



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-24:92	SUBJECT PROPERTY:	189 Lloyminn Avenue, Ancaster
ZONE:	“ER & R2” (Existing Residential and Low Density Residential – Large Lot Zone)	ZONING BY-LAW:	Zoning By-law former Town of Ancaster 87-57, & Zoning By-law City of Hamilton 05-200 as Amended

APPLICANTS: Owner: Jaromir Denk

The following variances are requested:

Ancaster Zoning By-law 87-57

1. A minimum setback of 6.5 metres from the rear lot line shall be permitted for accessory buildings in excess of 12 square metres ground floor area instead of the minimum required setback of 7.5 metres from the rear lot line.
2. The maximum height of 4.6 metres for an accessory building shall be permitted instead of a maximum permitted height of 4.5 metres.

Hamilton Zoning By-law 05-200

1. A maximum height of 4.6 metres shall be permitted for all accessory structures instead of the permitted maximum height of 4.5 metres.

PURPOSE & EFFECT: To facilitate the construction of building (garage) accessory to an existing Single Detached Dwelling.

Notes:

Ancaster Zoning By-law 87-57

1. Please be advised insufficient and inconsistent information was provided to determine zoning conformity. As such variances have been written as requested.

A-24:92

Hamilton Zoning By-law 05-200

2. This property is now also subject to the R2 Low Density Residential – Large Lot Zone under Hamilton Zoning By-law 05-200, which is not yet final and binding. Please be advised that the application has been reviewed under Hamilton Zoning By-law 05-200 and it has been determined that insufficient and inconsistent information was provided to determine zoning conformity. As such variances have been written as requested.

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, June 11, 2024
TIME:	1:55 p.m.
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 June 7, 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 June 10, 2024

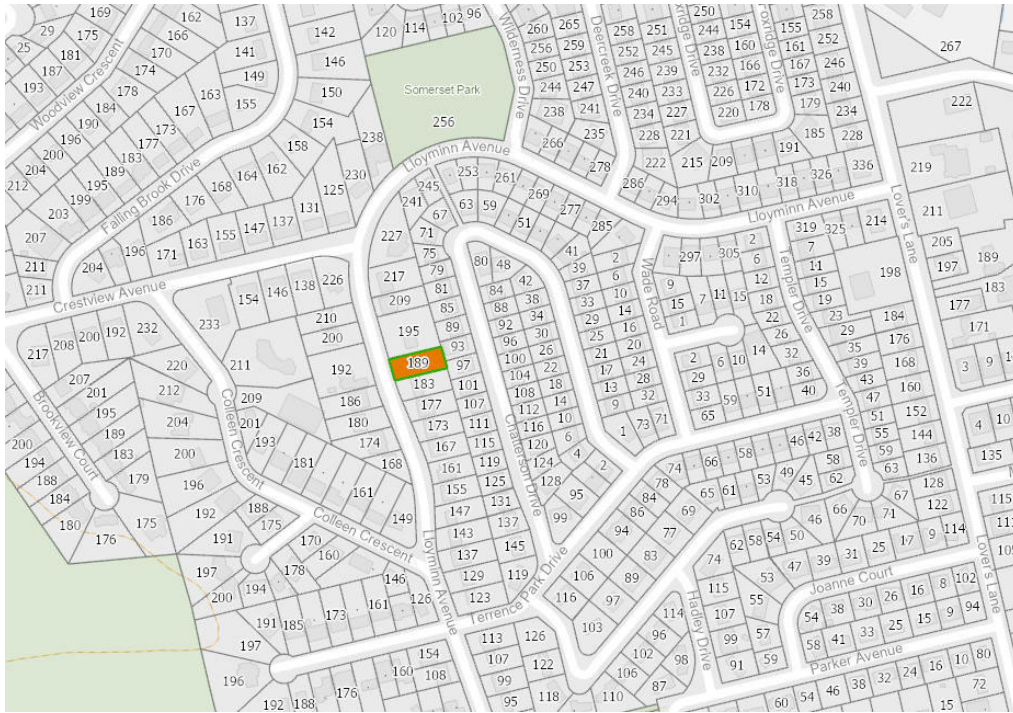
FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:92, 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

A-24:92

Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



 **Subject Lands**

DATED: May 23, 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 905-977-1654.

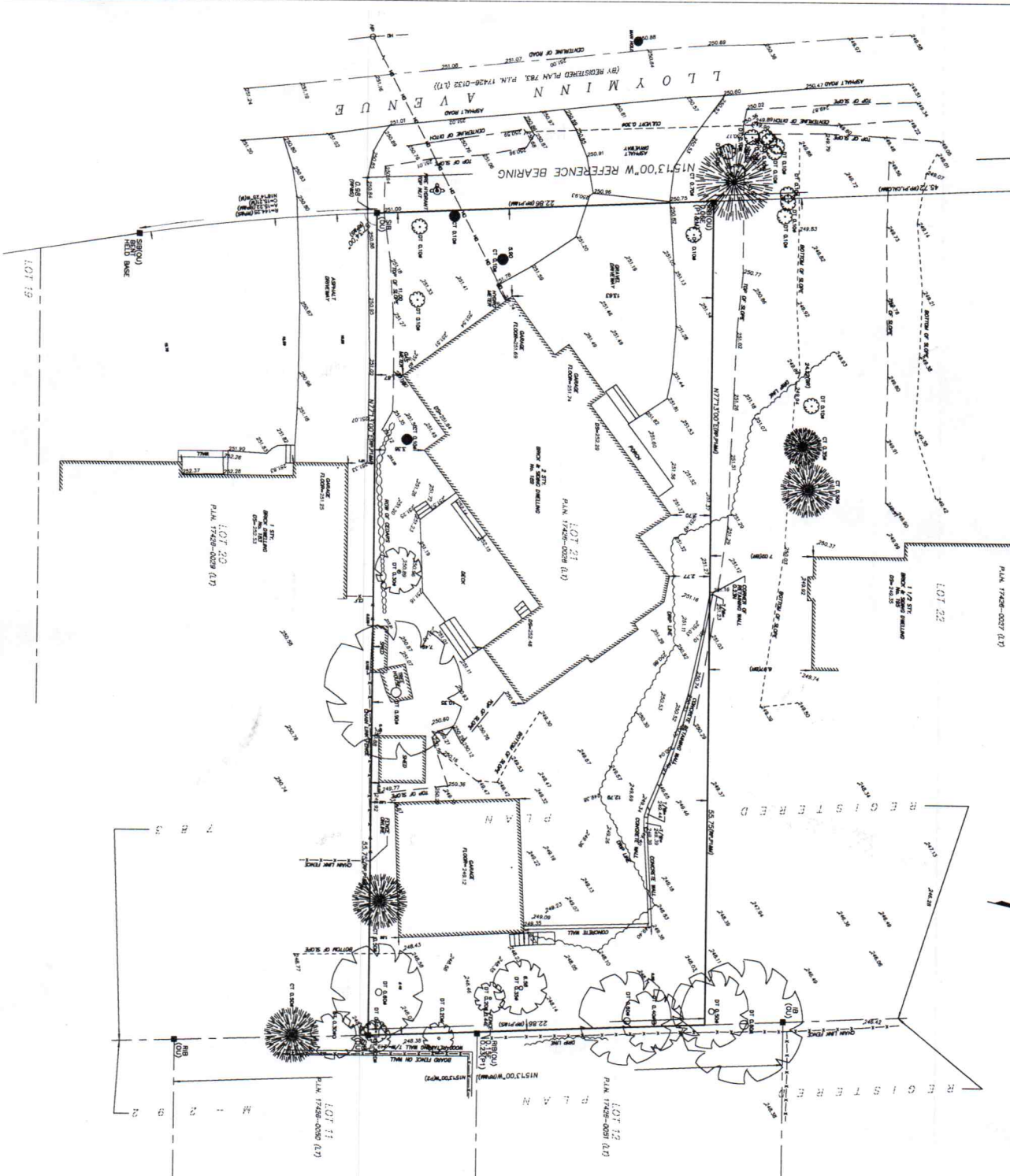
Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.



ASSOCIATION OF ONTARIO
LAND SURVEYORS
1400 SHEPPARD AVENUE EAST
SUITE 1000
SCARBOROUGH, ONTARIO M1S 1T5
V-68149

SURVEYORS REAL PROPERTY REPORT
LOT 21
REGISTERED PLAN 783
IN THE
TOWNSHIP OF ANCASTER
(REGIONAL MUNICIPALITY OF HAMILTON-WESTWORTH)
SCALE & NOTES
SCALE: 1:100
0 1 2 3 4 5 10 15 METERS
THOMAS GONDO
ONTARIO LAND SURVEYOR
© COPYRIGHT 2024

LEGEND
 ■ SURVEY MONUMENT FOUND
 □ SURVEY MONUMENT PLANTED
 ▭ STANDARD IRON BAR
 ○ IRON PIPE
 ○ U-C-#-S
 ○ DENOTES NORTH - EAST - WEST - SOUTH
 ○ DENOTES NORTH - EAST - WEST - SOUTH
 ○ DENOTES MASONRY A.I. CORNER, O.L.S.
 ○ DENOTES MASONRY A.I. CORNER, O.L.S.
 ○ DENOTES REGISTERED PLAN 783
 ○ DENOTES TOP OF WALL
 ○ DENOTES TOP OF WALL
 ○ DENOTES SURVEYOR'S LANDS BOUNDARY
 ○ DENOTES LOT LINE STREET
 ○ DENOTES FENCE LINE
 ○ DENOTES OVER HEAD WIRE



THOMAS GONDO
ONTARIO LAND SURVEYOR

Lejan
Lejan Land Surveying Inc. (OWN BY: KC)
572 Burton Street
Stoney Creek, ON L6E 5N3
Phone: 905-643-8131
Email: info@lejanlandsurveying.ca
JOB No. 23-154

DATE: JANUARY 30, 2024

SURVEYOR'S CERTIFICATE
I, CERTIFY THAT
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT,
2. THE SURVEY WAS COMPLETED ON JANUARY 29, 2024.

PART 2 - SURVEY REPORT
SUBMITTED LABORERS AND/OR BENCH OF WORK
- THE LABORERS AND/OR BENCH OF WORK LISTED ON THE PANEL REGISTERED
- THERE WERE NO REGISTERED LABORERS LISTED ON THE PANEL REGISTERED
REGISTERED LABORERS AND/OR BENCH OF WORK
- THERE WERE NO REGISTERED LABORERS LISTED ON THE PANEL REGISTERED
- THE PLAN WAS NOT SURVEYED UNDER COMPASSION
- THE SAID A.S. SOUTH OF THE SUBJECT PROPERTY IS DEDICATING
THE SAID A.S. SOUTH OF THE SUBJECT PROPERTY AS DEDICATED ON THE PLAN

METRIC
DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METERS
AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

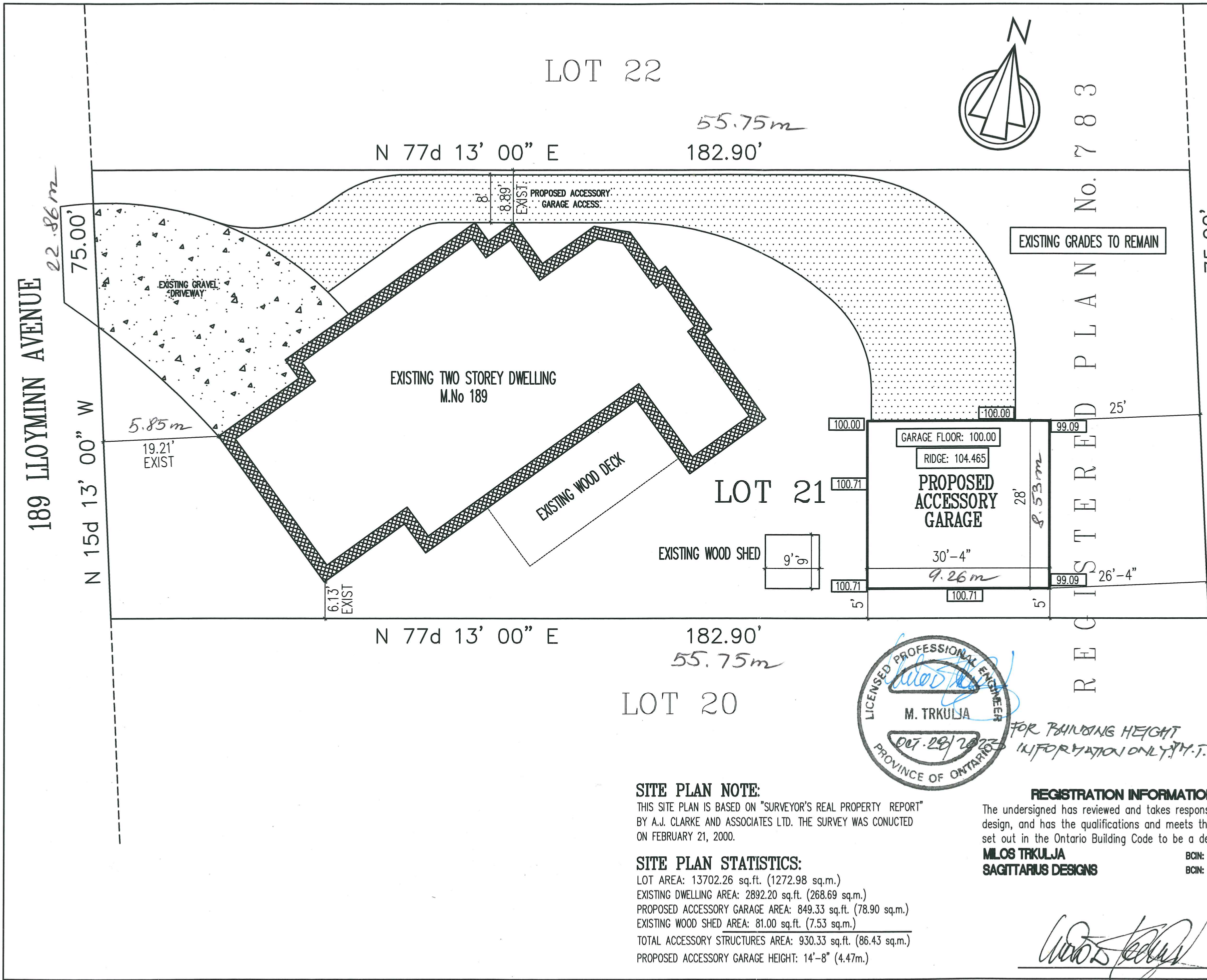
BEARING NOTE
BEARINGS ARE LISTED AND ARE REFERRED TO THE EASTERN
AS SHOWN ON REGISTERED PLAN 783.

BENCH MARK
ELEVATIONS ARE GROUND AND ARE REFERRED TO CORNER BENCHMARK
NO. 077202007H HAVING AN ELEVATION OF 242.800 METERS DATUM: CANADIAN 78.

THIS PLAN WAS SPOKE WITH A SOUND SCHEME AS A RESULT OF THE
EMERGENCY ORDER RELATED TO THE COVID-19 PANDEMIC



SAGITTARIUS
 design & drafting
 99 HANOVER PLACE
 HAMILTON, ONTARIO
 L8K - 5X7
 Phone: (905) 573-9839
 FAX: (905) 538-0587
 e-mail: sagit@mountaincable.net



GENERAL NOTES:

1. ALL CONSTRUCTION SHALL CONFORM TO THE O.B.C. AND LOCAL AUTHORITY HAVING JURISDICTION.
2. DO NOT SCALE DRAWINGS. CONTRACTOR SHALL VERIFY ALL DIMENSIONS PRIOR TO COMMENCING CONSTRUCTION.
3. ANY DEVIATION FROM APPROVED PLAN MUST BE APPROVED BY LOCAL BUILDING DEPARTMENT.
4. ALL WORKS SHALL BE PERFORMED BY QUALIFIED AND LICENCED CONTRACTORS

PROPOSED GARAGE HEIGHT CALCULATION

RIDGE: 104.465
 GRADE: 700.31 : 7 = 100.044
 GARAGE HEIGHT: 4.421m

PROPOSED ACCESSORY GARAGE
 189 LLOYMINN AVENUE
 FORMERLY TOWN OF ANCASTER NOW IN THE
 CITY OF HAMILTON, ONTARIO

SITE PLAN

DATE:	OCTOBER 17, 2023
SCALE:	1/16=1'-0"
DWG BY:	M.T.
FILE:	2324

DWG No.

SP1.01

NOT ISSUED FOR CONSTRUCTION
 UNTIL SIGNED AND DATED

SITE PLAN NOTE:

THIS SITE PLAN IS BASED ON "SURVEYOR'S REAL PROPERTY REPORT" BY A.J. CLARKE AND ASSOCIATES LTD. THE SURVEY WAS CONDUCTED ON FEBRUARY 21, 2000.

SITE PLAN STATISTICS:

LOT AREA: 13702.26 sq.ft. (1272.98 sq.m.)
 EXISTING DWELLING AREA: 2892.20 sq.ft. (268.69 sq.m.)
 PROPOSED ACCESSORY GARAGE AREA: 849.33 sq.ft. (78.90 sq.m.)
 EXISTING WOOD SHED AREA: 81.00 sq.ft. (7.53 sq.m.)
 TOTAL ACCESSORY STRUCTURES AREA: 930.33 sq.ft. (86.43 sq.m.)
 PROPOSED ACCESSORY GARAGE HEIGHT: 14'-8" (4.47m.)

REGISTRATION INFORMATION

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

MLOS TRKULJA
SAGITTARIUS DESIGNS

BCIN: 24457
 BCIN: 30427



FOR BUILDING HEIGHT
 INFORMATION ONLY. M.T.

Milos Trkulja

TO PERFORM ACTUAL CONSTRUCTION THE BUILDER SHALL USE SET OF DRAWINGS
 SEALED - THEREFORE APPROVED - BY THE LOCAL BUILDING DEPARTMENT

REGISTERED PLAN No. 783



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 for Registered Owners(s), Applicant(s), Agent or Solicitor, and contact information (Phone, E-mail). Includes handwritten name JAROMIR DENK and a redacted area.

1.2 Primary contact

[X] Applicant

[X] Owner
[] Agent/Solicitor

1.3 Sign should be sent to

[X] Applicant

[X] 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

[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.

1.6 Payment type

[X] In person
[] Cheque

[] Credit over phone*

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	189 LLOYMINN AVE ANCASTER		
Assessment Roll Number	1402 3004 2000 000		
Former Municipality	HAMILTON WENTWORTH / ANCASTER		
Lot	21	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:

LEAR SETBACK TO 6.5m
HEIGHT TO 4.6m.

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

PARTLY BECAUSE BYLAW CHANGED AND BECAUSE OF MISTAKE IN MEASUREMENT.

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
22.86 m	55.75 m	1274.45 m ²	22.86

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	5.9 m	19.21 m	2.77 / 1.87 m	1998

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
GARAGE	44.96 m	6.56 m	12.79 / 1.62	2023

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
BRICK / SIDING	250 m ²	250 m ²	2	6.5 m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
BRICK / SIDING	81.7 m ²	81.7 m ²	1	4.5 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.):

DETACHED GARAGE

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

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

1998

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

SINGLE DETACHED HOUSE

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

SINGLE DETACHED HOUSE

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

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) _____

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

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

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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