



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-24:285	SUBJECT PROPERTY:	287 Highway 52 North, Ancaster
ZONE:	A2 (Rural)	ZONING BY-LAW:	Hamilton Zoning By-law 05-200, as Amended by By-law 15-173

APPLICANTS: Owner: Geoffrey & Gerjanne Otten
 Applicant: Alex Blanchard / Carrothers and Associates
 Agent: David Carrothers / Carrothers and Associates

The following variances are requested:

1. The conversion of an existing principal dwelling to an Additional Dwelling Unit- Detached shall be permitted whereas the by-law only permit the conversion of an existing accessory building to an Additional Dwelling Unit- Detached.
2. An Additional Dwelling Unit- Detached shall be permitted in a front yard, whereas the an Additional Dwelling Unit- Detached is only permitted in a Rear and/or interior side yard.
3. A maximum building height of 8.11 metre shall be permitted for an Additional Dwelling Unit- Detached instead of the maximum 6.0 metre Additional Dwelling Unit- Detached building height permitted.

PURPOSE & EFFECT: To facilitate the establishment of a proposed Additional Dwelling Unit- Detached

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:	Thursday, February 13, 2025
TIME:	3:10 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

PUBLIC INPUT

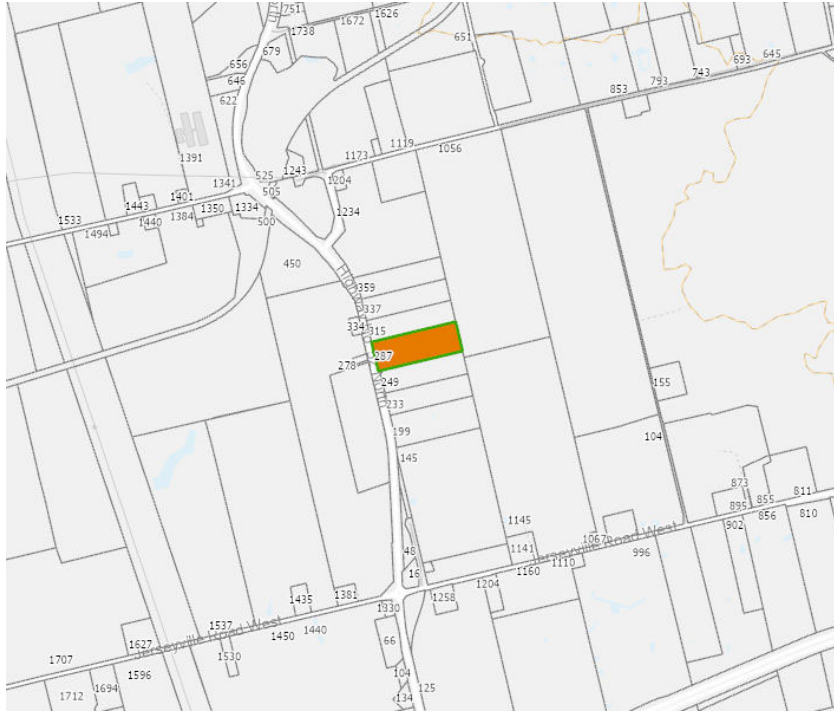
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon February 11, 2025

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 February 12, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:285, 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.



DATED: January 27, 2025

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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E-mail: cofa@hamilton.ca

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 Tuesday 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.

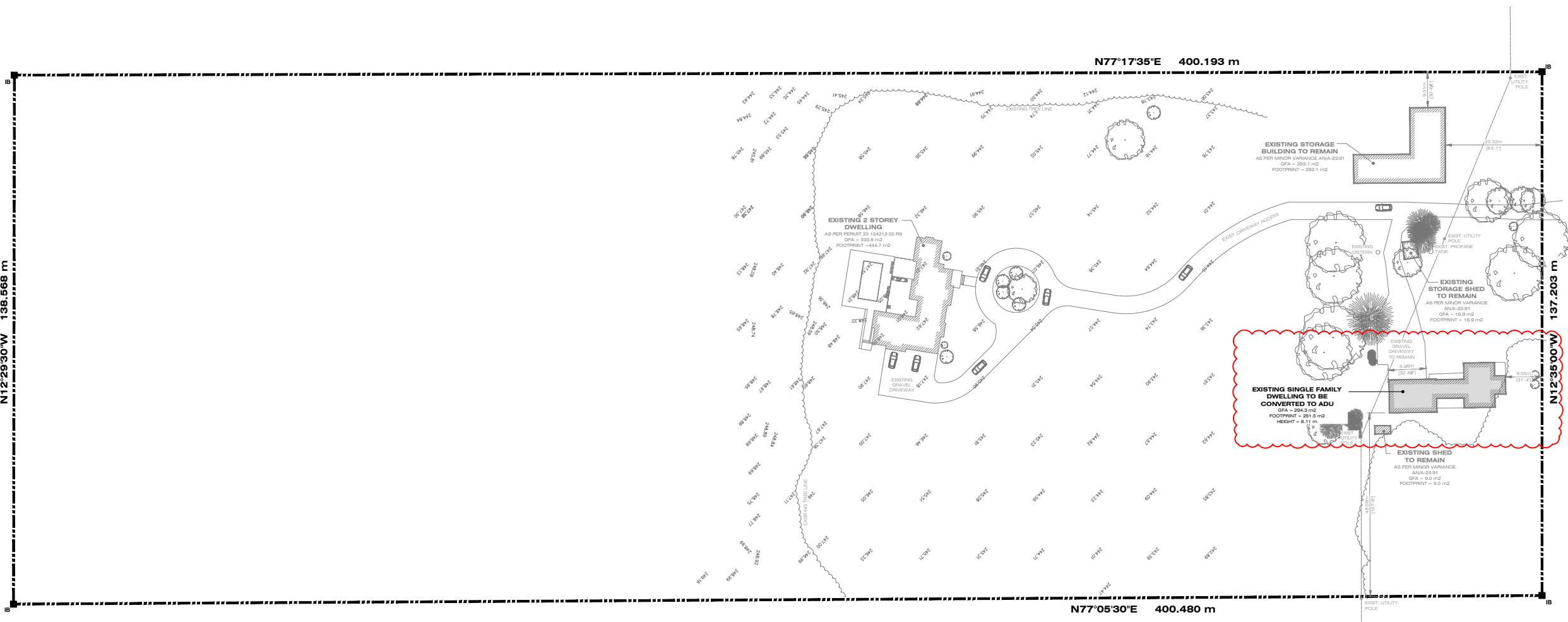
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

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.



ISSUED FOR
COMMITTEE OF
ADJUSTMENT

Project Name:
PRIVATE RESIDENCE
EXISTING ADDITIONAL
DWELLING UNIT
287 HWY 52
JERSEYVILLE, ON LOR 1R0

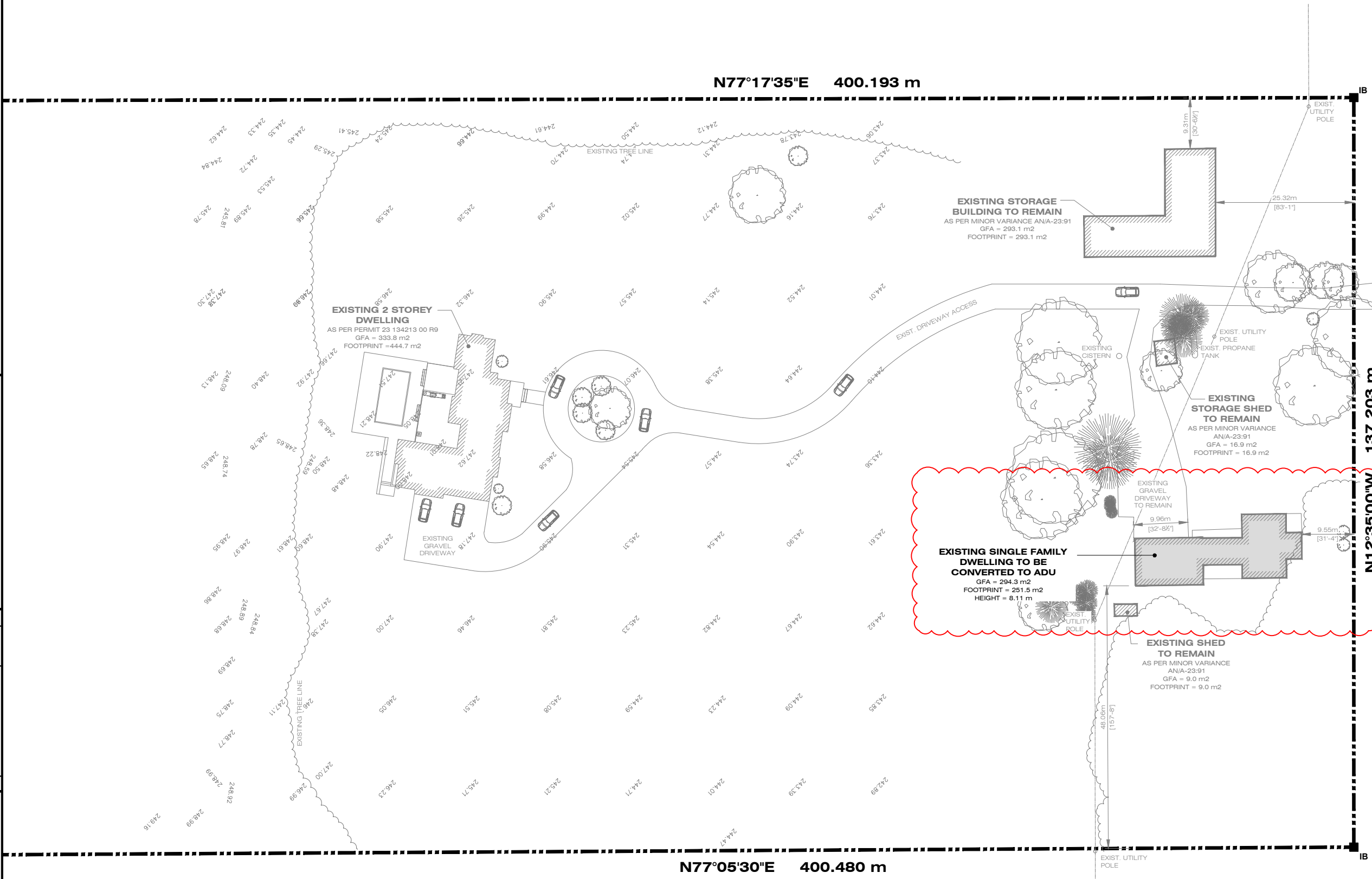
Sheet Title:
OVERALL SITE PLAN

No.	Date	Issued For
2	DEC 10/24	ISSUED FOR C OF A
1	OCT 09/24	ISSUED FOR ZONING
		Issue/Revision

Drawn By:
Checked By:
Scale: 1:1250
Date: DEC 2024
Project No: 2024-67

SP1

THE KING'S HIGHWAY No. 52



**ISSUED FOR
COMMITTEE OF
ADJUSTMENT**

Project Name:
**PRIVATE RESIDENCE
EXISTING ADDITIONAL
DWELLING UNIT**
287 HWY 52
JERSEYVILLE, ON LOR-1R0

Sheet Title:
ENLARGED SITE PLAN

No.	Date	Issue/Revision
2	DEC 10/24	ISSUED FOR C OF A
1	OCT 09/24	ISSUED FOR ZONING

Checked By:
Scale: 1:750
Date: DEC 2024
Project No: 2024-67

SP2

ISSUED FOR
COMMITTEE OF
ADJUSTMENT

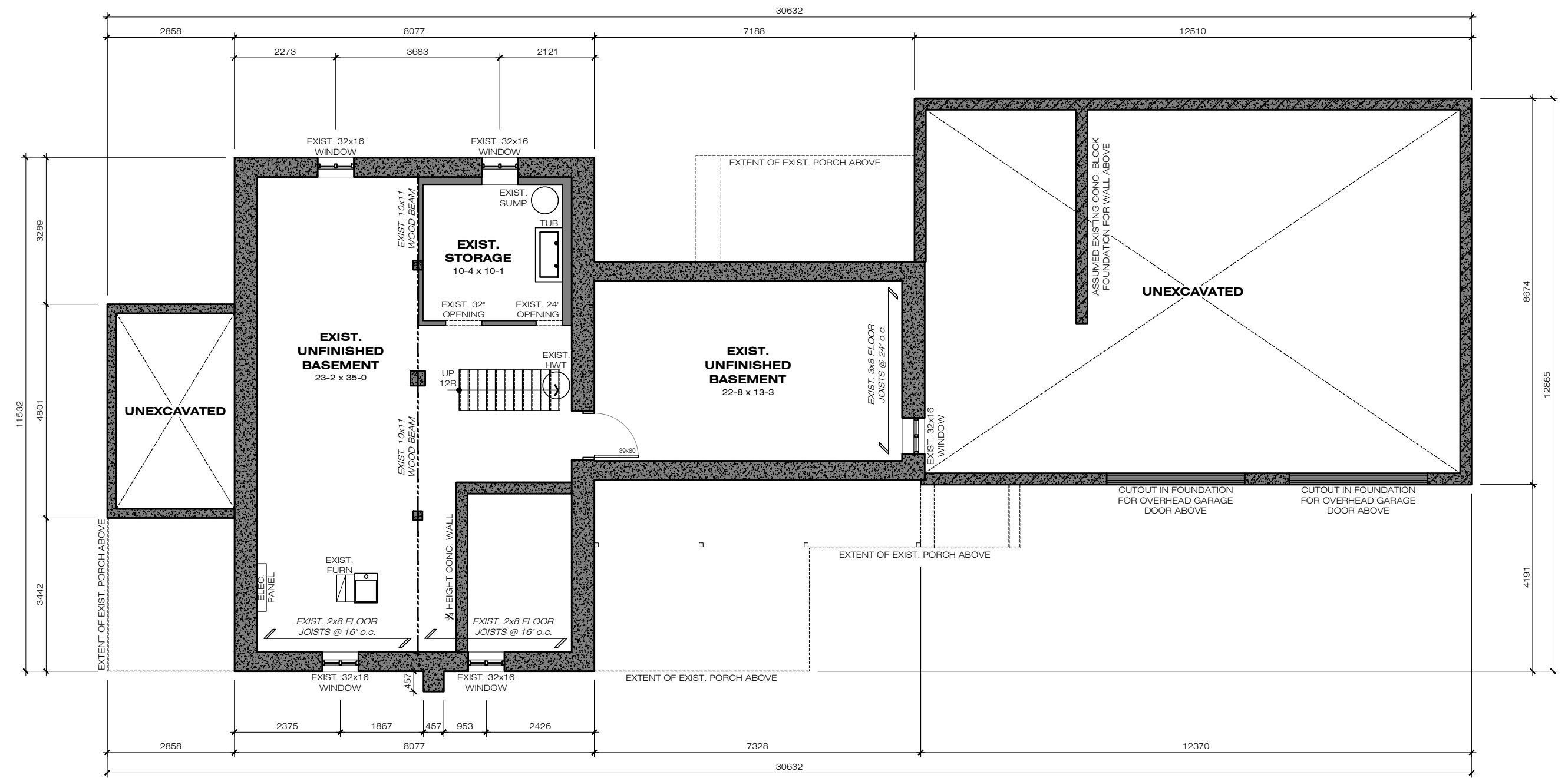
Project Name:
PRIVATE RESIDENCE
EXISTING ADDITIONAL
DWELLING UNIT
287 HWY 52
JERSEYVILLE, ON LOR 1R0

Sheet Title:
**EXISTING BASEMENT
FLOOR PLAN**

No.	Date	Issue/Revision
2	DEC 10/24	ISSUED FOR C OF A
1	OCT 08/24	ISSUED FOR ZONING

Drawn By: _____
Checked By: _____
Scale: 1:100
Date: DEC 2024
Project No: 2024-67

A1



EXISTING BASEMENT / FOUNDATION PLAN
AREA = 1396.2 sqft (129.7 sqm)
U/S JOIST = 6'-8"

ISSUED FOR COMMITTEE OF ADJUSTMENT

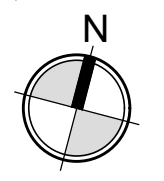
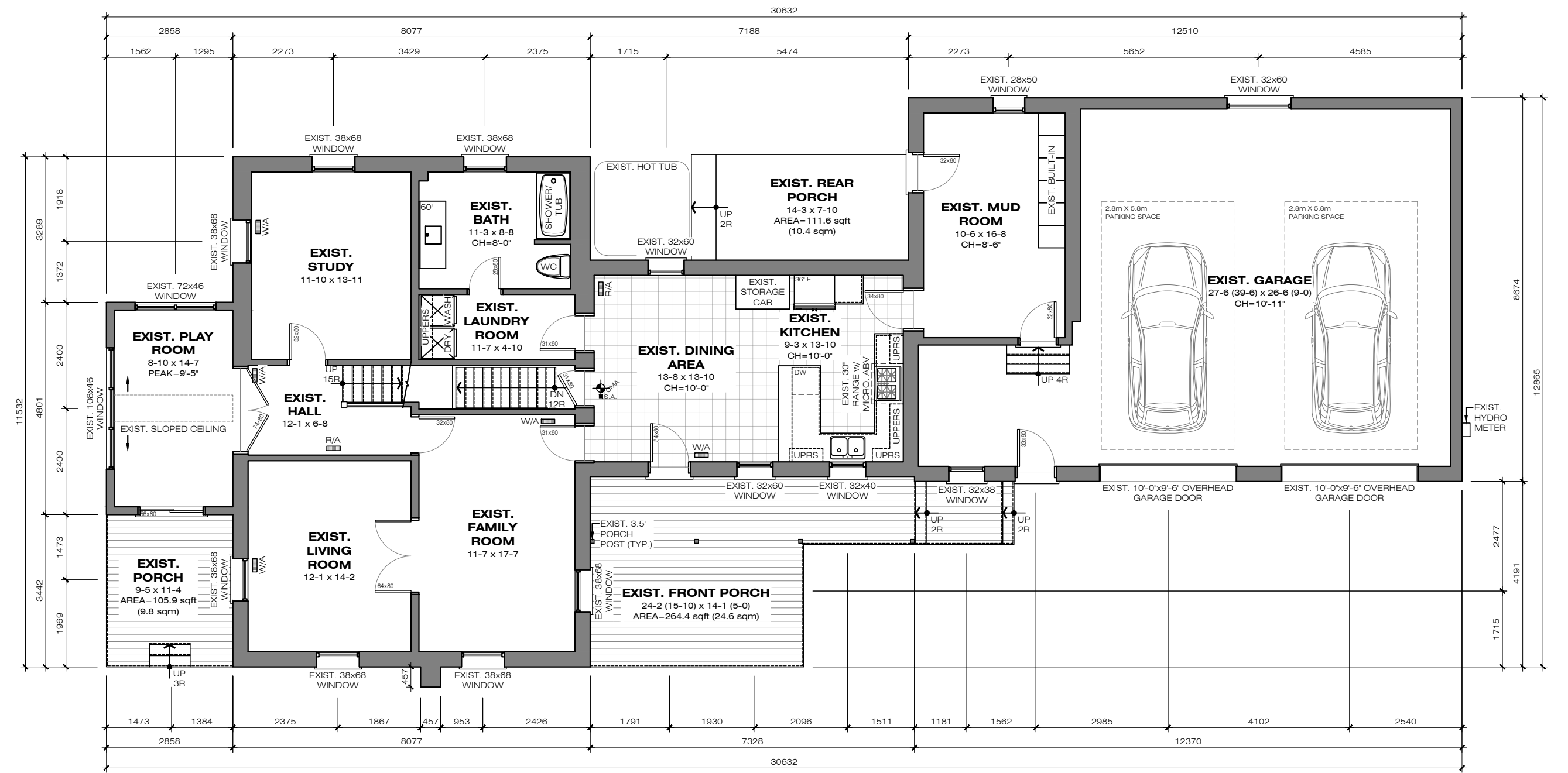
Project Name:
PRIVATE RESIDENCE
 EXISTING ADDITIONAL
 DWELLING UNIT
 287 HWY 52
 JERSEYVILLE, ON LOR 1R0

Sheet Title:
EXISTING MAIN FLOOR PLAN

No.	Date	Issue/Revision
2	DEC 10/24	ISSUED FOR C OF A
1	OCT 08/24	ISSUED FOR ZONING

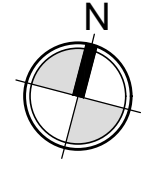
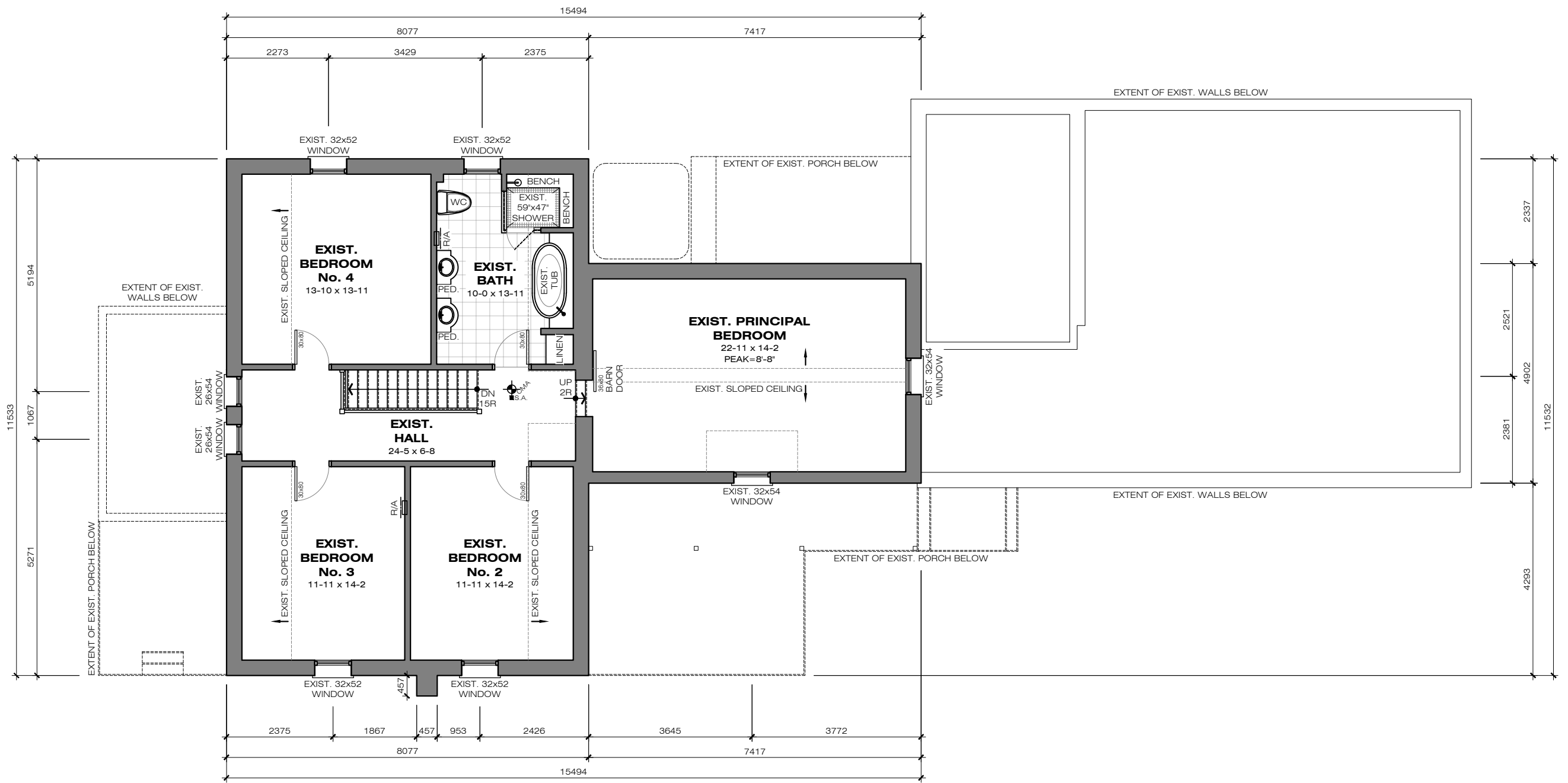
Drawn By	Checked By
Scale:	1:100
Date:	DEC 2024
Project No.:	2024-67

A2



EXISTING MAIN FLOOR PLAN
 AREA = 1771.9 sqft (164.6 sqm)
 U/S CEILING = 9'-3" U.N.O.

ISSUED FOR
COMMITTEE OF
ADJUSTMENT



EXISTING SECOND FLOOR PLAN
 AREA = 1396.2 sqft (129.7 sqm)
 U/S CEILING = 7'-5" U.N.O.

Project Name:
PRIVATE RESIDENCE
 EXISTING ADDITIONAL
 DWELLING UNIT
 287 HWY 52
 JERSEYVILLE, ON LOR 1R0

Sheet Title:
EXISTING SECOND FLOOR PLAN

No.	Date	Issue/Revision
2	DEC 10/24	ISSUED FOR C OF A
1	OCT 08/24	ISSUED FOR ZONING

Drawn By: _____
 Checked By: _____
 Scale: 1:100
 Date: DEC 2024
 Project No: 2024-67

A3

ISSUED FOR
COMMITTEE OF
ADJUSTMENT



EXISTING FRONT ELEVATION:



EXISTING FRONT ELEVATION

Project Name:
PRIVATE RESIDENCE
EXISTING ADDITIONAL
DWELLING UNIT
287 HWY 52
JERSEYVILLE, ON LOR 1R0

Sheet Title:
EXISTING FRONT ELEVATION

No.	Date	Issue/Revision
2	DEC 10/24	ISSUED FOR C OF A
1	OCT 08/24	ISSUED FOR ZONING

Drawn By: _____
Checked By: _____
Scale: 1:100
Date: DEC 2024
Project No: 2024-67

A4



EXISTING RIGHT SIDE ELEVATION:



EXISTING RIGHT SIDE ELEVATION

ISSUED FOR
COMMITTEE OF
ADJUSTMENT

Project Name:
PRIVATE RESIDENCE
EXISTING ADDITIONAL
DWELLING UNIT
287 HWY 52
JERSEYVILLE, ON LOR 1R0

Sheet Title:
**EXISTING RIGHT SIDE
ELEVATION**

No.	Date	Issue/Revision
2	DEC 10/24	ISSUED FOR C OF A
1	OCT 08/24	ISSUED FOR ZONING

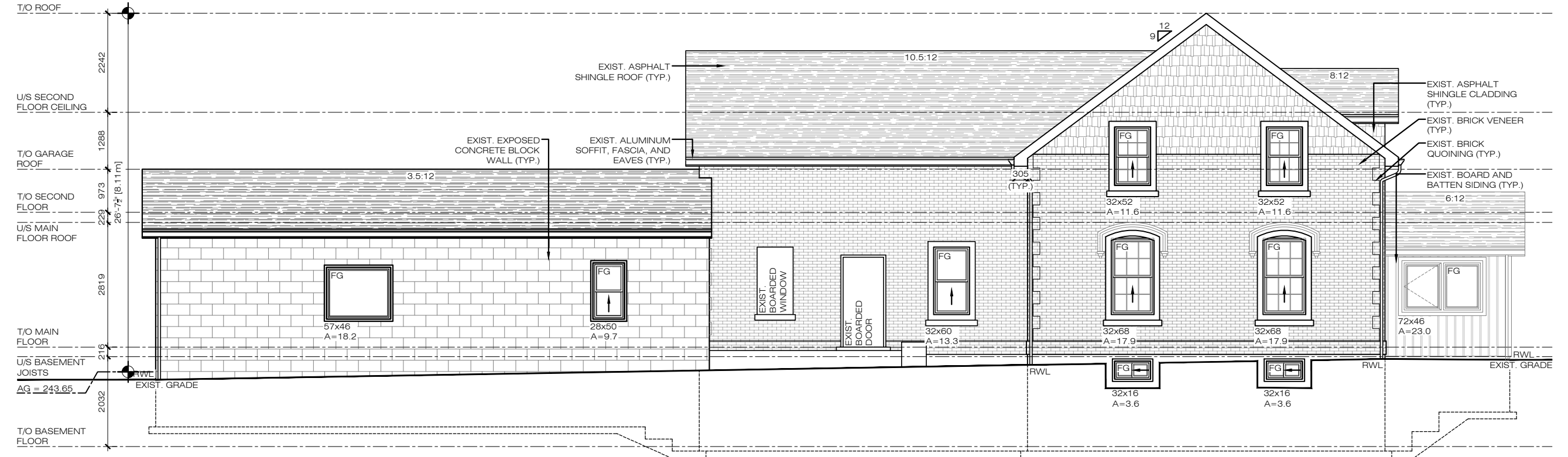
Drawn By:
Checked By:
Scale: 1:100
Date: DEC 2024
Project No: 2024-67

A5

ISSUED FOR
COMMITTEE OF
ADJUSTMENT



EXISTING REAR ELEVATION:



EXISTING REAR ELEVATION

Project Name:
PRIVATE RESIDENCE
EXISTING ADDITIONAL
DWELLING UNIT
287 HWY 52
JERSEYVILLE, ON LOR 1R0

Sheet Title:
EXISTING REAR ELEVATION

No.	Date	Issue/Revision
2	DEC 10/24	ISSUED FOR C OF A
1	OCT 08/24	ISSUED FOR ZONING

Drawn By: _____
Checked By: _____
Scale: 1:100
Date: DEC 2024
Project No: 2024-67

A6



EXISTING LEFT SIDE ELEVATION:



EXISTING LEFT SIDE ELEVATION

ISSUED FOR
COMMITTEE OF
ADJUSTMENT

Project Name:
PRIVATE RESIDENCE
EXISTING ADDITIONAL
DWELLING UNIT
287 HWY 52
JERSEYVILLE, ON LOR 1R0

Sheet Title:
EXISTING LEFT SIDE ELEVATION

No.	Date	Issue/Revision
2	DEC 10/24	ISSUED FOR C OF A
1	OCT 08/24	ISSUED FOR ZONING

Drawn By:	
Checked By:	
Scale:	1:100
Date:	DEC 2024
Project No.:	2024-67
By:	

A7



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Building Division
71 Main Street West – 3rd Floor
Hamilton, Ontario, Canada, L8P 4Y5
Phone: 905.546.2720 Fax: 905.546.3934
www.hamilton.ca

PERMIT NO: 23-134213 00 R9
ATTENTION OF: Kevin Smith
TELEPHONE NO: 905.546.2424

OCCUPANCY PERMIT

LOCATION:
287 HIGHWAY NO 52 N
ANCASTER

NEVEN CUSTOM HOMES LTD
287 HIGHWAY NO 52 N
ANCASTER

The work of construction covered by the above permit was inspected on November 14, 2024, and is deemed suitable for the proposed use and occupancy within the meaning of the Ontario Building Code, Division C – Part 1, Sentence 1.3.3.4.

Jorge Caetano

ACTING CHIEF BUILDING OFFICIAL

December 6, 2024

DATE



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Building Division
71 Main Street West
Hamilton, Ontario, Canada, L8P 4Y5
Phone: 905.546.2720 Fax: 905.546.2764
www.hamilton.ca

October 31, 2024

ATTENTION OF: Brody Paul
EMAIL: brody.paul@hamilton.ca
FILE: ZCR-24-050

Alex Blanchard C/O Carrothers and Associates
3-505 York Boulevard
Hamilton ON, L8R 3K4

Attention:

Re: Applicable Law Review – Zoning By-law Compliance
Zoning District: “A2” (Rural)
Zoning By-law: Hamilton Zoning By-law No. 05-200
Address: 287 Highway 52 North, Ancaster

An Applicable Law Review respecting zoning by-law compliance has been completed and the following comments are provided.

COMMENTS:

1. This application will facilitate the conversion of an existing Single Detached Dwelling to an Additional Dwelling Unit – Detached.
2. Please note that as per Section 4.33.4(a), for lands within an “A2” Zone, a maximum of one Additional Dwelling Unit – Detached (“ADU-D”) is permitted on a lot containing a Single Detached Dwelling. However, as the existing Single Detached Dwelling is proposed to be converted to an Additional Dwelling Unit – Detached prior to the construction and final occupancy of the new proposed two (2) storey Single Detached Dwelling associated with Building Permit No. 23-134213, a minor variance will be required to permit an Additional Dwelling Unit – Detached to be on the lot prior to the erection of the principle building/structure.
3. Please note that the following zoning compliance comments pertain only to conversion of the existing Single Detached Dwelling to an Additional Dwelling Unit – Detached, and does not include a review of the proposed two (2) storey Single Detached Dwelling associated with Building Permit No. 23-132213, or any other existing site features which are not being altered as part of the proposed conversion.
4. Please note that Minor Variance Application No. AN/A-23:91 was granted on May 18, 2023 and pertains to the existing accessory structures located on the lot. The following variances were granted:
 - To permit Accessory Buildings within the front yard of the lot; and,
 - To permit the existing Accessory Buildings to be on the lot prior to the erection of the principal building/structure.



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www.hamilton.ca

5. Please note that Building Division records indicate that Demolition Permit No. 23-109248, for the demolition of the existing Single Detached Dwelling that is proposed to be converted to a Additional Dwelling Unit – Detached, has been cancelled.
6. Please note that the subject lot is not identified on Schedule “A” to Appendix “D” as a Parking Rate Area for the purpose of establishing minimum/maximum parking requirements under Section 5: Parking of Hamilton Zoning By-law No. 05-200.
7. This property is listed in the City of Hamilton’s Inventory Heritage Buildings as a property of cultural heritage value or interest. Please contact a Cultural Heritage Planner at culturalheritageplanning@hamilton.ca, or visit www.hamilton.ca/heritageplanning for further information.
8. The subject lot is not located on lands identified in Figures 24.1 to 24.5 of Schedule “F” – Special Figures, as per Section 4.33.4(a)(i).
9. Please see Section 4.22 for regulations pertaining to Adequate Services.
10. The proposed development has been reviewed and compared to the standards of the “A2” (Rural) Zone, as indicated in the following chart:

	Required By By-Law	Provided	Conforming/ Non-Conforming
Section 4: General Regulations			
Additional Dwelling Unit and Additional Dwelling Unit - Detached [as per Section 4.33 of Hamilton Zoning By-law 05-200]	a) All the regulations of this By-law applicable to the principal dwelling shall continue to apply unless specifically provided in Section 4.33.	New Single Detached Dwelling being proposed as part of Building Permit No. 23-134213, not reviewed as part of the following zoning compliance comments.	N/A
	b) A Single Detached Dwelling, Duplex Dwelling, or Triplex Dwelling built in conformity with this By-law, may be converted to contain a fourth Additional Dwelling Unit.	The proposal is for the conversion of an existing Single Detached Dwelling to an Additional Dwelling Unit – Detached.	N/A
	c) Notwithstanding any applicable regulations of this By-law, no more than four Dwelling Units shall be permitted on a lot that contains an Additional Dwelling Unit and/or Additional Dwelling Unit – Detached	One (1) Additional Dwelling Unit – Detached is proposed. New Single Detached Dwelling being proposed as part of Building Permit No. 23-134213.	Conforms
	a) For lands within an A1, A2, S1 Zone, a maximum of one Additional Dwelling Unit – Detached shall be permitted on a lot containing a Single Detached Dwelling	a) A maximum of one “ADU-D” has been indicated on a lot which does not contain a Single Detached Dwelling.	Non-conforming



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	Required By By-Law	Provided	Conforming/ Non-Conforming
Additional Dwelling Unit – Detached in A2 Zone [as per Section 4.33.4 of Hamilton Zoning By-law 05-200]	having a minimum lot area of 1.5 hectares. i) Notwithstanding 4.33.4 a) above, an Additional Dwelling Unit –Detached shall not be permitted on lands identified in Figures 24.1 to 24.5 of Schedule “F” – Special Figures	NOTE: Final occupancy of the proposed two (2) storey Single Detached Dwelling associated with Building Permit No. 23-134213 shall be required to allow for the proposed Additional Dwelling Unit – Detached on the subject lot. Lot area indicated not indicated, but is approximately 54,907 square metres or 5.49 ha based on Site Plan lot dimensions. Applicant to indicate minimum lot area on future submissions to confirm zoning compliance. i) Subject lot is not identified in Figures 24.1 to 24.5 of Schedule “F” – Special Figures	
	c) All the regulations of the By-law applicable to the existing dwelling shall continue to apply unless specifically provided in Section 4.33.4.	New Single Detached Dwelling being proposed as part of Building Permit No. 23-134213, not reviewed as part of the following zoning compliance comments.	N/A
	(d) An Additional Dwelling Unit – Detached shall only be permitted in a Rear and/or interior Side Yard	The proposed “ADU-D” is located in the front yard of the new Single Detached Dwelling being proposed as part of Building Permit NO. 23-134213.	Non-conforming
	(e) A minimum 1.2 metre setback shall be provided from the interior Side Lot Line and Rear Lot Line. i) Notwithstanding Section 4.33.4 (e), an eave or a gutter may extend a maximum of 0.45 metres into a required minimum setback area. ii) In addition to Section 4.33.4 (e), a landscape strip is required to be provided within the required side yard adjacent to an Additional Dwelling Unit – Detached and shall be limited to sod, ground cover, permeable pavers, or a planting strip, and may include a visual barrier	e) A minimum setback of 1.2 metres has been indicated from the interior side lot line(s) and rear lot line. i) Projection of eaves/gutter not indicated, but based on proposed building setbacks it appears there is sufficient space to accommodate a typical eaves/trough projection without encroaching into a required setback. If applicable, applicant to indicate projection of eaves/gutters on future submissions to confirm zoning compliance. ii) Landscape strip has not been indicated, but appears to be provided. Applicant to indicate	e) Conforms i) Appears to Comply ii) Appears to Comply



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	Required By By-Law	Provided	Conforming/ Non-Conforming
		landscape strip on future submissions.	
	(f) An Additional Dwelling Unit – Detached shall not be located closer to the flankage street than the principal dwelling.	No flankage yard.	N/A
	(g) An unobstructed path with a minimum 1.0 metre width and minimum 2.1 metre clearance in height from a street line to the entrance of the Additional Dwelling Unit – Detached shall be provided and maintained.	Although an unobstructed path with a minimum 1.0 metre width indicated from streetline to entrance has not been indicated, based on the lot size and configuration, adequate space has been provided on the lot to accommodate this requirement.	Appears to Comply
	(h) The following building separation shall be provided: i) Where an Additional Dwelling Unit – Detached is in the Rear Yard, a minimum distance of 7.5 metres shall be required between the rear wall of the principal dwelling and the Additional Dwelling Unit –Detached. ii) Where an Additional Dwelling Unit – Detached is in an Interior Side Yard, the following is required: (A) A minimum distance of 4.0 metres shall be provided between the side wall of the principal dwelling and an Additional Dwelling Unit – Detached; and, (B) An Additional Dwelling Unit – Detached shall be set back a minimum 5.0 metres from the front façade of the principal dwelling	h) i) N/A ii) N/A	N/A
	(i) A maximum height of 6.0 metres shall be permitted. i) Notwithstanding Section 4.33.4 (i), balconies and rooftop patios shall be prohibited above the first floor level. <i>Grade: Shall mean the average level of the proposed or finished ground adjoining a building calculated along the perimeter of all exterior walls.</i>	The maximum height of the “ADU-D” indicated as 8.12 metres from “existing grade”. NOTE: Building height has not been indicated from “grade” as defined by Hamilton Zoning By-law No. 05-200 as per the definition of “building height”. Applicant to indicate building height from “grade” on future submissions.	Non-conforming
	(j) The maximum gross floor area shall not exceed the gross floor area of the principal dwelling.	(j) Gross floor area of “ADU-D” indicated as 251.6 square metres.	Unable to Determine Compliance



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	Required By By-Law	Provided	Conforming/ Non-Conforming
		NOTE: Gross floor area of the two (2) storey Single Detached Dwelling proposed as part of Building Permit NO. 23-134213 has not been indicated.	
	k) Notwithstanding 4.33.4 g) above, the maximum combined lot coverage of all accessory buildings, Farm Labour Residence(s) and the Additional Dwelling Unit – Detached shall be 25%	Insufficient information provided. NOTE: GFA of all accessory buildings and the ADU-D shall be indicated on future submissions.	Unable to Determine Compliance
	l) The waste disposal and water supply systems shall be in accordance with Section 4.22 iii).	Please see Section 4.22(iii) for provisions related to waste disposal and water supply systems.	
Permitted Encroachments [as per Section 4.6 of Hamilton Zoning By-law 05-200]	d) A porch, deck or canopy may encroach into any required yard to a maximum of 1.5 metres, or to a maximum of half the distance of the required yard, whichever is the lesser	A porch is indicated on the westerly, northerly and southerly elevations, which does not extend past the wall of the building.	Conforms
Mechanical and Unitary Equipment [as per Section 4.11 of Hamilton Zoning By-law 05-200]	Hot boxes, air conditioners and pumps (including heat pumps and swimming pool pumps) and other similar mechanical equipment shall be located only in accordance with the following regulations: a) Within a required front yard, provided such equipment shall have a minimum setback of 3.0 metres from the street line, a minimum setback of 0.6 metres from a side lot line and is screened from the street by an enclosure or landscaping; and, b) Within a required side yard or required rear yard provided such equipment has a minimum setback of 0.6 metres from the side lot line or rear lot line	Not indicated.	N/A
Special Setbacks [as per Section 4.23 of Hamilton Zoning By-law 05-200]	a) Setback from a Provincial Highway Right-of-Way All buildings, structures, required parking areas and storm water management facilities located on a property shall be setback a minimum of 14.0 metres from a Provincial Highway Right-of-Way.	Setback a minimum of 14.0 metres from a Provincial Highway Right-of-Way	Conforms
Special Setbacks	b) Setback from a Railway Right-of-Way All buildings or structures within a Residential Zone or an Institutional Zone	The subject lot is not located in a Residential or Institutional Zone.	N/A



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	Required By By-Law	Provided	Conforming/ Non-Conforming
[as per Section 4.23 of Hamilton Zoning By-law 05-200]	shall be setback a minimum of 30.0 metres from a Railway Right-of-Way.		
Special Setbacks [as per Section 4.23 of Hamilton Zoning By-law 05-200]	d) Setback from a Conservation/Hazard Land (P5) Zone, Conservation/Hazard Land Rural (P7) Zone and Conservation/Hazard Land Rural (P8) Zone All buildings or structures located on a property shall be setback a minimum of 7.5 metres from a P5, P7 and P8 Zone boundary	Setback a minimum of 7.5 metres from the noted zone boundaries.	Conforms
Special Setbacks [as per Section 4.23 of Hamilton Zoning By-law 05-200]	e) Setback from Lincoln Alexander Parkway i) Notwithstanding any other provisions of this By-law, all structures shall be set back a minimum 15.24 metres from the Lincoln Alexander Parkway Right-of-Way. ii) Notwithstanding Section 4.23 e) i), all residential buildings shall be set back a minimum 22.86 metres from the Lincoln Alexander Parkway Right-of-Way, excluding access ramps.	The ADU-D is set back a minimum of 22.86 metres from the Lincoln Alexander Parkway Right-of-Way	Conforms
Special Setbacks [as per Section 4.23 of Hamilton Zoning By-law 05-200]	f) Setback from Top Bank of Lake Ontario Shoreline A minimum setback of 7.5 metres from the top of bank, as determined by the applicable Conservation Authority, shall apply for all buildings and structures on a property abutting the Lake Ontario Shoreline.	The subject lot does not abut the Lake Ontario Shoreline.	Conforms
Landscape Requirements [as per Section 4.35 of Hamilton Zoning By-law 05-200]	On lots containing a single detached dwelling, semi-detached dwelling, duplex dwelling, or street townhouse dwelling in all zones, the following shall be provided: a) A minimum 50% landscaped area in the Front Yard, and; b) A minimum 50% landscaped area in the Flankage Yard c) A single area within the required landscaped area for tree protection and/or tree planting, subject to the following: i) each side shall be a minimum 3.75 metres in length; and,	Insufficient information provided, however appears to comply. Note: Front yard is existing site condition which is not being modified. Should alterations be proposed, compliance with Section 4.35 shall be required	LNC



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	Required By By-Law	Provided	Conforming/ Non-Conforming
	ii) shall not contain hard landscaping or structures.		
Section 5: Parking Regulations			
Minimum Number of Required Parking Spaces <i>Section 5.7.1(a)(i)</i> NOTE: Please note that the subject lot is not identified on Schedule "A" to Appendix "D" as a Parking Rate Area for the purpose of establishing minimum/maximum parking requirements under Section 5: Parking of Hamilton Zoning By-law No. 05-200.	Additional Dwelling Unit – Detached: (b) In all other areas, 1 per unit	An attached garage is indicated which appears to be sufficient to accommodate two (2) parking spaces. NOTE: Applicant to indicate parking spaces and dimensions on future submissions to confirm compliance.	Unable to Determine Compliance
Parking on Same Lot <i>Section 5.1.1(d)</i>	All required parking spaces shall be located on the same lot as the use for which they are required, unless the parking spaces are provided on another lot in compliance with Section 5.6.1.	An attached garage is indicated which appears to be sufficient to accommodate two (2) parking spaces. NOTE: Applicant to indicate parking spaces and dimensions on future submissions to confirm compliance.	Appears to Comply
Parking Space Dimensions <i>Section 5.2.1(a)</i>	Unless permitted by another regulation in this By-law, parking space sizes shall be a minimum of 2.8 metres in width and 5.8 metres in length. d) Increase in Length Due to Stairs within an Attached Garage The length of each parking space in an attached garage of a dwelling unit shall be increased by an equivalent length of the step, steps or stairwell that extends into the parking space, except: i) an open stairway may project into the length of the required parking space not more than 0.75 metres provided the height of the stairway does not exceed 0.5 metres.	a) An attached garage is indicated which appears to be sufficient to accommodate two (2) parking spaces. NOTE: Applicant to indicate parking spaces and dimensions on future submissions. d) Steps do not appear to extend into a parking space.	Unable to Determine Compliance
Access	a) Access Design Requirements Access to all parking shall:	i) An attached garage is indicated which appears to be	Conforms



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	Required By By-Law	Provided	Conforming/ Non-Conforming
Section 5.2.4	<p>i) be arranged so as to not interfere with normal public use of the street or laneway;</p> <p>ii) be provided by means of an access driveway:</p> <ol style="list-style-type: none"> 1. located on the lot; or, 2. located partly on the lot in the case of a mutual driveway; or, 3. by means of a Right-of-Way; and, <p>iii) in the case of a Parking Lot, provide ingress and egress of vehicles to and from a street in a forward motion only</p>	<p>sufficient to accommodate two (2) parking spaces and arranged so as to not interfere with normal public use of the street.</p> <p>ii) An access driveway is provided which is located on the lot.</p>	
	<p>b) Minimum Access Driveway Width</p> <p>The width of any driveway providing access to a parking space shall be a minimum of 2.7 metres.</p>	Minimum width of driveway not indicated.	Unable to Determine Compliance
	<p>c) Tandem and Stacked Parking Restriction and Exceptions</p> <p>All parking spaces shall have adequate means of ingress and egress to and from the street or laneway without the necessity of moving any other motor vehicle, except:</p> <p>i) the accessibility to a maximum of one of the parking spaces for a Single Detached Dwelling may be obstructed by another motor vehicle; and</p>	An attached garage is indicated which appears sufficient to be able to accommodate two (2) parking spaces	Appears to Comply
	<p>d) Minimum Floor Level for an Attached Garage</p> <p>Where an attached garage is provided for a Single Detached Dwelling, Semi-Detached Dwelling, Duplex Dwelling, Street Townhouse Dwelling, Triplex Dwelling or Fourplex Dwelling in any Zone except the Agriculture (A1) and Rural (A2) Zone, the finished floor level of the garage shall be a minimum of 0.3 metres above grade.</p>	N/A	N/A
<p>Surface Material</p> <p>Section 5.3.4</p>	<p>a) Parking Spaces, Driveways and Widening(s) in All Zones Parking spaces, driveways and widening(s) in all zones shall be provided and maintained with stable surfaces such as asphalt, concrete or other hard surfaced material, crushed stone, permeable pavers or gravel, and shall be maintained in a dust free condition.</p>	Existing gravel driveway indicated to be paved.	Conforms



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7. Construction is subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setback and construction types.
8. All new signs proposed for this development must comply with the regulations contained within the Sign By-law 10-197.
9. All new fences proposed for this development must comply with the regulations contained within Fence By-law 10-142.
10. The designer shall ensure that the fire access route conforms to the Ontario Building Code.

Yours truly

Brody Paul

for the Manager of Zoning and Committee of Adjustment



Hamilton

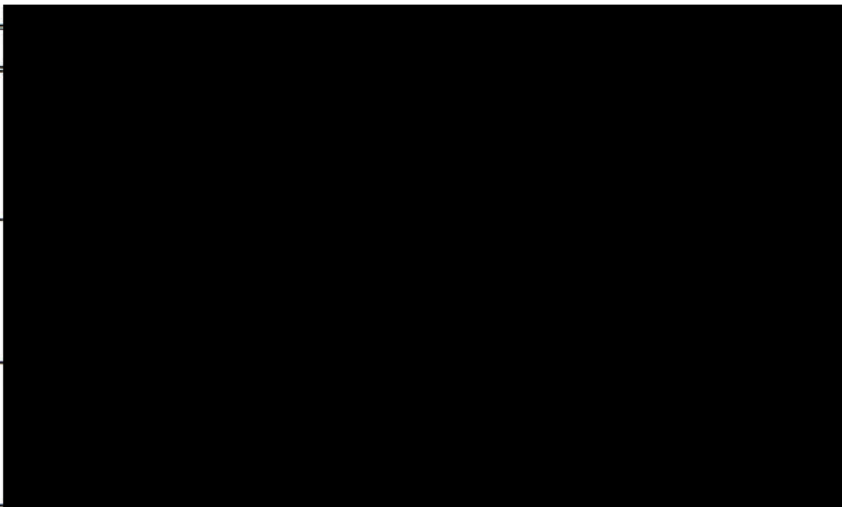
Committee of Adjustment
City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P4Y5

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)	Geoffrey & Gerjanne Otten
Applicant(s)	Alex Blanchard / Carrothers and Associates
Agent or Solicitor	David Carrothers / Carrothers and Associates



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	287 Highway 52 North		
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:

-An ADU in the Front Yard (Where only rear or interior side yard is permitted)

-A maximum height of 8.11m for an ADU (Where 6.0m is permitted)

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

-Proposed ADU is an existing building

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
137.2 m	400.3 m	55177.5 sqm	8.3 m

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
2-Storey Dwelling	151.9 m	224.7 m	42.8 m & 64.2 m	2024
1.5-Storey Dwelling	9.5 m	360.3 m	76.1m & 48.06 m	1860
Barn	25.3 m	351.0 m	9.3 m & 108.3 m	1860
Shed	32.4 m	363.8 m	44.1 m & 88.3 m	1960

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
2-Storey Dwelling	Existing	Existing	Existing	N/A
Additional Dwelling (Converted)	Existing	Existing	Existing	N/A
Barn	Existing	Existing	Existing	N/A
Shed	Existing	Existing	Existing	N/A

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
2-Storey Dwelling	444.7 sqm	333.8 m2	2	Existing
1.5-Storey Dwelling	251.5 m2	294.3 m2	1.5	8.11 m
Barn	293.1 m2	293.1 m2	1	Existing
Shed	16.9 m2	16.9 m2	1	Existing

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
2-Storey Dwelling	Existing	Existing	Existing	Existing
Additional Dwelling (Converted)	Existing	Existing	Existing	Existing
Barn	Existing	Existing	Existing	Existing
Shed	Existing	Existing	Existing	Existing

- 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 with an ADU

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

Single detached dwelling

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

August 2022

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

Single detached dwelling

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

Single detached dwelling

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

+/- 160 years

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

Rural Hamilton Official Plan designation (if applicable): Rural

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? A2

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-23:91

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: 2

8.2 Number of Dwelling Units Proposed: 2

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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