



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

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.:	GL/A-23:150	SUBJECT PROPERTY:	2575 REGIONAL ROAD 56, GLANBROOK
ZONE:	"C5a, 570" (Mixed Use Medium Density – pedestrian Focus)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended 17-240

APPLICANTS: **Owner:** MICHAEL FRIDAY
 Agent: DYNASTY CONTRACTING C/O STEVE KOWALYSHYN

The following variances are requested:

1. An Additional Dwelling Unit -Detached shall be permitted for lands zoned C5a, 570 on a lot containing an existing legally established non-conforming single detached dwelling whereas the Zoning By-law only permits Additional Dwelling Units - Detached for lands zoned D5, I1, I2, C1, TOC3, R1, R1 on a lot containing an existing single detached dwelling, semi-Detached Dwelling or a Street Townhouse Dwelling.

PURPOSE & EFFECT: To facilitate the establishment of an additional Dwelling Unit – Detached for the existing legally established non-conforming single detached dwelling.

Notes:

The applicant shall ensure that the required 1.2m wide landscaped strip shall be provided and maintained within the require side yard adjacent to the proposed additional Dwelling Unit – Detached; otherwise, further variances shall be required.

The applicant shall ensure that a minimum 1.0m wide path with a minimum clearance of 2.1 in height shall be maintained from the street line to the entrance of the additional Dwelling Unit – Detached; otherwise, further variances shall be required.

The applicant shall ensure that the proposed Additional Dwelling Unit – Detached shall not exceed 70.0% of the ground floor area of the principal dwelling. Insufficient details were provided, in addition the submitted plan is illegible; as such, compliance could not be confirmed.

GL/A-23:150

The applicant shall ensure that a minimum landscaped area of 12.0m² shall be provided and maintained within the rear yard; otherwise, further variances shall be required.

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, June 29, 2023
TIME:	11:50 a.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

PUBLIC INPUT

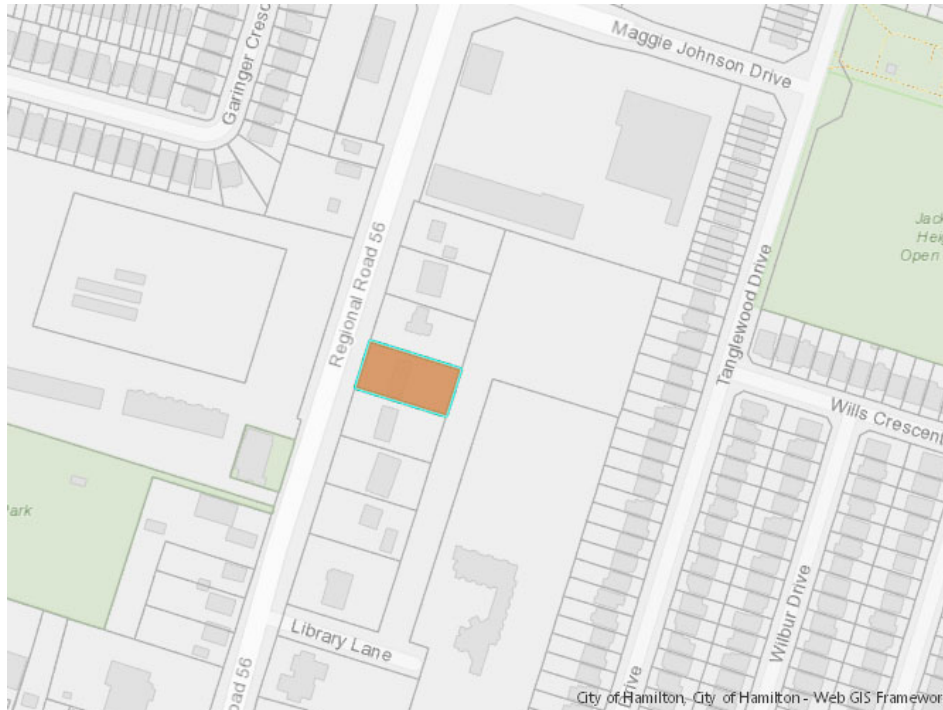
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

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-23:150, 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.



 **Subject Lands**

DATED: June 13, 2023

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.

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 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

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. 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.

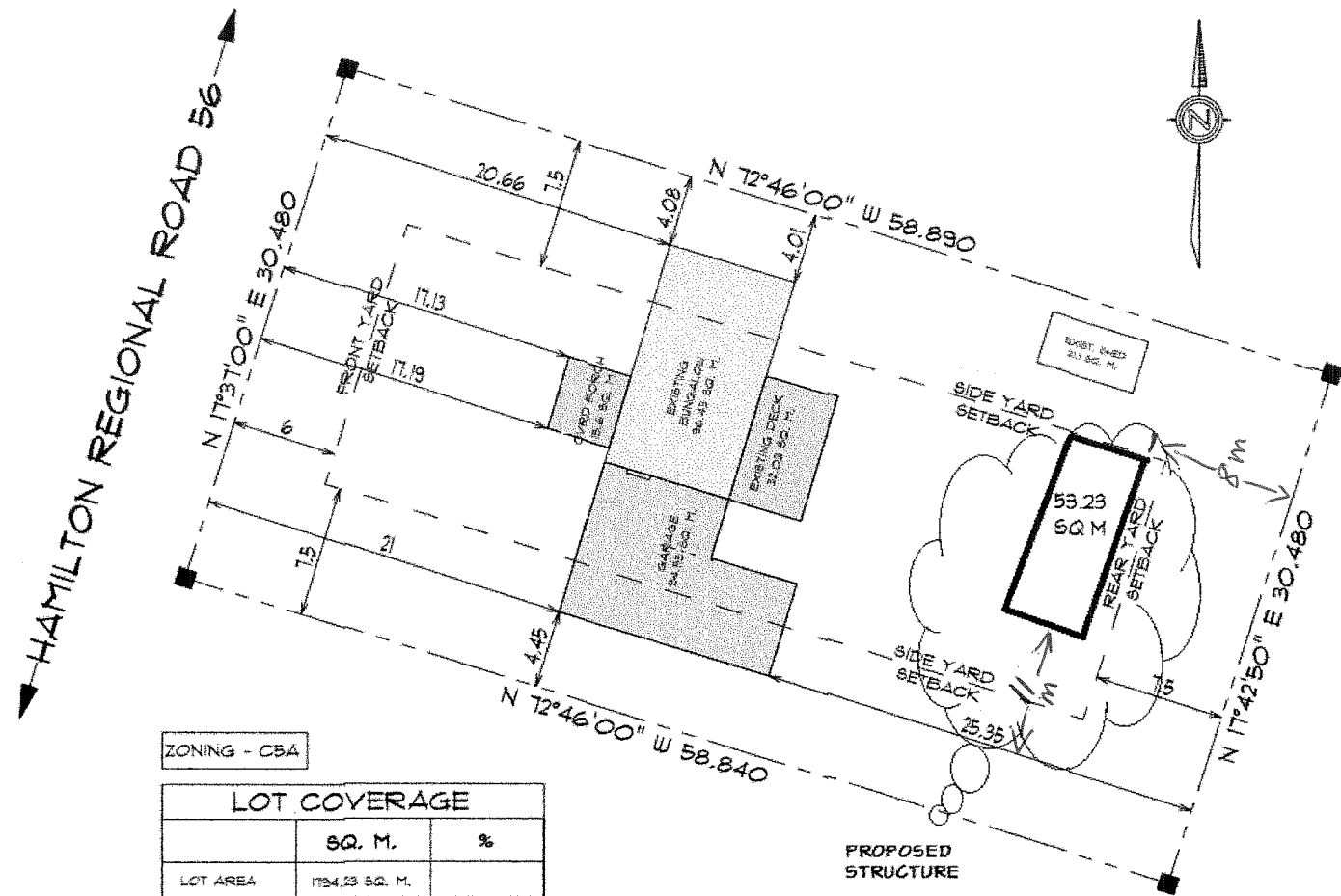
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

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 (2nd 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 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.



ZONING - C5A

LOT COVERAGE		
	SQ. M.	%
LOT AREA	1734.23 SQ. M.	
LOT COVERAGE	206.58 SQ. M. (1)	11.8%
PROPOSED STRUCTURE	52,862 SQ. M.	2.9%

- (1) EXISTING DECK NOT INCLUDED, EXISTING GARAGE AND SHED INCLUDED
- (2) EXISTING DECK, DETACHED SHED, GARAGE AND PORCH ADDITION INCLUDED

ALL MEASUREMENTS IN METERS

SURVEY PROVIDED BY RASCH & HYDE LTD.
SURVEY NUMBER: 21-010

2575 HAMILTON REGIONAL RD. 56
BINBROOK, ON.

SITE PLAN



REVISION TABLE	
NUMBER	DATE
1	17/07/2023

2575 HAMILTON
REGIONAL RD. 56
BINBROOK ONT.

DRAWINGS PROVIDED BY:

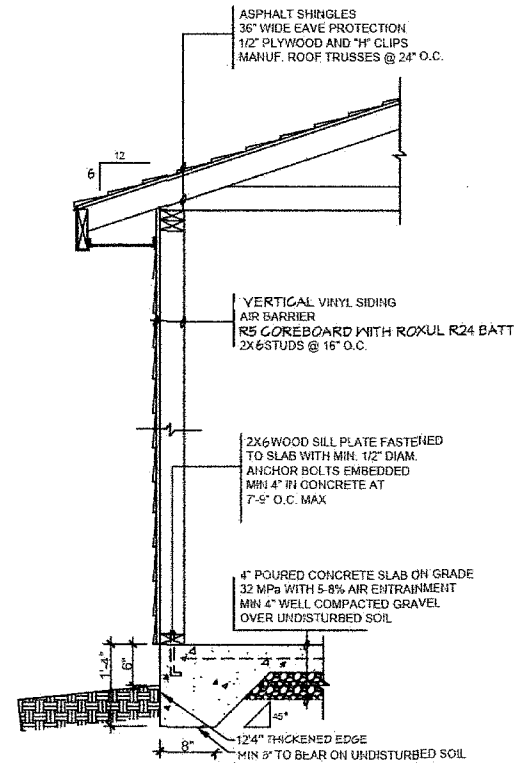
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25/05/2023

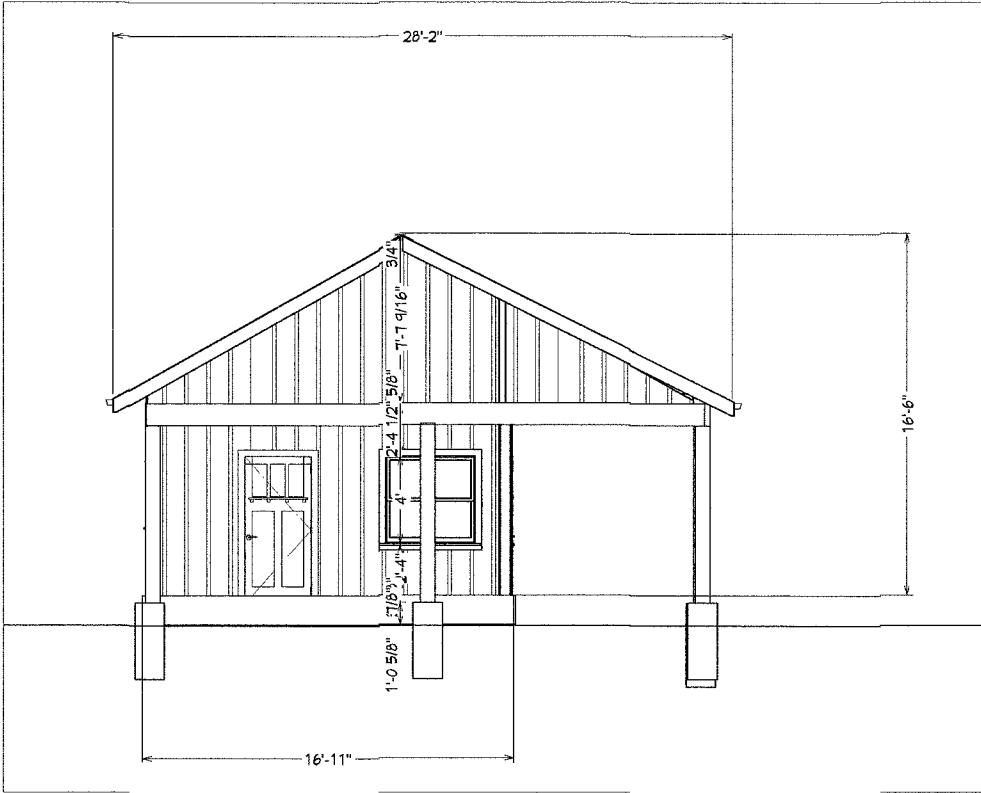
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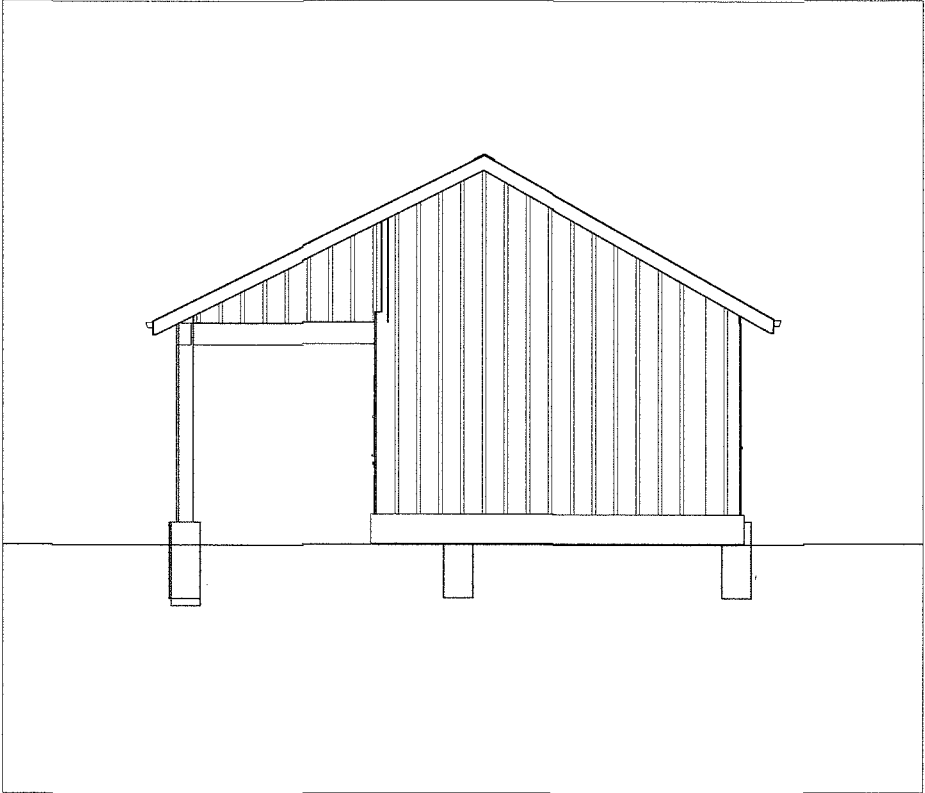
P-02



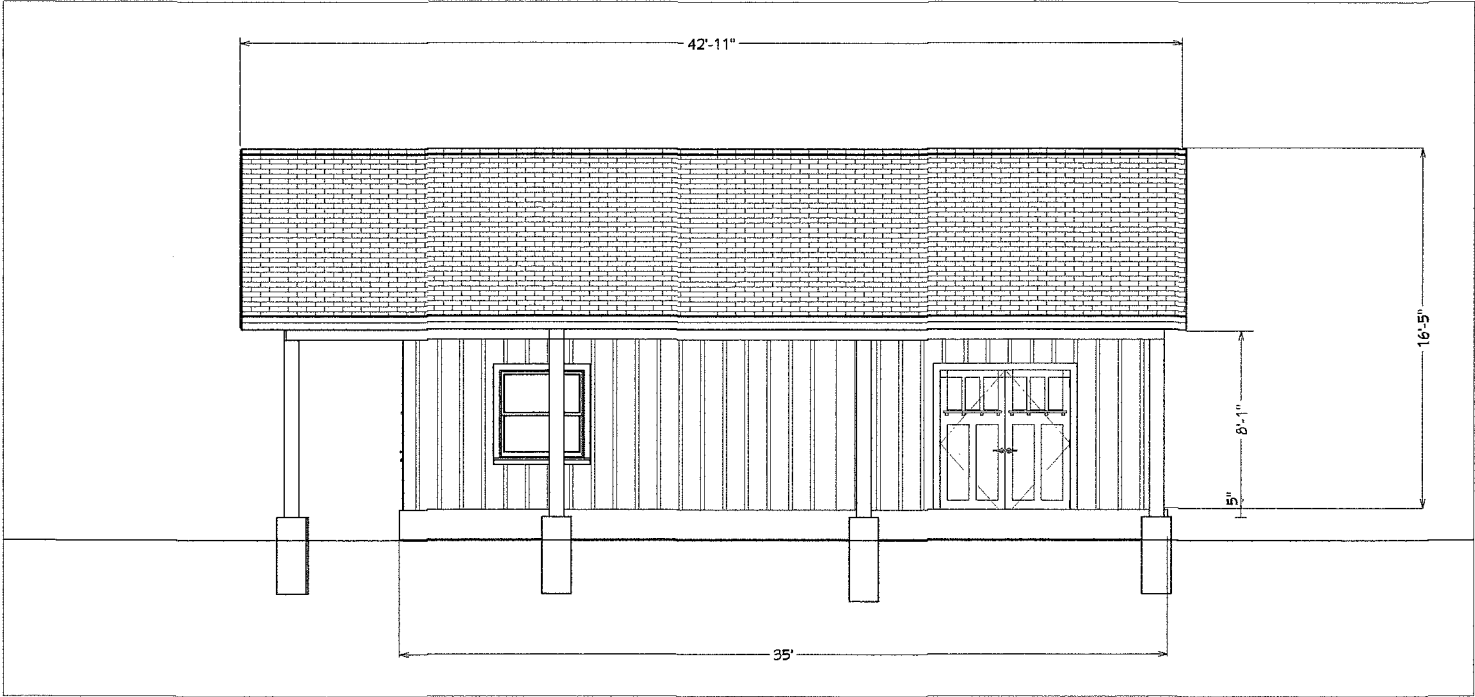
WALL SECTION



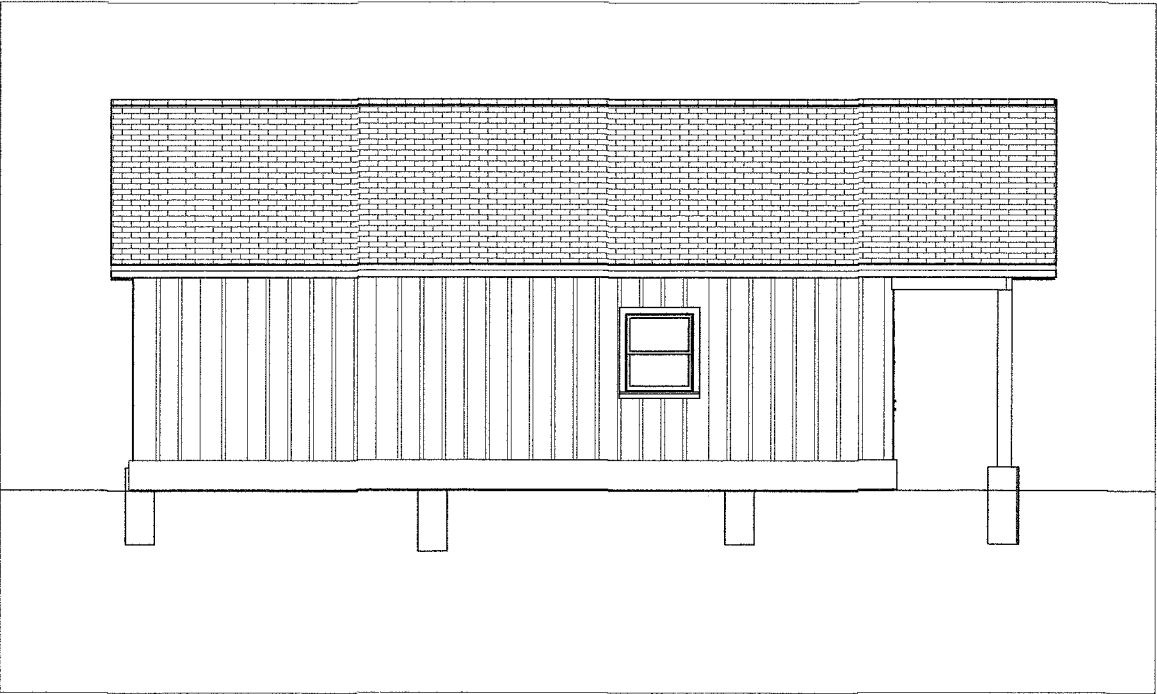
Elevation 1



Elevation 3



Elevation 2



Elevation 4

REVISION TABLE	
NUMBER	DATE

2575 HAMILTON
REGIONAL RD. 56
BINBROOK ONT.

DRAWINGS PROVIDED BY:

DATE:

25/05/2023

SCALE:

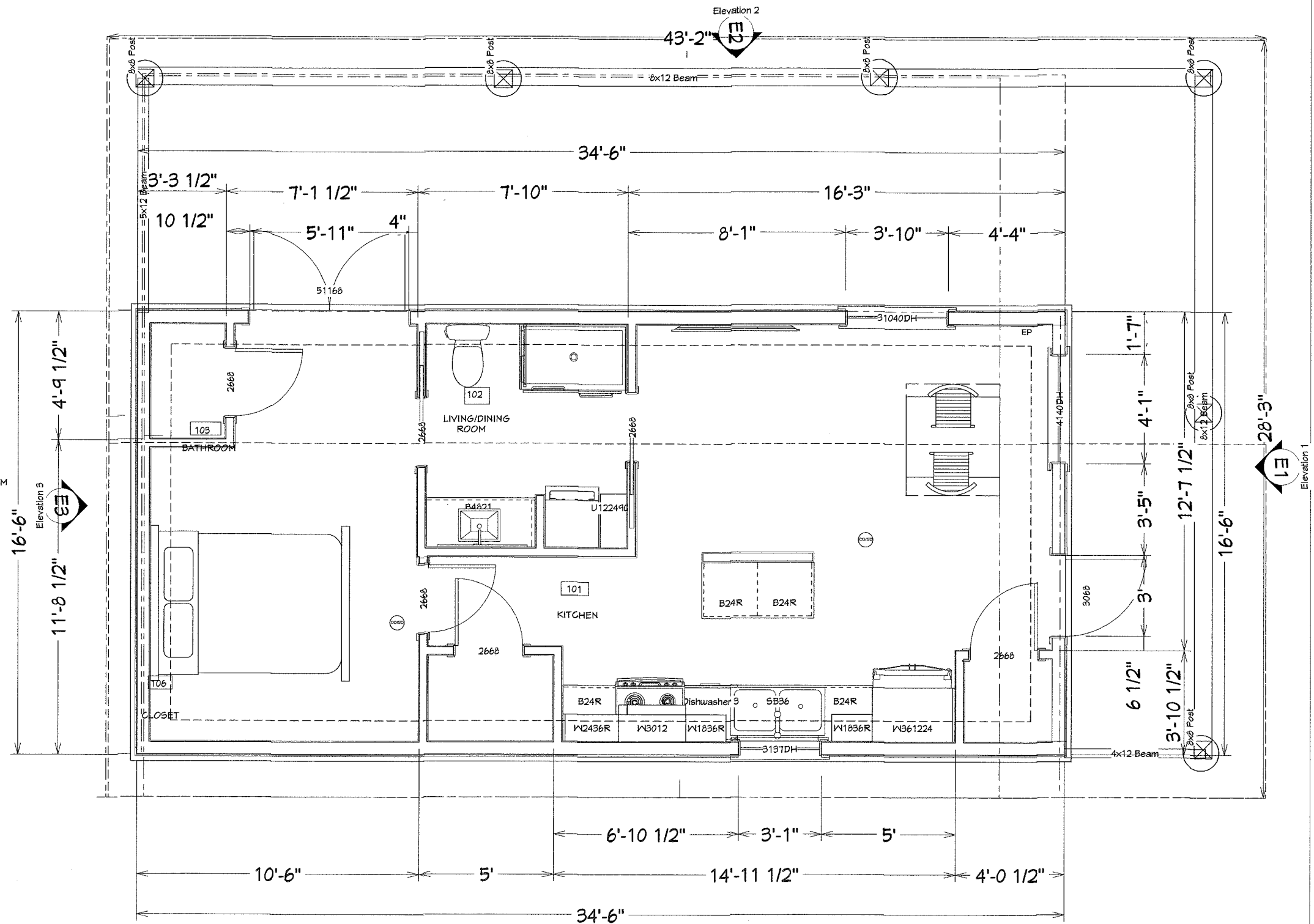
SHEET:

P-03

1st Floor

105
CLOSET

104
BEDROOM



LIVING AREA
566 SQ. FT.



REVISION TABLE	
NUMBER	DATE

2575 HAMILTON
REGIONAL RD. 56
BINBROOK ONT.

DRAWINGS PROVIDED BY:

DATE:
25/05/2023

SCALE:
1/2" TO 1'

SHEET:
P-04

THE ONTARIO BUILDING CODE | APPLIANCES AND EQUIPMENT TO BE LOCATED
IN A SERVICE ROOM

9.10.10.4. Appliances and Equipment to be Located in a service Room

- (1) Except as provided in Sentences (2) and (3) and Article 9.10.10.5., fuel-fired appliances shall be located in a service room separated from the remainder of the building by a fire separation having not less than a 1 h fire-resistance rating.
- (2) Except as required in the appliance installation standards referenced in Sentences 6.2.1.4.(1) and 9.33.1.2.(1), fuel-fired space-heating appliances, space-cooling appliances and service water heaters need not be separated from the remainder of the building as required in Sentence (1) where the equipment serves,

(a) not more than one room or suite, or

Note: On July 1, 2017, Clause 9.10.10.4.(2)(a) of Division B of the Regulation is revoked and the following substituted: (See: O. Reg. 139/17, s. 105)

(a) not more than one room or suite,

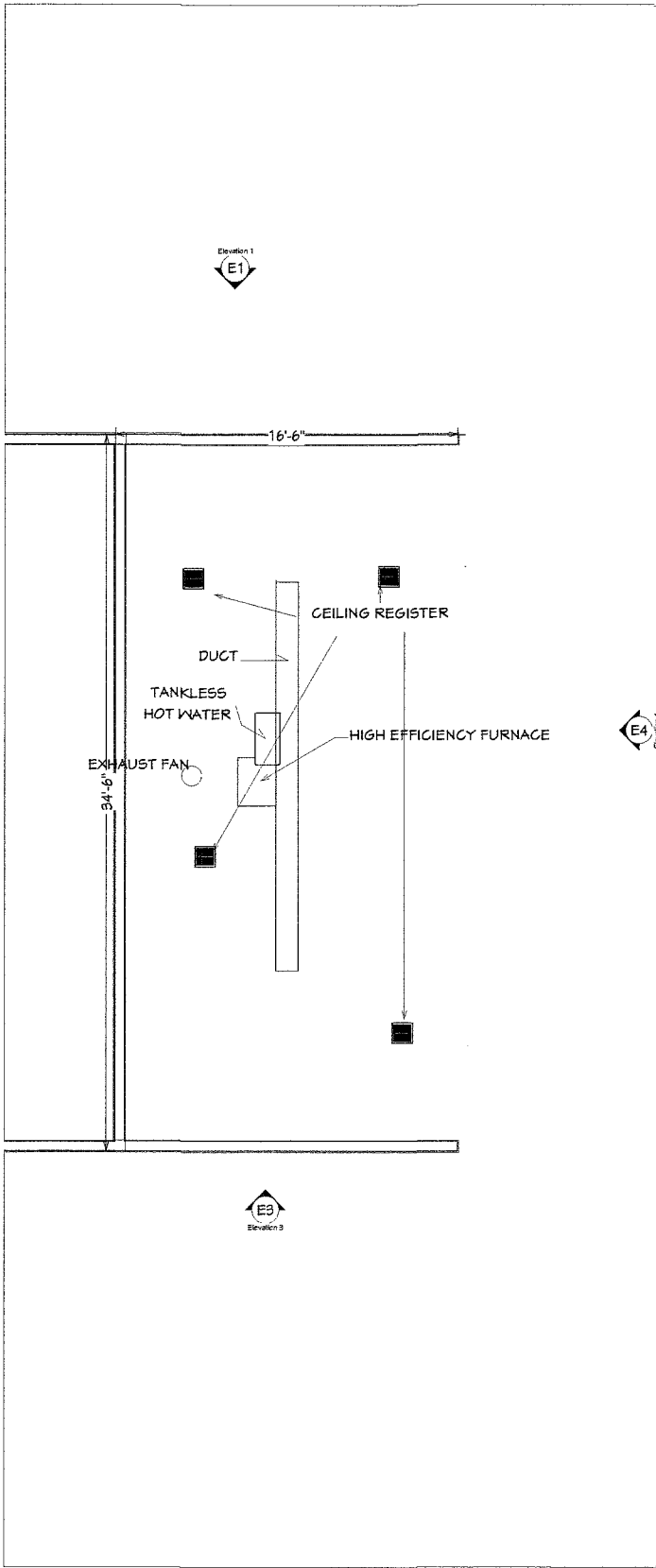
(b) a building with a building area of not more than 400 m² and a building height of not more than 2 storeys.

Note: On July 1, 2017, Clause 9.10.10.4.(2)(b) of Division B of the Regulation is revoked and the following substituted: (See: O. Reg. 139/17, s. 105)

(b) a house, or

(c) a building, other than a house, with a building area of not more than 400 m² and a building height of not more than 2 storeys.

(3) Sentence (1) does not apply to fireplaces and cooking appliances.



Attic

REVISION TABLE	
NUMBER	DATE

2575 HAMILTON
REGIONAL RD. 56
BINBROOK ONT.

DRAWINGS PROVIDED BY:

DATE:

25/05/2023

SCALE:

SHEET:

P-05

THE ONTARIO BUILDING CODE | SLAB CONSTRUCTION

9.39.1.4. Slab Construction

- (1) Concrete shall be cast against form work in accordance with CSA A23.1, "Concrete Materials and Methods of Concrete Construction".
- (2) The slab shall be not less than 125 mm thick.
- (3) The slab shall be reinforced with 10M bars spaced not more than 200 mm o.c. in each direction, with 30 mm clear cover from the bottom of the slab to the first layer of bars, and the second layer of bars laid directly on top of the lower layer in the opposite direction.
- (4) The slab shall bear not less than 75 mm on the supporting foundationwalls and be anchored to the walls with 600 mm× 600 mm 10M bent dowels spaced at not more than 600 mm o.c.
- (5) Exposed slabs shall be sloped to effectively shed water away from the exterior wall

THE ONTARIO BUILDING CODE | DESIGN BASIS
4.2.4.1. design Basis

- (1) The design of foundations, excavations and soil- and rock-retaining structures shall be based on a subsurface investigationcarried out by a person competent in this field of work, and on any of the following:
- (a) application of generally accepted geotechnical and civil engineering principles by a person especially qualified in this field of work as provided in this Section and other Sections of this Part,
- (b) established local practice where such practice includes successful experience both with soilsand rocks of similar type and condition and with a foundation or excavation of similar type, construction method, size and depth, or
- (c) in situ testing of foundation units such as the load testing of piles, anchors or footings carried out by a person competent in this field of work.
- (2) The foundations of a building shall be capable of resisting all the loads stipulated in Section 4.1., in accordance with limit states design in Subsection 4.1.3.
- (3) For the purpose of the application of the load combinations given in Table 4.1.3.2.A., the geotechnical components of loads and the factored geotechnical resistances at ULS shall be determined by a suitably qualified and experienced person.
- (4) Geotechnical components of service loads and geotechnical reactions for SLS shall be determined by a suitably qualified and experienced person.
- (5) The foundation of a building shall be designed to satisfy SLS requirements within the limits that the building is designed to accommodate, including total settlement and differential settlement, heave, lateral movement, tilt or rotation.
- (6) Communication, interaction and coordination between the designer and the person responsible for the geotechnical aspects of the project shall take place to a degree commensurate with the complexity and requirements of the project.

THE ONTARIO BUILDING CODE | ATTICS AND ROOF SPACES

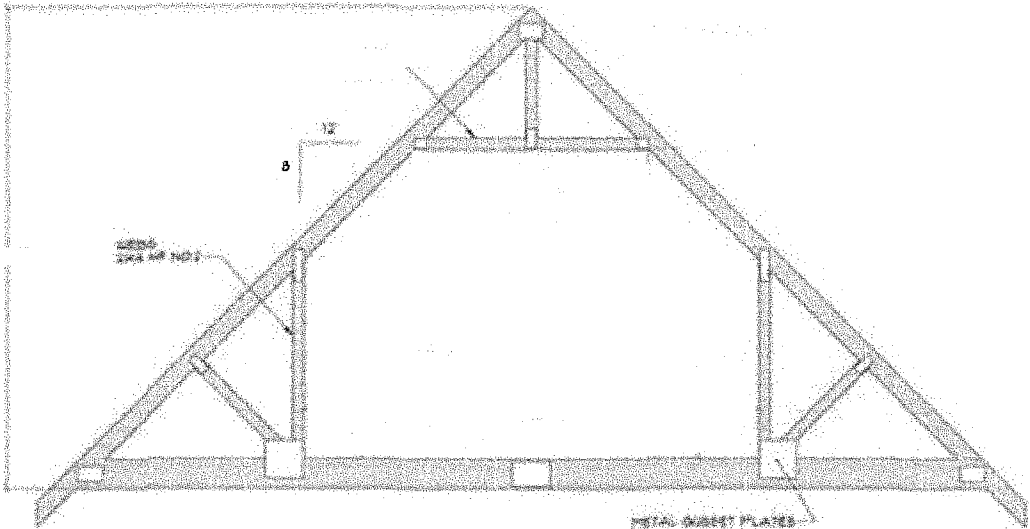
9.4.2.4. attics and Roof Spaces

- (1) ceiling joists or truss bottom chords in residential attic or roof spaces having limited accessibility that precludes the storage of equipment or material shall be designed for a total specified load of not less than 0.35 kPa, where the total specified load is the sum of the specified dead load plus the specified live load of the ceiling.

9.4.3. Deflections

THE ONTARIO BUILDING CODE | GENERAL
9.3.1.1. General

- (1) Except as provided in Sentence (2), unreinforced and nominally reinforced concrete shall be designed, mixed, placed, cured and tested in accordance with the requirements for "R" class concrete stated in Clause 8.13 of CSA A23.1, "Concrete Materials and Methods of Concrete Construction".
- (2) Unreinforced and nominally reinforced site-batched concrete shall be designed, mixed, placed and cured in accordance with Articles 9.3.1.2. to 9.3.1.9.
- (3) Except as provided in Sentence (4), Subsection 9.15.4. and Section 9.39., reinforced concrete sha be designed to conform to the requirements of Part 4.
- (4) For flat insulating concrete form walls not exceeding 2 storeysin building height, and having a maximum floor to floor height of 3 m, in buildings of light-frame construction containing only a single dwelling unit, the concrete and reinforcing shall comply with Part 4 or,
- Note: On July 1, 2017, Sentence 9.3.1.1.(4) of Division B of the Regulation is amended by striking out the portion before Clause (a) and substituting the following: (See: O. Reg. 139/17, s. 69)
- (4) For flat insulating concrete form walls described in Clause 9.15.1.1.(1)(c) or 9.20.1.1.(1)(b), the concrete and reinforcing shall comply with Part 4 or,
- (a) the concrete shall conform to CSA A23.1, "Concrete Materials and Methods of Concrete Construction", with a maximum aggregate size of 19 mm, and
- (b) the reinforcing shall,
- (i) conform to CSA G30.18, "Carbon Steel Bars for Concrete Reinforcement",
- (ii) have a minimum specified yield strength of 400 MPa, and
- (iii) be lapped a minimum of 450 mm for 10M bars and 650 mm for 15M bars.



REVISION TABLE	
NUMBER	DESCRIPTION

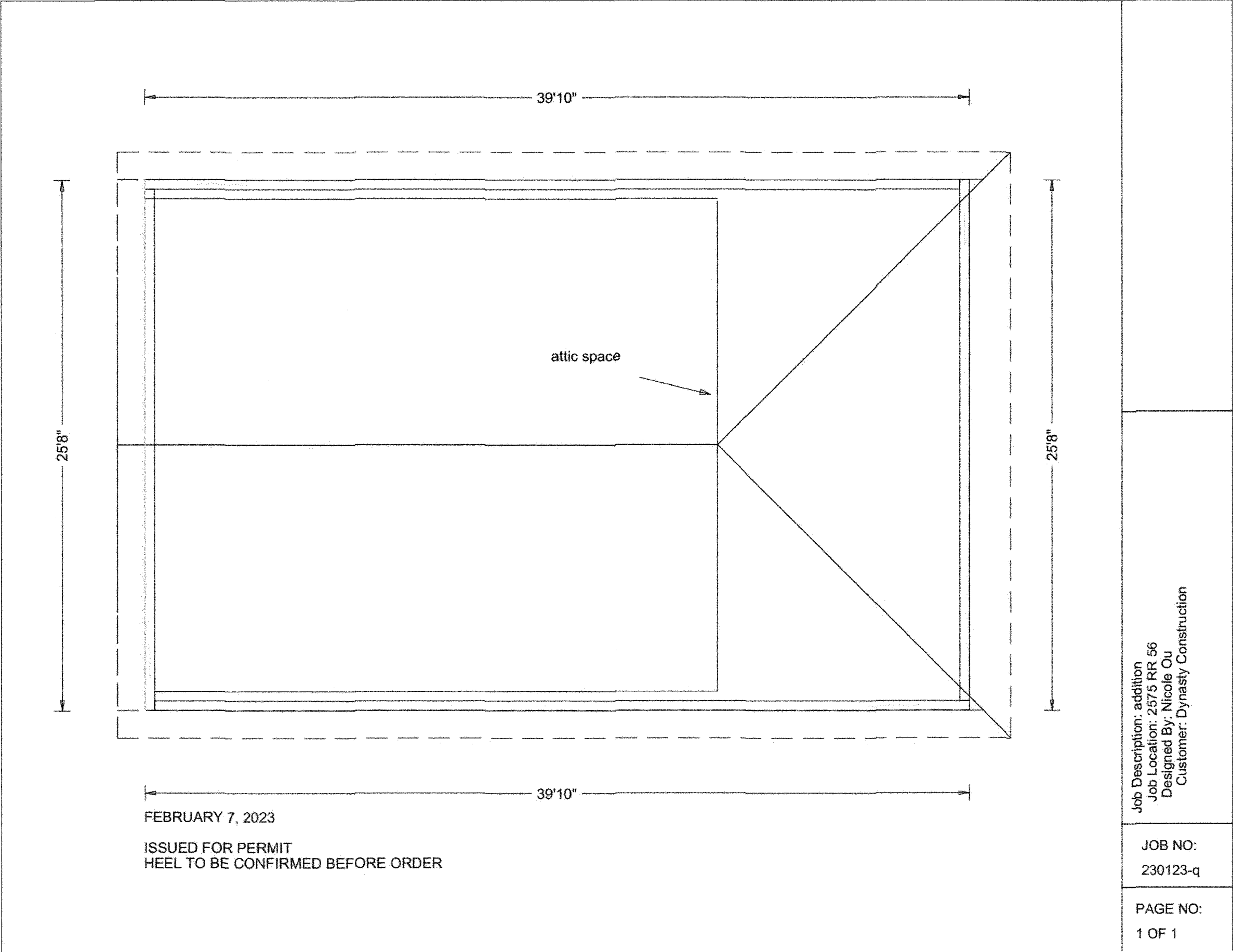
2575 HAMILTON
REGIONAL RD. 56
BINBROOK ONT.

DRAWINGS PROVIDED BY:

DATE:
25/05/2023

SCALE:

SHEET:
p-0



REVISION TABLE		REVISED BY		DESCRIPTION	
NUMBER	DATE				

2575 HAMILTON
REGIONAL RD. 56
BINBROOK ONT.

DRAWINGS PROVIDED BY:

DATE:

25/05/2023

SCALE:

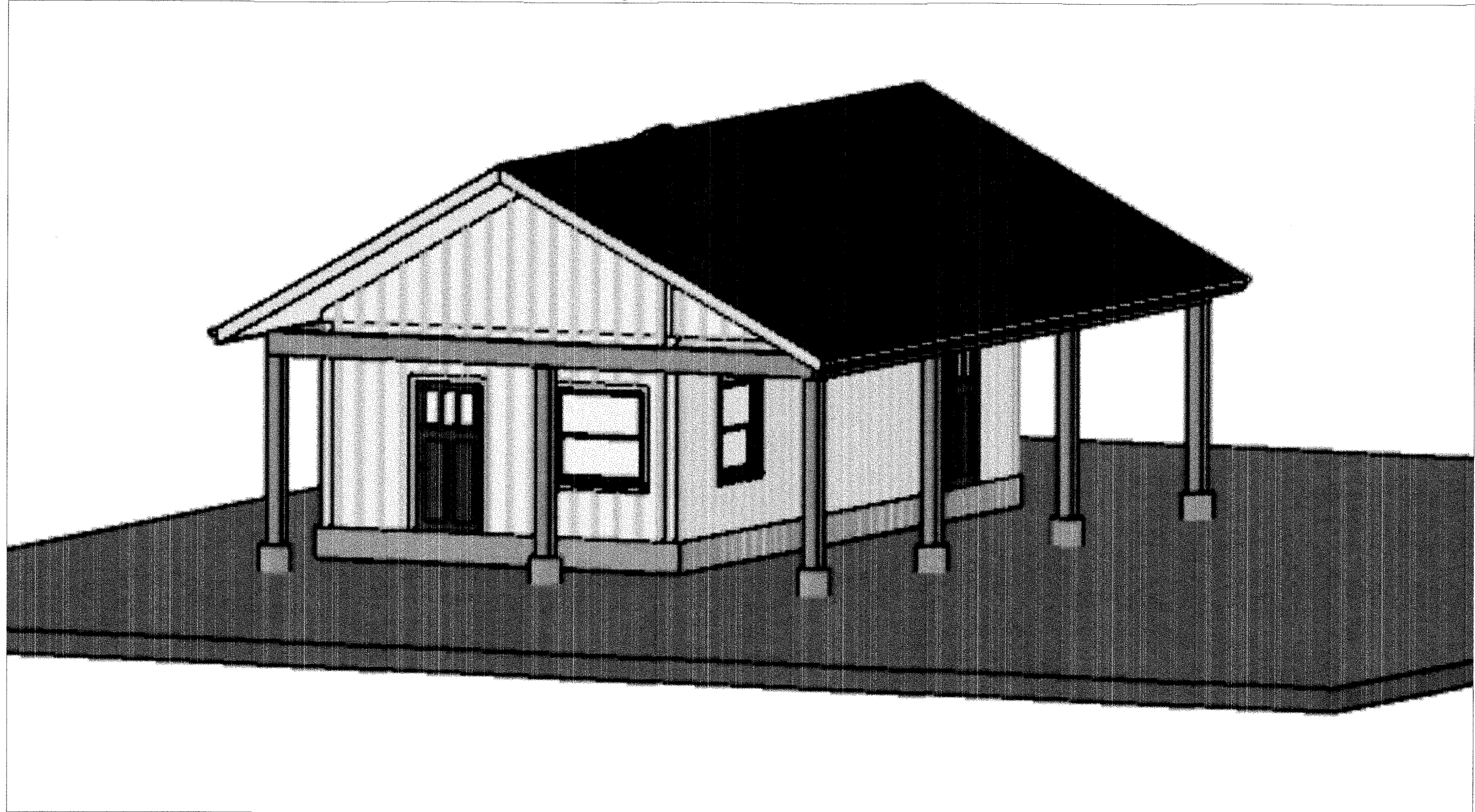
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p-0

KEY SITE PLAN

SCOPE OF WORK :

CONSTRUCT 562 SQ. FT. DWELLING

[illegible]

2575 HAMILTON
REGIONAL RD. 56
BINBROOK ONT.

DRAWINGS PROVIDED BY:

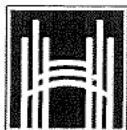
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25/05/2023

SCALE:

SHEET:

P-01



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	MAILING ADDRESS	
Registered Owners(s)			
Applicant(s)			
Agent or Solicitor			Phone:
			E-mail:

1.2 All correspondence should be sent to ☐ Purchaser ☐ Owner
☒ Applicant ☐ Agent/Solicitor

1.3 Sign should be sent to ☐ Purchaser ☐ Owner
☒ Applicant ☐ 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.

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	2575 Regional Road #56		
Assessment Roll Number	25189014104000		
Former Municipality	Glanbrook		
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:

- Build a detached SDU

☒ Second Dwelling Unit

☐ Reconstruction of Existing Dwelling

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

Zone does not permit second dwelling currently

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
	57.89 58.89	1794.23	30.48 30.48

4.2 Location of all buildings and structures on or proposed for the subject lands:
(Specify distance from side, rear and front lot lines)

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Single Family Home	17.13	25.35	4.01/4.45	1955
Shed - to be removed / Demo				

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
SDU		8m	7.8/11	

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 Fam Home	108.63 m ²	108.63 m ²	1	19'

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
SDU	53.23	53.23	1	16.6' / 5.03m

- 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)

Grade - existing
- Storm

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.):

As an SDU

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:

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:

Since 1955

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

Rural Hamilton Official Plan designation (if applicable): *MI*

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) *Mixed Use Medium Density*

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

7.6 What is the existing zoning of the subject land?

C-SA - Exception 570

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:

GLA - 22-26

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: _____

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: 2

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

This SDU is a build needed for an elderly woman who recently lost her husband to Cancer. This is her son's property. The woman is sick and does require to be around her family for care.

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
-
-