



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-22:415	SUBJECT PROPERTY:	312 Mapledene Drive, Ancaster, Ontario
ZONE:	“ER” (Existing Residential)	ZONING BY-LAW:	Zoning By-law former Town of Ancaster 87-57, as Amended

APPLICANTS: Owner: David Ian Stanley Hamilton & Siobhan Oonagh Hamilton
Agent: Chanel Torres Smith

The following variances are requested:

1. A minimum 1.05 metre rear yard setback to an accessory building in an ER zone shall be permitted instead of the minimum 7.5 metre rear yard setback to an accessory building required.
2. A minimum 1.23m side yard setback to an accessory building in an ER zone shall be permitted instead of the minimum 1.5m side yard setback to an accessory building required.

PURPOSE & EFFECT: To permit the construction of a 27m² proposed cabana.

Notes:

1. Be advised that section 7.18 (a)(viii) states the following;
 - (viii) In no case shall any eave or gutter extend more than 30 centimetres into a required minimum setback area.
2. Details regarding eaves or gutters for the proposed cabana have not been provided, as such further variances may be required at such a time that full comprehensive zoning review can be completed.

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, February 16, 2023
TIME:	1:40 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.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding AN/A-22:415, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer 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.



DATED: January 31, 2023

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.



M A P L E D E N E D R I V E

EXISTING SITE PLAN

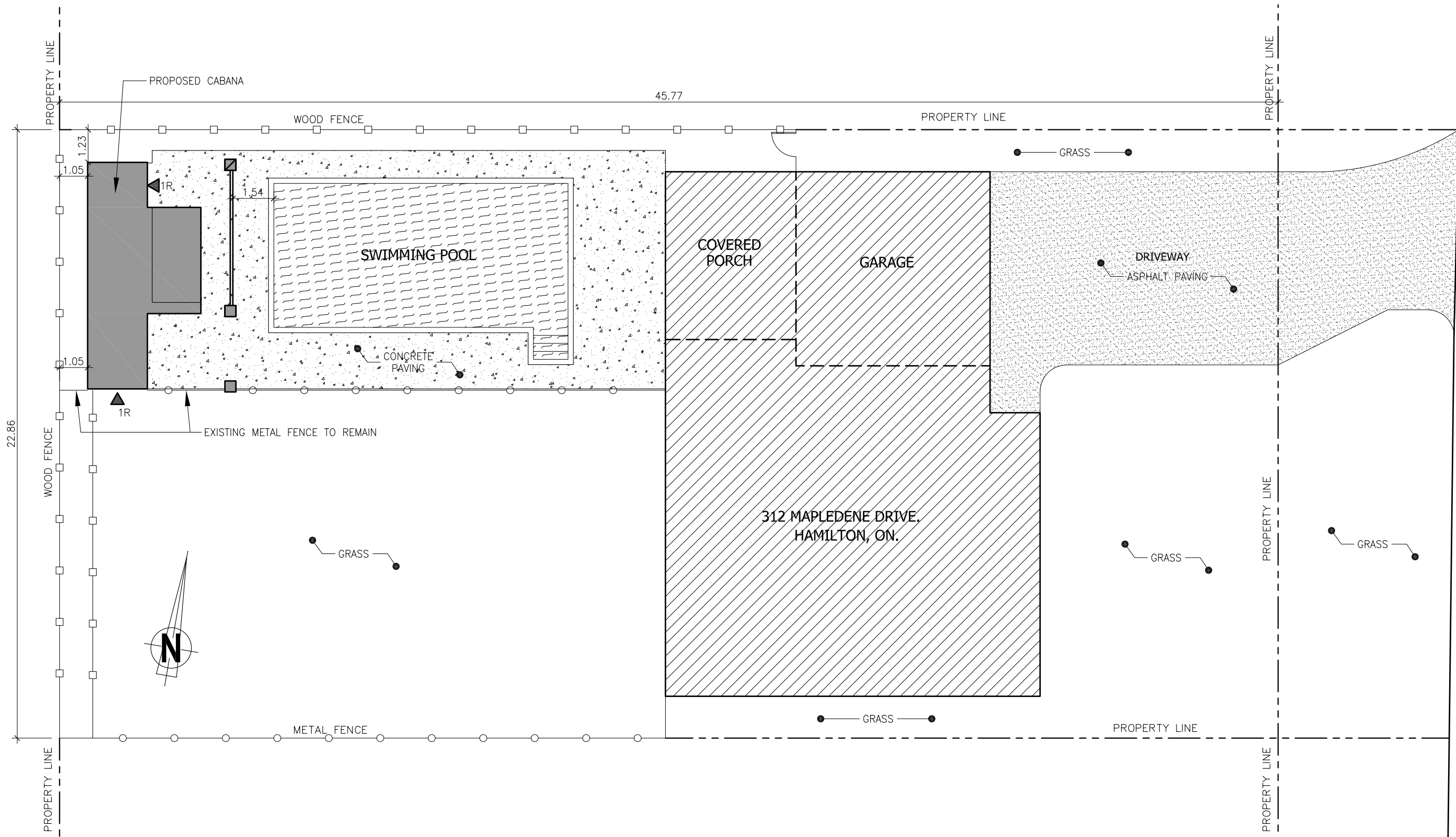
Scale 1 : 150



DRAWINGS LIST:

- A0- EXISTING SITE PLAN
- A1- PROPOSED SITE PLAN
- A2- CABANA FLOOR PLAN
- A3- CABANA ROOF PLAN
- A4- ELEVATIONS
- A5- ELEVATIONS
- A6- SECTIONS AND DETAILS
- A7- CONCRETE CURB AND SLAB PLAN

PROJECT		
PROPOSED SWIMMING POOL CABANA 312 MAPLEDENE, HAMILTON		
TITLE		
EXISTING SITE PLAN		
SCALE	1:150	DRAWING NO.
DATE	JULY 14, 2022	
		A0
AMJAD SAKR CELL. 6473286269		



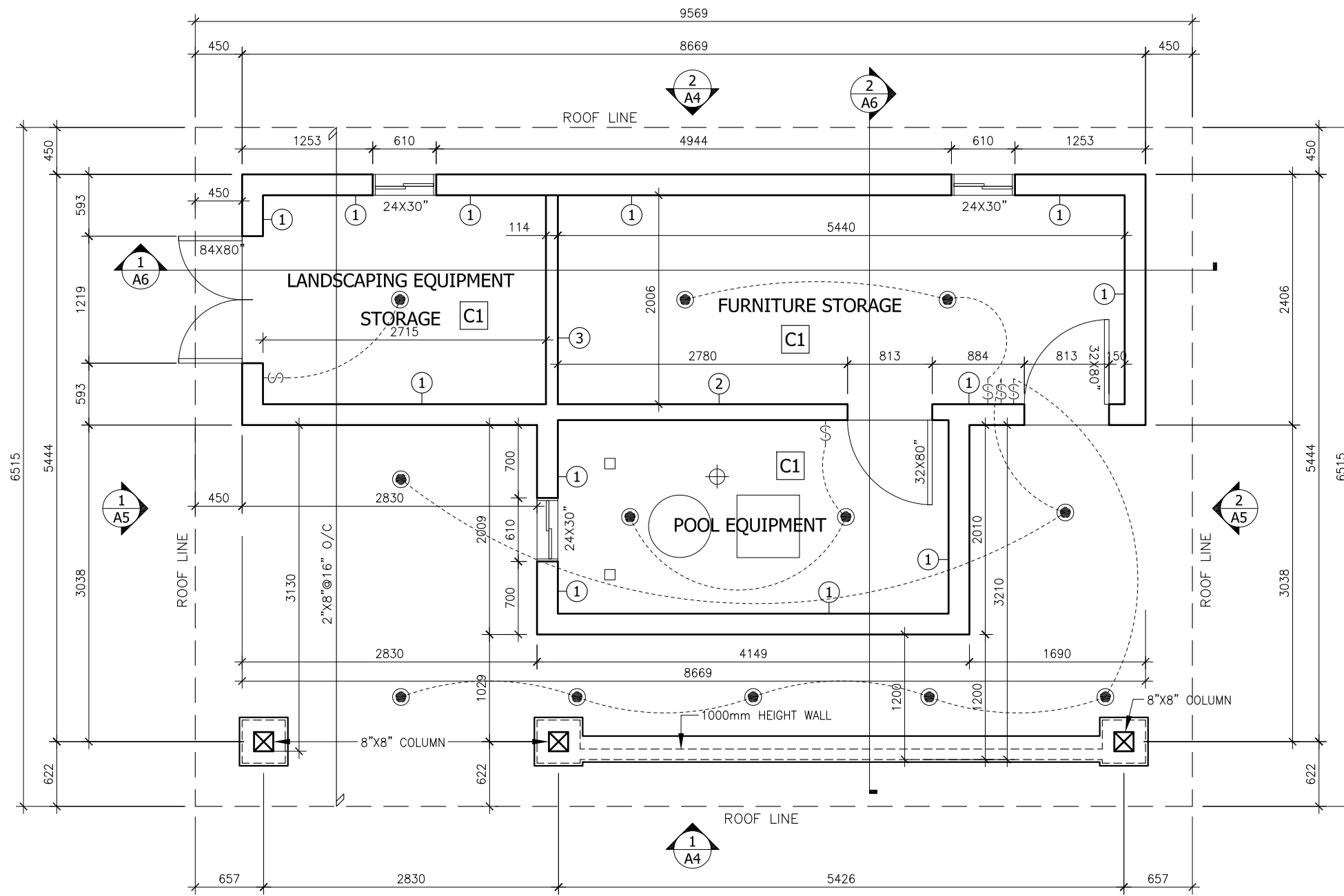
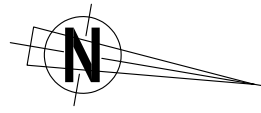
M A P L E D E N E D R I V E

PROPOSED SITE PLAN

Scale 1 : 150



PROJECT		PROPOSED SWIMMING POOL CABANA 312 MAPLEDENE, HAMILTON	
TITLE		PROPOSED SITE PLAN	
SCALE	1:150	DRAWING NO.	A1
DATE	JULY 14, 2022		
AMJAD SAKR	CELL. 6473286269		



CABANA FLOOR PLAN

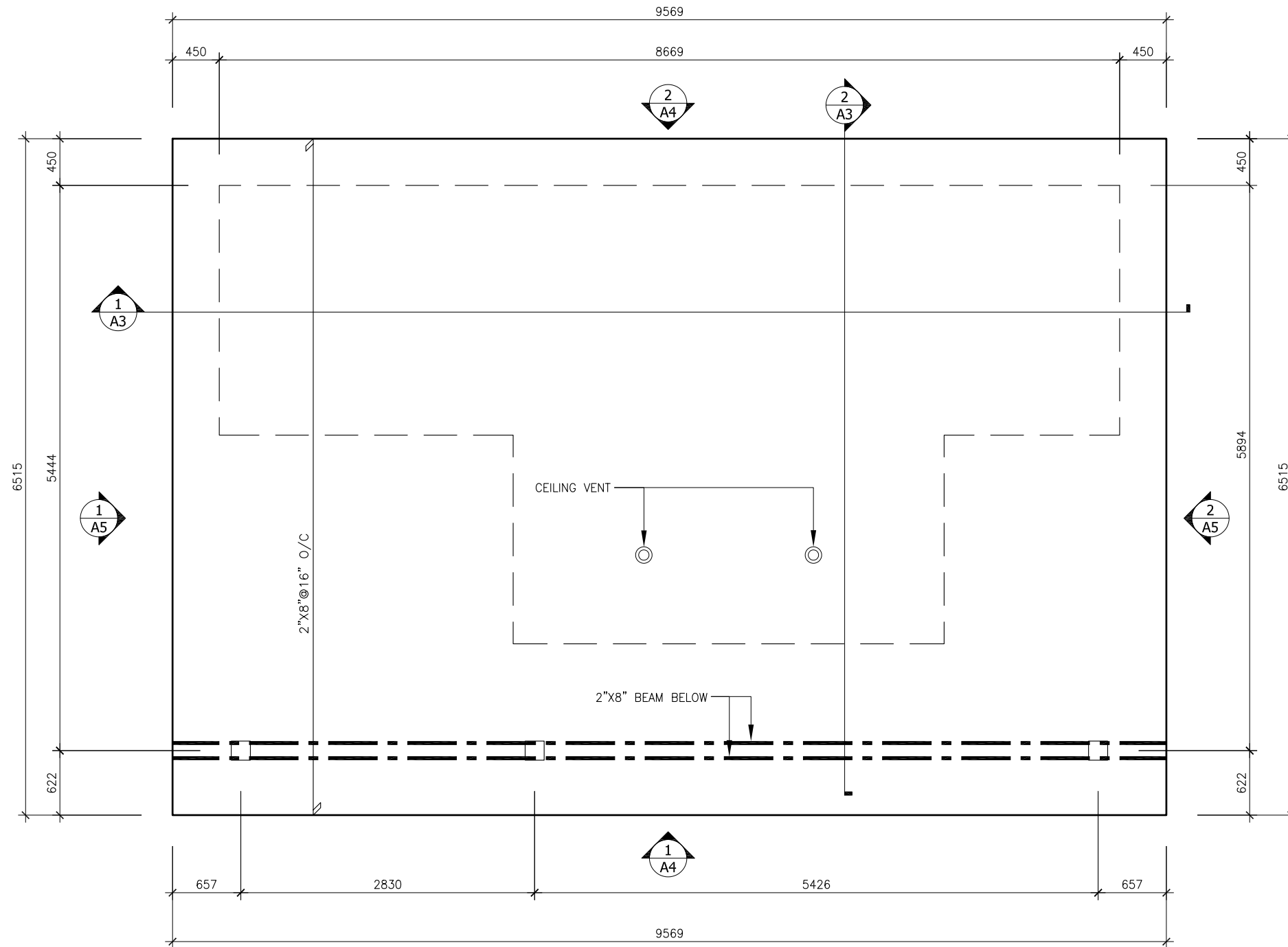
Scale 1 : 50



WALL TYPE	
1	<ul style="list-style-type: none"> VERTICAL SIDING 1"x3" @ 24" O. C. HORIZONTALLY FURRING SLOPE TO EDGE STRAPPING WATERPROOFING OR BUILDING WRAP 19mm SHEATHING 2"x6" @ 16" O.C. WOOD STUDS 1/2" GYPSUM BOARD
2	<ul style="list-style-type: none"> 1/2" GYPSUM BOARD 2"x6" @ 16" O.C. WOOD STUDS
3	<ul style="list-style-type: none"> 1/2" GYPSUM BOARD 2"x4" @ 16" O.C. WOOD STUDS 1/2" GYPSUM BOARD
CEILING TYPE	
C1	<ul style="list-style-type: none"> 1/2" GYPSUM BOARD 2"x8" JOISTS @ 16" O/C

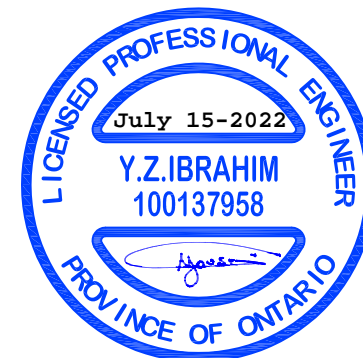
LEGEND	
[Tag]	WALL TYPE TAG
[Symbol]	FLOOR DRAIN
[Symbol]	CEILING MOUNT LIGHT FIXTURE
[Symbol]	WALL MOUNT LIGHT FIXTURE
[Symbol]	SWITCH

PROJECT		PROPOSED SWIMMING POOL CABANA 312 MAPLEDENE, HAMILTON	
TITLE		CABANA FLOOR PLAN	
SCALE	1:50	DRAWING NO.	A2
DATE	JULY 14, 2022		
AMJAD SAKR	CELL. 6473286269		

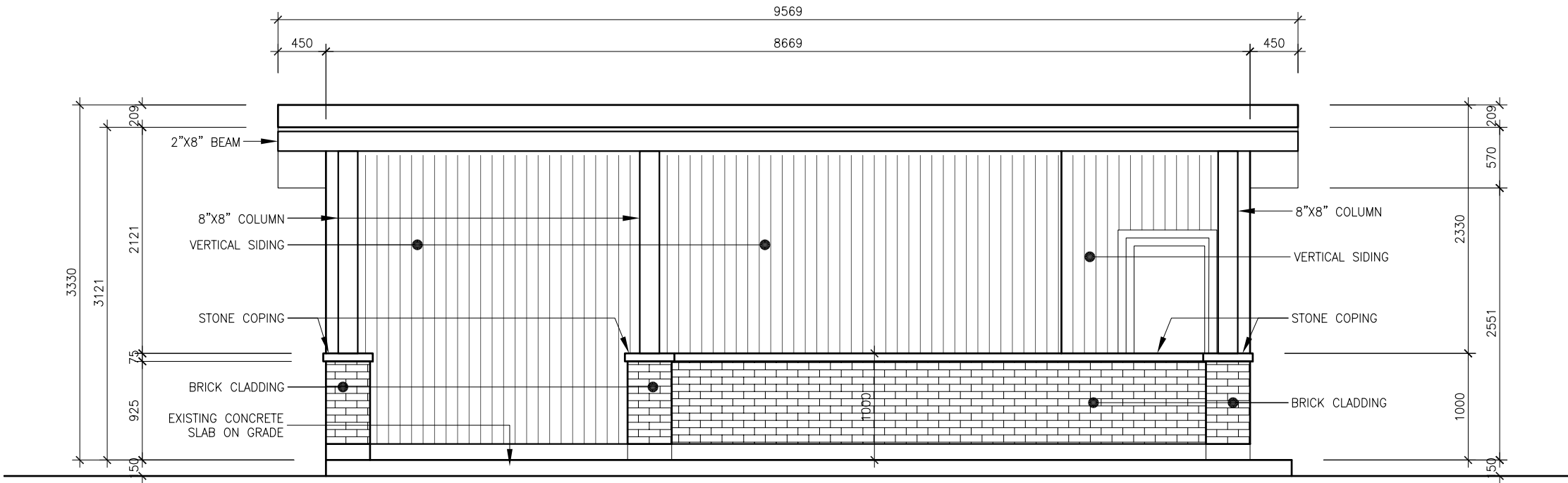


CABANA ROOF PLAN

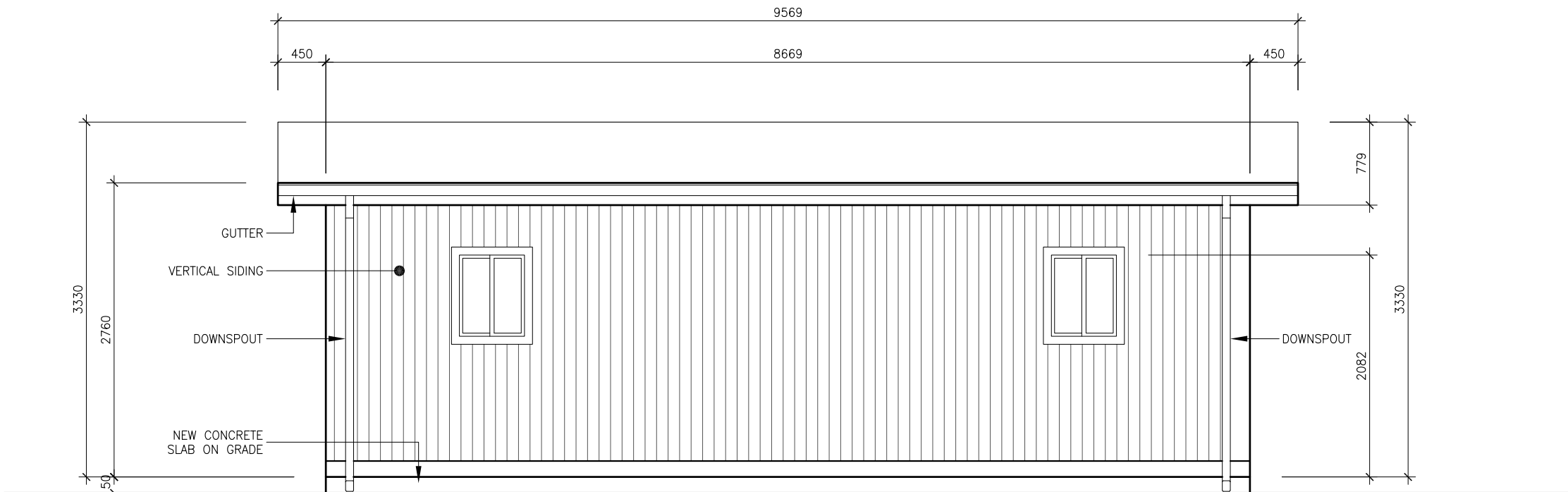
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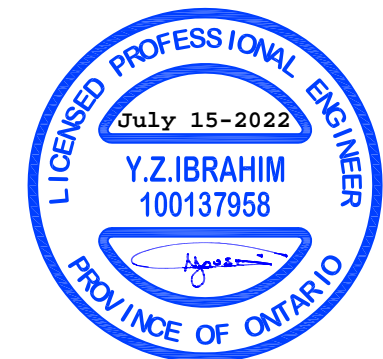
PROJECT		
PROPOSED SWIMMING POOL CABANA 312 MAPLEDENE, HAMILTON		
TITLE		
CABANA ROOF PLAN		
SCALE	1:50	DRAWING NO.
DATE	JULY 14, 2022	A3
AMJAD SAKR CELL. 6473286269		



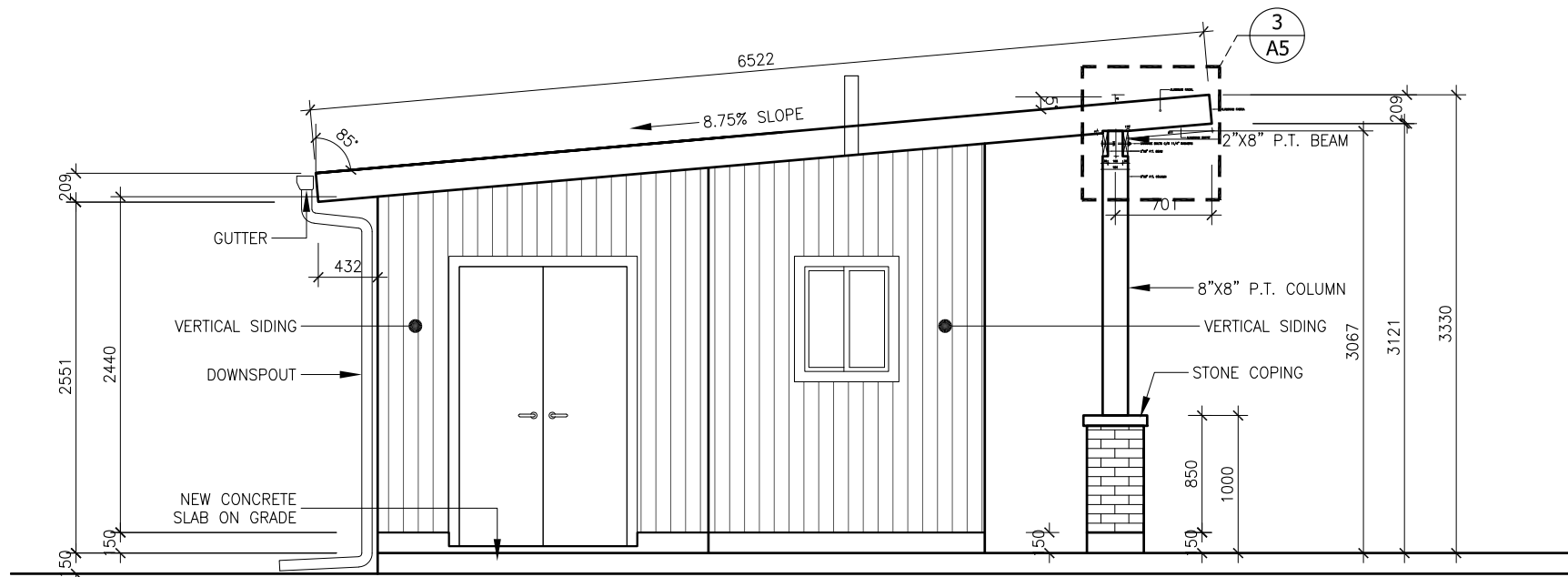
1 EAST ELEVATION
Scale 1 : 50



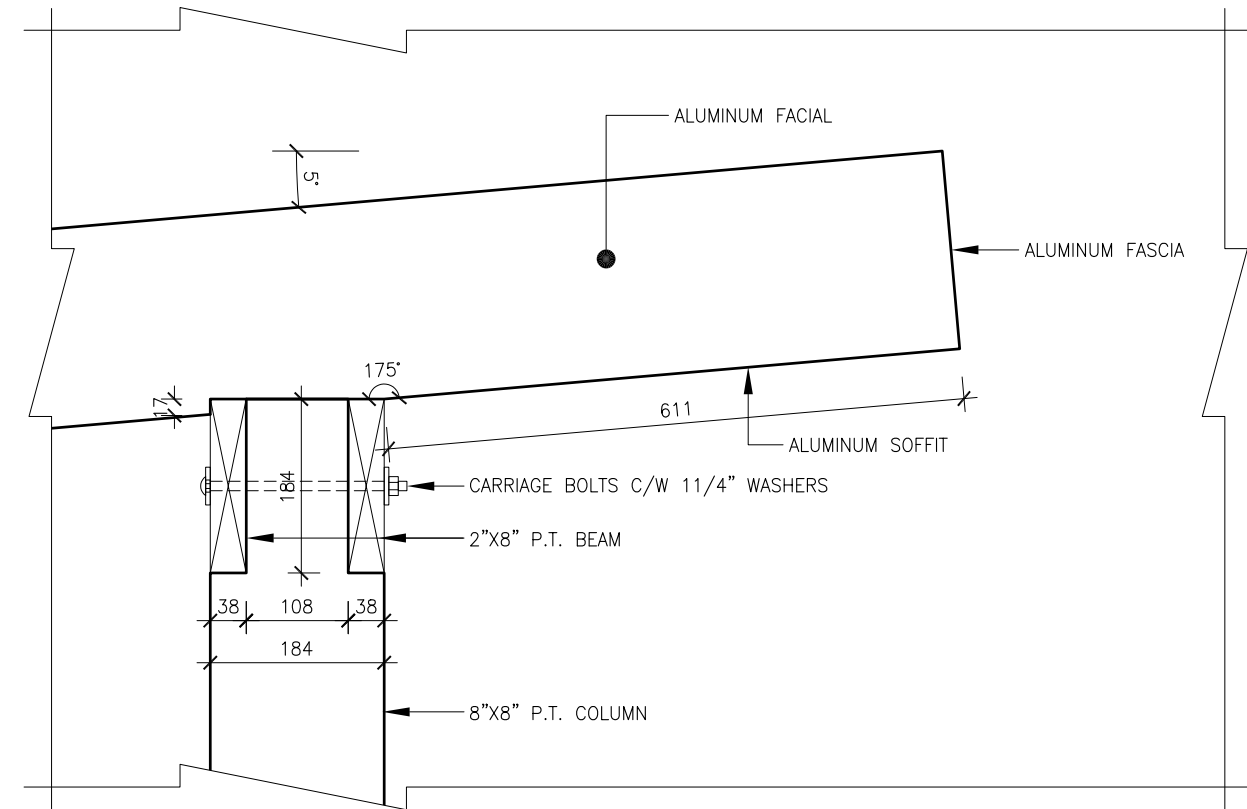
2 WEST ELEVATION
Scale 1 : 50



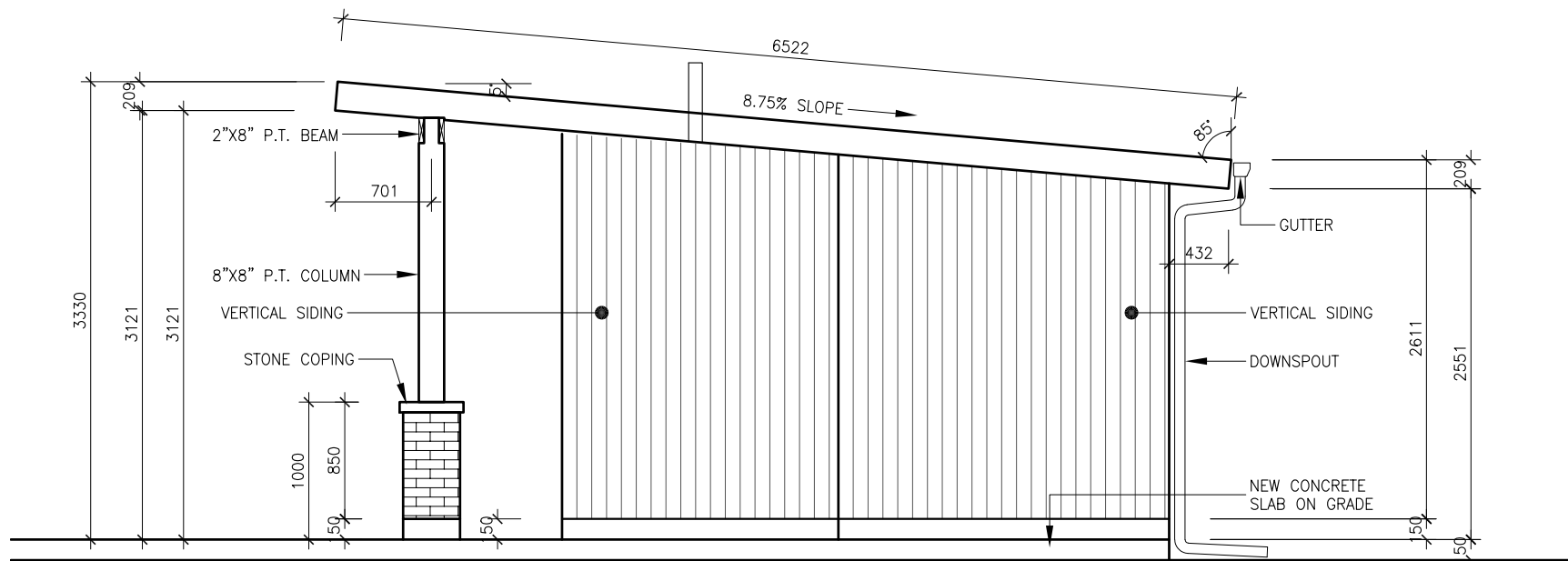
PROJECT		
PROPOSED SWIMMING POOL CABANA 312 MAPLEDENE, HAMILTON		
TITLE		
ELEVATIONS		
SCALE	1:50	DRAWING NO.
DATE	JULY 14, 2022	
AMJAD SAKR CELL. 6473286269		A4



1 SOUTH ELEVATION
Scale 1 : 50



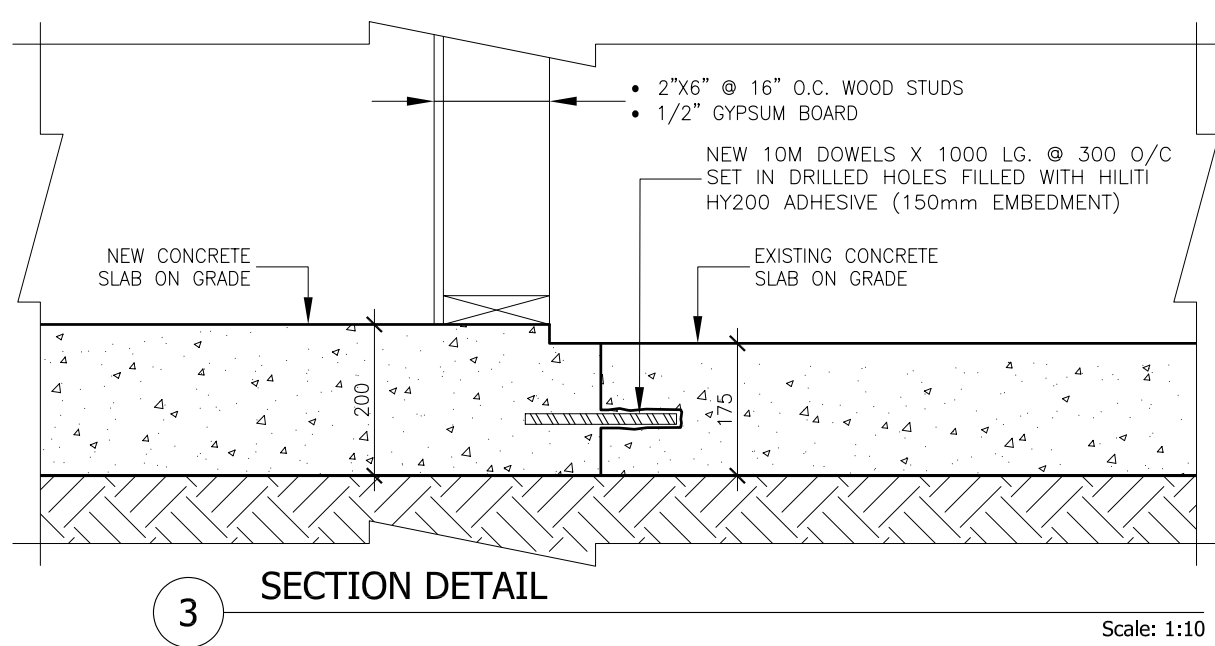
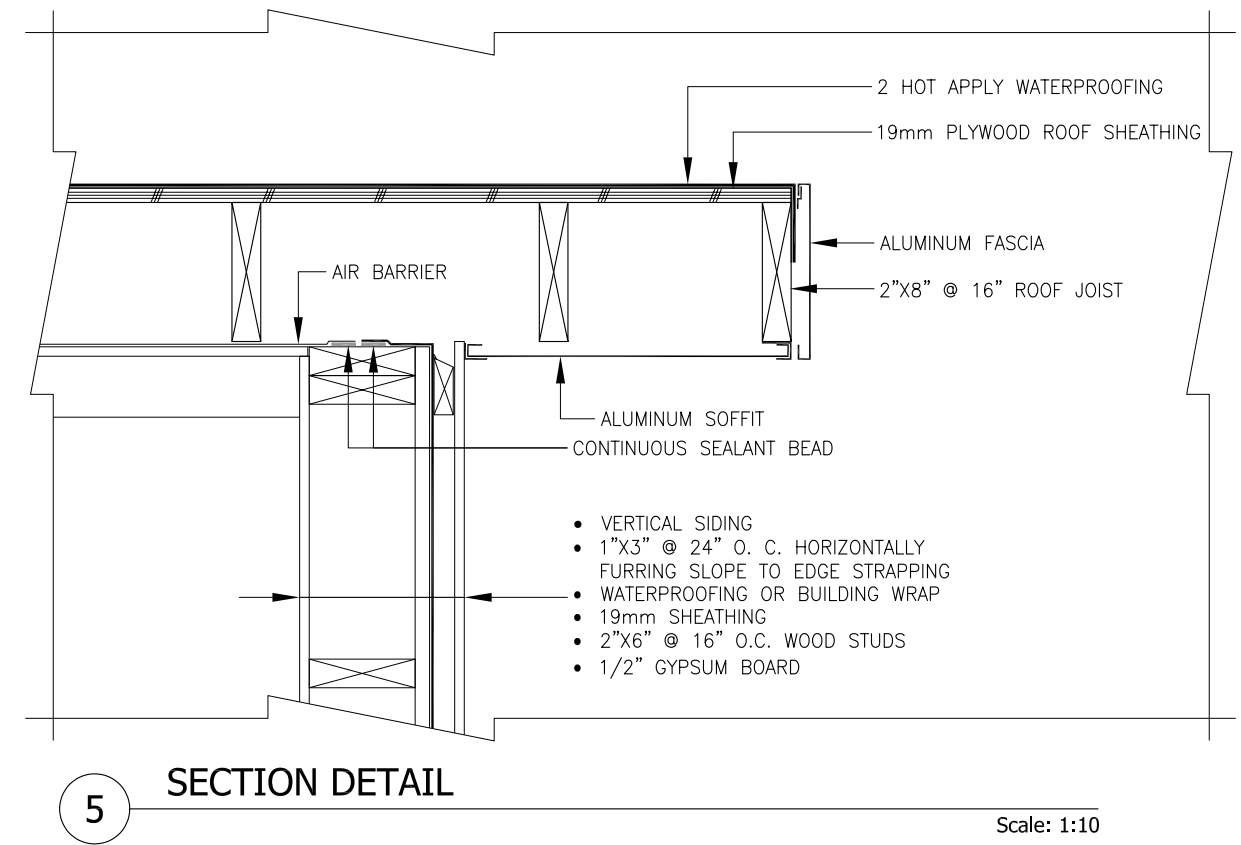
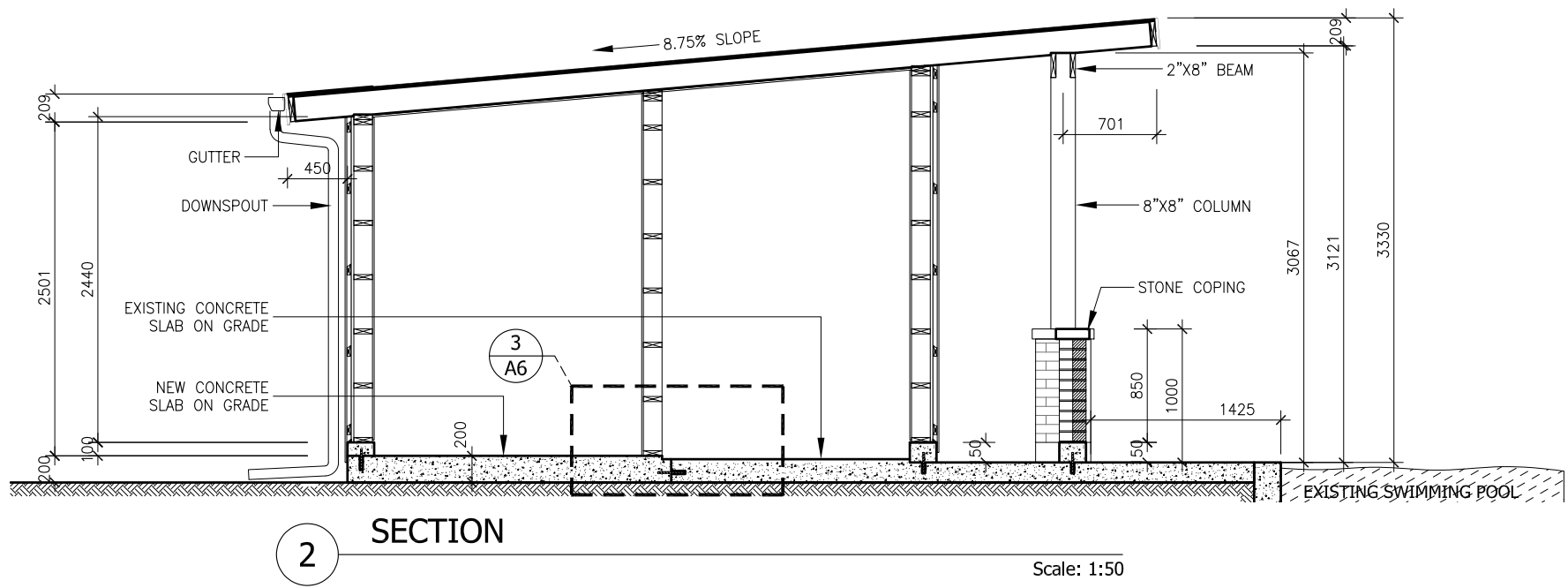
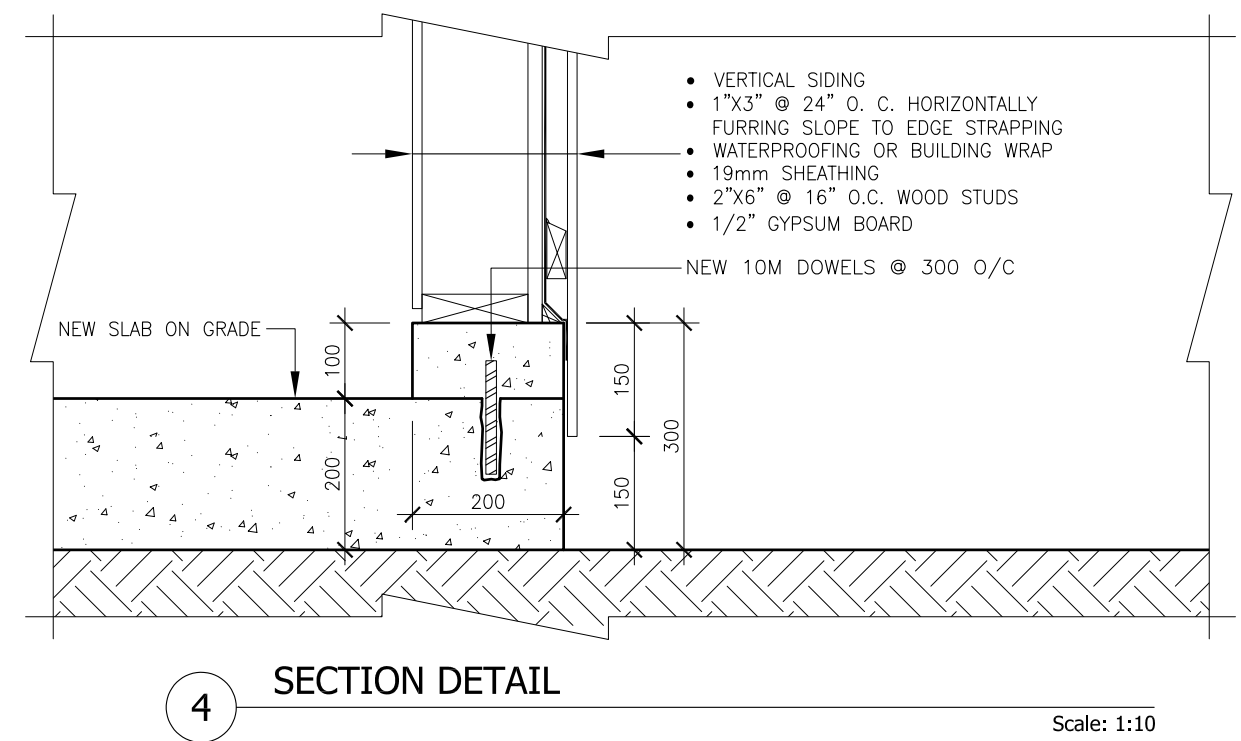
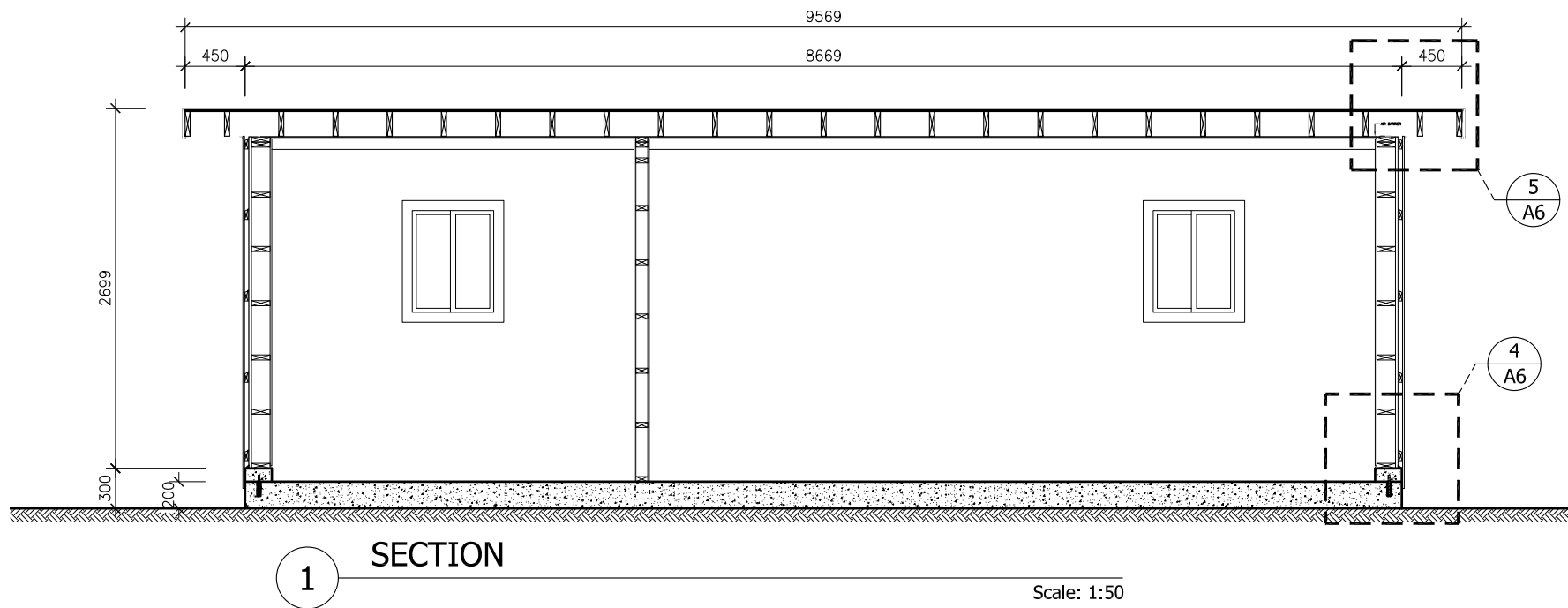
3 SECTION DETAIL
Scale: 1:5



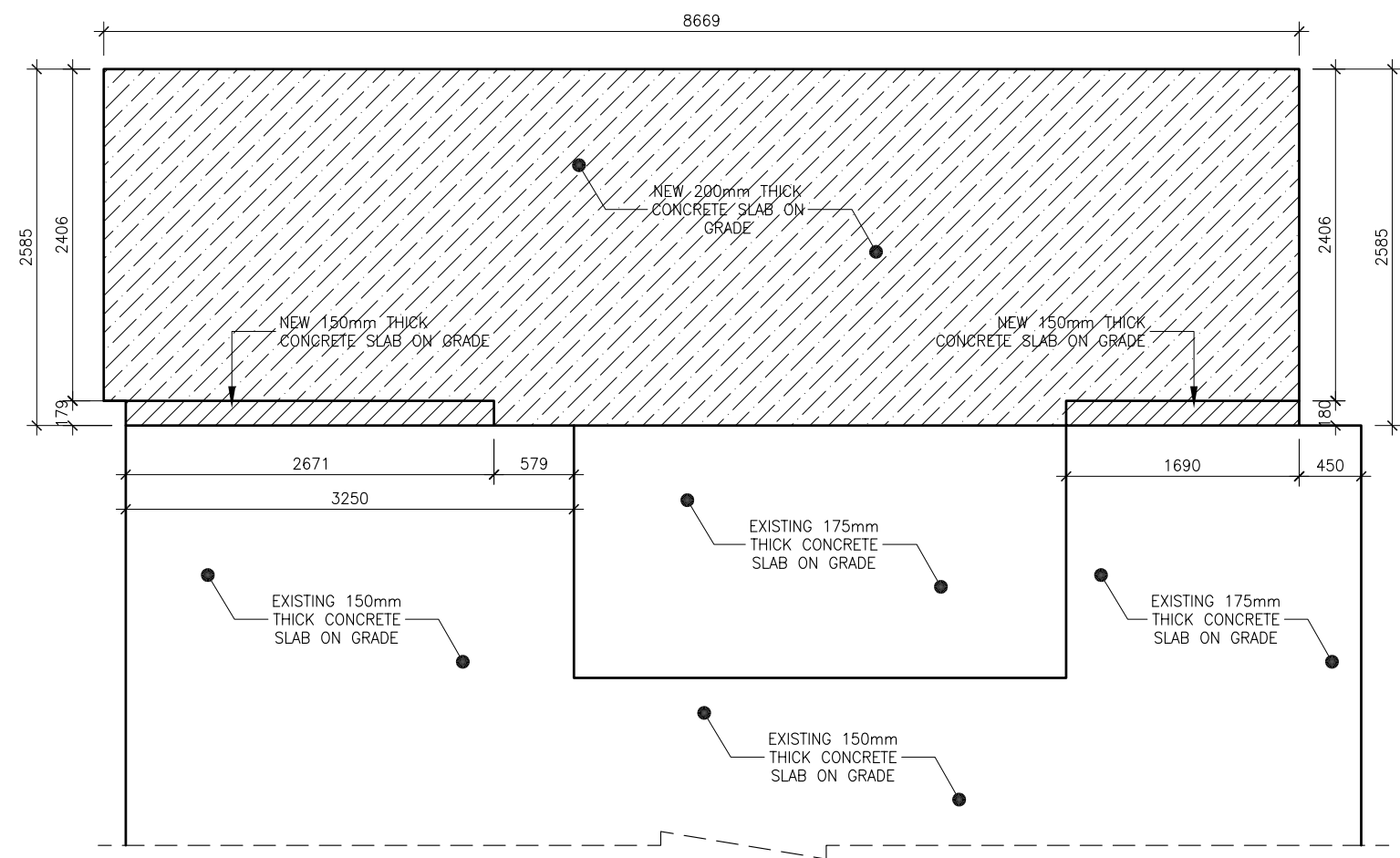
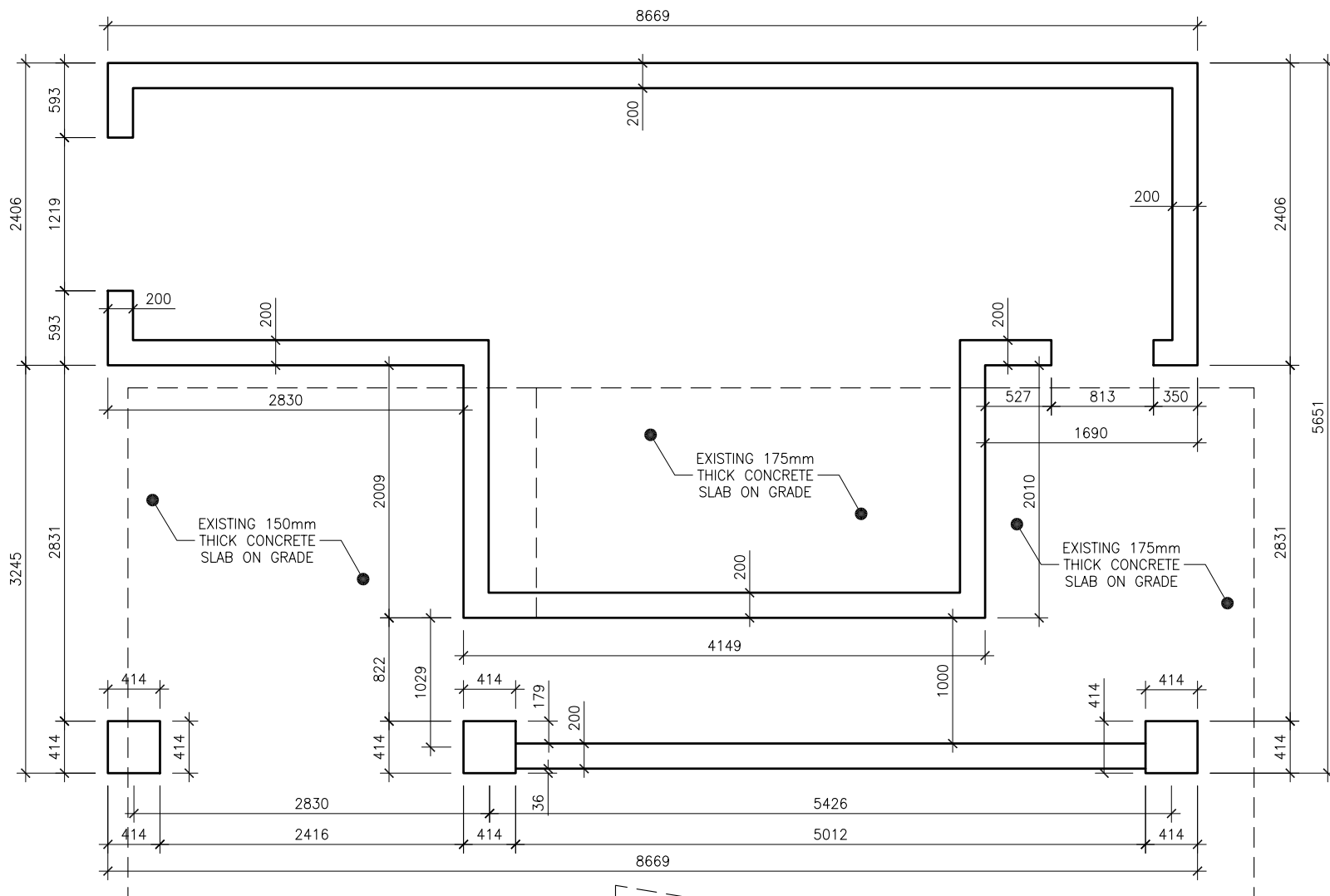
2 NORTH ELEVATION
Scale 1 : 50



PROJECT		
PROPOSED SWIMMING POOL CABANA 312 MAPLEDENE, HAMILTON		
TITLE		
ELEVATIONS		
SCALE	1:50	DRAWING NO.
DATE	JULY 14, 2022	
AMJAD SAKR CELL. 6473286269		A5



PROJECT		
PROPOSED SWIMMING POOL CABANA 312 MAPLEDENE, HAMILTON		
TITLE		
SECTIONS AND DETAILS		
SCALE	AS NOTED	DRAWING NO.
DATE	JULY 14, 2022	A6
AMJAD SAKR CELL. 6473286269		



1 CONCRETE CURB PLAN

Scale: 1:50

2 SLAB ON GRADE PLAN

Scale: 1:50



PROJECT		
PROPOSED SWIMMING POOL CABANA 312 MAPLEDENE, HAMILTON		
TITLE		
CONCRETE CURB AND SLAB PLANS		
SCALE	AS NOTED	DRAWING NO.
DATE	JULY 14, 2022	
AMJAD SAKR CELL. 6473286269		A7



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

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)	David Ian Stanley Hamilton		
	Siobhan Oonagh Hamilton		
Applicant(s)*	Chanel Torres Smith		
Agent or Solicitor	Chanel Torres Smith		

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:

Cabana to be built on property that will serve purpose for storage / pool equipment storage

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

The location of the proposed accessory structure does not meet the minimum setback requirement in zoning bylaw (7.5m from rear property line, 1.5m from side property line) Due to spacing in the backyard, this is the most functional layout for the proposed

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**):

312 Mapledene Drive, Ancaster ON L9G 2K2

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?

From previous permits submitted for other structures in backyard.

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.

12/12/2022

Date

Signature Property Owner(s)

David Ian Stanley Hamilton

Slobhan Oonagh Hamilton

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage _____
Depth _____
Area 1046.27m2 Total / 27m2 Project Requires
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: _

No structure is currently existing where we intend to build the pool cabana

Proposed

-27m2 ground floor area
-1 story
- 9569mmx6515mmx3330mm

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

Existing:

No structure is currently existing where we intend to build the pool cabana

Proposed:

-1.23m from side
-1.05 from rear
-42m from front

13. Date of acquisition of subject lands:
n/a
14. Date of construction of all buildings and structures on subject lands:
n/a
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:
n/a
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:
n/a
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Ancaster By-Law Section 7.18(a)(ii)(A)
Section 7.18(a)(vi)(A)
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:
n/a
- 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 *um*
- 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.