



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-25:018</b>	<b>SUBJECT PROPERTY:</b>	429 Annalee Drive, Ancaster
<b>ZONE:</b>	R4-650 (Residential Zone)	<b>ZONING BY-LAW:</b>	Ancaster Zoning By-law 87-57, as Amended by By-law 12-084

**APPLICANTS:** Owner: Juan Pablo & Jessica Bastida  
Applicant: Juan Pablo & Jessica Bastida

The following variances are requested:

1. An accessory building (“storage shed”) shall be permitted to be located within the front yard and located as close as 2.8 metres from the front lot line, whereas accessory buildings are not permitted to be located within the front yard.
2. A totally inground swimming pool shall be permitted to be located within the front yard and located as close as 7.2 metres to the front lot line, whereas an inground swimming pool is not permitted to be located within the front yard.

**PURPOSE & EFFECT:** To permit the construction of an accessory building (“storage shed”) and an inground swimming pool within the front yard of the existing single detached dwelling.

**Notes:**

- I. Please note that the proposed wood fence as indicated on the submitted drawing shall comply with By-law 10-142 “Hamilton Fence By-law” and By-Law 16-184 “Being a By-law to Regulate Enclosures for Privately-Owned Outdoor Pools”.
- II. The height of the proposed accessory building has not been indicated. As per Section 7.18 the maximum height of all accessory buildings shall not exceed 4.5 metres.

**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>Thursday, May 29, 2025</b>
<b>TIME:</b>	<b>1:35 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/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

### **PUBLIC INPUT**

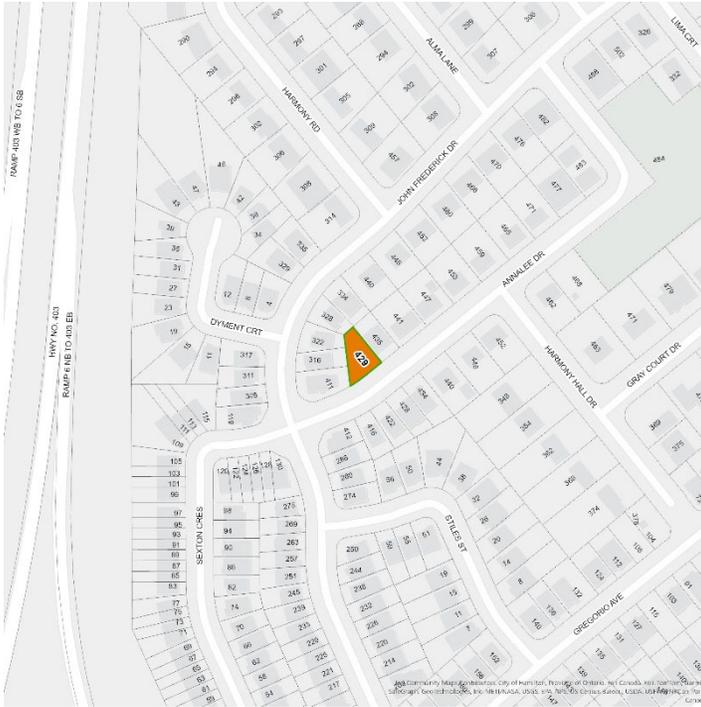
**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon May 27, 2025

**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 May 28, 2025

### **FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:018, 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.



DATED: May 12, 2025

---

Justin Leung,  
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

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)

### 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 Tuesday 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

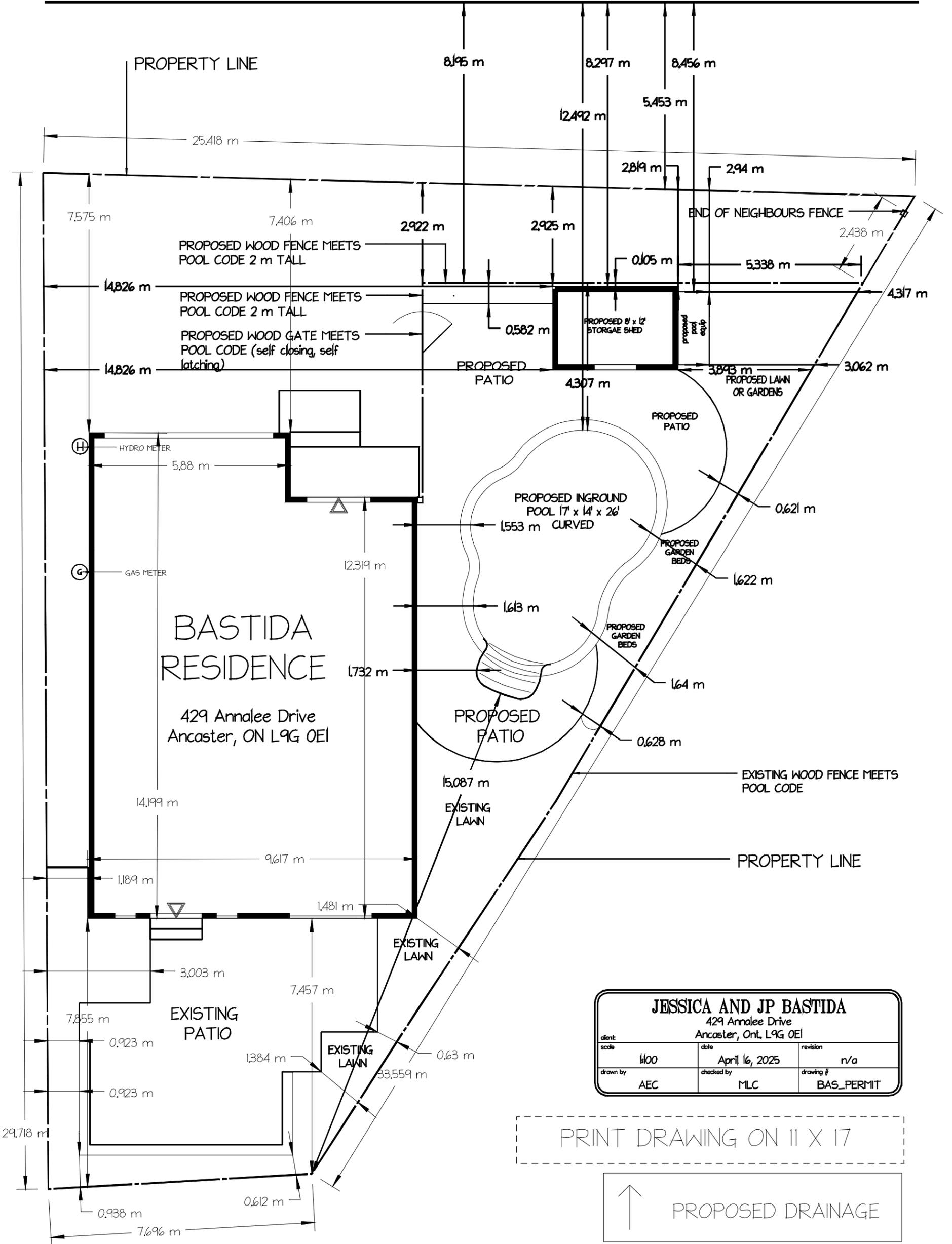
Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **no less than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

# Annalee Drive

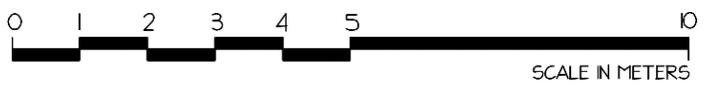
LOCATION OF CURB



**JESSICA AND JP BASTIDA**  
429 Annalee Drive  
Ancaster, Ont. L9G 0E1

client:	429 Annalee Drive Ancaster, Ont. L9G 0E1	
scale:	1:100	revision: n/a
date:	April 16, 2025	checked by: MLC
drawn by:	AEC	drawing #: BAS_PERMIT

PRINT DRAWING ON 11 X 17





**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	MAILING ADDRESS	
Registered Owners(s)	JUAN PABLO: JESSICA BASTIDA		
Applicant(s)	JUAN PABLO: JESSICA BASTIDA		
Agent or Solicitor			Phone: E-mail:

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 be 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	429 ANNALEE DRIVE, ANCASTER ON, L9G 0E1		
Assessment Roll Number			
Former Municipality			
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: WE ARE HOPING TO EXTEND AN INGROUND SWIMMING POOL ROUGHLY 0.5 M INTO THE FRONT YARD OF THE PROPERTY, NO OTHER OPTIONS ARE AVAILABLE THE WAY THE LOT WAS DESIGNED. THIS WILL REQUIRE A VARIANCE FOR THE POOL INSTALLATION, FRONT YARD SITED PLACEMENT, AND HEIGHT / PLACEMENT OF THE PERIMETER FENCE TO MEET SAFETY CODES. THE FENCE WILL PROTRUDE LESS THAN THE NEIGHBOUR'S FENCE INTO THE FRONT YARD

Second Dwelling Unit  Reconstruction of Existing Dwelling

3.2 Why it is not possible to comply with the provisions of the By-law?  
NO OTHER OPTIONS ARE POSSIBLE THE WAY THE LOT WAS DESIGNED (PINLINS) AT REAR : SIDE YARDS)

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
25.418m	29.718m	APROX 430m <sup>2</sup>	8.6m

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
HOUSE	7.409m	7.461m	1.185m 1.48m	2013
PATIO		0.612m	0.63m 0.923m	2024

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
INGROUND POOL	7.337m	15.087m	1.621m	SPRING 2025
SHED	3.03m	25.755m	3.726m	SPRING 2025

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
HOUSE	355m <sup>2</sup>	792m <sup>2</sup>	2 STOREYS	Approx 9.2m
PATIO	Approx 50m <sup>2</sup>			

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
INGROUND POOL	60m <sup>2</sup>	60m <sup>2</sup>		
SHED	29m <sup>2</sup>	29m <sup>2</sup>		

- 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.):

SFO

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

SFO

## 7 HISTORY OF THE SUBJECT LAND

- 7.1 Date of acquisition of subject lands:

JULY 19TH, 2024

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

SFO

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

SFO

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

APPROX 10 YEARS

- 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) MEDIUM DENSITY NEIGHBOURHOOD

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

- 7.6 What is the existing zoning of the subject land? R4-650 RESIDENTIAL 4

- 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: \_\_\_\_\_

8.2 Number of Dwelling Units Proposed: \_\_\_\_\_

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
- 
-