



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-22:259</b>	<b>SUBJECT PROPERTY:</b>	27 HARRINGTON PLACE, ANCASTER
<b>ZONE:</b>	R1-407 (Residential 1)	<b>ZONING BY-LAW:</b>	Zoning By-law former Town of Ancaster 87-57, as Amended by By-law 97-35

**APPLICANTS:** Owner – Kieron Hayes & Michelle Vickers

The following variances are requested:

1. A minimum side yard setback of 0.2 m shall be maintained on the easterly side lot line instead of the minimum required side yard of 2.5 m; and

**PURPOSE & EFFECT:** To permit the existing brick shed to maintain its current location.

**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 25, 2022</b>
<b>TIME:</b>	<b>1:35 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 details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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.

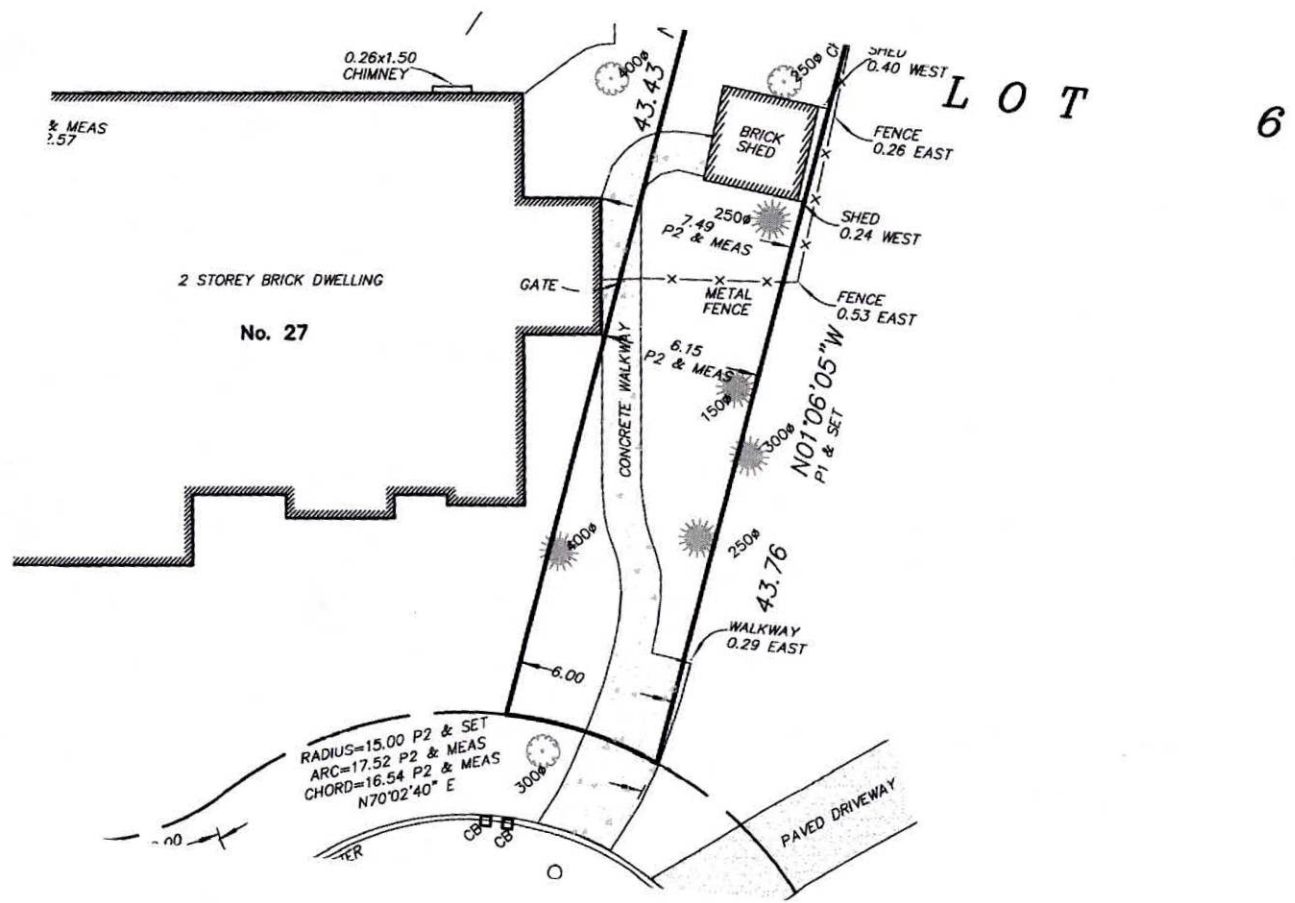


DATED: August 9, 2022

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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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\* Property Lot Lines / Corners.

**PLAN 62R-**  
RECEIVED AND DEPOSITED:

DATE: \_\_\_\_\_ REPRESENTATIVE FOR: \_\_\_\_\_  
LAND REGISTRAR FOR THE LAND TITLES  
DIVISION OF HENTWORTH (No. 62)

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE  
LAND TITLES ACT.

DECEMBER 12, 2020 DATE: \_\_\_\_\_ G. G. ALDORTH

SCHEDULE					
PART	LOT	PLAN	ALL OF PIN	AREA	
1	ALL OF	LOT 5	62M-821	17445-0161	m <sup>2</sup>
2	ALL OF	LOT 5	62M-821	17445-0161	m <sup>2</sup>

PLAN OF SURVEY OF  
LOT 5-THE ENCLAVE  
REGISTERED PLAN No. 62M-821  
IN THE  
CITY OF HAMILTON  
SCALE 1:250  
0 10 metres  
G. G. ALDORTH O.L.S.

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE  
POINTS (S) AND (E) BY REAL TIME NETWORK (RTN) OBSERVATIONS,  
UTM ZONE 17, NAD83 (CSRS) (2010)

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY  
MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99999893  
FOR BEARING COMPARISON A ROTATION OF 000000° COUNTERCLOCKWISE  
WAS APPLIED TO PLANS 62M-, 62R-, 62R-  
TO CONVERT TO GRID BEARINGS.

POINT ID	NORTHING	EASTING
(S)		
(E)		

COORDINATES CANNOT, IN THEMSELVES, BE USED TO  
RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

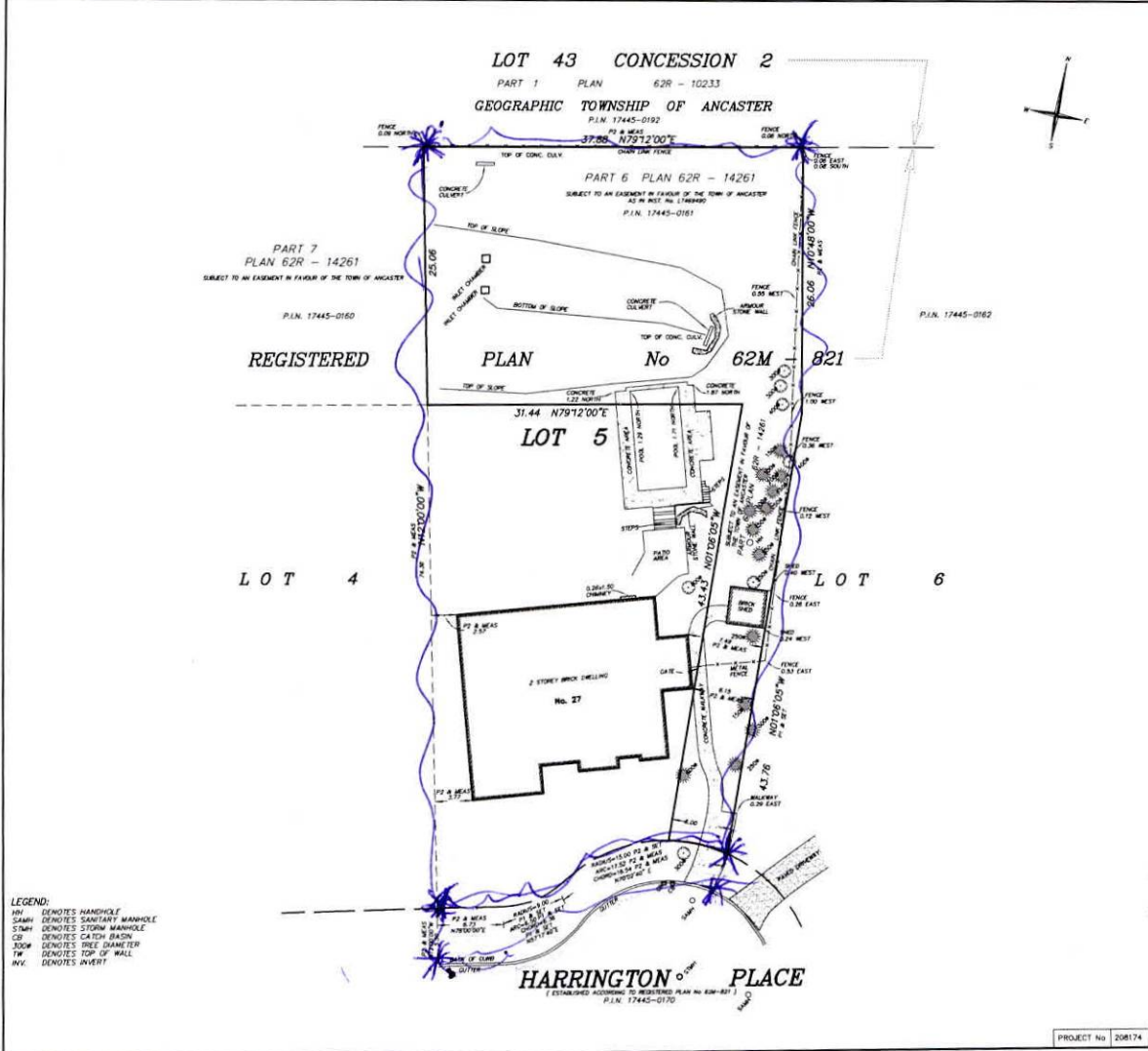
**METRIC:**  
DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES  
AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

**LEGEND:**  
IRON NAILS □ DENOTES A SURVEY MONUMENT PLANTED  
IRON PINS ■ DENOTES A SURVEY MONUMENT FOUND  
IB DENOTES IRON BAR  
SIB DENOTES STANDARD IRON BAR  
SSIB DENOTES SHORT STANDARD IRON BAR  
PB DENOTES PLASTIC BAR  
CS DENOTES CUT CROSS  
(P) DENOTES A J. CLARKE O.L.S.  
(WT) DENOTES WITNESS  
P1 DENOTES PLAN 62M-821  
P2 DENOTES SURVEYOR'S REAL PROPERTY REPORT BY A. J. CLARKE &  
ASSOCIATES LTD. DATED JANUARY 6, 1998 (INDEX E-15273)

**SURVEYOR'S CERTIFICATE:**  
I CERTIFY THAT:  
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH  
THE SURVEY ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT  
AND THE REGULATIONS MADE UNDER THEM.  
2. THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF MONTH, 201\_\_\_\_

DECEMBER 12, 2020 DATE: \_\_\_\_\_  
G. G. ALDORTH  
ONTARIO LAND SURVEYOR

**A. J. Clarke and Associates Ltd.**  
SURVEYORS - PLANNERS - ENGINEERS  
26 MAIN STREET WEST, SUITE 300  
HAMILTON, ONTARIO, L8P 1H1  
TEL. 905-528-9761 FAX 905-528-2289  
www.ajclarke.com



PROJECT NO 208174



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

<b>FOR OFFICE USE ONLY.</b>	
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)	KIERON Hayes MICHELLE VICKERS.		
Applicant(s)*	KIERON Hayes MICHELLE VICKERS.		
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 mortgages, holders of charges or other encumbrances:

RBC BANK 21 KING ST. W. HAMILTON, ON L8P 4W7.	CITY OWNED EASEMENT ON PROPERTY. SEE ATTACHED.
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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:

Relief for existing shed that is to close to property line

Second Dwelling Unit       Reconstruction of Existing Dwelling

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

Moving the shed would restrict access in easement

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):

27 Harrington Place, 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?

own knowledge

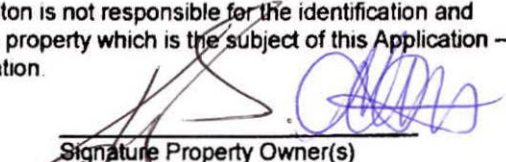
8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed

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 19/2022  
Date

  
Signature Property Owner(s)  
Kieron Hayes  
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 100.89 Feet  
Depth 243.96 Feet  
Area \_\_\_\_\_  
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:  
please see attached plan

Proposed:  
please see attached plan

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

Existing:  
please see attached plan

Proposed:  
please see attached plan

13. Date of acquisition of subject lands:  
Jan 1 / 2020
14. Date of construction of all buildings and structures on subject lands:  
FEB 1 / 2020
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:  
SINCE FEBRUARY 1st 2020.

18. Municipal services available: (check the appropriate space or spaces)
- |                |                                     |           |                                     |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water          | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers   | <input type="checkbox"/>            |           |                                     |

19. Present Official Plan/Secondary Plan provisions applying to the land:  
Neighborhoods

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
R1-407 (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.