



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-24:136	SUBJECT PROPERTY:	35 Citation Crescent, Ancaster
ZONE:	R3 - 329 (Residential 3 Zone)	ZONING BY-LAW:	Zoning By-law former Town of Ancaster 87-57, as Amended by By-law No. 89-69

APPLICANTS: Owner: Lars and Helen Wunsche
 Applicant: Lucas Waxman – All in One Landscaping
 Agent: Stephanie Allen – The Deck Yard

The following variances are requested:

1. An Accessory Building shall be located 0.9 metres from an interior side yard instead of the requirement that an Accessory Building shall not be located in any minimum side yard.
2. An Accessory Building shall be located 1.09 metres from an interior side yard instead of the requirement that an Accessory Building in excess of 12 square metres ground floor area shall not be located in any minimum rear yard.

PURPOSE & EFFECT: So as to permit the construction of an Accessory Building in the rear yard notwithstanding that:

Notes:

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, July 23, 2024
TIME:	2:15 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
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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

PUBLIC INPUT

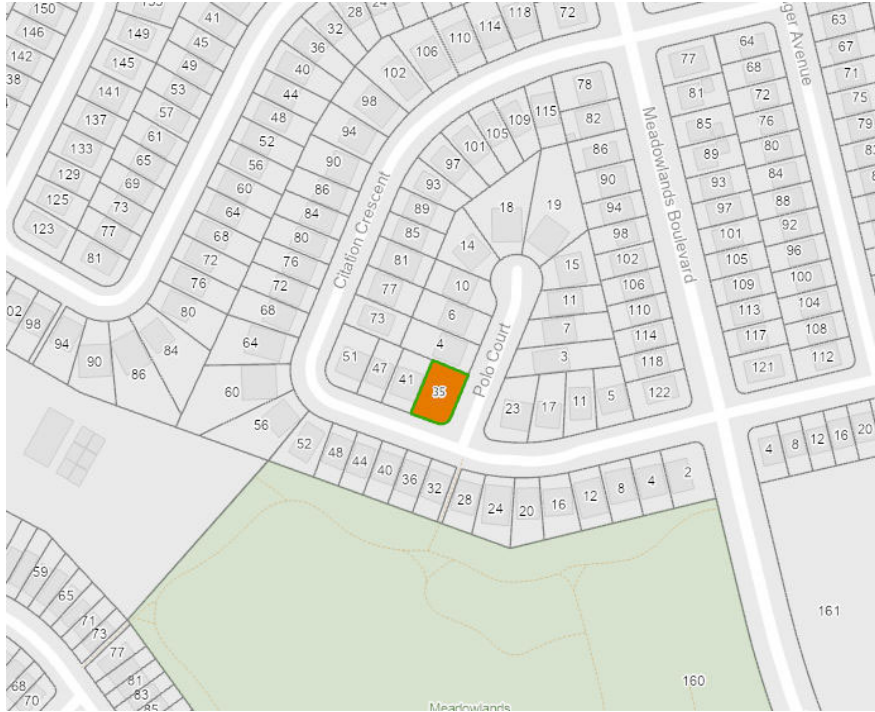
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon July 19, 2024

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-24:136, 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: July 4, 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.

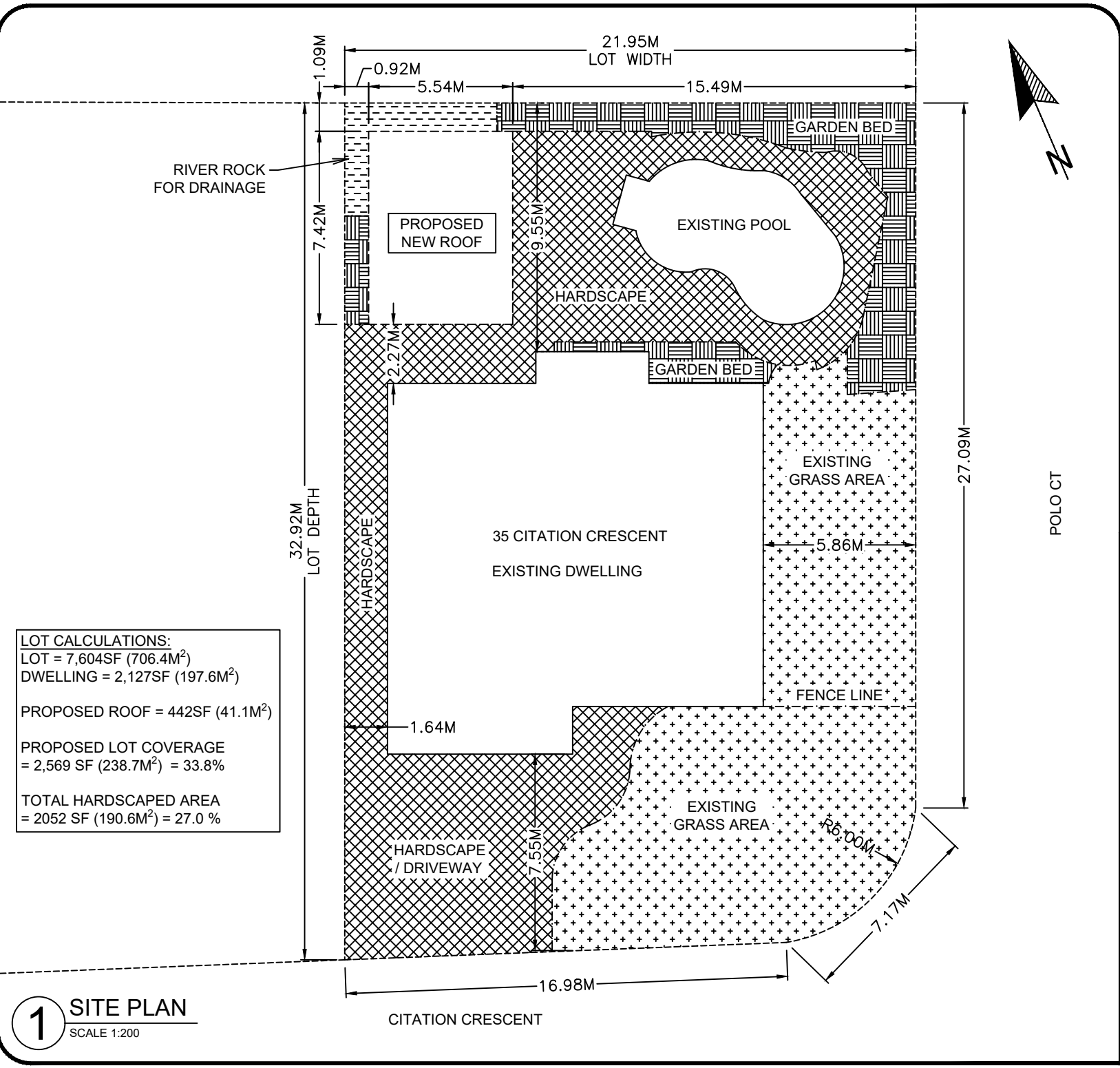
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

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.

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.



LOT CALCULATIONS:
 LOT = 7,604SF (706.4M²)
 DWELLING = 2,127SF (197.6M²)
 PROPOSED ROOF = 442SF (41.1M²)
 PROPOSED LOT COVERAGE = 2,569 SF (238.7M²) = 33.8%
 TOTAL HARDSCAPED AREA = 2052 SF (190.6M²) = 27.0 %

1 SITE PLAN
 SCALE 1:200



419 Ofield Road South
 Dundas, On L9H 5E2
 1-888-985-8116 orders@decks.ca

Project Name:
ALL IN ONE LANDSCAPING

Project Address:
**35 CITATION CRES
 ANCASTER, ON
 L9K 1H8**

I have reviewed and take responsibility for the design and am qualified in the appropriate category as a designer under subsection 3.2.5 of Division C of the Ontario Building Code.
 Name: Stephanie Allen
 BCIN #: 108509
 Signature: *[Signature]*

Drawn By:
STEPHANIE ALLEN

Date:
APRIL 11, 2024

SP101

GENERAL NOTES

- ① A MINIMUM LIVE LOAD OF 1.9 kPA APPLIED IN ALL LOCATIONS
- ② THE PRESCRIBED SNOW LOAD FOR SELECTED ONTARIO LOCATIONS IS INDICATED IN TABLE 1.2 IN SUPPLEMENTARY GUIDELINE SB-1 OF THE ONTARIO BUILDING CODE. THE SNOW LOAD SHALL BE APPLIED AS THE MINIMUM LIVE LOAD WHERE IT IS GREATER THAN 1.9 kPA
- ③ LUMBER NO. 2 SPF OR BETTER TO BE USED ALONG WITH CORROSION RESISTANT SPIRAL NAILS OR SCREWS
- ④ CANTILEVERED JOISTS AND BEAMS ARE LIMITED TO 1/6 THE MEMBERS LENGTH
- ⑤ CONCRETE PIERS SHALL BEAR ON UNDISTURBED SOIL. THE BEARING CAPACITY OF THE SOIL SHALL BE DETERMINED PRIOR TO CONSTRUCTION
- ⑥ HELICAL PILES SHALL CONFORM TO MANUFACTURER'S SPECIFICATIONS AND BE INSTALLED BY CERTIFIED INSTALLER. HELICAL CONFORMITY REPORT TO BE RECEIVED FROM INSTALLER/ENGINEER.
- ⑦ JOISTS SPANNING MORE THAN 6'-0" TO HAVE BRIDGING AT LEAST EVERY 6'-0"
- ⑧ MAXIMUM BEAM & JOIST CANTILEVERS:
 - 2"X6" MEMBERS = NOT PERMITTED
 - 2"X8" MEMBERS = 1'-4"
 - 2"X10" MEMBERS = 2'-0"
 - 2"X12" MEMBERS = 2'-0"
- ⑨ MINIMUM BEARING FOR BEAMS & JOISTS:
 - MIN. BEAM BEARING = $3\frac{1}{2}$ "
 - MIN. JOIST BEARING = $1\frac{1}{2}$ "
- ⑩ INSTALLATION OF MANUFACTURED LOW MAINTENANCE DECK BOARDS TO BE INSTALLED AS PER MANUFACTURER'S SPECIFICATIONS
- ⑪ INSTALLATION OF PRE-FABRICATED COMPONENTS (RAILING SYSTEMS, ETC.) TO BE INSTALLED AS PER MANUFACTURER'S SPECIFICATIONS
- ⑫ EXTERIOR STAIRS:
 - MIN. RISE = $4\frac{7}{8}$ "
 - MAX. RISE = $7\frac{7}{8}$ "
 - MIN. RUN = 10"
 - MAX. RUN = 14"
 - MIN. WIDTH = 34"
 - MIN. HEADROOM = 6'-5"
- ⑬ EXTERIOR GUARDS:
 - DECK TO GRADE > 5'-11" = 3'-6" HEIGHT
 - DECK TO GRADE < 5'-11" = 3'-0" HEIGHT
 - STAIRS = 3'-0" HEIGHT
 - MAX. BETWEEN PICKETS = 4"

NO MEMBER OR ATTACHMENT BETWEEN $5\frac{1}{2}$ " - 3'-0" HIGH SHALL FACILITATE CLIMBING



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**ALL IN ONE
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BCIN #: 108509

Signature:

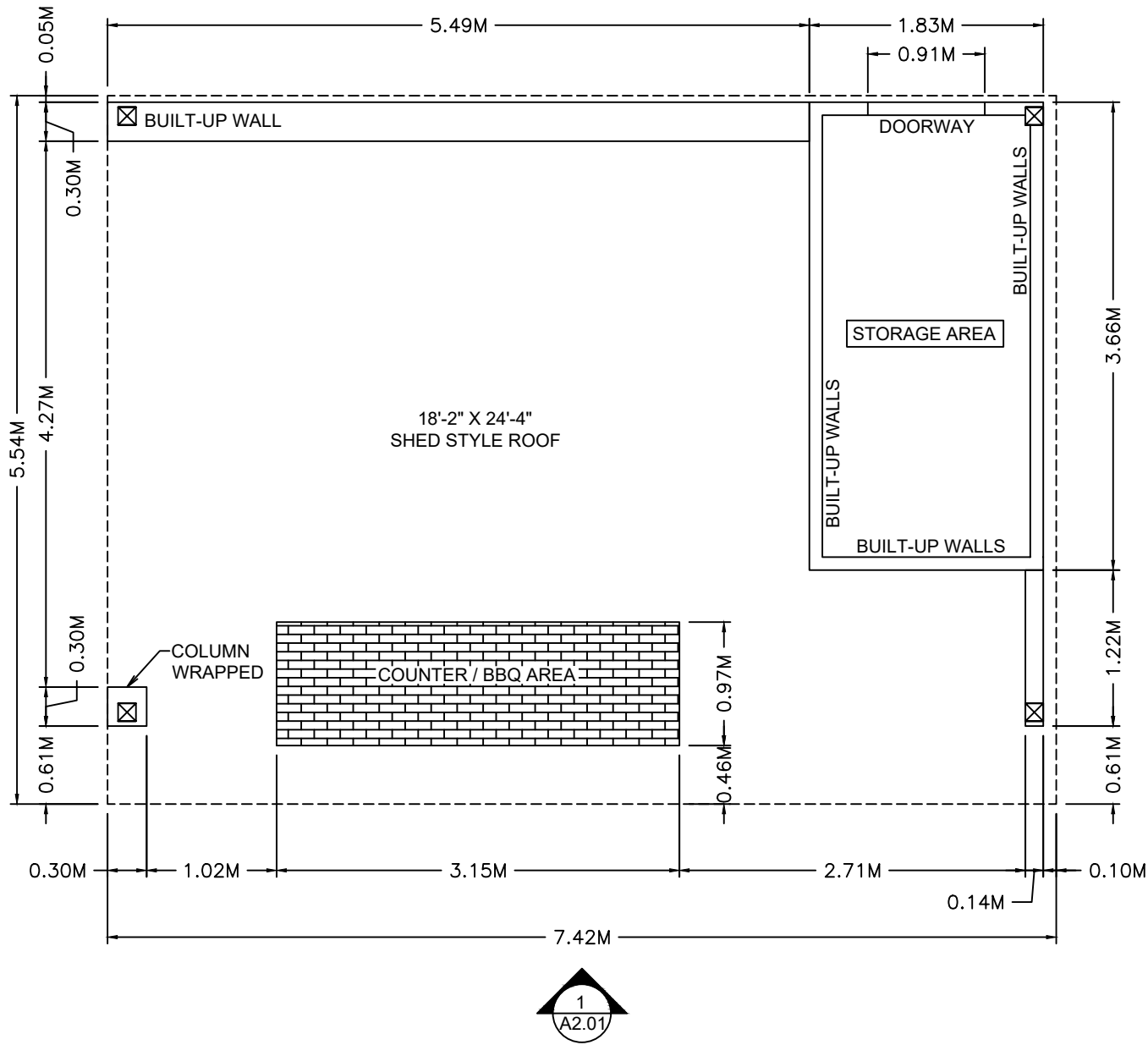
Drawn By:

**STEPHANIE
ALLEN**

Date:

APRIL 11, 2024

A001



1 ROOF FLOOR PLAN
SCALE 1:50



419 Ofield Road South
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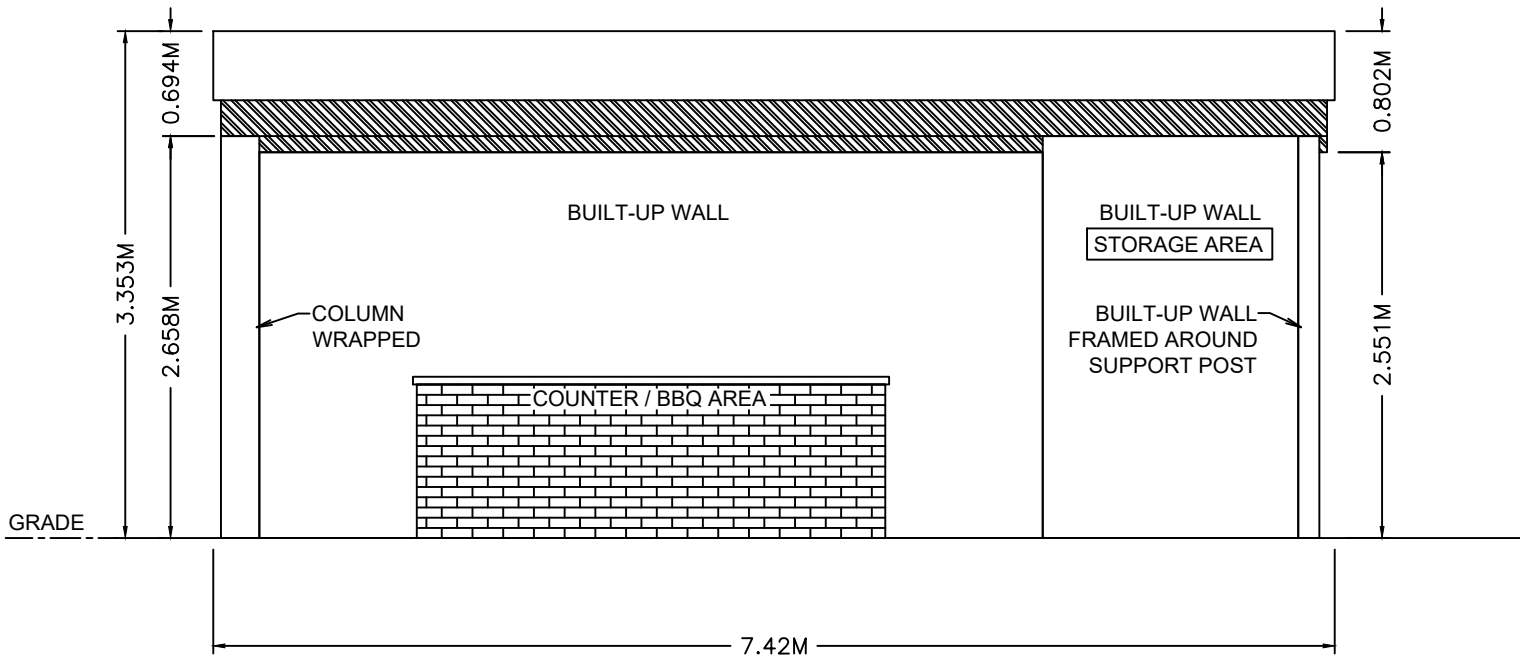
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BCIN #: 108509
Signature: *[Signature]*

Drawn By:
**STEPHANIE
ALLEN**

Date:
APRIL 11, 2024

☒ 6"X6" P.T. POSTS

A101



419 Ofield Road South
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BCIN #: 108509

Signature:

Drawn By:

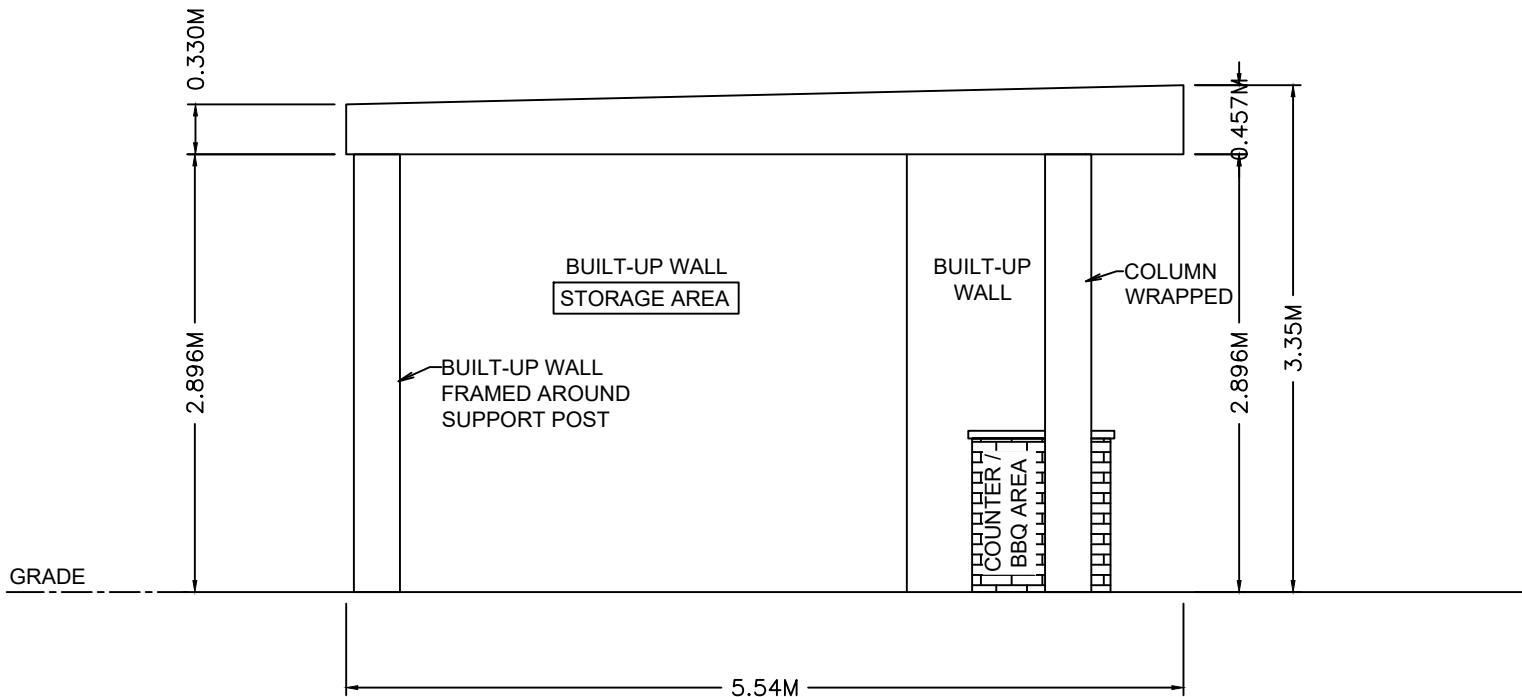
**STEPHANIE
ALLEN**

Date:

APRIL 11, 2024

A201

1 ROOF FRONT ELEVATION
SCALE 1:50



419 Ofield Road South
Dundas, On L9H 5E2

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L9K 1H8**

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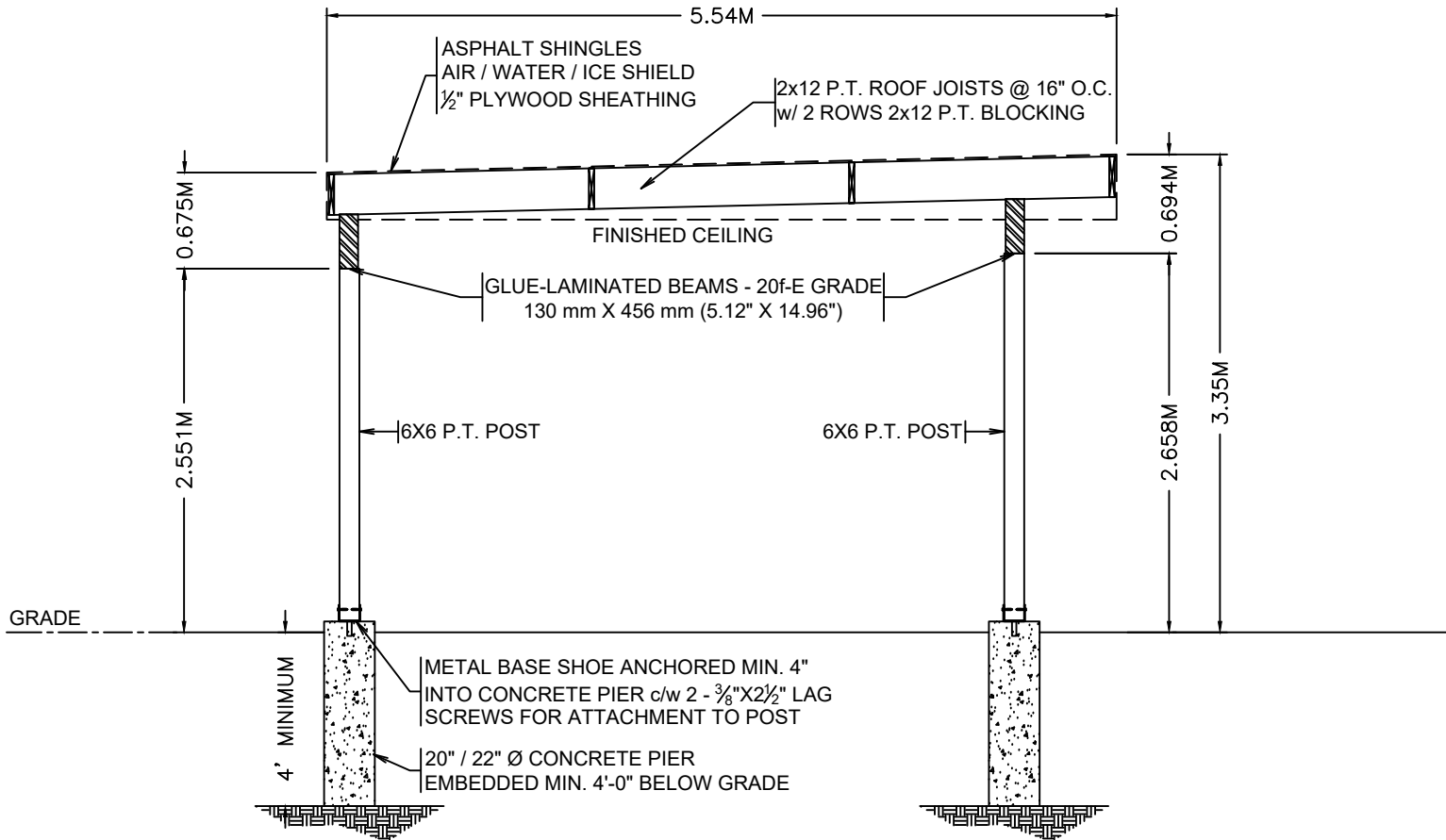
Name: Stephanie Allen
BCIN #: 108509
Signature: *[Handwritten Signature]*

Drawn By:
**STEPHANIE
ALLEN**

Date:
APRIL 11, 2024

A202

1 ROOF SIDE ELEVATION
SCALE 1:50



1 ROOF CROSS SECTION
SCALE 1:50



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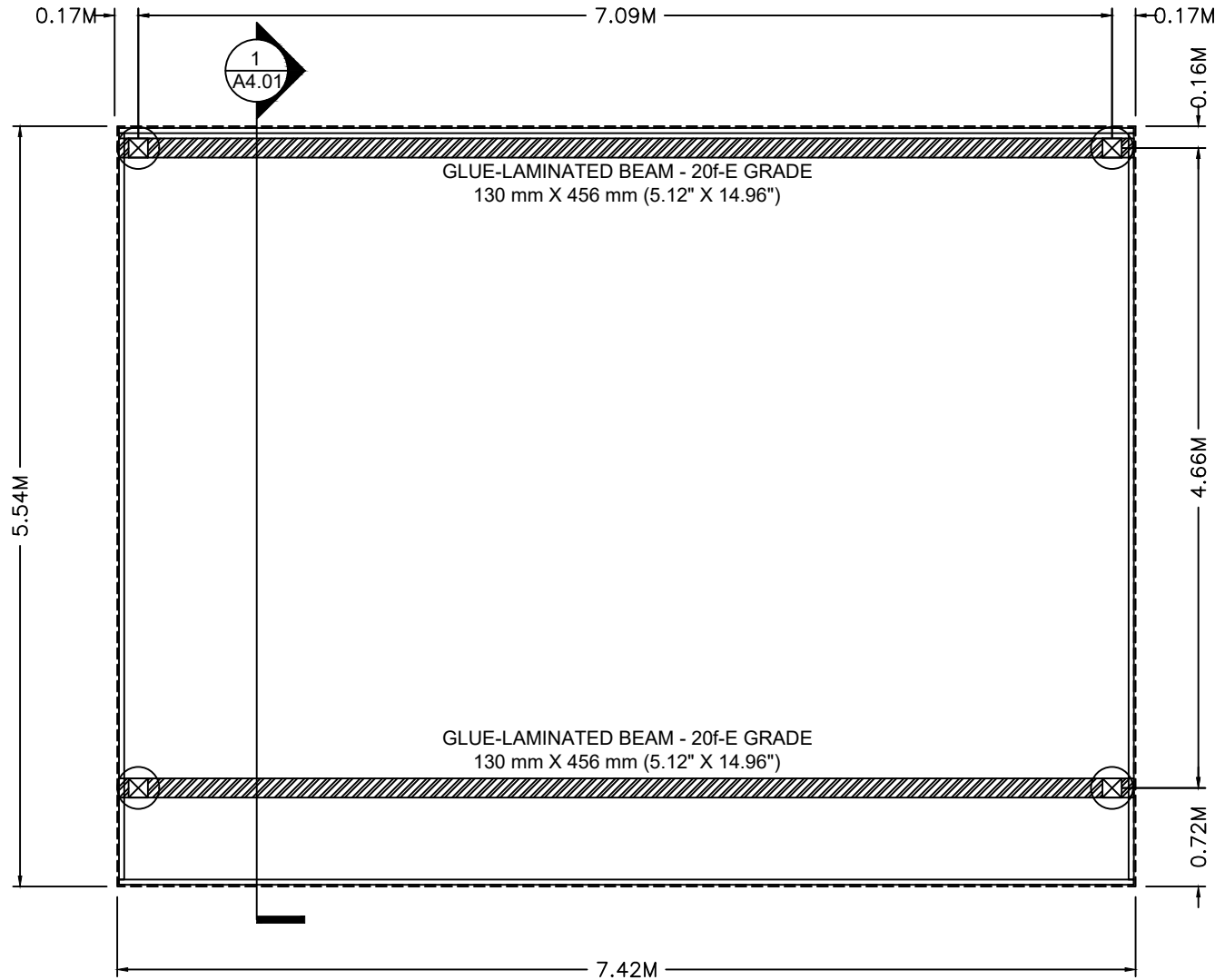
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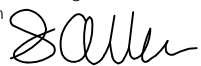
Date:
APRIL 11, 2024

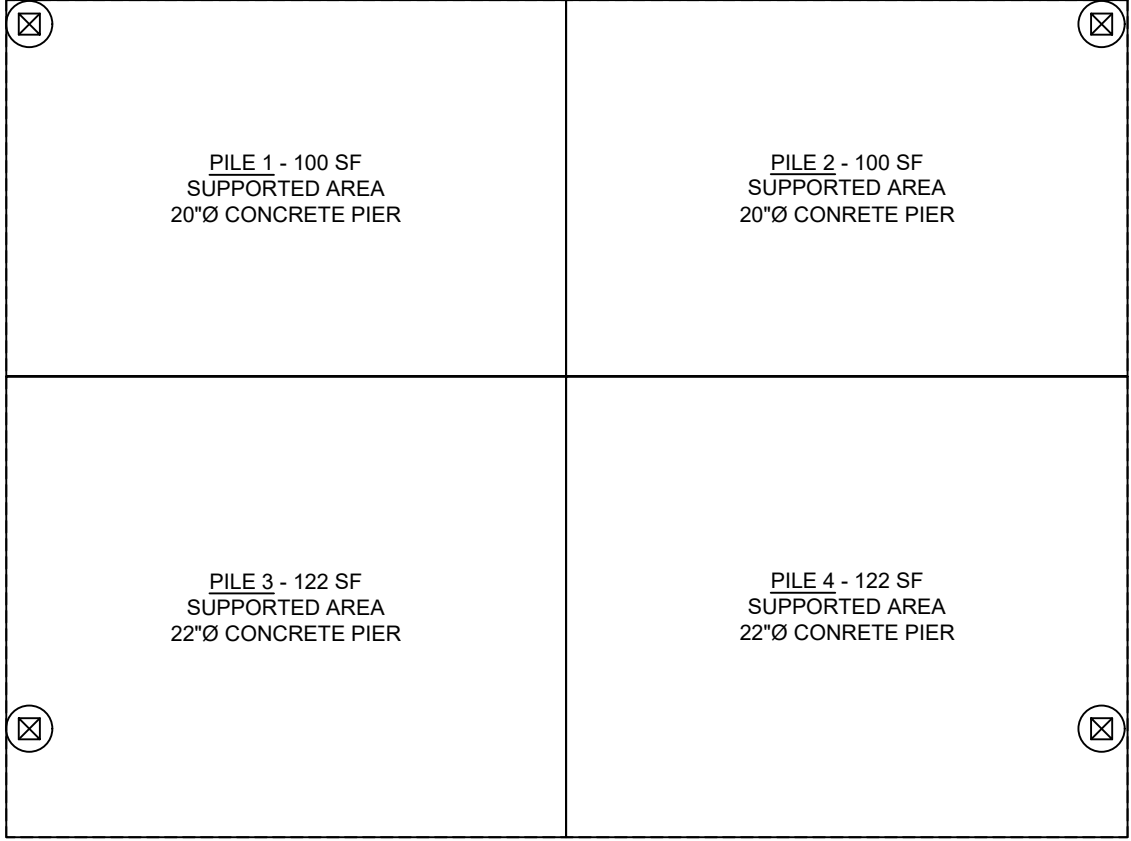
A401



1 ROOF FOUNDATION PLAN
SCALE 1:50

⊗ 6"X6" P.T. POST ON
20" / 22" Ø CONCRETE PIER

 419 Ofield Road South Dundas, On L9H 5E2 1-888-985-8116 orders@decks.ca	
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Project Address: 35 CITATION CRES ANCASTER, ON L9K 1H8	
I have reviewed and take responsibility for the design and am qualified in the appropriate category as a designer under subsection 3.2.5 of Division C of the Ontario Building Code. Name: Stephanie Allen BCIN #: 108509 Signature: 	
Drawn By: STEPHANIE ALLEN	10 11
Date: APRIL 11, 2024	11



419 Ofield Road South
Dundas, On L9H 5E2

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Project Name:
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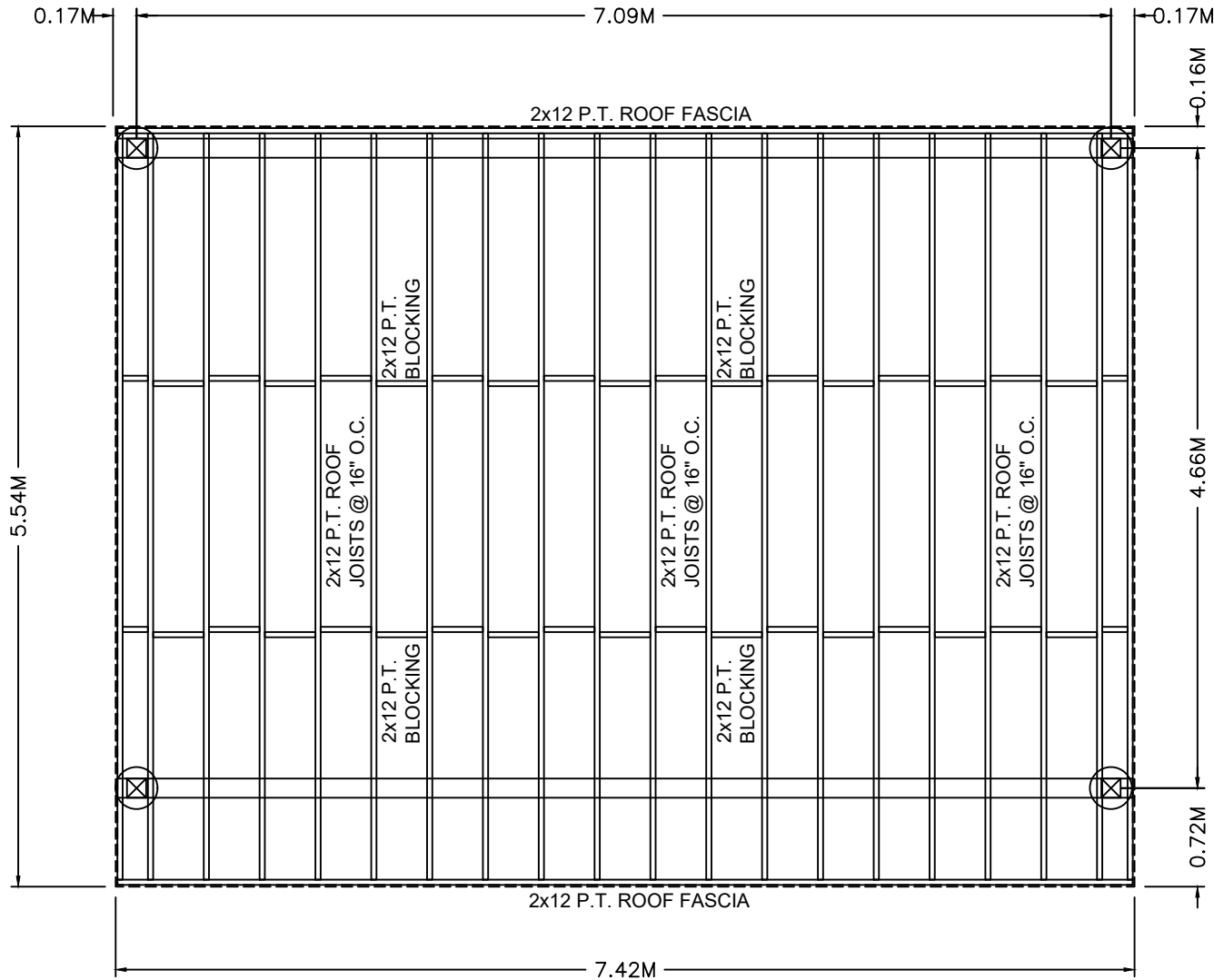
Drawn By:
**STEPHANIE
ALLEN**

Date:
APRIL 11, 2024

10
E2

1 ROOF FOOTING PLAN
SCALE 1:50

6"X6" P.T. POST ON
20" / 22" Ø CONCRETE PIER



1 ROOF SUBSTRUCTURE PLAN
SCALE 1:50

6"X6" P.T. POST ON
20" / 22" Ø CONCRETE PIER



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Drawn By:
**STEPHANIE
ALLEN**

Date:
APRIL 11, 2024

1015



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)	Lars + Helen Wunsche Wunsche
Applicant(s)	Lucas Waxman All in One Landscaping lucas@allinonelandscaping.ca
Agent or Solicitor	Stephanie Allen The Deck Yard

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

[Redacted]

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 be sent by email.

1.6 Payment type

- In person
 Credit over phone*
 Cheque

[Redacted]

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	35 Citation Cres, Ancaster, On L9K 1H8		
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:

Construction of an accessory structure in the rear yard. 7.42M x 5.54M Shed style roof structure, with privacy walls and storage area. Adjacent to existing in ground pool.

Variances Requested: From Zoning By-Law No. 87-57, Section 11.3 "R3" Zone
A new rear yard setback of 1.1 meters, and new interior side yard setback of 0.9 meters.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

Roof structure is sized appropriately to be a functional space. Proposal has roof structure away from house and pool to provide ample accessibility room around, while being in line with the pool for functionality. Small rear lot size combined with required setbacks would not allow for a usable sized structure.

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
24.7M	32.9m	706.4m ²	8.8m

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
Single Family Dwelling	7.6M	9.6M	1.6M INT / 5.9M EXT	1994

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Accessory Roof Structure	24.2M	1.1M	0.9M INT / 15.5M EXT	04/19/2024

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
Single Family Dwelling	197.6M2	395.2M2	2	APPROX. 8M

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Accessory Roof Structure	41.1M2	41.1M2	1	3.4M

- 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 Family Dwelling, Detached
- 4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):
Single Family Dwelling, Detached

7 HISTORY OF THE SUBJECT LAND

- 7.1 Date of acquisition of subject lands: January 3, 2007
- 7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
Single Family Dwelling, Detached
- 7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
Single Family Dwelling, Detached
- 7.4 Length of time the existing uses of the subject property have continued:
Since construction of the dwelling
- 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.
Accessory structure is not over-sized, fits with existing rear yard accessory structures in yards with pools existing in surrounding neighbourhood.

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