



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221

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.:	A-24:62	SUBJECT PROPERTY:	38 Legacy Lane, Ancaster
ZONE:	"R3-628" (Residential)	ZONING BY-LAW:	Zoning By-law former Town of Ancaster 87-57, as Amended

APPLICANTS: Owner: Ann-Maria and Seamus Egan
Applicant: Scott Wood

The following variances are requested:

1. A minimum 2.77m setback from a flankage lot line for an accessory building on a corner lot shall be permitted instead of the minimum 7.5m setback from a flankage lot line for an accessory building on a corner lot shall required.

PURPOSE & EFFECT: To permit the location of 2 existing accessory Buildings.

Notes:

1. Note that zone R3-628 allows a maximum 42.5% lot coverage for a 2-storey dwelling. Insufficient information has been provided to determine if the accessory building bring total lot coverage over 42.5%. should the lot coverage exceed the maximum allowed, further variances will be required.
2. Note that zone R3-620 requires a minimum of 45% landscaping area. Insufficient information has been provided to determine if 45% landscaping is maintained. Should this minimum not be met, further variances will 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:

DATE:	Tuesday, May 7, 2024
TIME:	2:15 p.m.

A-24:62

PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (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

PUBLIC INPUT

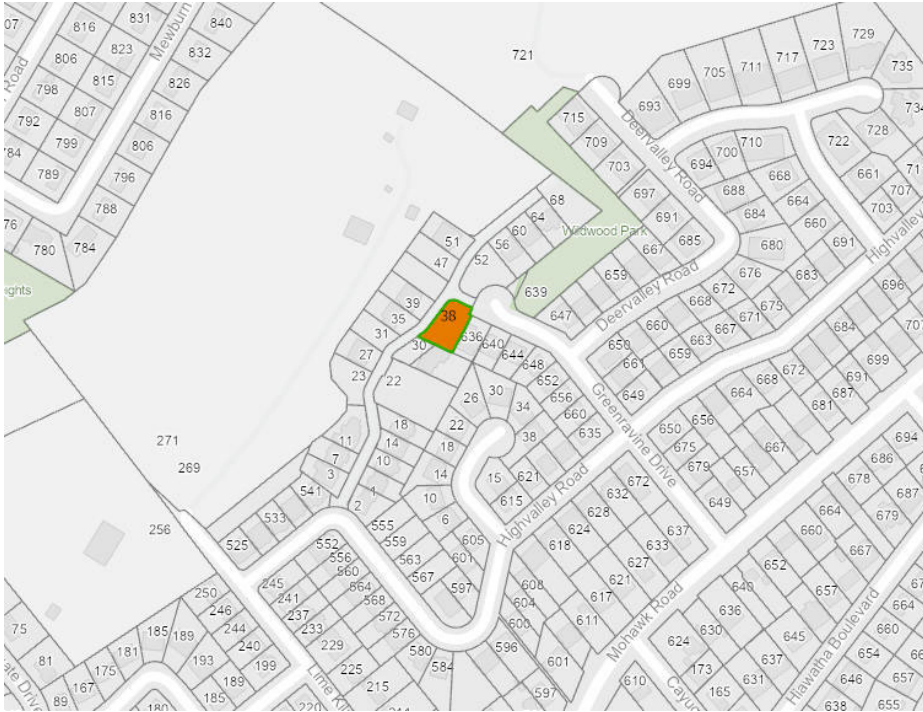
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon May 3, 2024

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, registration to participate virtually must be received no later than noon May 6, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:62, 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.



 **Subject Lands**

DATED: April 18, 2024

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 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 on the date listed on the Notice of Public Hearing.**

Comments are available the Friday 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 on the day listed on the Notice of Public 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 one business day before the Hearing. Only those registered will be called upon to speak.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **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.

SURVEYOR'S REAL PROPERTY REPORT

PART 1, PLAN OF PART OF

BLOCK 21
PLAN 62M-1212

AND PART OF

BLOCK 3
PLAN 62M-898

IN THE

CITY OF HAMILTON

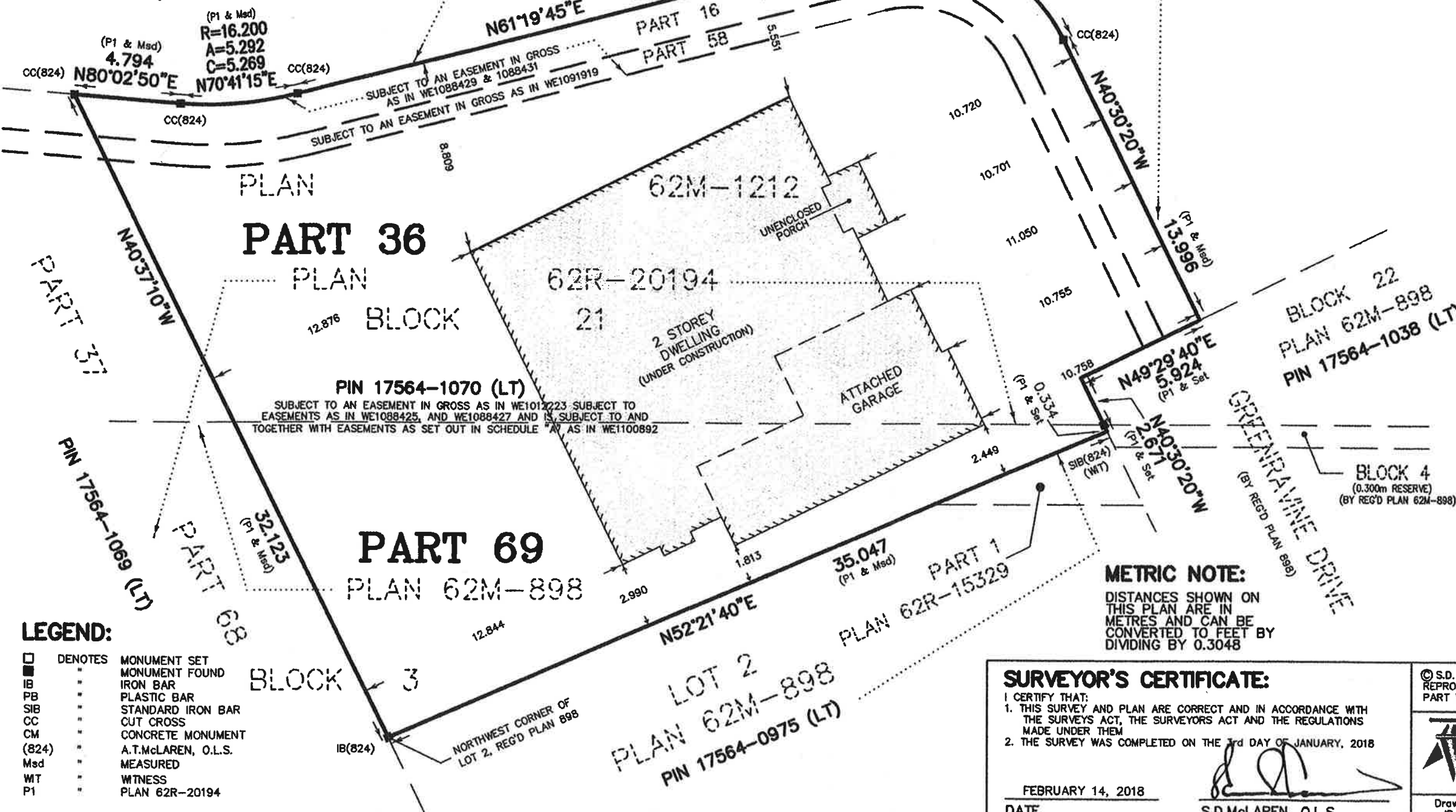
SCALE: 1:200 metres



S.D. McLAREN, O.L.S. - 2018



PRIVATE CONDO ROAD
BLOCK 18532
WENTWORTH COMMON ELEMENTS CONDOMINIUM
PLAN NO. 532



LEGEND:

- DENOTES MONUMENT SET
- MONUMENT FOUND
- IB IRON BAR
- PB PLASTIC BAR
- SIB STANDARD IRON BAR
- CC CUT CROSS
- CM CONCRETE MONUMENT
- (824) A.T. McLAREN, O.L.S.
- Msd MEASURED
- WT WITNESS
- P1 PLAN 62R-20194

SURVEYOR'S REAL PROPERTY REPORT

(PART 2)

PART OF BLOCK 21 PLAN 62M-1212, DESIGNATED AS PARTS 16, 36 & 58 PLAN 62R-20194, PART OF BLOCK 3, PLAN 62M-898, DESIGNATED AS PART 69, PLAN 62R-20194 TOGETHER WITH AN UNDIVIDED COMMON INTEREST IN WENTWORTH COMMON ELEMENTS CONDOMINIUM CORPORATION NO. 532, SUBJECT TO AN EASEMENT IN GROSS AS IN WE1012223, SUBJECT TO EASEMENTS AS IN WE1088425, WE1088427, SUBJECT TO AN EASEMENT IN GROSS OVER PARTS 16 & 58 PLAN 62R-20194 AS IN WE1088429 & WE1088431, SUBJECT TO AN EASEMENT IN GROSS OVER PART 16 PLAN 62R-20194 AS IN WE1091919, SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE "A" AS IN WE1100892, AS ILLUSTRATED ON THE PLAN.

THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS.

THIS PLAN WAS PREPARED FOR
CARRIAGE GATE HOMES

ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
2045646

THIS PLAN IS NOT VALID
UNLESS IT IS AN EMBOSSED
ORIGINAL COPY
ISSUED BY THE SURVEYOR
In accordance with
Regulation 1026, Section 29(3).

BEARING NOTE:
BEARINGS ARE UTM GRID, DERIVED FROM REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (1997.0)

NOTE:
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR 0.999656889

NOTE:
A.T.M. CONTROL POINTS 41, 72 & 83 HAVE BEEN USED TO RE-ESTABLISH THE BOUNDARIES OF PARTS 36 & 69

SURVEYOR'S CERTIFICATE:

I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM
2. THE SURVEY WAS COMPLETED ON THE 14th DAY OF JANUARY, 2018

FEBRUARY 14, 2018
DATE

[Signature]
S.D. McLAREN, O.L.S.

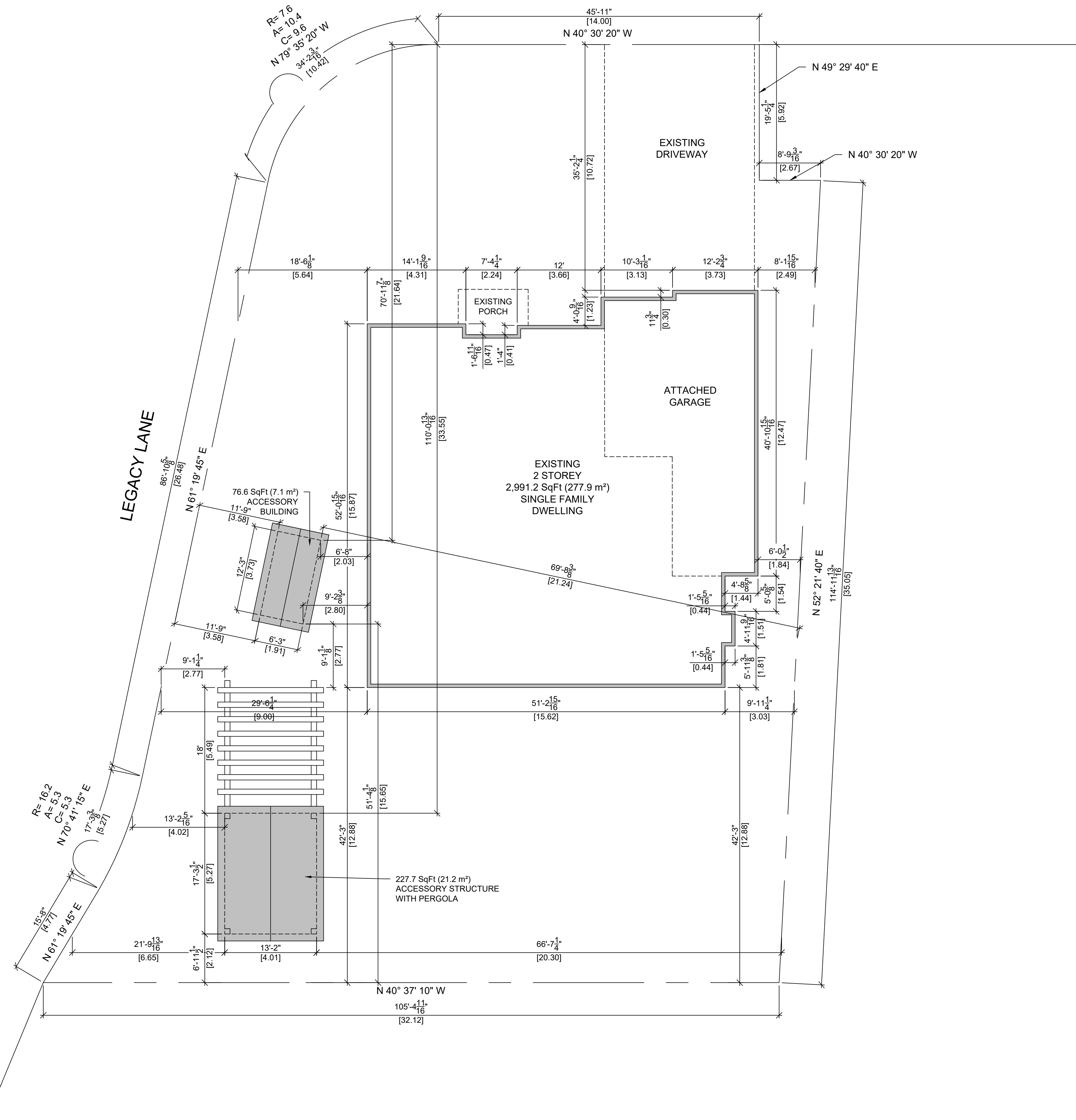
© S.D. McLAREN, O.L.S. - 2018. NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF S.D. McLAREN, O.L.S.

A.T. McLaren Limited
LEGAL AND ENGINEERING SURVEYS
69 JOHN STREET SOUTH, SUITE 230
HAMILTON, ONTARIO, L8N 2B9
PHONE (905) 527-8559 FAX (905) 527-0032

Drawn JB	Checked KM	Crew Chief TV	Scale 1:200	Dwg.No. 34393-PT36F
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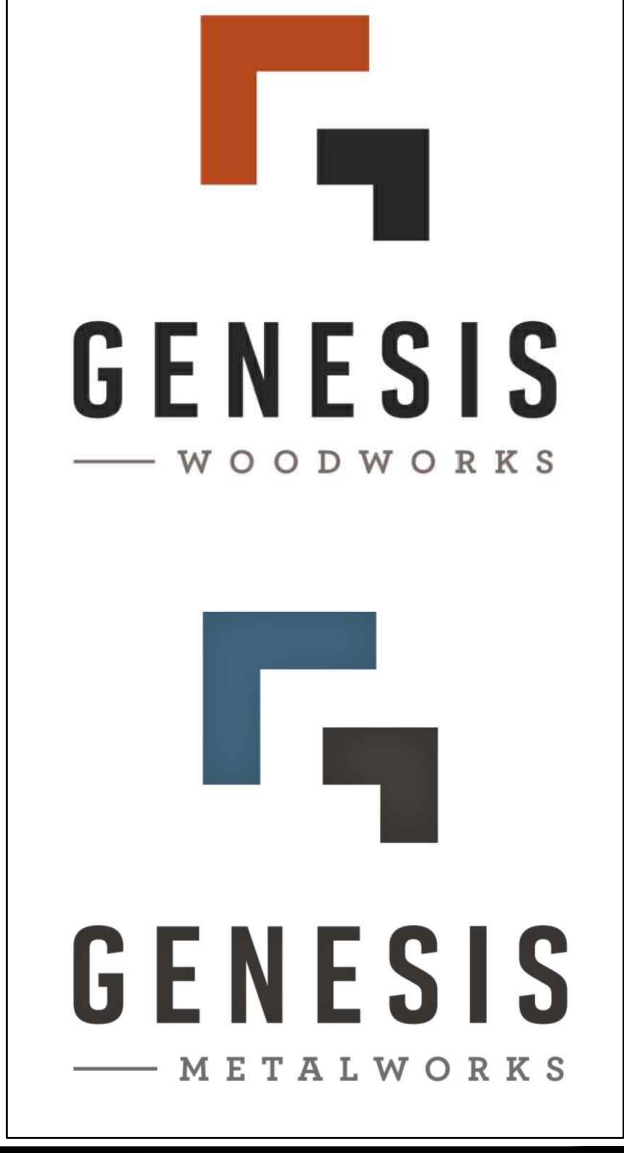
GREEN RAVINE DRIVE



ENGINEER SEAL

REVISIONS

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	MN.DA.2024
2		
3		
4		
5		



FOR BUILDING PERMIT

PROJECT:
EGAN RESIDENCE
 38 LEGACY LANE
 ANCASTER, ON

DRAWING:
SITE PLAN PROPOSED

SCALE: 1/8" = 1'-0"	PROJECT NO. ER2024
DATE: MON DA-24	DRAWN BY: S. WOOD
CHECKED BY: B. LODDER	SHEET NO. SP0.01
	1 of X



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

	NAME	
Registered Owners(s)	ANN-MARIA + SEAMUS EGAN	
Applicant(s)	SCOTT WOOD	
Agent or Solicitor		
		Phone:
		E-mail:

1.2 Primary contact Applicant Owner Agent/Solicitor

1.3 Sign should be sent to 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 _____

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 sent by email.

1.6 Payment type In person Credit card Cheque

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	38 LEGACY LANE, ANCASTER		
Assessment Roll Number			
Former Municipality			
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:

PART 16 + 58, SUBJECT TO AN EASEMENT IN GROSS ALONG FRONT + SIDE 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:

RELIEF FOR EXISTING ACCESSORY BUILDING BUILT IN SIDE YARD

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

PREVIOUS HOMEOWNERS BUILT STRUCTURES WITHOUT PERMIT.

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
10.7 m	40.95 m	1,062.2 m ²	20 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
HOUSE	10.72m	12.88m	1.84m	2018
			5.64m	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
STORAGE/WASH	21.64m	15.65m	2.2 + 3.58m	2019
PAVILION	33.55m	2.12m	20.3 + 4.02m	2019

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	277.9 m ²	555.8 m ²	2	20m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
STORAGE/WASH	7.1 m ²	7.1 m ²	1	3.1m
PAVILION	21.2 m ²	21.2 m ²	1	4.3m

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.):

RESIDENTIAL SINGLE FAMILY DWELLING

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

RESIDENTIAL SINGLE FAMILY DWELLING

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

OCTOBER 2021

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

RESIDENTIAL (SFD)

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

RESIDENTIAL (SFD)

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

5 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.

7.6 What is the existing zoning of the subject land? R3 + R3-628

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: _____

7.9 Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?

Yes

No

If yes, please provide the file number: _____

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 1

8.3 Additional Information (please include separate sheet if needed):

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
 - Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
 - Minimum Distance Separation Formulae (data sheet available upon request)
 - Hydrogeological Assessment
 - Septic Assessment
 - Archeological Assessment
 - Noise Study
 - Parking Study
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