



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, 3935

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>GL/A-22:414</b>	<b>SUBJECT PROPERTY:</b>	9662 Twenty Road West, Glanbrook, Ontario
<b>ZONE:</b>	“ER” (Existing Residential)	<b>ZONING BY-LAW:</b>	Zoning By-law former Township of Glanbrook 464, as Amended

**APPLICANTS:** Owner: Karamat Ullah Bajwa Inc. c/o Rowena Parayno  
Agent: A.J. Clarke & Associates Ltd. c/o M. Liam Doherty

The following variances are requested:

Requested variances for the lands to be severed (Part 1-4):

1. A minimum lot frontage of 15.5 metres shall be permitted instead of the required minimum lot frontage of 22.5 metre.
2. A minimum lot area of 670 square meters shall be permitted instead of the required minimum lot area of 1,390 square metres.
3. A minimum front yard setback of 7.5 metres shall be permitted instead of the required front yard setback of 9.0 metres.
4. A maximum lot coverage of 40% shall be permitted instead of the required maximum lot coverage of 25%.

Requested variances for the lands to be retained (Part 5):

1. A minimum lot frontage of 20.25 metres shall be permitted instead of the required minimum lot frontage of 22.5 metres.
2. A minimum lot area of 810 metres squared shall be permitted instead of the required minimum lot area of 1,390 square metres,

**GL/A-22:414**

3. A minimum front yard setback of 7.5 metres shall be permitted instead of the required minimum front yard setback of 9 metres.
4. A maximum lot coverage of 40% shall be permitted instead of the required maximum lot coverage of 25%.
5. A minimum side yard setback of 0.8 metres shall be permitted instead of the required minimum side yard setback of 1.2 metres.
6. A minimum rear yard setback of 5 metres shall be permitted instead of the required minimum rear yard setback of 10.7 metres.

**PURPOSE & EFFECT:** To facilitate the severance of Consent Application GL/B-22:135 and permit the construction of four (4) new single detached dwellings.

**Notes:**

1. Please be advised insufficient information was provided. Therefore, the variances are written as requested. Additional variances may be required if compliance cannot be met.
2. Please be advised the applicant is proposed a 12.4 metre road widening along Twenty Road West.
3. Please be advised the Consent Application GL/B-22:135 has also been submitted for the subject lands.

**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, February 16, 2023</b>
<b>TIME:</b>	<b>1:30 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

## PUBLIC INPUT

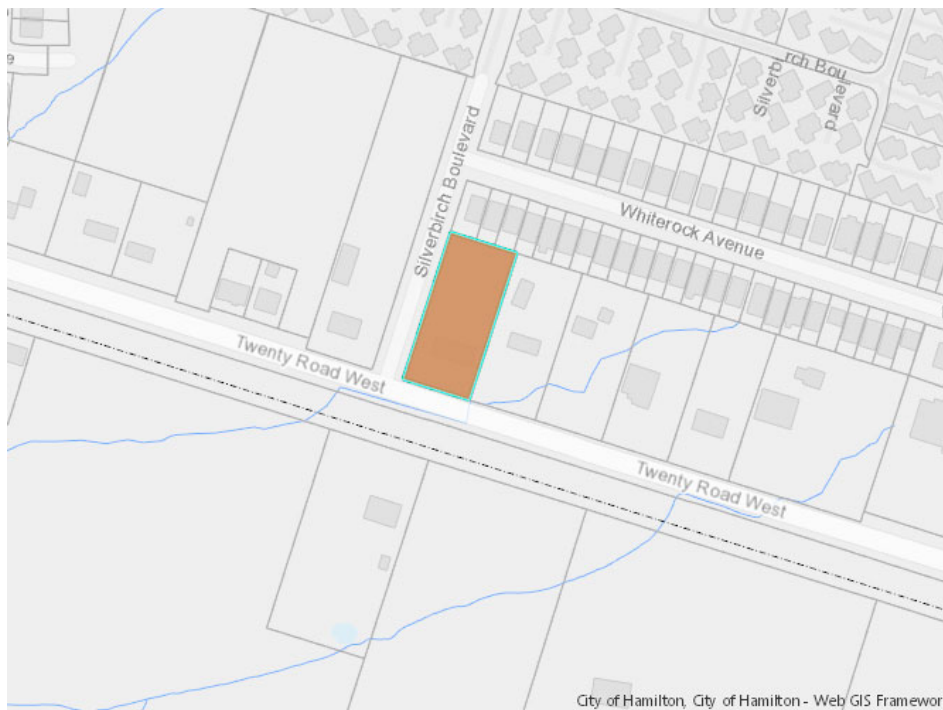
**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

**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, including deadlines for registering to participate virtually and instructions for check in to participate in person.

## FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding GL/A-22:414, 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: January 31, 2023

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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.



Hamilton

## COMMITTEE OF ADJUSTMENT

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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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 or via email in 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 two days before the Hearing.**

Comment packages are available two days 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 the day before the 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 the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

#### 2. In person Oral Submissions

**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) 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) or by phone at 905-546-2424 ext. 4221.

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.





*A. J. Clarke and Associates Ltd.*

SURVEYORS • PLANNERS • ENGINEERS

City of Hamilton  
Committee of Adjustment  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton, ON L8P 4Y5

December 22, 2022

Attn: Ms. Jamila Sheffield  
Secretary Treasurer, Committee of Adjustment (email: [Jamila.Sheffield@hamilton.ca](mailto:Jamila.Sheffield@hamilton.ca))

**Re: 9662 Twenty Road West, Hamilton  
Minor Variance and Severance Application Submission**

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Dear Ms. Sheffield:

A.J. Clarke and Associates Ltd. has been retained by Rowena Parayno for the purposes of submitting the enclosed Minor Variance and Severance (Consent) Applications for the subject lands, municipally known as 9662 Twenty Road West, in the City of Hamilton.

The purpose of this analysis is in support the concurrently submitted Minor Variance and Severance (Consent) Applications for the subject lands. The proposed development is to facilitate a severance to create four (4) additional residential lots within the existing lot fabric (five lots in total). This will facilitate the construction of four additional dwelling units along Silverbirch Boulevard. Each newly created lot will feature a frontage of  $\pm 15.55$  metres and an area no smaller than  $\pm 663.46$  square metres. The retained parcel will have a frontage of  $\pm 20.25$  on Silverbirch Avenue and an area of  $\pm 810.61$  square metres. The existing dwelling is proposed to remain in place, requiring further minor variance requests.

The subject lands are located on the north side of Twenty Road West, between Silverbirch Boulevard to the west, and Garth Street to the east. The subject lands have a frontage of  $\pm 42.67$  metres along Twenty Road West, with an approximate area of  $\pm 4,047.2$  square metres, and are currently occupied by one (1) single-detached dwelling with an attached garage. The lands' wastewater is currently serviced through a private septic system.

The below table details the various lot frontages, depths, and areas, following the proposed severance.

	<b>Part 1 (severed)</b>	<b>Part 2 (severed)</b>	<b>Part 3 (severed)</b>	<b>Part 4 (severed)</b>	<b>Part 5 (retained)</b>	<b>Part 6 (ROW)</b>
<b>Lot Frontage</b>	$\pm 15.55\text{m}$	$\pm 15.55\text{m}$	$\pm 15.55\text{m}$	$\pm 15.55\text{m}$	$\pm 20.25\text{m}$	$\pm 12.40\text{m}$
<b>Lot Depth</b>	$\pm 42.67\text{m}$	$\pm 42.67\text{m}$	$\pm 42.67\text{m}$	$\pm 42.67\text{m}$	$\pm 42.67\text{m}$	$\pm 42.67\text{m}$
<b>Lot Area</b>	$\pm 675.38\text{m}^2$	$\pm 663.46\text{m}^2$	$\pm 663.46\text{m}^2$	$\pm 663.46\text{m}^2$	$\pm 810.61\text{m}^2$	$\pm 570.83\text{m}^2$

The surrounding area consists largely of residential uses north of Twenty Road West. South of Twenty Road West is primarily rural and agricultural land uses; these lands have now been included into the Urban Boundary. A former golf course to the southwest is being redeveloped into residential use. The lands directly across Silverbirch Boulevard are set to develop a 71-townhouse subdivision that will see the



development of full municipal services along Silverbirch Boulevard. Directly north of the subject lands is the “Silverbirch” registered subdivision already constructed. Further north is the Villages of Glancaster Condominium. St Therese of Lisieux Catholic School is located approximately 1.5 kilometres north.

The immediate surrounding land uses include:

<b>North</b>	Single-Detached Dwellings
<b>South</b>	Agriculture
<b>West</b>	Single-Detached Dwellings – future site of 71 townhouse units
<b>East</b>	Single-Detached Rural Lots

A review of the applicable planning policies has been included below.

### **Planning Policy Overview**

#### **Provincial Policy Statement**

The current Provincial Policy Statement (PPS) came into effect on May 1st, 2020. The principles of the PPS are about managing change and promoting efficient, cost-effective development and land use patterns, which encourage strong, sustainable, and resilient communities for people of all ages, a clean and healthy environment, and a strong and competitive economy.

The proposed severance is a more efficient use of land within the urban boundary of the Urban Hamilton Official Plan. The proposed use and density is appropriate for the location and will provide and will add to the housing stock for the area.

#### **Growth Plan for the Greater Golden Horseshoe**

The 2020 consolidation of the Growth Plan builds upon the previous Growth Plan (2019) in its direction to prioritize intensification, support the achievement of complete communities, support a range, and mix of housing options, protect, and enhance natural heritage systems, support, and enhance the long-term viability of agriculture, conserve and promote cultural heritage resources, and integrate climate-change considerations into planning and managing growth.

The proposed severance is within a settlement area and is a more efficient use of land and existing infrastructure that adds to the housing stock of the surrounding area with gentle intensification that will contribute to meeting the housing needs for the projected growth of the area.

#### **Urban Hamilton Official Plan**

The Urban Hamilton Official Plan is the guiding document for where and how the City of Hamilton will grow until 2031 and beyond.



The subject lands are designated 'Neighbourhoods' on Schedule E-1 – Urban Land Use Designations in the Urban Hamilton Official Plan (UHOP). The 'Neighbourhoods' designation permits uses such as; residential dwellings, including second dwelling units, and housing with supports, open space and parks, local community facilities/services, and local commercial uses.

Chapter F Section 1.14.3 contains specific policy direction pertaining to Lot Creation within the Urban Area. Specifically, Section 1.14.3.1 indicates various conditions that must be met by a proposed severance for lands designated as "Neighbourhoods". The conditions are as follows;

- a) *The lots comply with the policies of this Plan, including secondary plans, where one exists;*
- b) *The lots comply with existing Neighbourhood Plans;*
- c) *The lots are in conformity with the Zoning By-law or a minor variance is approved;*
- d) *The lots reflect the general scale and character of the established development pattern in the surrounding area by taking into consideration lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview;*
- e) *The lots are fully serviced by municipal water and wastewater systems; and,*
- f) *The lots have frontage on a public road.*

The proposed severance will create lots that are consistent with the relevant policies, and consistent with existing Neighbourhood development surrounding the subject lands. The severed and retained lots will require several minor variances to lot dimension deficiencies. The retained lot will also require minor variances to address yard setbacks to preserve the existing dwelling. The lots created via severance will generally reflect the lot pattern and similar frontages as they currently exist within the surrounding neighbourhood. The proposed severance will facilitate development of low-density residential dwellings permitted in the Urban Hamilton Official Plan and North-West Glanbrook Secondary Plan. The proposed dwellings will have access from Silverbirch Boulevard.

Presently, the lands have access to municipal water but are serviced through private wastewater systems. It is accepted that development will require the construction of sanitary and stormwater sewer connections. As such, any development fully permitted will meet the requirements of servicing.

The 'Neighbourhoods' designation contains specific policies in relation to 'Low Density Residential'. As such, 'Low Density Residential' uses permit single-detached, semi-detached, duplex, triplex, and street townhouse dwellings. Further, the maximum net residential density shall be 60 units per hectare, and the maximum permitted height shall be three (3) storeys. The proposed lots to be severed will contain sufficient space to facilitate the development of these permitted built forms. Additionally, the proposal will have an overall density of 12.35 units per hectare (5 units total, 0.40472 hectares), conforming to the maximum permitted density of under the UHOP.

### **North-West Glanbrook Secondary Plan**

The subject lands are designated 'Low Density Residential 2' as per Map B.5.3-1: Land Use Plan in the North-West Glanbrook Secondary Plan. As per Policy 5.3.2.2, much of the secondary plan area shall be developed for residential purposes that include a mix of dwelling types including single-detached, semi-detached, duplexes, triplexes, and street townhouses.





Policy 5.3.2.3 states that the maximum net residential density for lands designated 'Low Density Residential 2' shall be 25 units per hectare (UPH). Further 5.3.2.3.f) states the "the rear portion of existing large lot residential development fronting Glancaster Road and Twenty Road West shall be encouraged to be redeveloped." 5.3.2.3.g) goes further to state new residential development proposed to be contiguous to existing large lot residential shall be restricted to low density residential development.

The severed parcels proposed conform to the North-West Glanbrook Secondary Plan in their proposed use and density (12.35 UPH). The proposed development is exemplary of the desired redevelopment along Twenty Road West in its utilization of the rear portion of an existing large residential lot.

### **Township of Glanbrook Zoning By-law 464**

As per Schedule E of the Township of Glanbrook Zoning By-law 464, the site is zoned "ER – Existing Residential." The lands are not within the lands shown in Special Figure 1 of Section 50, and as such only permit one (1) single-detached dwelling per lot. The zone provisions within Section 9 shall apply to the proposed development and a review of the applicable zone provisions are included in the table below:

<b>Regulation</b>	<b>Requirement</b>
Minimum Lot Frontage	22.5 metres
Minimum Lot Depth	30.0 metres
Minimum Lot Area	1,390.0 square metres
Maximum Lot Coverage	25.0 %
Minimum Front Yard	9.0 metres
Minimum Side Yard	1.8 metres
Minimum Flank Yard Depth	6.0 metres
Minimum Rear Yard	10.7 metres

### **Minor Variances**

Several variances are required to lot dimensions and yard setbacks to facilitate the proposed lot fabrics. The variances are as follows:

#### Parts 1-4

1. To permit a minimum lot frontage of 15.5 metres, whereas a minimum lot frontage of 22.5 metres is required.
2. To permit a minimum lot area of 670 square metres, whereas a minimum lot area of 1,390 square metres is required.
3. To permit a minimum front yard of 7.5 metres, whereas a minimum 9.0 metres is required.
4. To permit a maximum lot coverage of 40%, whereas a maximum lot coverage of 25% is required.

#### Part 5

1. To permit a minimum lot frontage of 20.25 metres, whereas a minimum lot frontage of 22.5 metres is required.



2. To permit a minimum lot area of 810 square metres, whereas a minimum lot area of 1,390 square metres is required.
3. To permit a minimum front yard of 7.5 metres, whereas a minimum 9.0 metres is required.
4. To permit a maximum lot coverage of 40% whereas, 25% is required.
5. To permit a minimum side yard of 0.8 metres, whereas a minimum side yard of 1.8 metres is required.
6. To permit a minimum rear yard of 5 metres, whereas a minimum rear yard of 10.7 metres is required.

This minor variance application is made under the authority of Section 45(1) of the Planning Act. Accordingly, a minor variance must meet the requisite four tests as described in Section 45 (1) of the Act. The tests and professional opinion are outlined below:

**1. Do the proposed variances maintain the intent and purpose of the Urban Hamilton Official Plan?**

The proposed variances maintain the intent and purpose of the Urban Hamilton Official Plan as the subject site is designated “Neighbourhoods”, which permits single-detached dwellings. The proposed dwellings will assist in the addition of available housing stock within the neighbourhood, while also capitalizing on the underutilized land as an opportunity for the gentle intensification of the neighbourhood. This development purposes an overall density of 12.35 units per hectare inclusive of the five proposed lots, which is compliant with Section E of the Urban Hamilton Official Plan that permits a maximum residential density of 60 units per hectare.

The proposal conforms to almost every requirement for Lot Creation in the Urban Boundary as described in Chapter F Section 1.14.3. Presently, the only requirement it does not meet is in the absence of municipally provided wastewater systems. It is our understanding that the City of Hamilton aims to extend the wastewater services provided in the area to facilitate the development as planned for in the North-West Glanbrook Secondary Plan. This would likely see truck extensions along the Minor Arterial of Twenty Road West, on which the subject lands lie adjacent. Presently, the sanitary line stops approximately 225 metres from the subject lands. As stated above, it is accepted that development will require the construction of sanitary and stormwater sewer connections. As such, any development fully permitted will meet the requirements of servicing.

The proposed development will feature a use that is permitted under the current Official Plan designation and will adhere to the net residential density provisions as detailed throughout Section E of the Urban Hamilton Official Plan. Further, the proposed residential parcels will conform to the North-West Glanbrook Secondary Plan in their use and density as well as utilizing the rear portion of a large residential lot along Twenty Road West. It is my professional opinion that the proposed variances maintain the intent and purpose of the Urban Hamilton Official Plan.

**2. Do the proposed variances maintain the intent and purpose of the Glanbrook Zoning By-law No. 464?**



The Glanbrook By-law has two similar zones for large-lot residential parcels, Existing Residential "ER" zone and Residential Estate "RE" Zone, as well as a slightly larger Residential Hamlet "RH" Zone and the rural General Agricultural "A1" and Restricted Agricultural "A2" zones. The RE and the RH zones are intended to protect the development form of a very-low-density character area. The Existing Residential "ER" zone is intended to protect existing rural residential lots (ie homes on well water and septic) within the urban area from urban development.

The required variances to City of Hamilton Bylaw No. 6593 are intended to facilitate a desirable built form which is compatible with the existing urban neighbourhood and shall have full servicing connections

### **Lot Frontage**

Parts 1-4 on the submitted severance sketch are proposed to have equal frontages of  $\pm 15.5$  metres, whereas 22.5 metres is required. Part 5, containing the existing dwelling, is proposed to have a frontage on to Silverbirch Boulevard of  $\pm 20.25$  metres.

The frontages proposed, do not conform to the "ER" zone, but are consistent with the surrounding newer urban developments. The single-detached dwellings located north-adjacent to the subject lands have frontage widths of 12 metres and north of these lots, across Whiterock Avenue are single-detached dwellings with 15 metre frontages. The forthcoming development on the west side of Silverbirch Boulevard will consist of Medium Density Block Townhouses.

The five Low-Density lots proposed generally reflect the lot pattern and similar frontages and would continue this streetscape form from Whiterock Avenue down to Twenty Road West. Accordingly, the proposed reduction in the lot frontage requirement is appropriate and compatible with the existing streetscape and maintains the intent of the Zoning By-law.

### **Lot Area**

Part 1 proposes a lot area minimum of 670 square metres, whereas a staggering 1,390 square metres is required. Parts 2-4 would seek a minimum lot area of 660 square metres, and Part 5 would seek a minimum lot area of 810 square metres.

This justification for these lot areas proposed is similar to the justification made above regarding lot frontage. Looking to the surrounding neighbourhoods to the north and west shows a lot pattern consistent to the one being proposed. Along Whiterock Avenue, the adjacent parcels have lot areas of  $\pm 400$  square metres, and across from that  $\pm 625$  square metre lot areas. This proposed lots would be a continuous of this lot pattern and create a consistent built form. Accordingly, the intent of the Zoning By-law is maintained.

### **Yard Setbacks**

Several variances to permit the existing dwelling on Part 5 of the submitted severance will also be required to facilitate the proposed lot fabric. Currently the frontage for the subject lands is along Twenty Road West. While no change to the built form is proposed, Part 5 would technically have frontage along Silverbirch Boulevard, as defined in the Glanbrook Zoning By-law No.464.



To allow for the existing dwelling to remain, a side yard setback of 1.8 metres and a rear yard setback of 5 metres will be required. The side yard setback allows for sufficient space between buildings for stormwater management flows, access, and maintenance. The dwelling that would be located on Part 4 of the severance sketch would require a minimum side yard setback of 1.8 metres. This setback along with the 0.8 metre setback for Part 5, will still provide sufficient space to maintain the intent of the by-law.

The rear yard setback is to provide sufficient private outdoor space as well as stormwater management. Currently, the yard is defined as a side yard and will only be defined technically as the rear yard post-severance. It currently supports access and stormwater management. The proposed Part 5 boundaries still permit the existing patio space located to the north of the dwelling to exist as a private space. Further, the large front yard and flankage yard can accommodate further outdoor use, subject to further by-laws. As such, the intent of the zoning by-law is maintained.

The reduction of the minimum front yard setback to 7.5 metres for the newly created lots is intended to make their development conform to the streetscape of Silverbirch Boulevard. The homes on Whiterock Avenue are setback 5 metres, and the zoning on the west side of Silverbirch permits front yards of 4.5 metres, rear yards of 6.0 metres, and exterior side yards of 3.0 metres.

### **Lot Coverage**

The intent of the lot coverage by-law is to prevent development that would over-develop grounds leading to higher imperviousness of the grounds to control stormwater and loss of outdoor green space. The "ER" zone only permits a coverage of 25% as it is intended to maintain area for septic tanks and separation for cisterns.

The current dwelling only occupies approximately 7.5% of the large lot. Post severance, the existing dwelling would cover approximately 36%. If the subject lands did not convey additional lands for the Twenty Road West widening and associated daylight triangle, this coverage would only be approximately 21%. The existing dwelling on the proposed lot still provides sufficient outdoor space and pervious grounds to help manage stormwater. Further, the dwelling on the proposed lotting would have complied with the 25% requirement were it not for road widening being dedicated.

For all proposed lots, this application seeks a maximum lot coverage of 40%. This will allow for the existing dwelling to remain, as well as provide a sufficient building envelope for Parts 1-4 that is consistent with the adjacent single-detached dwellings to the north which also have a 40% lot coverage. These lot sizes will still provide sufficient green space and impervious ground to help control stormwater flows. As such, the intent of the zoning by-law is maintained.

### **3. Are the proposed variances appropriate for the development of the subject lands?**

As noted above, the variances are intended to facilitate a desirable built form within an urban neighbourhood adjacent to a Minor Arterial Road. As noted above, the proposed variances are consistent with the established character of the neighbourhood and are therefore appropriate for the development of the subject lands.



**4. Are the proposed variances minor in nature?**

The proposed variances reflect the scale and character of this neighbourhood. There are no perceived impacts stemming from the variances to the lot frontage or lot area, lot coverage, and yard setbacks for the existing dwelling as they are in keeping with the general built form, character and existing setbacks found within this neighbourhood. There are no perceived impacts on the neighbourhood stemming from the proposed development and accordingly, it is my professional planning opinion that the variances are minor in nature.

In accordance with the above criteria, variances to permit reduced frontages, lot areas, and yard setbacks along with increased lot coverage will be required to facilitate the creation of the lots for future residential development while preserving the existing dwelling. The lots are generally in keeping with the lot sizes and frontages in the immediate vicinity of the neighbourhood. While the proposed development does not meet the lot standards prescribed in the Zoning By-law, the proposed minor variances will provide relief from these zoning deficiencies, which are minor in nature.

As such, the subject land is appropriate for the redevelopment of as proposed with new servicing connections and has sufficient regard for the matters listed under Section 51 (24) of the *Planning Act*, represents good planning and should be approved

I trust that you will find the enclosed satisfactory for your purposes. Please confirm receipt of this submission and we look forward to being scheduled for the next available hearing date. If you have any questions or require additional information, please do not hesitate to contact our office.

Sincerely,

M. Liam Doherty, MCIP, RPP  
Senior Planner

**A. J. Clarke and Associates Ltd.**

Encl.

Copy via email: Rowena Parayno ([rparayno77@yahoo.ca](mailto:rparayno77@yahoo.ca))



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

Table with 2 columns: Category (Registered Owners(s), Applicant(s), Agent or Solicitor) and Name. The Name column is redacted with a black box.

1.2 All correspondence should be sent to [ ] Owner [ ] Applicant [x] Agent/Solicitor

1.2 All correspondence should be sent to [ ] Purchaser [ ] Owner [ ] Applicant [x] Agent/Solicitor

1.3 Sign should be sent to [ ] Purchaser [ ] Owner [x] Applicant [ ] Agent/Solicitor

1.4 Request for digital copy of sign [ ] Yes\* [x] No If YES, provide email address where sign is to be sent \_\_\_\_\_

1.5 All correspondence may be sent by email [x] 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.

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	9662 Twenty Road West		
Assessment Roll Number	251890211009000		
Former Municipality	Glanbrook		
Lot	Pt Lt 2	Concession	1
Registered Plan Number		Lot(s)	
Reference Plan Number (s)	62R-13685	Part(s)	Except Pt 1

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:

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### 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:

Multiple lot dimension variances. See attached cover letter for details.

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

Please see attached cover letter.

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
±42.67 m	±94.86 m	±4,047.2m	±19.20m

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-detached dwelling	±19 m	±63.5 m	Flank: ±11.7/ Interior: ±5.0 m	unknown

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Existing Dwelling	±11.7 m	±5.0 m	±6.6 m flank/ ±0.8 m interior	
Proposed Dwellings	9 metres	10.7 m	1.8 metres	Future

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- detached dwelling	±263 m <sup>2</sup>	±263m <sup>2</sup>	1	<6.0 m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
no change				
Future consents will				
facilitate 4 new				
residential lots.				

- 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.):  
 Four additional residential lots, pending severance approval

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4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):  
 Single-detached ER lots to east, multiple residential zoning to west, single-detached R4 zone to the north, agricultural A2 zone to south.

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## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:  
 June 2013

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

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

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

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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.

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

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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:

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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:

Concurrently submitted Application for Consent to Sever Land

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7.10 If a site-specific Zoning By-law Amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?

Yes       No

7.11 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being “received” for processing.

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing:      1

8.2 Number of Dwelling Units Proposed:      5

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
- \_\_\_\_\_
- \_\_\_\_\_