



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-22:347	SUBJECT PROPERTY:	22 Cait Court, Ancaster
ZONE:	"R1" (Residential)	ZONING BY-LAW:	Zoning By-law former Town of Ancaster 87-57, as Amended

APPLICANTS: Owner: PAUL MOAYYEDI
Agent: JENNY BOGNAR

The following variances are requested:

1. A total lot coverage of 176.0m² shall be provided for all accessory buildings whereas the by-law permits a maximum 90.0m² lot coverage for accessory buildings.

PURPOSE & EFFECT: So as to permit the construction of a new accessory building in the rear yard of the existing Single Detached Dwelling.

Notes: N/A

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, December 8, 2022
TIME:	2:40 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd 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

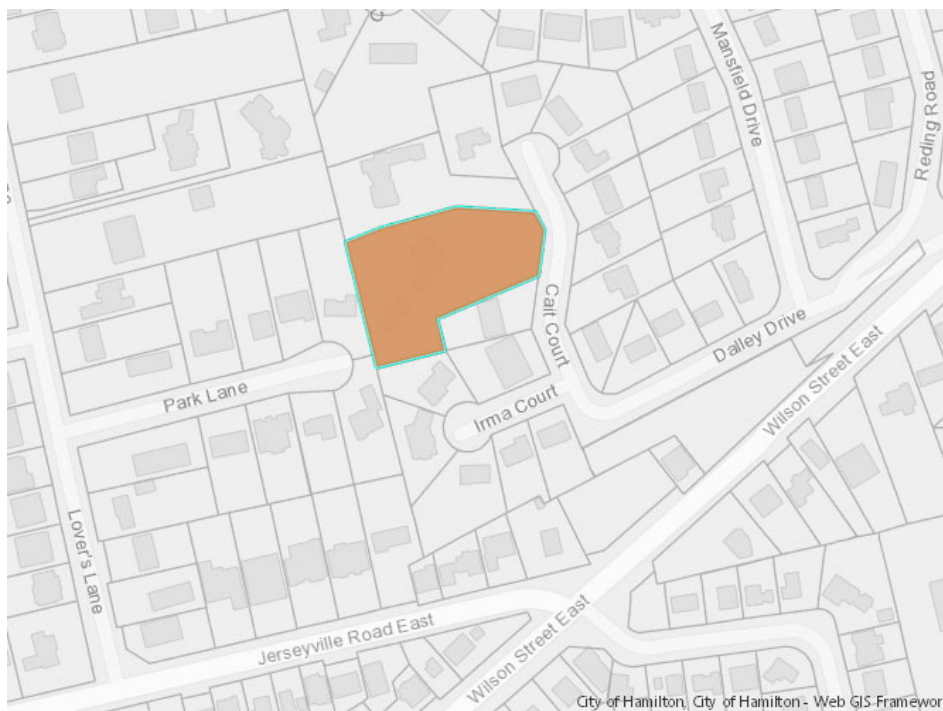
For more information on this matter, including access to drawings illustrating this request and other information submitted:

- 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.



DATED: November 22, 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.



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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 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

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. 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.

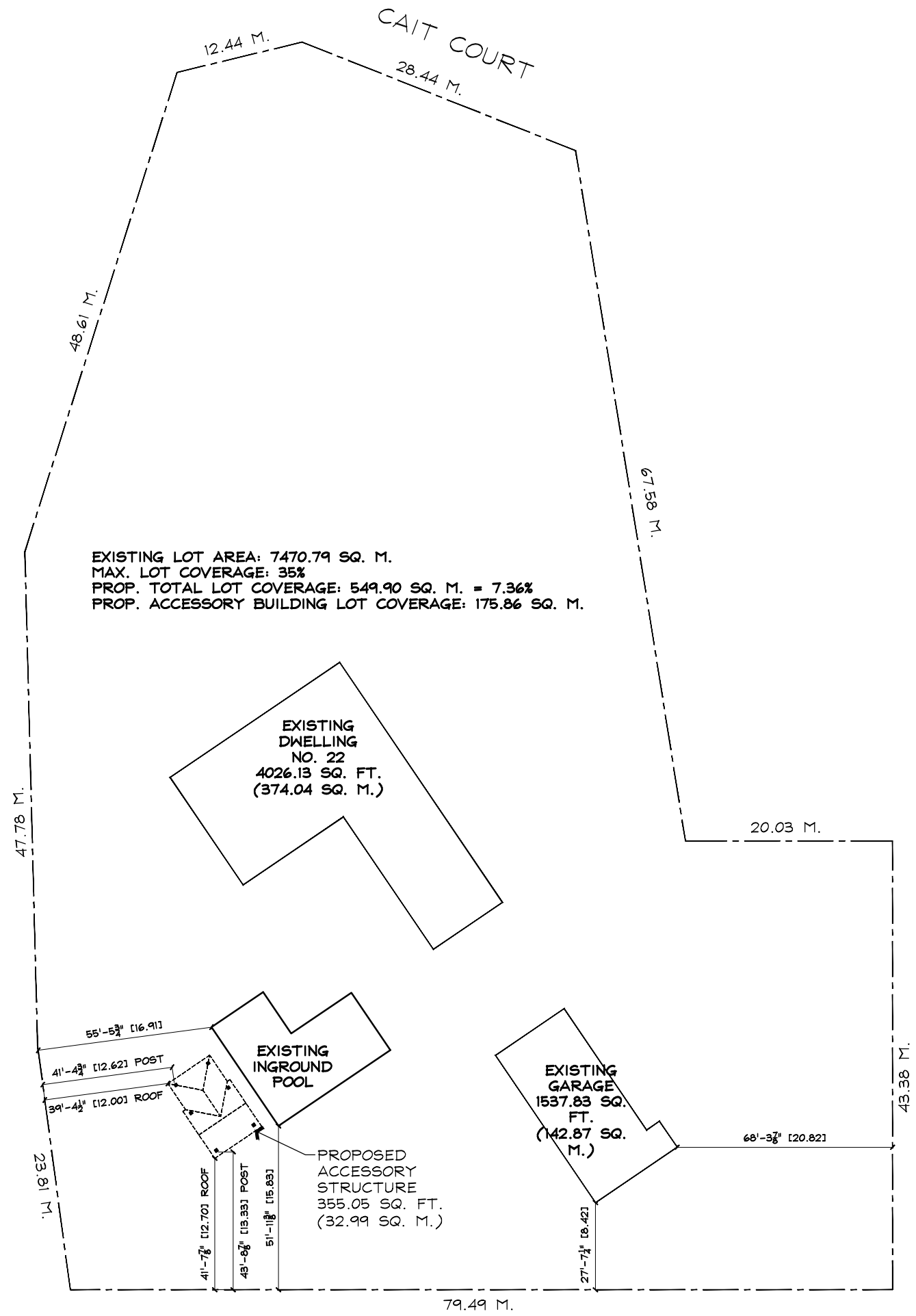
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

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 (2nd 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 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.



THE LEWIS/MOAYYEDI
RESIDENCE
22 CAIT COURT
ANCASTER, ON
L9G 1M4

drafting + design

193 East 43rd Street
Hamilton, ON L8T 3C3
jbdraftinganddesign@live.ca
905.517.6027

10.23.22 signature required
Jennifer Bognar reviews and takes responsibility for the design work described in this document
firm bcin 103416 individual bcin 33001

DATE	ISSUE DESCRIPTION
09.23.22	ISSUED FOR REVIEW
10.23.22	ISSUED FOR C. OF A.

ALL DIMENSIONS AND INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE AND ANY DISCREPANCIES REPORTED TO THE DESIGNER PRIOR TO CONSTRUCTION AND FABRICATION OF ITS COMPONENTS. SHOULD EXISTING CONDITIONS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED ON THE DRAWINGS, THE DESIGNER MUST BE NOTIFIED IMMEDIATELY. THE DESIGNER IS NOT LIABLE FOR ANY CHANGES MADE BY THE CONTRACTOR WITHOUT THE DESIGNER'S KNOWLEDGE AND PERMISSION.

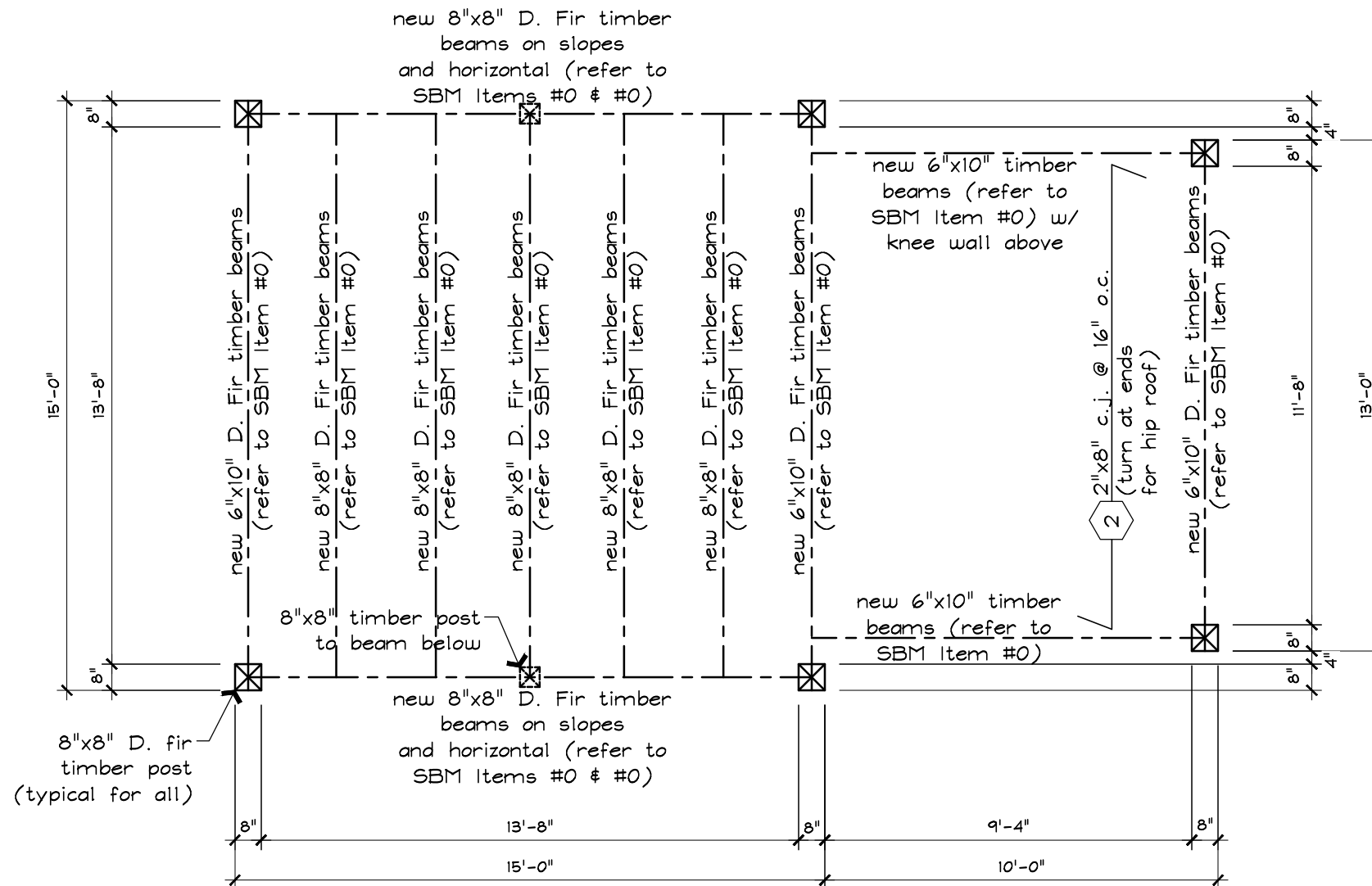
FEATURES OF CONSTRUCTION NOT FULLY SHOWN ARE ASSUMED TO BE THE SAME CHARACTER AS THOSE NOTED FOR SIMILAR CONDITIONS.

UNLESS SPECIFICALLY NOTED OTHERWISE ON THE DRAWINGS, NO PROVISION HAS BEEN MADE IN THE DESIGN FOR CONDITIONS OCCURRING DURING CONSTRUCTION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE ALL NECESSARY BRACING, SHORING, SHEET PILING OR OTHER TEMPORARY SUPPORTS, TO SAFEGUARD ALL EXISTING OR ADJACENT STRUCTURES AFFECTED BY THE WORK.

ALL DRAWINGS AND RELATED DOCUMENTS SHALL REMAIN THE PROPERTY AND COPYRIGHT OF JB DRAFTING AND DESIGN. USE LATEST REVISED DRAWINGS. DO NOT SCALE DRAWINGS.

SITE PLAN
1:500

SHEET **A1** OF 3



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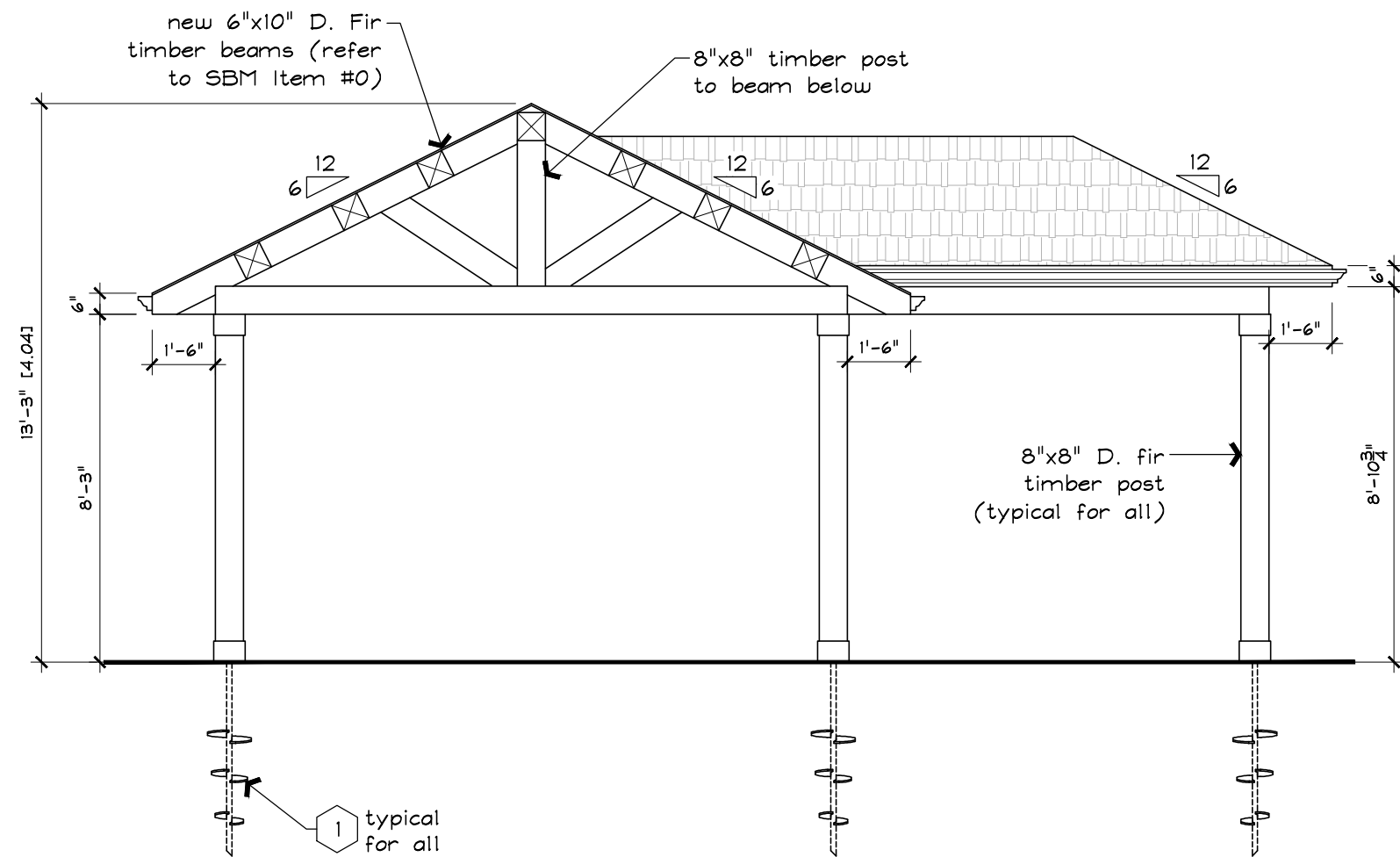
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FLOOR
PLAN
1/4" = 1'-0"

SHEET
A2
OF 3



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ELEVATION

1/4" = 1'-0"

SHEET **A3** OF 3



Hamilton

Committee of Adjustment

City Hall, 5th Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

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

1. APPLICANT INFORMATION

Table with columns: NAME, MAILING ADDRESS, and Phone/E-mail. Rows include Registered Owners(s), Applicant(s), and Agent or Solicitor.

1.2 All correspondence should be sent to [] Owner [] Applicant [x] Agent/Solicitor

1.2 All correspondence should be sent to [] Purchaser [] Owner [x] Applicant [] Agent/Solicitor

1.3 Sign should be sent to [] Purchaser [x] Owner [] Applicant [] Agent/Solicitor

1.4 Request for digital copy of sign [] Yes* [x] No If YES, provide email address where sign is to be sent _____

1.5 All correspondence may be sent by email [x] 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 sent by email.

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	22 Cait Court		
Assessment Roll Number			
Former Municipality	Ancaster		
Lot		Concession	
Registered Plan Number		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:

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:

Allow total accessory building coverage of 175.86 sq. m. instead of the max allowable 90.0 sq. m.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

Existing lot already has a large detached garage on it which is already over the allowable 90 sq. m., there for adding anything requires a variance. We are proposing to add a small pergola structure to compliment the existing pool. The overall lot coverage still remains quite low because the lot is so large, ensuring this variance is minor in nature.

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
		7470.79 sq. m.	20.0 m.

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
Dwelling	n/a	15.83 m.	16.91 m.	
Garage	n/a	8.42 m.	20.82 m.	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Pergola	n/a	13.33 m.	12.62 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
Dwelling	374.04 sq. m.		2	
Garage	142.87 sq. m.		2	

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Pergola	32.99 sq. m.		1	4.04 m.

- 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

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

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

1st December 2003

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

Single detached dwelling

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

Single detached dwelling

7.4 Length of time the existing uses of the subject property have continued:

Approximately 150 years

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

Rural Hamilton Official Plan designation (if applicable): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

The accessory building does not negatively impact the amenity space on the lot but in fact adds to the outdoor recreational use of the pool. The building is small in massing and compliments the property/dwelling well and poses no negative impact to the neighbouring properties.

7.6 What is the existing zoning of the subject land? R1

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: