



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

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>A-24:80</b>	<b>SUBJECT PROPERTY:</b>	262 Springbrook Ave, Ancaster
<b>ZONE:</b>	"R4-598" (Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former Town of Ancaster 87-57, as Amended

**APPLICANTS:** Owner: Mohamoud Ali  
Applicant: Ketul Shah

The following variances are requested:

1. A minimum northerly side yard of 0.0m shall be permitted instead of the minimum 1.2m side yard required.
2. A minimum rear yard of 4.2m shall be permitted to the deck structure and a minimum rear yard of 2.4m shall be permitted to the associated stair structure instead of the minimum 7.5m rear yard required.

**PURPOSE & EFFECT:** To facilitate the construction of a two-storey rear deck addition to the existing single detached dwelling.

**Notes:**

Staff have previously interpreted that a roofed-over deck at the rear of a dwelling is considered as part of the principle building and is therefore subject to the principle building regulations but not including lot coverage.

**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>Tuesday, July 2, 2024</b>
<b>TIME:</b>	<b>2:25 p.m.</b>

## A-24:80

<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>City Hall Council Chambers (71 Main St. W., Hamilton)</b>
	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

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

## 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 July 19, 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 July 22, 2024

## FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:80, you must submit a written request to [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.

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](mailto: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: July 4, 2024

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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.



Hamilton

## COMMITTEE OF ADJUSTMENT

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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](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 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](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 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](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.

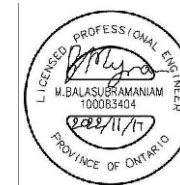
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

##### 2. In person Oral Submissions

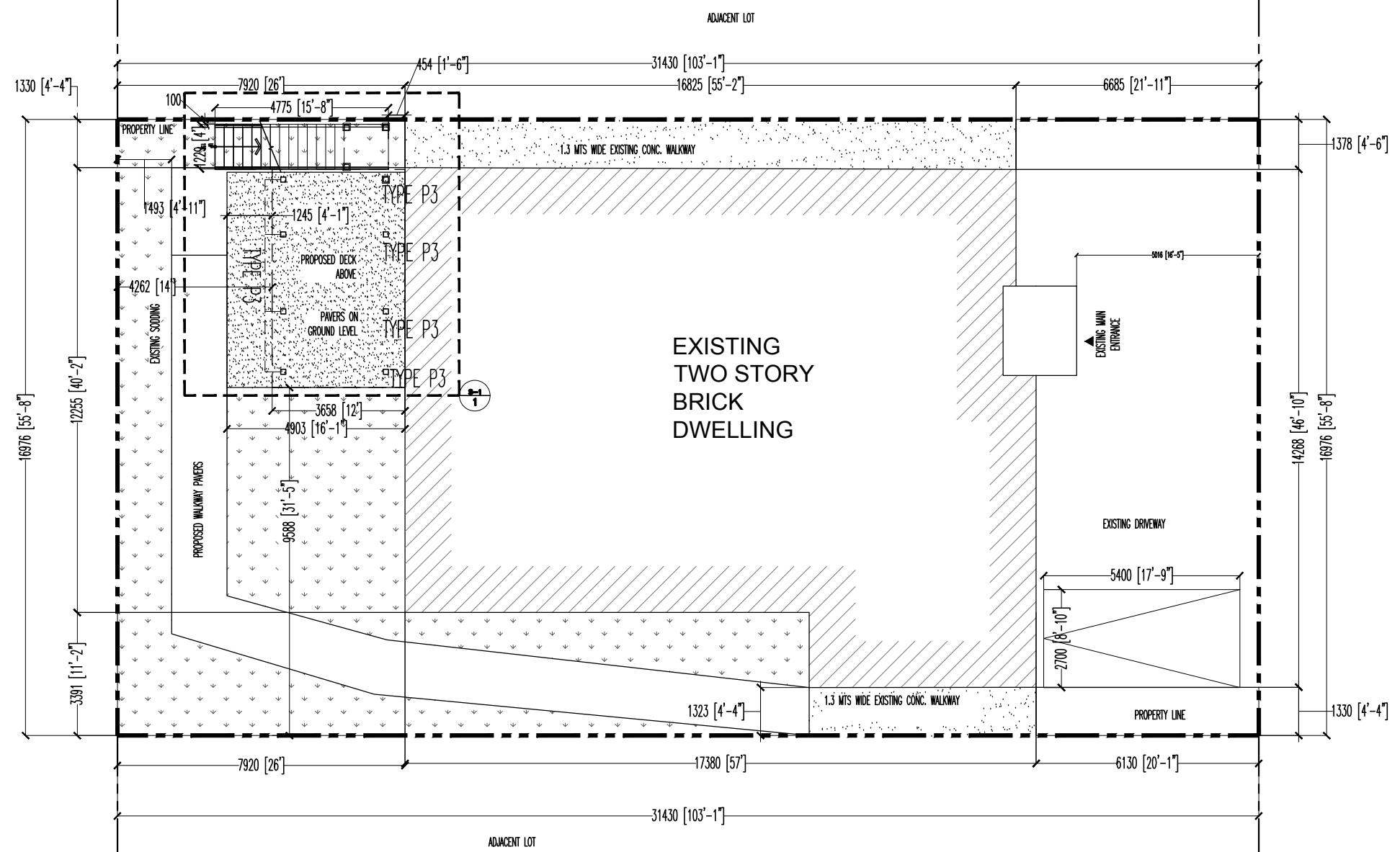
Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **no less than 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](mailto: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.



S P R I N G B R O O K A V E



ASSUMED SOIL BEARING CAPACITY 75KPA, G.C. TO VERIFY,  
HELICAL PILE MANUFACTURER TO SPECIFY THE PILE TYPE AND SIZE.

TYPE P2 - 20 kN  
TYPE P3 - 40 kN

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PROJECT

**WOOD DECK ADDITION**

262 SPRINGBROOK AVE  
ANCASTER, ON L9K 1R4  
CANADA

DRAWING TITLE

**SITE PLAN**

SCALE: 1:150

NOTE:

- DO NOT SCALE DRAWINGS.
- ALL DIMENSIONS TO BE CHECKED AND VERIFIED ON THE JOB SITE.
- ANY AND ALL DISCREPANCIES TO BE REPORTED TO THE ARCHITECT.
- ALL DRAWINGS REMAIN THE PROPERTY OF THE ARCHITECT.

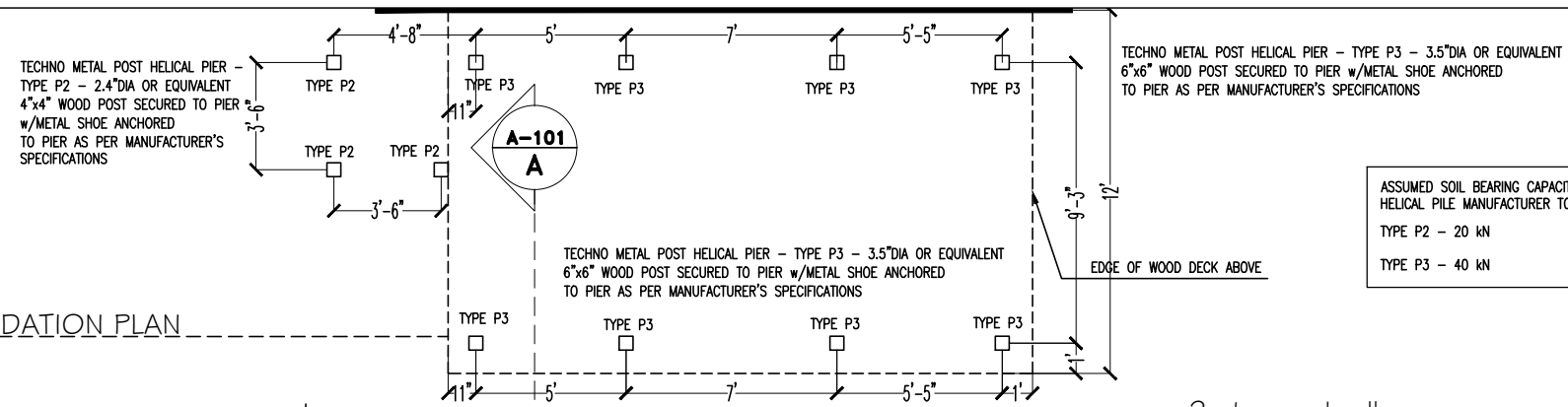
		A. DETAIL NO.	
		B. LOCATION SHEET	
PROJECT NO. -	DRAWN BY	K.S.	
DATE	OCT 2022	CHECKED BY	A.K.

DRAWING NO.

**SP - 1.2**

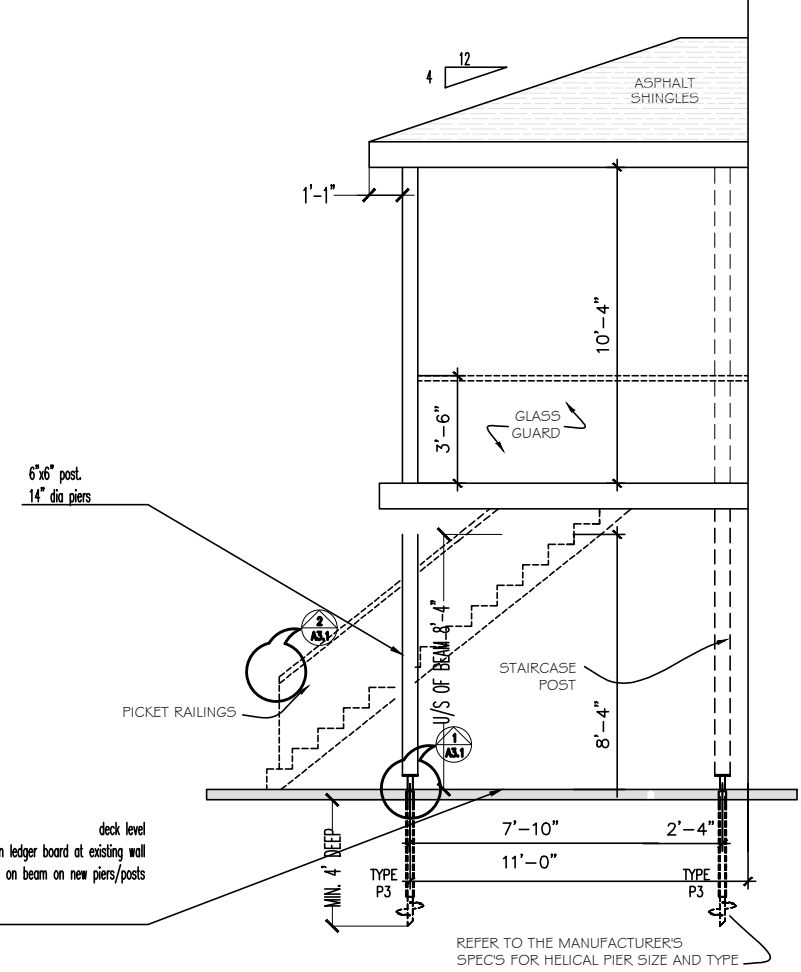
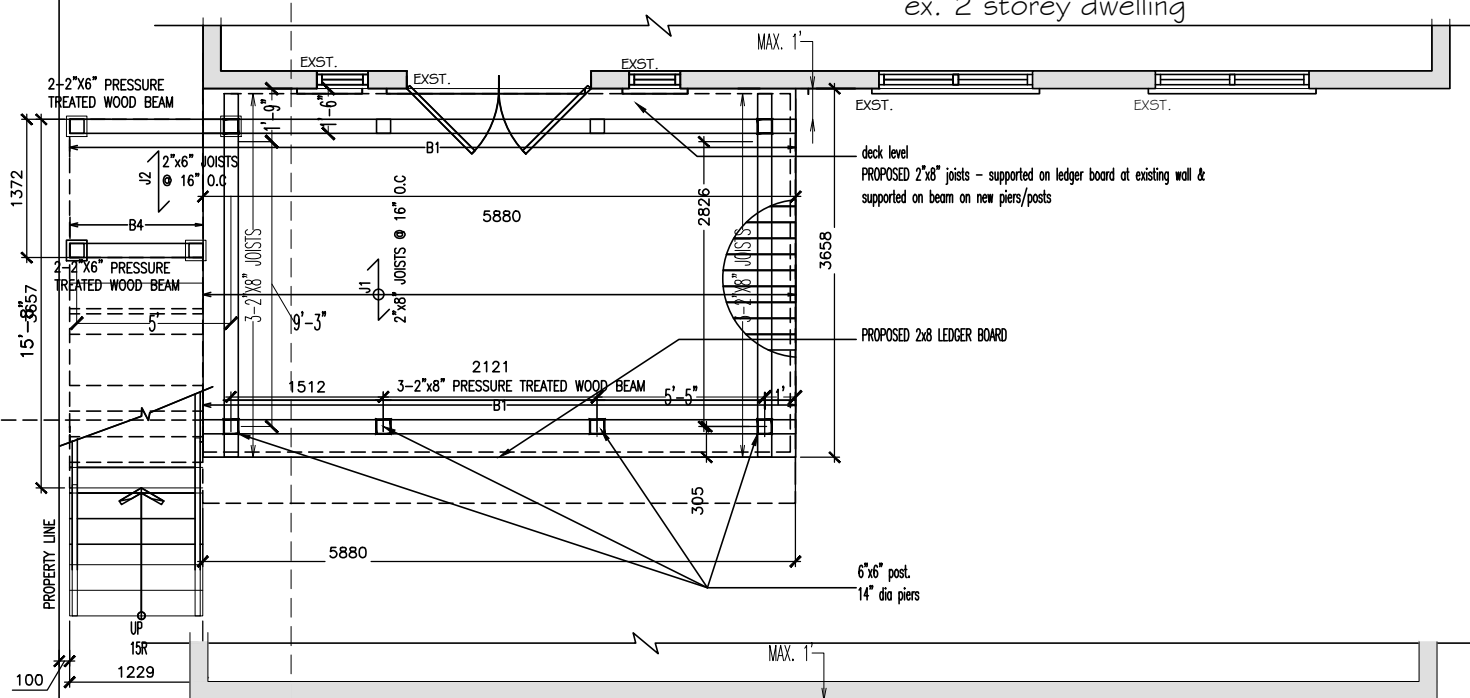


FOUNDATION PLAN



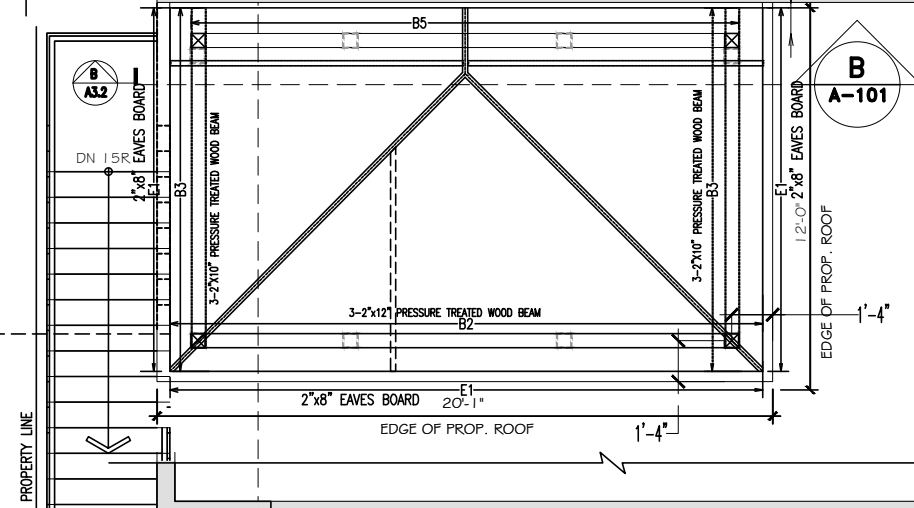
ASSUMED SOIL BEARING CAPACITY 75KPA, G.C. TO VERIFY.  
HELICAL PILE MANUFACTURER TO SPECIFY THE PILE TYPE AND SIZE.  
TYPE P2 - 20 kN  
TYPE P3 - 40 kN

DECK LEVEL PLAN

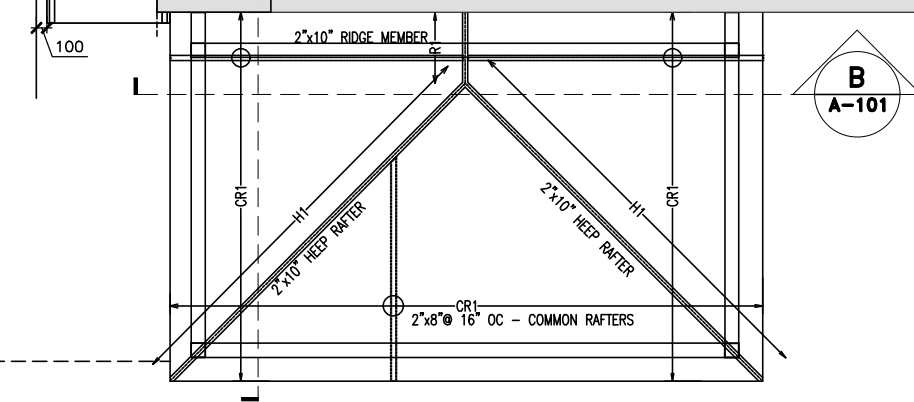


LEFT ELEVATION

EAVES LEVEL MEMBERS



DECK ROOF PLAN



TECHNO METAL POST HELICAL PIER - TYPE P3 - 3.5\"/>

DECK MATERIAL	
TYPE P3	TECHNO METAL POST HELICAL PIER - TYPE P3 - 3.5\"/>
TYPE P2	TECHNO METAL POST HELICAL PIER - TYPE P2 - 2.4\"/>
B1	3-2\"/>
B2	3-2\"/>
B3	3-2\"/>
B4	2-2\"/>
B5	(3)-2x12
J1	2\"/>
J2	2\"/>
L1	2\"/>
CR1	2\"/>
H1	2\"/>
R1	2\"/>
E1	2\"/>
D1	1\"/>

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PROJECT

**WOOD DECK ADDITION**

262 SPRINGBROOK AVE  
ANCASTER, ON L9K 1R4  
CANADA

DRAWING TITLE

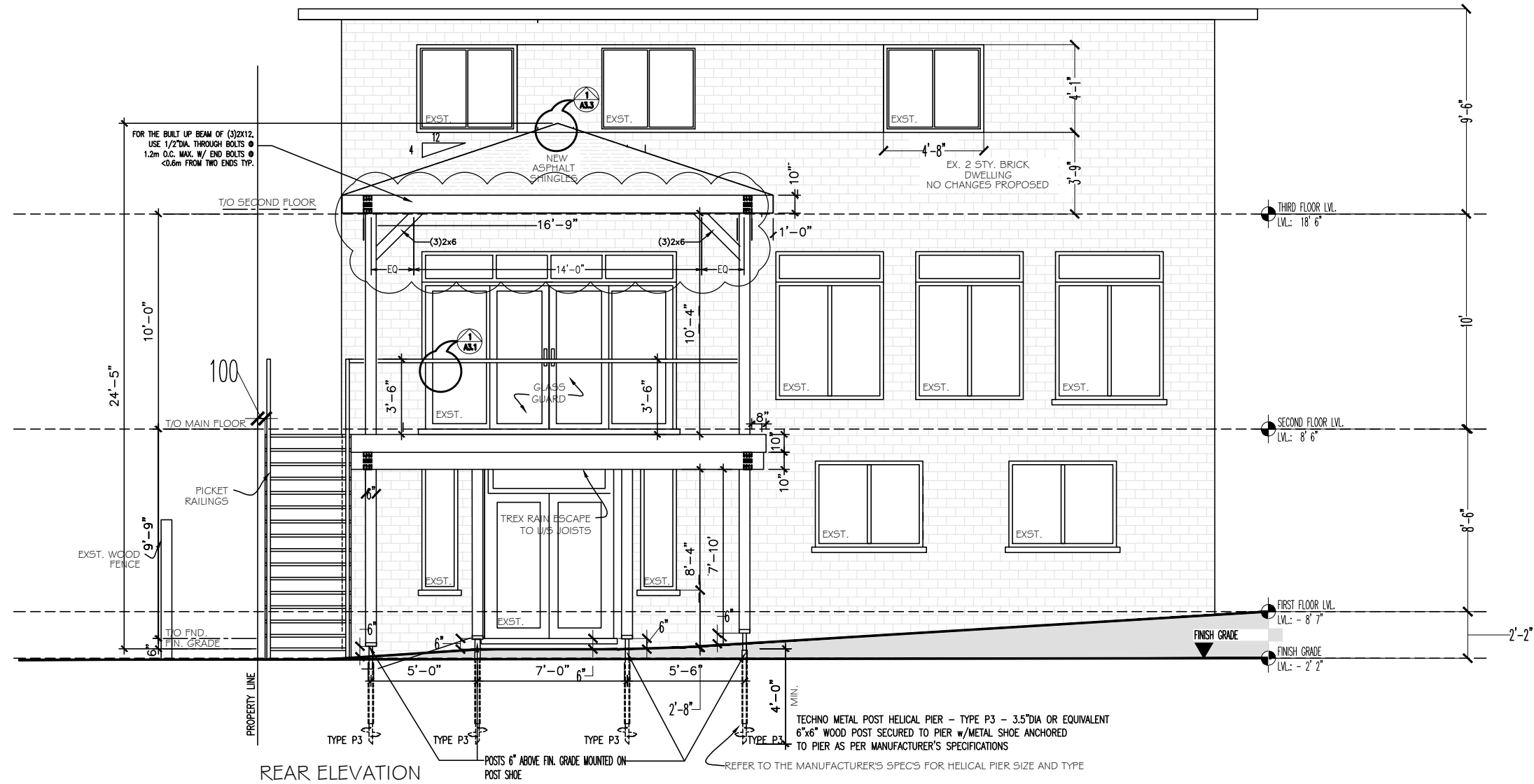
**FOUNDATION & ROOF PLAN, SECTION**

SCALE: 1:75

NOTE:  
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DATE	OCT 2022	CHECKED BY
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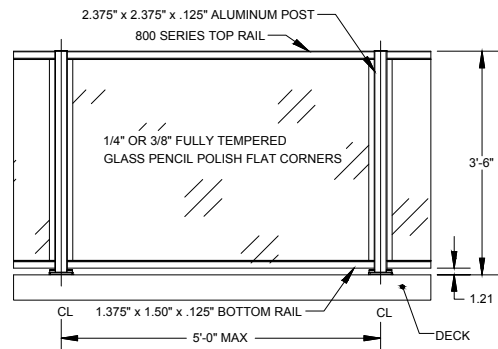
PROJECT  
**WOOD DECK ADDITION**  
262 SPRINGBROOK AVE  
ANCASTER, ON L9K 1R4  
CANADA

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1:75

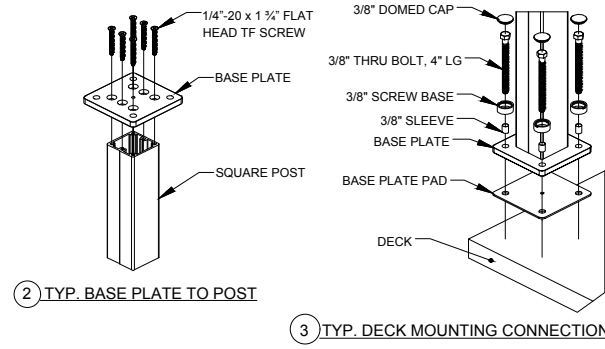
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A. DETAIL NO.  
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PROJECT NO. -	DRAWN BY	K.S.
DATE	OCT 2022	CHECKED BY
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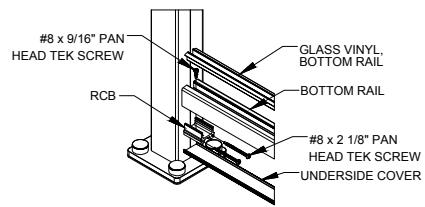


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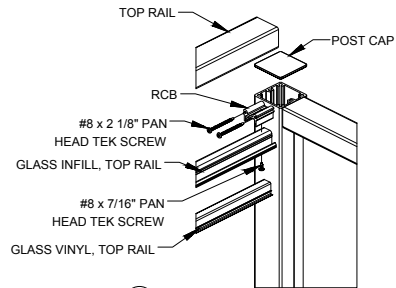


2 TYP. BASE PLATE TO POST

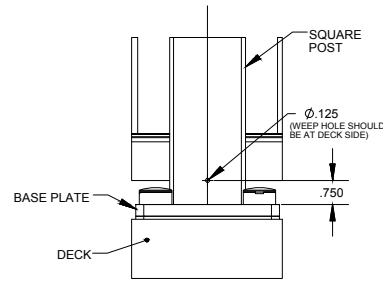
3 TYP. DECK MOUNTING CONNECTION



4 TYP. BOTTOM RAIL CONNECTION



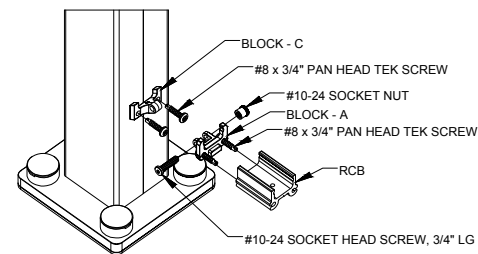
5 TYP. TOP RAIL CONNECTION



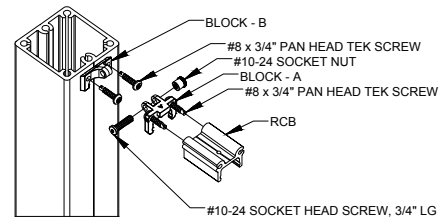
6 TYP. WEEP HOLE

- NOTES:
1. DIMENSIONS SHOWN - INCHES [MM].
  2. MACHINED SURFACES TO BE 6.3µIN MAX.
  3. PART TO BE FREE OF BURRS AND SHARP EDGES.
  4. ALL MATERIAL TO BE CLEAN, DEGREASED AND FREE OF ALL IMPURITIES.
  5. ANY CHANGE MUST BE AUTHORIZED BY AN ENGINEER.

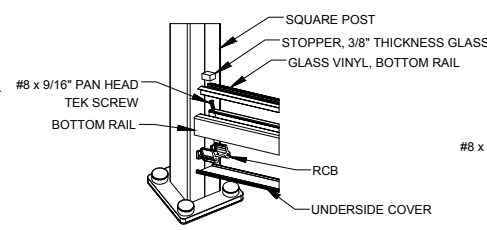
01 GLASS RAIL DETAIL  
SCALE: NTS



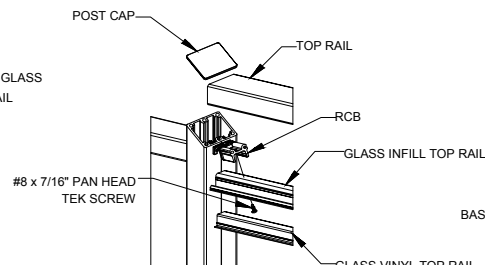
4 TYP. BOTTOM HINGE JOINT CONNECTION



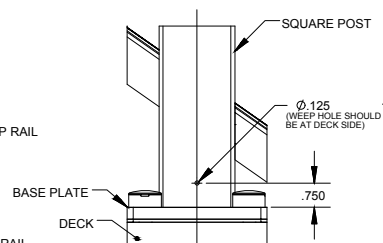
5 TYP. TOP HINGE JOINT CONNECTION



6 TYP. BOTTOM RAIL CONNECTION  
SCALE 1:8



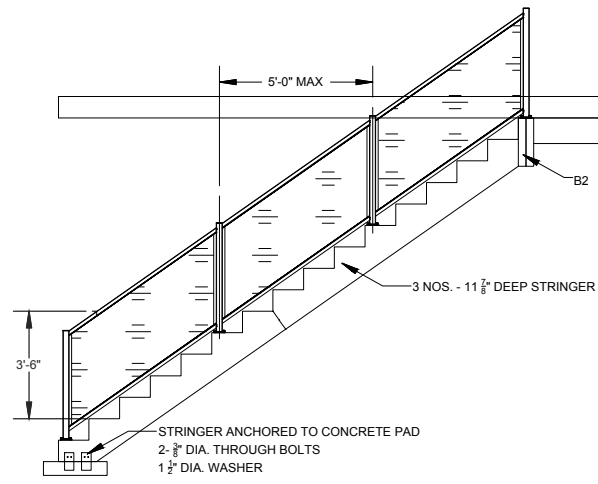
7 TYP. TOP RAIL CONNECTION  
SCALE 1:8



8 TYP. WEEP HOLE

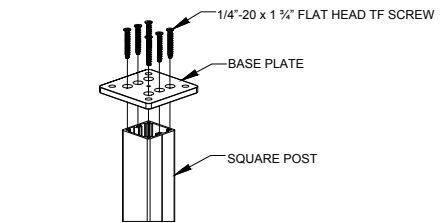
- NOTES:
1. DIMENSIONS SHOWN - INCHES [MM].
  2. MACHINED SURFACES TO BE 6.3µIN MAX.
  3. PART TO BE FREE OF BURRS AND SHARP EDGES.
  4. ALL MATERIAL TO BE CLEAN, DEGREASED AND FREE OF ALL IMPURITIES.
  5. ANY CHANGE MUST BE AUTHORIZED BY AN ENGINEER.

03 JOINERY DETAIL  
SCALE: NTS

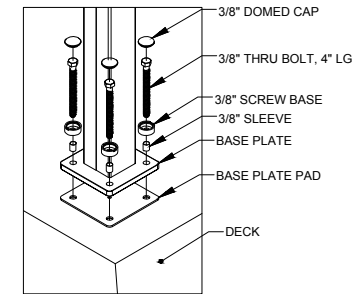


1 GLASS WITH TOP & BOTTOM RAIL, DECK MOUNT, STAIR GUARD

- NOTES:
1. DIMENSIONS SHOWN - INCHES [MM].
  2. MACHINED SURFACES TO BE 6.3µIN MAX.
  3. PART TO BE FREE OF BURRS AND SHARP EDGES.
  4. ALL MATERIAL TO BE CLEAN, DEGREASED AND FREE OF ALL IMPURITIES.
  5. ANY CHANGE MUST BE AUTHORIZED BY AN ENGINEER.



2 TYP. BASE PLATE TO POST



3 TYP. DECK MOUNTING CONNECTION

02 STAIR DETAIL  
SCALE: NTS



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PROJECT  
**WOOD DECK ADDITION**  
262 SPRINGBROOK AVE  
ANCASTER, ON L9K 1R4  
CANADA

DRAWING TITLE

DETAILS

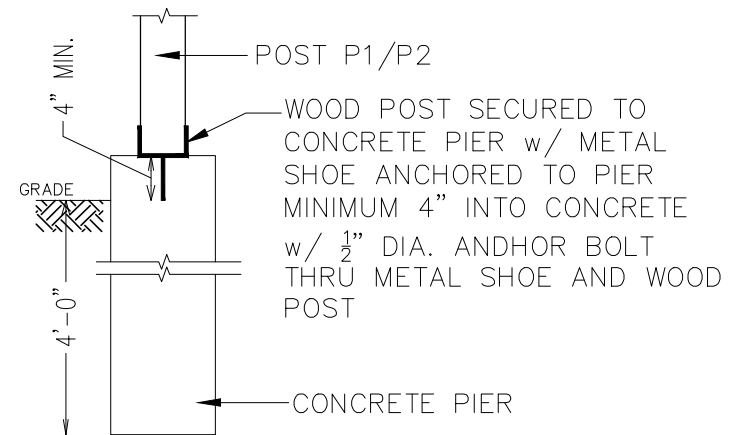
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A	A. DETAIL NO.
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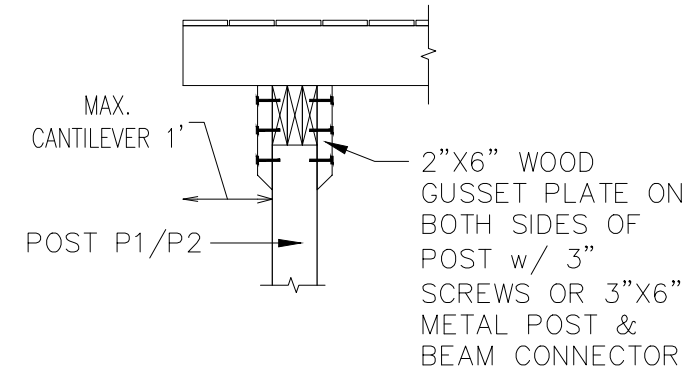
PROJECT NO.	-	DRAWN BY	K.S.
DATE	OCT 2022	CHECKED BY	A.K.
DRAWING NO.			

**A 3.1**



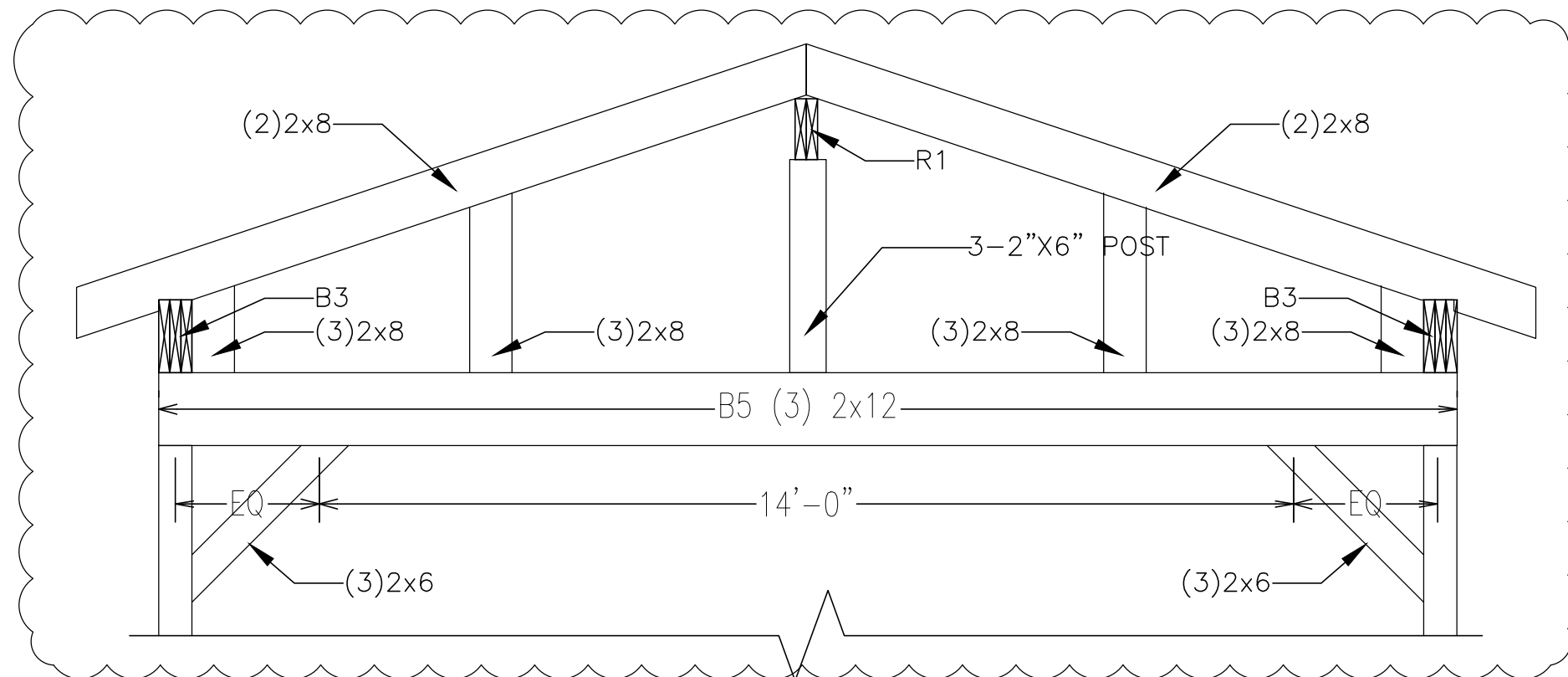


**2/A3.2** PIER TO POST CONNECTION



**3/A3.2** BEAM TO POST CONNECTION

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SECTION - B

PROJECT

WOOD DECK ADDITION

262 SPRINGBROOK AVE  
ANCASTER, ON L9K 1R4  
CANADA

DRAWING TITLE

DETAILS

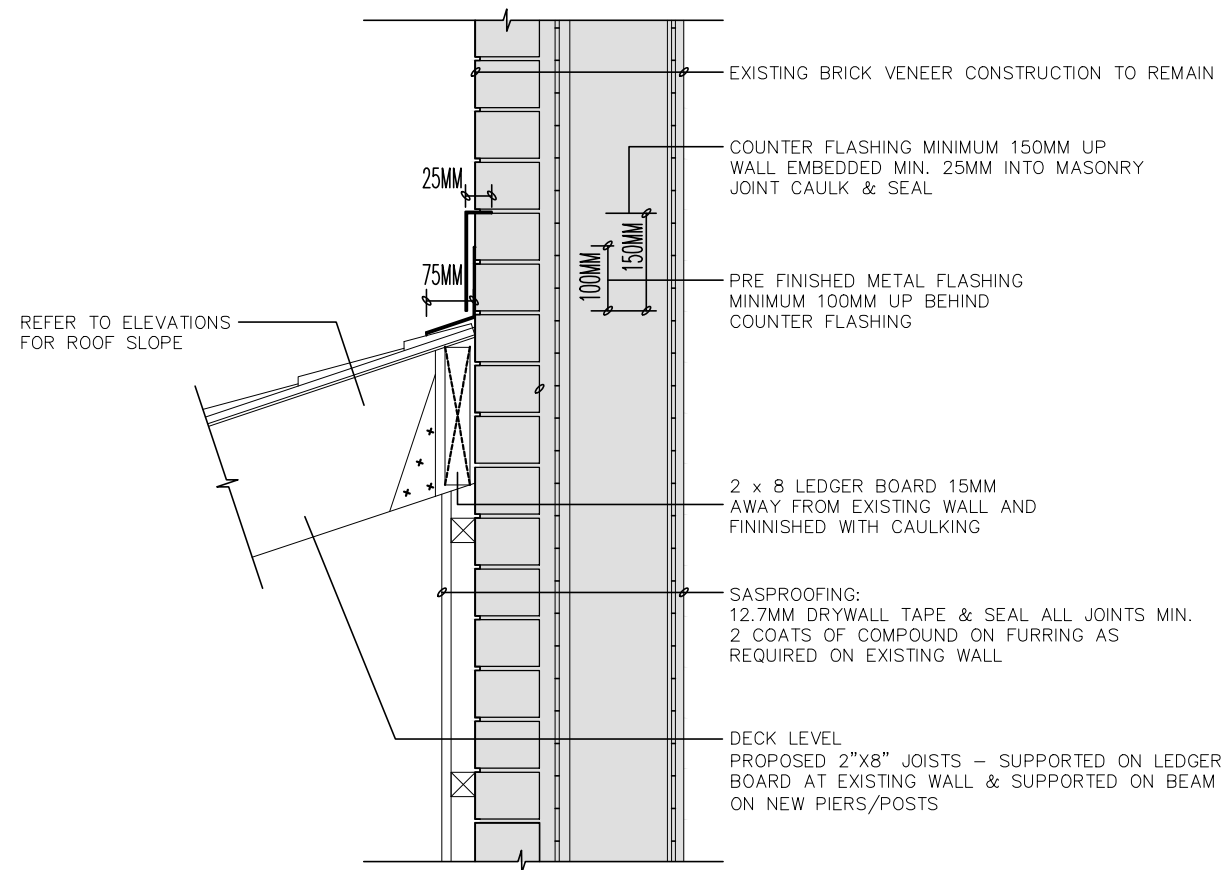
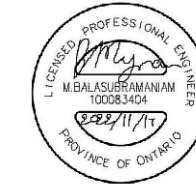
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B. LOCATION SHEET  
C. DETAILED ON

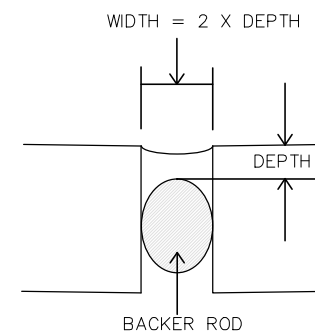
PROJECT NO. -  
DATE OCT 2022  
DRAWN BY K.S.  
CHECKED BY A.K.

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A 3.2



**1/A3.3** ROOF JOIST CONNECTION DETAIL



CAULKING DETAIL

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**PROJECT**

**WOOD DECK ADDITION**

262 SPRINGBROOK AVE  
 ANCASTER, ON L9K 1R4  
 CANADA

**DRAWING TITLE**

**DETAILS**

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<b>A</b>	A. DETAIL NO.
<b>BC</b>	B. LOCATION SHEET
	C. DETAILED SHEET

PROJECT NO. -	DRAWN BY K.S.
DATE OCT 2022	CHECKED BY A.K.

DRAWING NO.

**A-3.3**



Hamilton

Committee of Adjustment

City Hall, 5<sup>th</sup> Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

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

1. APPLICANT INFORMATION

	NAME		
Registered Owners(s)			
Applicant(s)			
Agent or Solicitor			
			E-mail:

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

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

1.3 Sign should be sent to  Purchaser  Owner  Applicant  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.

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	262 Springbrook Ave, Ancaster, Ontario		
Assessment Roll Number			
Former Municipality	Hamilton		
Lot	1	Concession	
Registered Plan Number	62M-1246	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:

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Please refer to the additional page 1 attached.

### 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:

Sideyard setback for the deck stair

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

As built condition

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
16976mm	31430mm	533.55m2	Existing to remain

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
Two storey brick building	5080 mm	7920 mm	1310 mm	nov 2020

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Three storey brick building	5080 mm	7920 mm	1310 mm	nov 2020
Wood deck stair	n/a	2688 mm	100 mm	proposed

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
Three storey brick building	221.4m2 (existing to remain)	664.2m2 (existing to remain)	3	existing to remain

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Three storey brick building	221.4m2 (existing to remain)	221.4m2 (existing to remain)	3	existing to remain
Wood Deck	n/a	27.9 m2	2	7595 mm

- 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:  
Nov 2020

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

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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:  
2

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

Rural Hamilton Official Plan designation (if applicable): 62M-1246

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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? R4-598 Residential 4

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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:

AN/A-23:01

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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:

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7.10 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

7.11 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.

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: n/a

8.2 Number of Dwelling Units Proposed: n/a

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
- \_\_\_\_\_
- \_\_\_\_\_