



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-24:185</b>	<b>SUBJECT PROPERTY:</b>	50 East Crescent, Ancaster
<b>ZONE:</b>	Existing Residential (ER)	<b>ZONING BY-LAW:</b>	Zoning By-law 87-57, formerly the Town of Ancaster

**APPLICANTS:** Owner: Ghulam Ahmed, Adnan Muh  
Agent: Wassay Gulrez

The following variances are requested:

1. A minimum rear yard of 12.47 metres shall be permitted instead of the minimum 20.44 metres required.

**PURPOSE & EFFECT:** To construct a two-storey single detached dwelling with a attached garage and secondary dwelling unit

**Notes:**

- i) Please note a variance is required for the parking space size of 2.7m x 5.5m shown in the garage as 3.5m x 6.0m is required.
- ii) Please note a variance is required for the proposed parking layout as it does not comply to Section 7.14(a) (iv) as the single detached dwelling and secondary dwelling parking spaces are obstructed from the street (tandem).
- iii) Insufficient information provided to determine if walkout basement in the rear yard conforms to Section 7.12 (b) and (f) additional variance may be required.
- iv) Variances are as written by applicant.

**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.**

## A-24:185

This application will be heard by the Committee as shown below:

<b>DATE:</b>	<b>Tuesday, September 10, 2024</b>
<b>TIME:</b>	<b>2:50 p.m.</b>
<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/committeefadjustment">www.hamilton.ca/committeefadjustment</a>

For more information on this matter, including access to drawings illustrating this request and other information submitted:

- Visit [www.hamilton.ca/committeefadjustment](http://www.hamilton.ca/committeefadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton

### **PUBLIC INPUT**

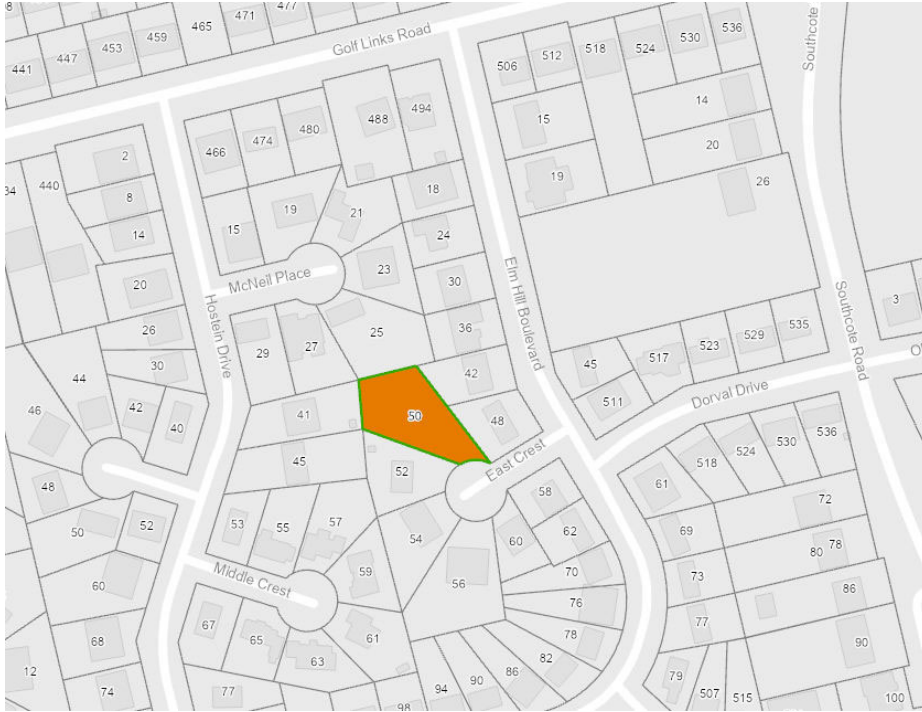
**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon September 6, 2024

**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 September 9, 2024

### **FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:185, 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: August 22, 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.



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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.

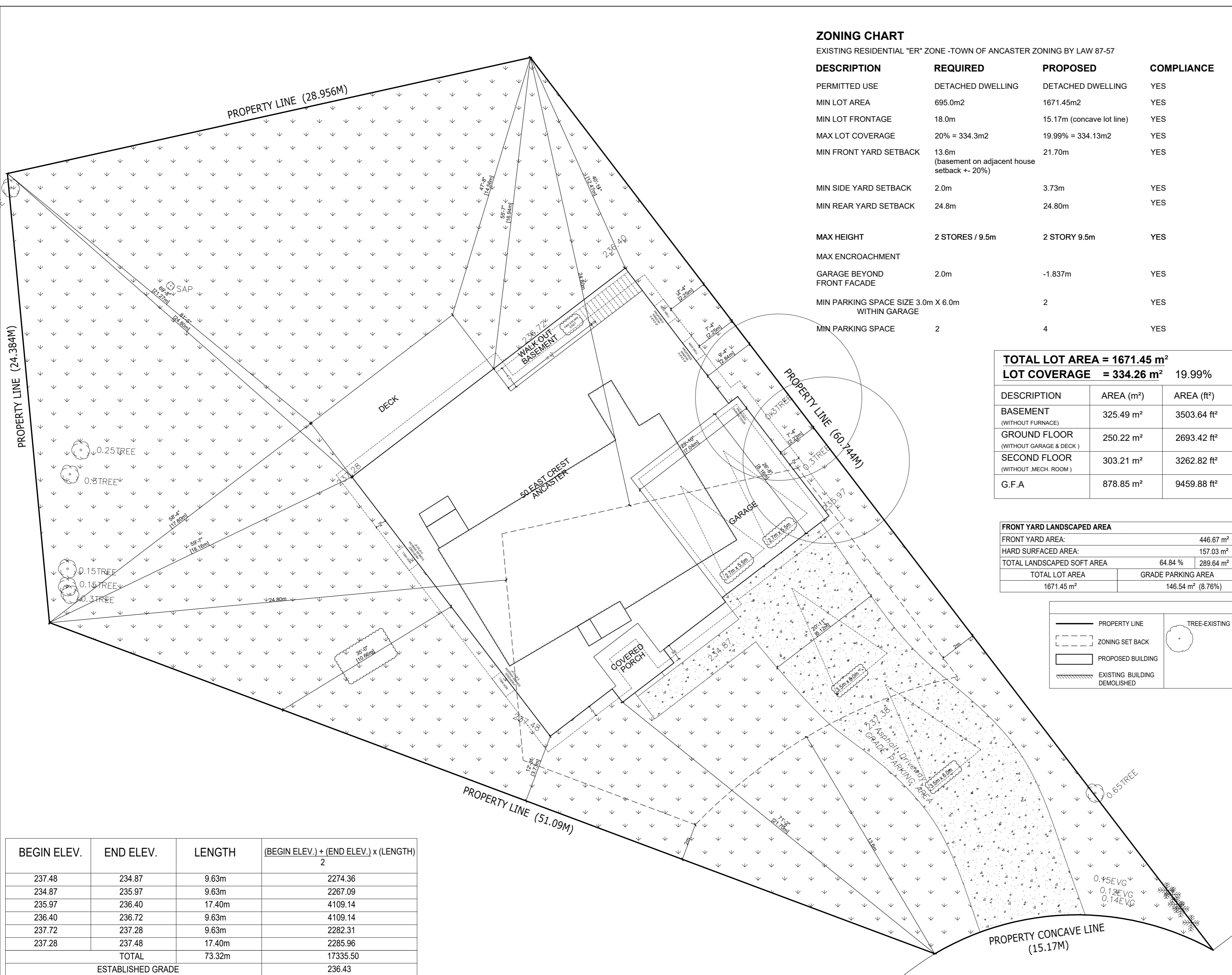
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

##### 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).

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.



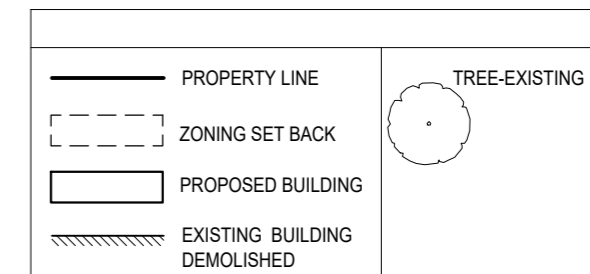
**ZONING CHART**

EXISTING RESIDENTIAL "ER" ZONE -TOWN OF ANCASTER ZONING BY LAW 87-57

DESCRIPTION	REQUIRED	PROPOSED	COMPLIANCE
PERMITTED USE	DETACHED DWELLING	DETACHED DWELLING	YES
MIN LOT AREA	695.0m <sup>2</sup>	1671.45m <sup>2</sup>	YES
MIN LOT FRONTAGE	18.0m	15.17m (concave lot line)	YES
MAX LOT COVERAGE	20% = 334.3m <sup>2</sup>	19.99% = 334.13m <sup>2</sup>	YES
MIN FRONT YARD SETBACK	13.6m (basement on adjacent house setback +/- 20%)	21.70m	YES
MIN SIDE YARD SETBACK	2.0m	3.73m	YES
MIN REAR YARD SETBACK	24.8m	24.80m	YES
MAX HEIGHT	2 STORES / 9.5m	2 STORY 9.5m	YES
MAX ENCROACHMENT			
GARAGE BEYOND FRONT FACADE	2.0m	-1.837m	YES
MIN PARKING SPACE SIZE 3.0m X 6.0m WITHIN GARAGE		2	YES
MIN PARKING SPACE	2	4	YES

<b>TOTAL LOT AREA = 1671.45 m<sup>2</sup></b>		
<b>LOT COVERAGE = 334.26 m<sup>2</sup> 19.99%</b>		
DESCRIPTION	AREA (m <sup>2</sup> )	AREA (ft <sup>2</sup> )
BASEMENT (WITHOUT FURNACE)	325.49 m <sup>2</sup>	3503.64 ft <sup>2</sup>
GROUND FLOOR (WITHOUT GARAGE & DECK)	250.22 m <sup>2</sup>	2693.42 ft <sup>2</sup>
SECOND FLOOR (WITHOUT MECH. ROOM)	303.21 m <sup>2</sup>	3262.82 ft <sup>2</sup>
G.F.A	878.85 m <sup>2</sup>	9459.88 ft <sup>2</sup>

FRONT YARD LANDSCAPED AREA	
FRONT YARD AREA:	446.67 m <sup>2</sup>
HARD SURFACED AREA:	157.03 m <sup>2</sup>
TOTAL LANDSCAPED SOFT AREA	64.84 % 289.64 m <sup>2</sup>
TOTAL LOT AREA	GRADE PARKING AREA
1671.45 m <sup>2</sup>	146.54 m <sup>2</sup> (8.76%)



BEGIN ELEV.	END ELEV.	LENGTH	(BEGIN ELEV.) + (END ELEV.) x (LENGTH) 2
237.48	234.87	9.63m	2274.36
234.87	235.97	9.63m	2267.09
235.97	236.40	17.40m	4109.14
236.40	236.72	9.63m	4109.14
237.72	237.28	9.63m	2282.31
237.28	237.48	17.40m	2285.96
TOTAL		73.32m	17335.50
ESTABLISHED GRADE			236.43

**ALPATRONS**  
3487 BALA DR. MISSISSAUGA, ON L5M0G6.  
TEL: +1 (437) 684-5252

DESIGNED BY:  
WASSAY GULREZ  
Ph.D, P.Eng.

TITLE:  
**SITE PLAN**

ADDRESS:  
**50 EAST CREST ANCASTER**

SHEET NO:	04
REV. NO:	02
OP. NO:	0
COVERED AREA:	0
SCALE:	3/32" = 1'-0"
SHEET SIZE:	A2
DWG BY:	M.U
DATE:	01-08-24

- NOTES:
- CONTRACTOR TO CONFIRM ON SITE PRIOR TO COMMENCEMENT THAT ALL THE EXISTING STRUCTURAL MEMBERS MATCH THE INFORMATION STATED IN ALL THIS PERMIT DRAWINGS.
  - CONTRACTOR TO REPORT TO THE CONSTRUCTION MANAGER FOR ANY DISCREPANCIES BETWEEN THE EXISTING STRUCTURAL MEMBERS AND INFORMATION STATED IN ANY OF THIS PERMIT DRAWINGS.



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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	
<b>Registered Owners(s)</b>	Ghulam Ahmed, Adnan Muh +	
<b>Applicant(s)</b>	Wassay Gulrez	
<b>Agent or Solicitor</b>		
		<b>Phone:</b>
		<b>E-mail:</b>

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 over phone\*  Cheque

\*Must provide number above

## 2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	50 East Crescent, Ancaster		
Assessment Roll Number			
Former Municipality			
Lot	51	Concession	
Registered Plan Number	935	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:

The rear yard set back required is 20.436 meters, due lot irregular kite shape of the lot at right corner lot rear yard setback came out 16.94 meters. A relief is required for rear yard setback.

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

It is because of the unusual kite shape of the lot.

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
15.17 (Concave Line)	60.744	1671.45	10-15

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 House	25.091	18.135	6.539 & 6.451	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
2 Dwellings House	21.7	16.94	3.73	10/15/2024

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 House	112.74	112.74	1	4.8

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
2 Dwellings House	250.22	878.85	2	9.5

- 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

right of way

municipal road, seasonally maintained

other public road

municipal road, maintained all year \_\_\_\_\_

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):

Detached house with 2nd dwelling in the basement.

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

Detached houses

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

August 29, 2023

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

Single family house

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

Single family house

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

1960

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) R2

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

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

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: ER

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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: \_\_\_\_\_

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 2

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

Construction of new house with 2nd dwelling in the basement.

## 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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