN # 24758)
 Signature:

Drawn By: STEPHANIE ALLEN	SP1 01
Date: JUNE 29th, 2022	



1 ROOF FOUNDATION PLAN
SCALE: 1/4" = 1'

6x6 P.T. POST ON HELICAL PILES (5' BELOW GRADE)

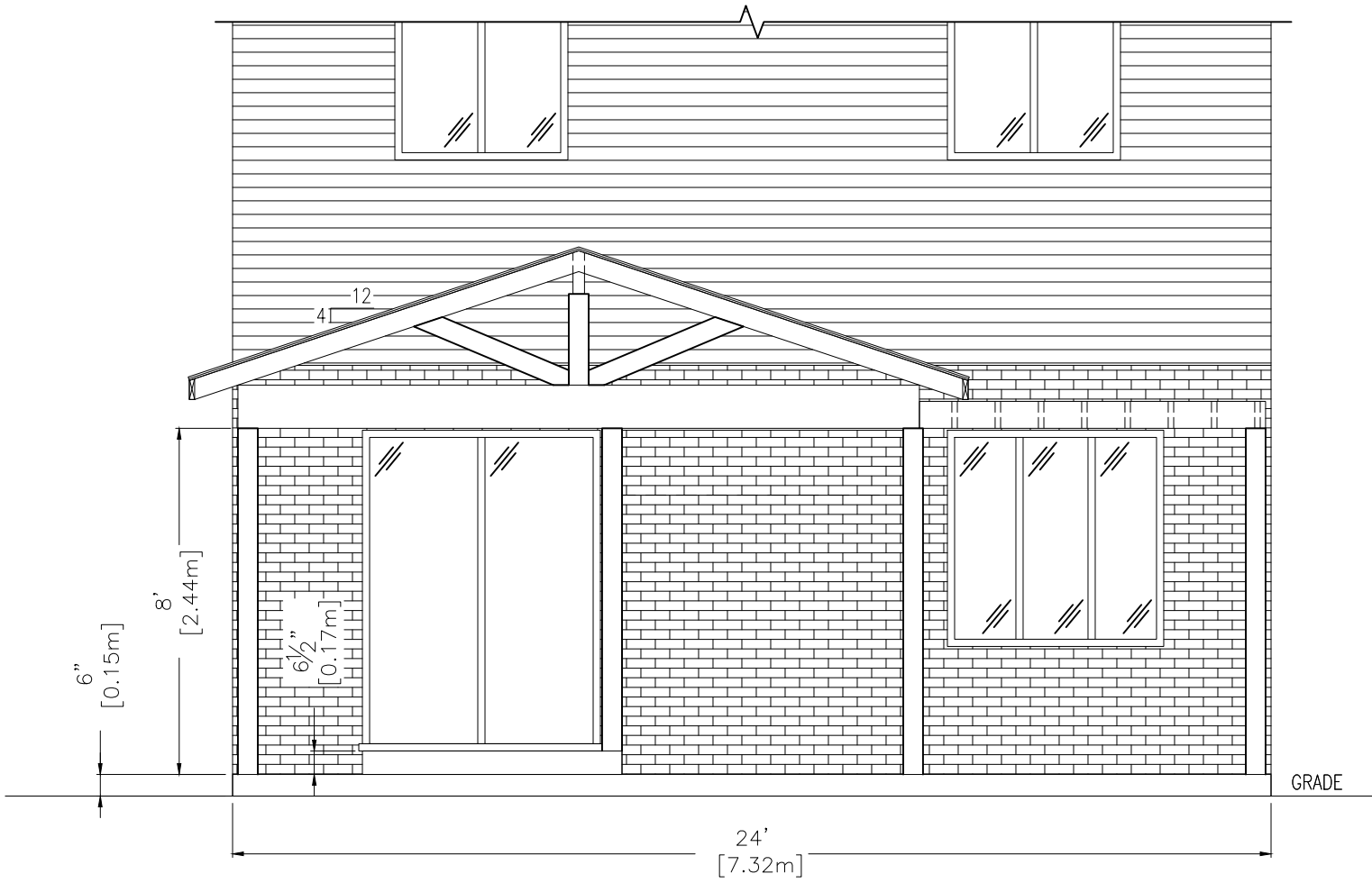
HICKORY DICKORY DECKS
 Hickory Dickory Decks
 Head Office
 115 Dundas St W (Highway #5)
 Dundas, On L9H 7L6
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 Name: Brad Arnold (BCIN # 24758)
 Signature:

Drawn By: STEPHANIE ALLEN	F1 02
Date: JUNE 29th, 2022	



1 ELEVATION
SCALE: 1/4" = 1'

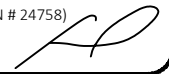


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HAUBRICH**

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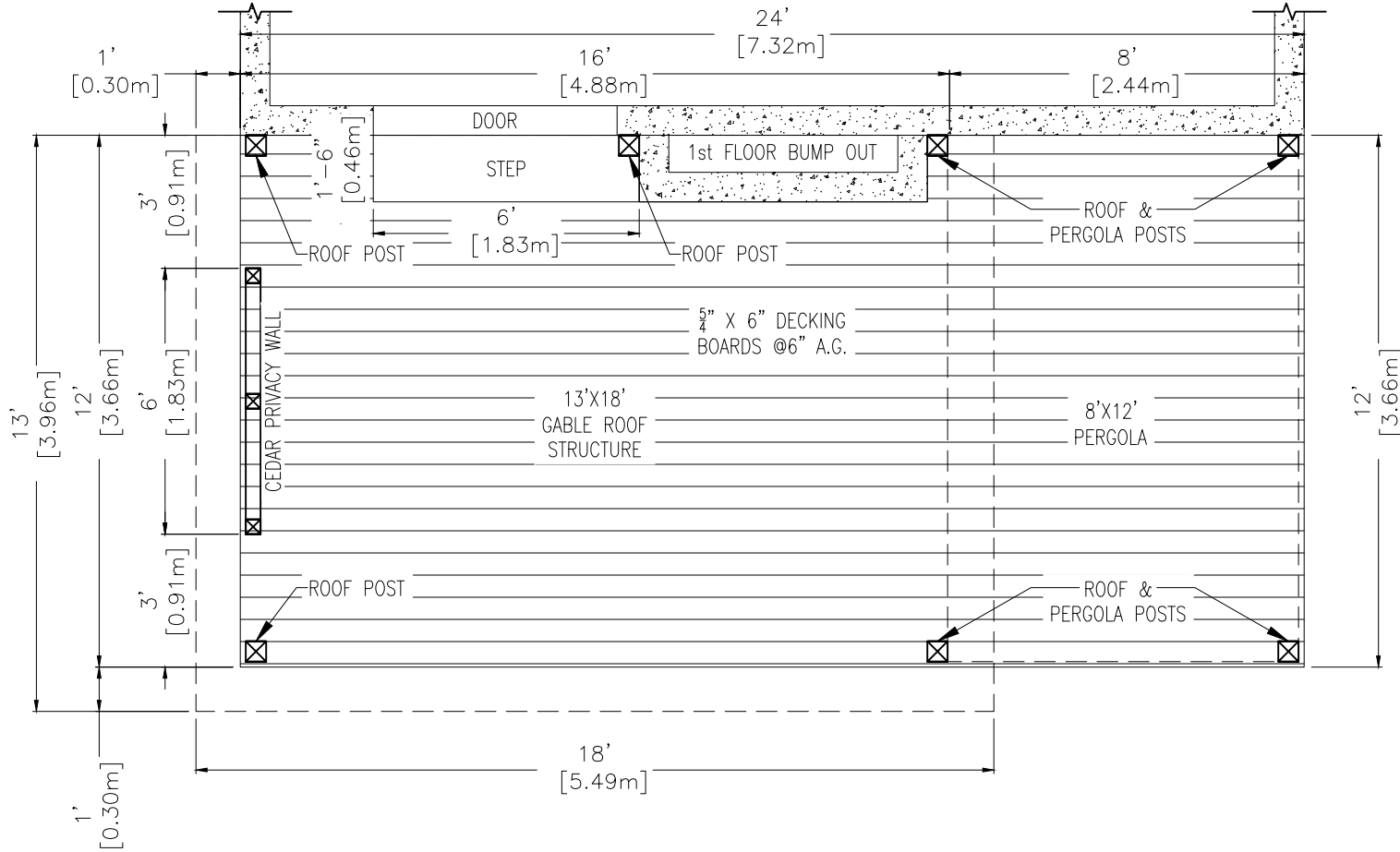
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Signature: 

Drawn By:
STEPHANIE ALLEN

Date:
JUNE 29th, 2022

A2 01



1 DECK FLOOR PLAN
SCALE: 1/4" = 1'

HICKORY DICKORY DECKS
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Date: JUNE 29th, 2022	A1 01



Hamilton

Committee of Adjustment

City Hall, 5th Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email:

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)	Cody & Lindsay Haubrich	[REDACTED]
Applicant(s)*	Greg Potticary	
Agent or Solicitor	Hickory Dickory Decks Ancaster/Binbrook	

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:

Would like to construct a backyard covered deck with a roof and a pergola

Second Dwelling Unit Reconstruction of Existing Dwelling

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

I think we are going over the lot coverage

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 28 129 KENDRICK COURT
REGISTERED PLAN No. 62M-1002

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?

a site visit and conversation with the home owners

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 8, 2022

Date

Cody Haubrich Lindsay Haubrich

Signature Property Owner(s)

Cody & Lindsay Haubrich

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage

9.10 m

Depth

35 m

Area

318.5 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:

House: 1st Flr - 249.95 m² Shed - 7.43 m² - 8' x 10'
2nd Flr - 246.62 m² Length House - 13.94 m
BSMT - 246.85 m² → Width - 7.24 m

Proposed

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:

SHED - 1.24 m off right lot line
3 m off back of dwelling
4.83 m off left lot line.

Proposed:

DECK

13. Date of acquisition of subject lands:
2007 OCTOBER 2013
14. Date of construction of all buildings and structures on subject lands:
2004 - House 2019 - Shed
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:
Approx 9 years.
18. Municipal services available: (check the appropriate space or spaces)
Water Yes Connected Yes
Sanitary Sewer Yes Connected Yes
Storm Sewers Yes
19. Present Official Plan/Secondary Plan provisions applying to the land:
NOTHING THAT WE'RE AWARE OF.
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
R5-411 - NO
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.