



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-22:337</b>	<b>SUBJECT PROPERTY:</b>	604 Iroquois Avenue, 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: Ludy DiLivio

The following variances are requested:

1. The proposed accessory building (cabana) shall be permitted to be located a minimum setback of 3.6m from the rear lot line instead of the minimum 7.5m setback required.

**PURPOSE & EFFECT:** 1.The proposed accessory building (cabana) shall be permitted to be located a minimum setback of 3.6m from the rear lot line instead of the minimum 7.5m setback required.

**Notes:**

The applicant shall ensure that the eave or gutter projection does not extend more than 30.0 centimetres into a required minimum setback area. Insufficient details were provided.

The Ancaster zoning By-law requires that a minimum of one (1) metre area is maintained within the side yard and rear yard which shall be unobstructed and shall not contain structures, walkways, sidewalks, hard surfaced material and landscaping other than sod. Insufficient details were provided from which to determine compliance; 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:

<b>DATE:</b>	<b>Thursday, December 8, 2022</b>
<b>TIME:</b>	<b>2:30 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 details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

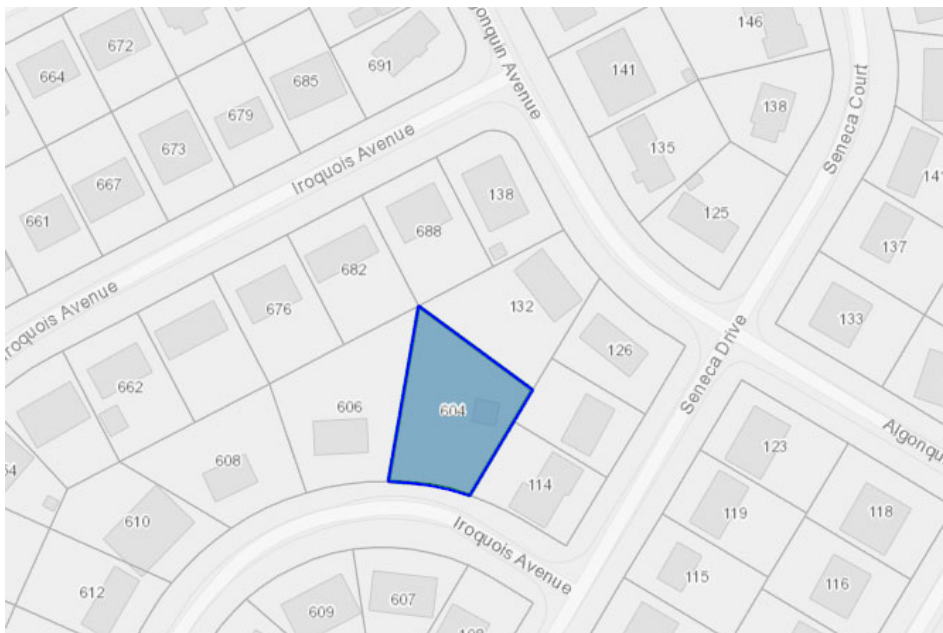
For more information on this matter, including access to drawings illustrating this request and other information submitted:

- 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.



 **Subject Lands**

DATED: November 22, 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.







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## APPLICATION FOR A MINOR VARIANCE/PERMISSION UNDER SECTION 45 OF THE PLANNING ACT

### 1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Registered Owners(s)	Ludy DiLivio	[REDACTED]	Phone:
Applicant(s)			E-mail:
Agent or Solicitor			Phone:
			E-mail:

1.2 All correspondence should be sent to

- Owner  
 Agent/Solicitor

Applicant

1.2 All correspondence should be sent to

- Purchaser  
 Applicant

Owner  
 Agent/Solicitor

1.3 Sign should be sent to

- Purchaser  
 Applicant

Owner  
 Agent/Solicitor

1.4 Request for: digital copy of sign  Yes\*  No

If YES, provide email address where sign is to be sent [ludydilivio@hotmail.com](mailto:ludydilivio@hotmail.com)

1.5 All correspondence may be sent by email  Yes\*  No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will be sent by email.

### 2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:



Municipal Address	604 Iroquios Ave, Ancaster ON L9G 3B4		
Assessment Roll Number	251814027005200		
Former Municipality	ancaster		
Lot	72	Concession	
Registered Plan Number	1064	Lot(s)	
Reference Plan Number (s)		Part(s)	

2.2 Are there any easements or restrictive covenants affecting the subject land?

Yes  No

If YES, describe the easement or covenant and its effect:

10ft Hydro Easement, back property line

### 3. PURPOSE OF THE APPLICATION

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

*ER Zone requires 6.401m From Back property line  
Requesting 3.658 meter For CABANA  
Cabana/pool equipment.*

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

ERZone requires 6.401m from back property line, requesting 3.658 meters

3.3 Is this an application 45(2) of the Planning Act.

Yes

No

If yes, please provide an explanation:

### 4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
26.603 m	54.83 m	1509 sqm	6.75m



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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
House	8.93meters	12.4meters	3.83 meters	July 2017
<del>Pool</del>			6.83 meters	
Pool				

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Accessory Building (CABANA)	7.925 m	3.658 meters	5.182 m	

4.3. Particulars of all buildings and structures on or proposed for the subject lands (attach additional sheets if necessary):

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
House	176.516 sq meters	348.386 sq meters	2	9.449 meters

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Accessory Building (CABANA)	19.51 sq m		1	4.267 meters

- 4.4 Type of water supply: (check appropriate box)
- publicly owned and operated piped water system
- privately owned and operated individual well

- lake or other water body
- other means (specify)
- 

- 4.5 Type of storm drainage: (check appropriate boxes)
- publicly owned and operated storm sewers
- swales

- ditches
- other means (specify)
- 

- 4.6 Type of sewage disposal proposed: (check appropriate box)



- publicly owned and operated sanitary sewage system
  - privately owned and operated individual septic system
  - other means (specify)
- 

- 4.7 Type of access: (check appropriate box)
- provincial highway
  - municipal road, seasonally maintained
  - municipal road, maintained all year
- right of way
  - other public road
- 

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):  
 Single Detached dwelling

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4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):  
 Single Detached dwelling

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**7 HISTORY OF THE SUBJECT LAND**

7.1 Date of acquisition of subject lands:  
 March 31, 2017

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7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
 Single Detached dwelling

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7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
 Single Detached dwelling

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7.4 Length of time the existing uses of the subject property have continued:  
 March 31, 2017

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7.5 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): N/A

Rural Settlement Area: N/A

Urban Hamilton Official Plan designation (if applicable) neighbour

Please provide an explanation of how the application conforms with the Official Plan.

7.6 What is the existing zoning of the subject land? ER ZONE

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7.8 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: