

Application No; A-24:136

We are writing with respect to the minor variance application number A-24:136.

It is our understanding the requested application seeks a variance from three (3) by-law requirements:

1. Relief from the required rear property line setback.
2. Relief from the required side property line setback.
3. Relief from the structure gross floor area size limit of 12 m² versus the proposed 40m².

We oppose the proposed variance application on the following grounds.

We are concerned that the height of the roof and shed will be higher than 2.551M from the grade between our side yard and the applicant's rear yard.

The applicant has eliminated all greenspace to hardscaped surfaces in the rear yard to accommodate the construction of this secondary structure. The hardscape surface runs from the rear of the house up the area where the pebble stones and garden bed as can be seen in the attached plan. The height of the hardscape is approximately 18 to 20 inches higher than the original grade between the property line.

As part of this project the applicant erected a fence on the joint property line above the allowed fence height by-law and was issued an order by the City of Hamilton to correct the fence height. Which they have complied. Our understanding is that the applicant took the height from the hardscape surface and not the joint property grade.

As we want to avoid any interpretation from either party of where the height of the structure should be measured from, we respectfully request that the City of Hamilton by way of site inspection to determine the correct grade that should be used to measure the height of this structure.

In addition to the height of the structure we have concerns with the revised drainage of the subject property. They have redirected two rear downspouts and installed a drain which all run under the hardscape to the pebble stone and garden bed for drainage, as we have shown in the red-lined attached document. Given the amount of water that comes from the downspouts we have concerns that there may be flooding on the joint property line. In fact, the applicant requested, via the City of Hamilton, that we divert our sump pump outlet, which we have done, away from this exact area. An additional concern is that the elimination of greenspace to hardscaped surface will result in accelerated rainfall drainage from their property to ours and possibly into the side of our house.

Finally, we are very concerned about the overall proposed structure. We understand that the proposed structure of 40m² is almost 3.5 times greater than what is permitted in the City's by-law. The subject property's rear yard abuts our property's side yard which is used for ingress and regress to our back yard. The proposed structure is much too large and far too close to our joint property line and to our home. The applicant already has a structure for storage so we feel that including additional storage as part of the overall structure should be reconsidered. We are concerned over views and site lines and blocking of natural light and resulting shadows. The elimination of the storage area will reduce the roof size by approximately 10m² and provide for a set back from the rear yard and our side yard of approximately 2.92m and should not have an adverse effect to the primary purpose of this structure. The attached red-lined drawing allows for a symmetrical measurements on each side of the proposed Counter/BBQ Area.

Despite our concerns, we are not totally opposed to our neighbor erecting a secondary structure. We are willing to work with the property owner so that a structure is erected that is in better conformance with the City's by-laws, the original grading plan and approved drainage requirements.

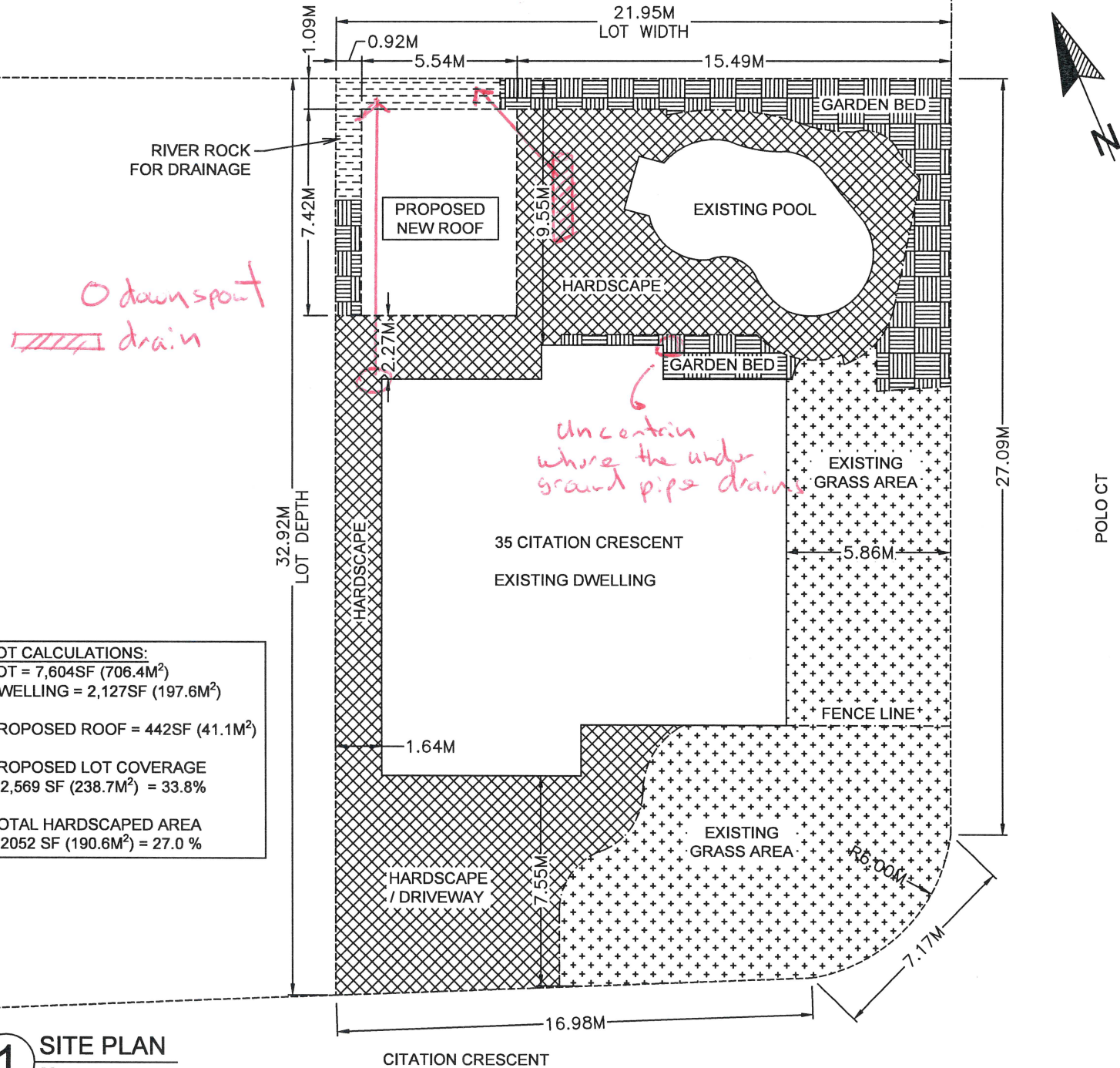
Tony and Gina Gatto

4 Polo Court Ancaster, Ontario

L9K 1H8

905-975-8793

4 Pdo Court Side Yard



0 downspout
drain

in center
where the under
ground pipe drains

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

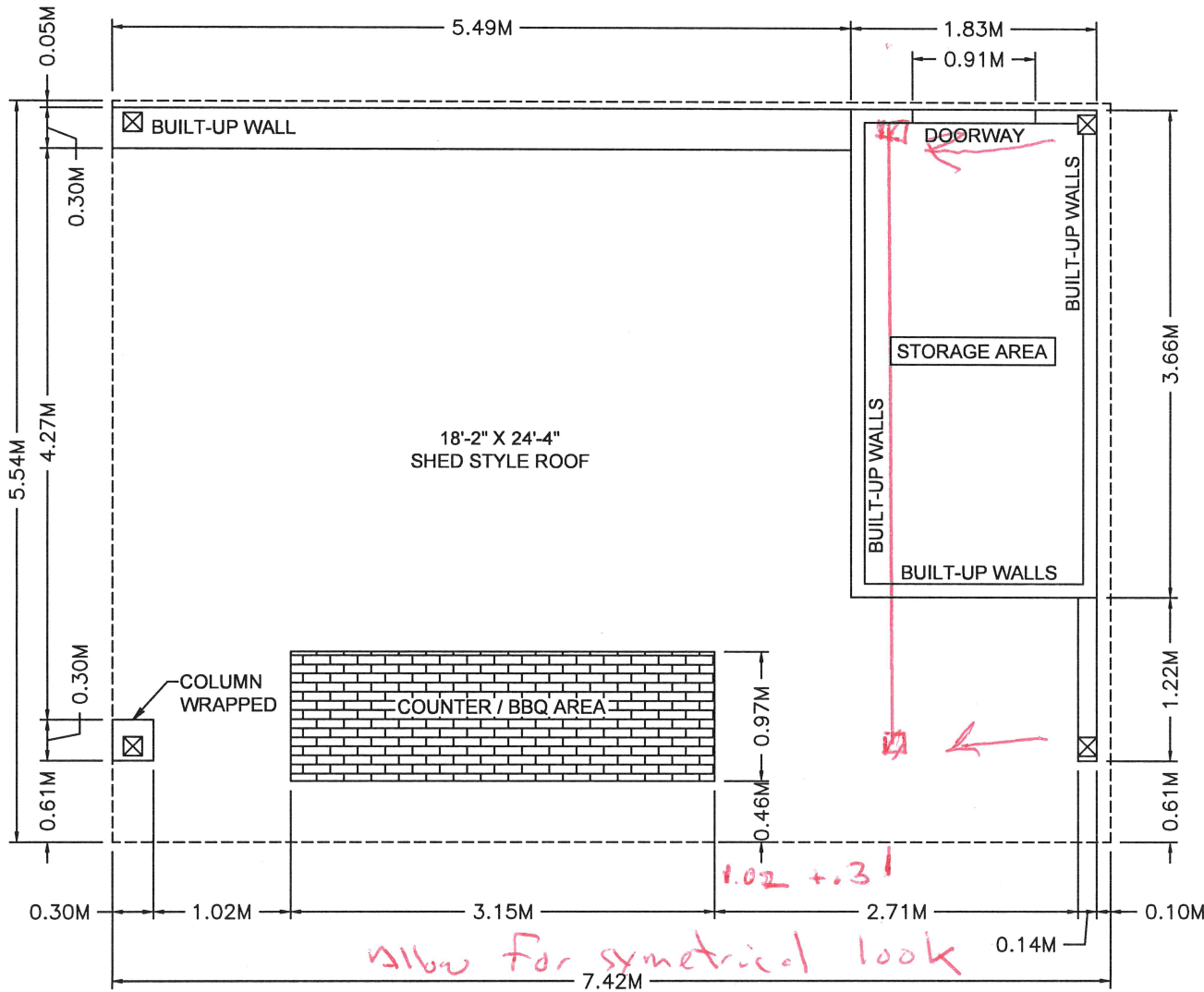
the DECK YARD
 419 Ofield Road South
 Dundas, On L9H 5E2
 1-888-985-8116 orders@decks.ca

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:

Drawn By: STEPHANIE ALLEN	SP101
Date: APRIL 11, 2024	



1.02 + .31
also for symmetrical look



1 ROOF FLOOR PLAN
 SCALE 1:50

<p>☒ 6"X6" P.T. POSTS</p>	<p>Date: APRIL 11, 2024</p>
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 Name: Stephanie Allen
 BCIN #: 108509
 Signature: *Stephanie Allen*

Drawn By:
STEPHANIE ALLEN

A101

Gazebo

Win Anderson <winanderson@me.com>

Fri 7/19/2024 10:20 AM

To:Committee of adjustment <CofA@hamilton.ca>

External Email: Use caution with links and attachments

This submission is in regards to the structure being built at 35 Citation Crescent, Ancaster. It will not interfere with us using our backyard, therefore, we are completely ok with the structure being built.

W Anderson