



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.:	GL/A-23:343	SUBJECT PROPERTY:	3352 HOMESTEAD DRIVE, GLANBROOK
ZONE:	“ER” (Existing Residential)	ZONING BY-LAW:	Zoning By-law former Township of Glanbrook 464, as Amended

APPLICANTS: Owner: JEFF GAUTHIER
 Agent: THOMAS DE SIMONE

The following variances are requested:

1. A minimum 3.0 metre exterior side yard setback shall be provided to a Secondary Dwelling Unit above an attached garage instead of the required 3.0 metre setback to an exterior side yard;
2. Parking shall be provided within the minimum required side yard instead of the requirement that no part of the required minimum exterior side yard of a corner lot abutting a public street is to be used for the temporary parking or storage of any motor vehicle;

PURPOSE & EFFECT: So as to permit a Secondary Dwelling Unit above a proposed Garage of an existing Single Detached Dwelling notwithstanding that:

Notes:

- i. Please be advised, insufficient information has been provided relating to the access of the proposed parking spaces. Note, under Glanbrook Zoning By-Law 464 tandem parking is permitted for a maximum of two parking spaces. The site plan as proposed has indicated a maximum of three stacked parking spaces. The third space is not permitted to be tandem and shall have unobstructed access to and from the street. It is unclear if the driveway access provided to Strathearne Place is sufficient to accommodate the minimum width required for a vehicle to maneuver. Should the third parking space not maintain unobstructed access, additional variances may be required.
- ii. Please be advised, insufficient information has been provided to determine Eavestrough and Gutter encroachments for the proposed Secondary Dwelling Unit. Should the Eavestrough and Gutter project more than the permitted requirements under Section 7.26 a), additional variances may be required.

- iii. Please be advised, insufficient information has been provided to determine the minimum elevation of the garage. Should the garage not maintain a 0.3 metre elevation above the centreline of the street, additional variances may be required.
- iv. Note, Lot Coverage, Driveway Coverage and other similar area requirements have been indicated on the Site Plan, however actual dimensions and areas have not been provided for individual buildings to confirm percentages. As such, should area requirements as indicated not conform to Zone requirements, additional variances may 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:	Tuesday, February 13, 2024
TIME:	2:45 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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221

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 February 9, 2024

Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than February 12, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding GL/A-23:343, 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

GL/A-23:343

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: January 25, 2024

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

Telephone (905) 546-2424, ext. 4221

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 Friday 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 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.



STRATHEARNE PLACE ELEVATION

SCALE: 1/8" = 1'-0"

DO NOT SCALE DRAWING. DIMENSIONS ARE TO BE CHECKED AND VERIFIED BY THE CONTRACTOR ON SITE. The design and documents remain the property of 1000420203 Ontario Inc. and are protected by law. They may not be altered without their expressed written consent. All drawings, specifications, and related documents are the copyright of the designer, and must be returned upon request. Reproduction of drawings, specifications and related documents in whole or part is strictly forbidden without the designer's written permission. This drawing shall not be used for construction purposes unless countersigned by 1000420203 Ontario Inc. registered designer



De Simone Designs
Architectural Plans & Consulting

Unit 2-7 4635 Queen St. Niagara Falls, ON
289-687-8242
thomas@desimone-designs.com
www.desimone-designs.com

The undersigned has reviewed & takes responsibility for this design, & has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

Qualification Information
Required unless design is exempt under 2.17.5.1. of the O.B.C.
Thomas De Simone 40448
Name BCIN/ BCDN

Registration Information
Required unless design is exempt under 2.17.4.1 of the O.B.C.
De Simone Designs Architectural Plans & Consulting / 128048
Design Firm BCIN/ BCDN
consultant stamp:

no	date	issue/revision description

project:
**PROPOSED 2 STOREY ADDITION
GARAGE AND SECONDARY UNIT**
3352 HOMESTEAD DR
HAMILTON/GLANBROOK, ON

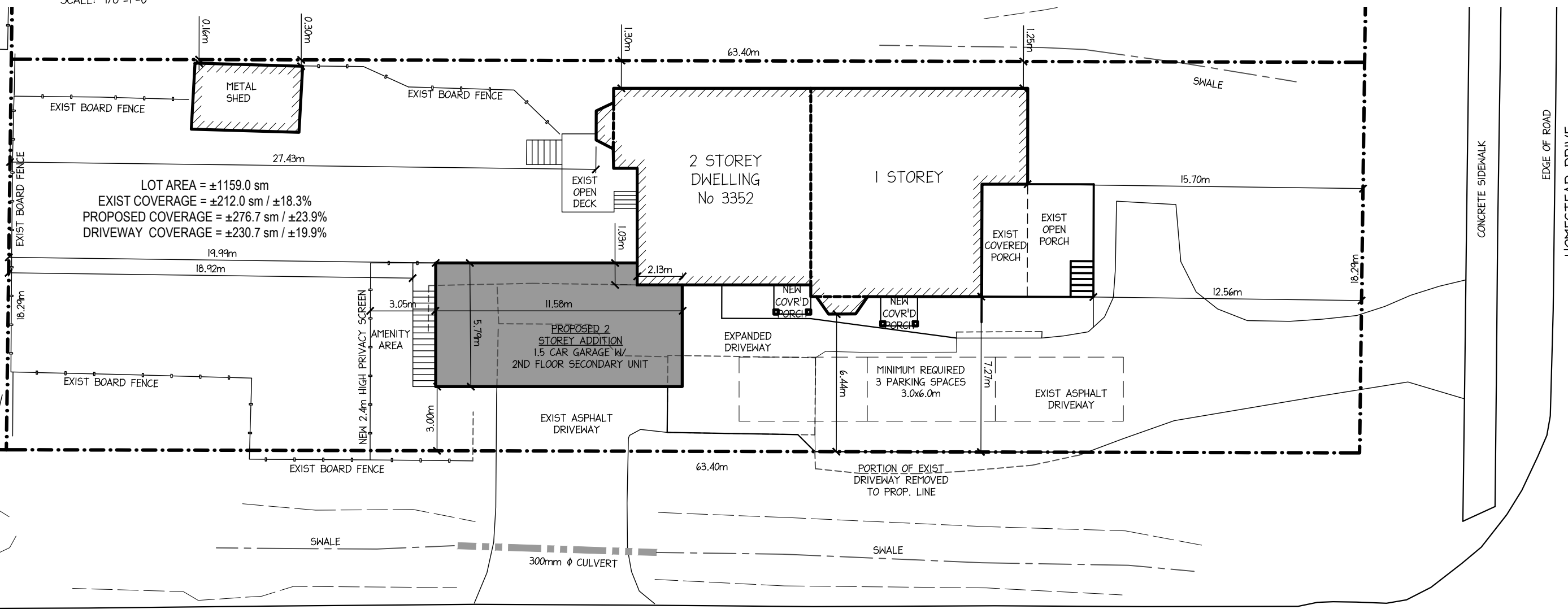
drawing: **SITE PLAN**

drawn by: TD	project no.: 23-04
scale: AS SHOWN	drawing no.: A1
date: 2023-08-22	

SITE PLAN

SCALE: 1:200

STRATHEARNE PLACE



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 Name BCIN/ BCDN

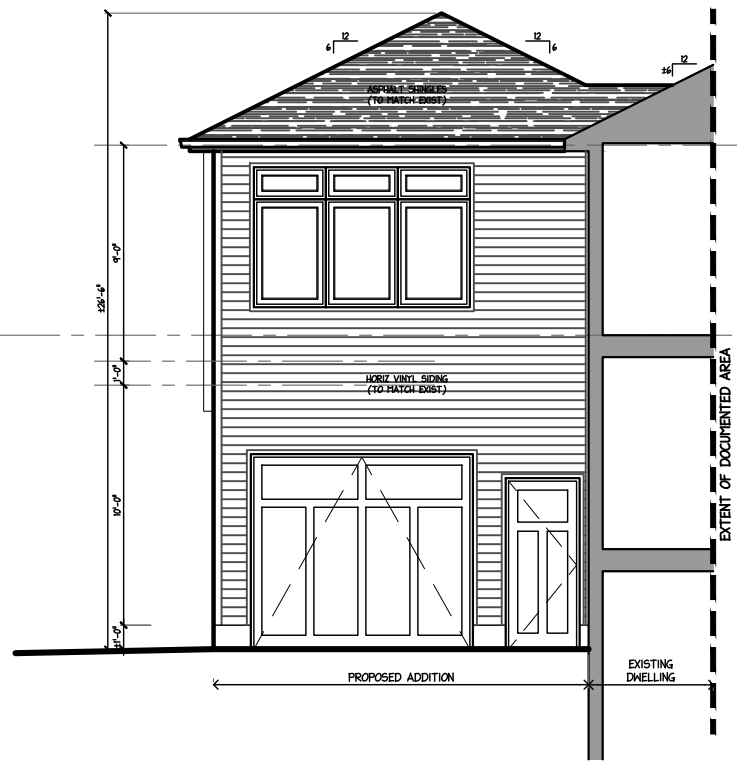
Registration Information
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 De Simone Designs Architectural Plans & Consulting /
 1000420203 Ontario Inc. 128048
 Design Firm BCIN/ BCDN
 consultant stamp:

no	date	issue/revision description

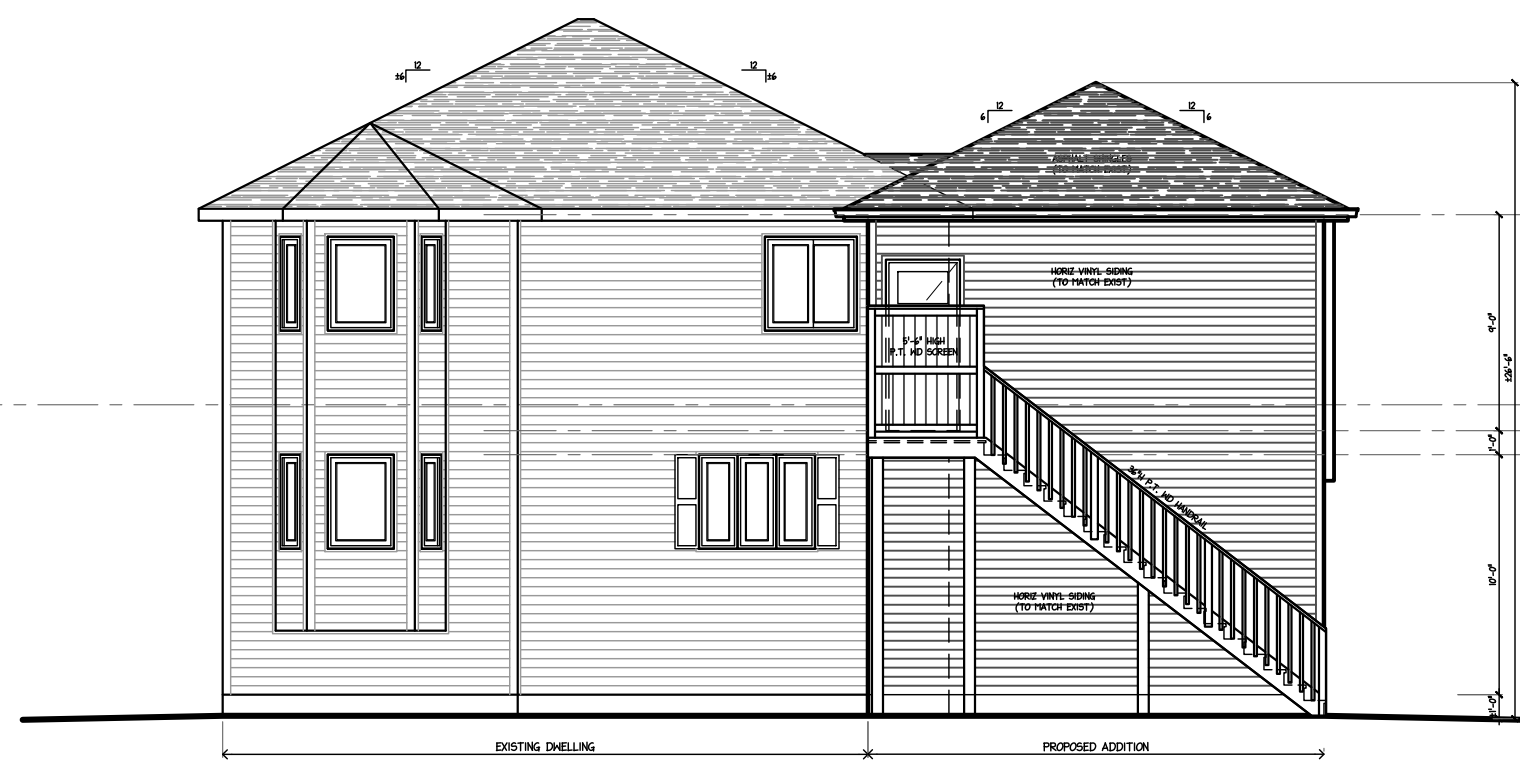
project:
**PROPOSED 2 STOREY ADDITION
 GARAGE AND SECONDARY UNIT**
 3352 HOMESTEAD DR
 HAMILTON/GLANBROOK, ON

drawing: **ELEVATIONS**

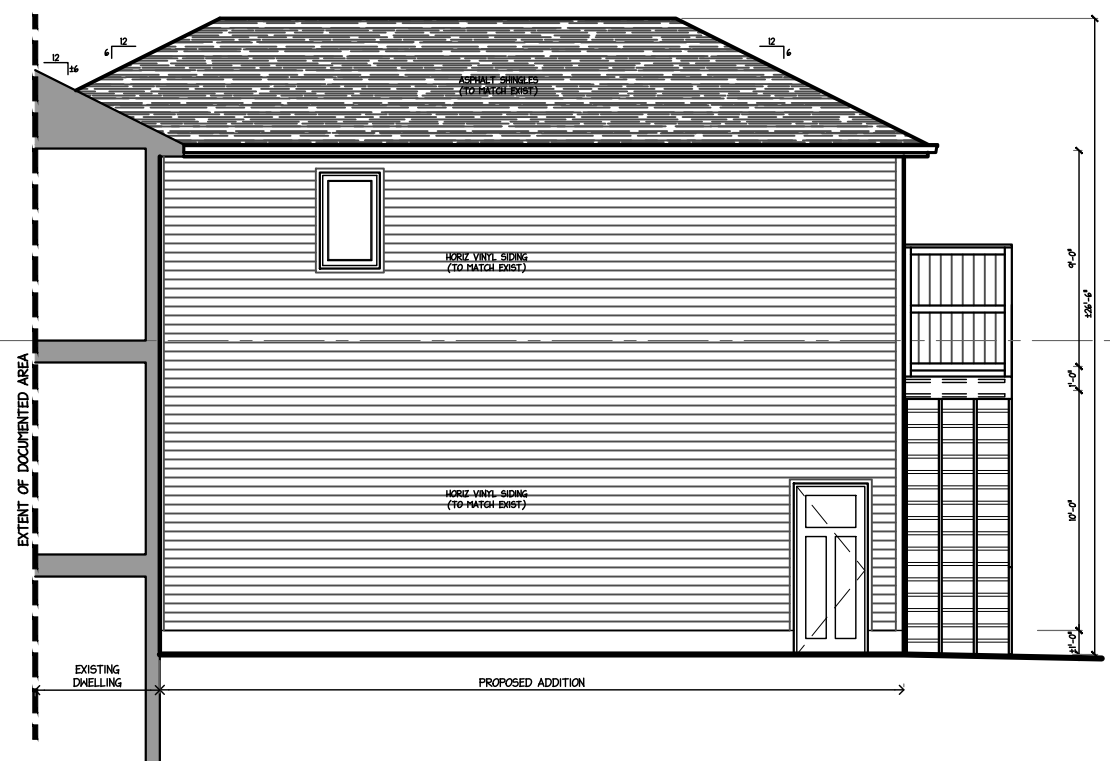
drawn by: TD	project no.: 23-04
scale: AS SHOWN	drawing no.:
date: 2023-08-22	A2



HOMESTEAD DR ELEVATION (ADDITION ONLY)
 SCALE: 1/4"=1'-0"



REAR ELEVATION
 SCALE: 1/4"=1'-0"



SIDE ELEVATION (ADDITION ONLY)
 SCALE: 1/4"=1'-0"



Hamilton

July 05, 2023

FILE: ALR
FOLDER: 23-125050-00 ALR
ATTENTION OF: Ross McIntosh
TELEPHONE NO: (905) 546-2424
EXTENSION: 2077

Thomas De Simone
4635 QUEEN ST
NIAARA FALLS, ON L2E 2L7

Re: ZONING COMPLIANCE REVIEW – MINOR VARIANCE PRE-REVIEW
Present Zoning: “ER” EXISTING RESIDENTIAL ZONE (GLANBROOK ZONING BY-LAW 464)
Address: 3352 HOMESTEAD DR, GLANBROOK, ON

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

COMMENTS:

1. The applicant is proposing a two storey addition to the existing single family dwelling which will accommodate a 1.5 car garage on the first floor and a secondary dwelling unit on the second floor.
2. The following comments are based on the “ER” Existing Residential Zone, pursuant to the Glanbrook Zoning By-law No. 464.
3. The intended use is permitted within the current zoning designation.
4. This review is based on the plans submitted with the application.
5. Demolition of the existing detached garage is subject to the issuance of a demolition permit in the normal manner.
6. Construction of the proposed two storey addition and secondary dwelling unit 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.
7. All mechanical and unitary equipment shall conform to Section 7.15 of the Glanbrook Zoning By-law No. 464.
8. All fencing shall conform to the regulations of the Glanbrook Zoning By-law No.464 and the Hamilton Fence By-law 10-142.
9. The designer shall ensure that the fire access route conforms to the Ontario Building Code.
10. The proposed two storey addition and secondary dwelling unit has been reviewed under the ER Zone & Additional Dwelling Unit regulations of the Glanbrook Zoning By-law No. 464:

ER – EXISTING RESIDENTIAL
(Section 12 of Glanbrook Zoning By-law 464)

	By-Law Requirement	Provided	Conforming/ Non-Conforming
SECTION 12: EXISTING RESIDENTIAL “ER” ZONE			
Permitted Uses [as per section 12.1 of Glanbrook Zoning By-law 464]	a) One (1) single detached dwelling per lot, and b) In addition to the use permitted in Section 12.1 (a), on a lot identified on Figure 1 of Section 50: Special Figures, the following additional uses are permitted: i) One (1) semi-detached dwelling per lot; ii) One (1) duplex dwelling per lot; iii) One (1) Street Townhouse Dwelling per lot, and (c) Uses, buildings and structures accessory to the use described in Paragraph (a) and (b) of this Subsection.	<i>Existing Single Detached Dwelling. A proposed 2 storey addition containing a 1.5 car garage on the first floor and an additional dwelling unit on the 2nd floor.</i>	Conforms
Minimum Lot Frontage [as per section 12.2 (a) of Glanbrook Zoning By-law 464]	22.5 metres (75 feet)	18.29m	Conforms <i>(Existing)</i>
Minimum Lot Depth [as per section 12.2 (b) of Glanbrook Zoning By-law 464]	30 metres (100 feet)	63.4m	Conforms
Minimum Lot Area [as per section 12.2 (c) of Glanbrook Zoning By-law 464]	1,390 square metres (14,965 square feet)	1,159.0 sq. m.	Conforms <i>(Existing)</i>
Maximum Lot Coverage [as per section 12.2 (d) of Glanbrook Zoning By-law 464]	25 percent	23.2%	Conforms
Minimum Front Yard [as per section 12.2 (e) of Glanbrook Zoning By-law 464]	9 metres (30 feet)	15.70m	Conforms
Minimum Side Yard [as per section 12.2 (f) of Glanbrook Zoning By-law 464]	1.8 metres (6 feet), except:	Interior Side Yard: 1.25m	Conforms <i>(Existing)</i>
	(i) On an interior lot where no attached garage or attached carport is provided, the minimum side yard on one (1) side shall be 5.4 metres (18 feet); and	N/A	
	(ii) On a corner lot, the minimum side yard abutting a public street shall be 6 metres (20 feet)	Flankage: 3.0m	Non-Conforming
Minimum Rear Yard [as per section 12.2 (g) of Glanbrook Zoning By-law 464]	10.7 metres (35 feet)	>10.7m <i>Exact details not Provided</i>	Appears to Conform

	By-Law Requirement	Provided	Conforming/ Non-Conforming
Minimum Floor Area Per Dwelling [as per section 12.2 (h) of Glanbrook Zoning By-law 464]	(i) 1 Storey = 100 square metres (1,075 square feet) (ii) 1½ Storey or Split Level = 120 sq. m (1,290 sq. ft.) (iii) 2 or 2½ Storey = 145 sq. m (1,560 sq. ft.)	Details not Provided	Appears to Conform
Maximum Height [as per section 12.2 (i) of Glanbrook Zoning By-law 464]	10.7 metres (35 feet)	Details not Provided "Max Building Height to meet Zoning required" -Applicant wrote on application dated June 9/23	Unable to Determine Compliance at this time
Minimum Parking Requirements [as per section 12.2 (j) of Glanbrook Zoning By-law 464]	Pursuant to the provisions of Subsections 7.35, 11.5, and 11.6 of this By-law.	See below	
Regulations For Uses Permitted in Paragraph (c) of Subsection 12.1 (Accessory Buildings) [as per section 12.3 of Glanbrook Zoning By-law 464]	Pursuant to the provisions of Subsection 7.13 of this By-law.	N/A No accessory building proposed	
Regulations For Secondary Dwelling Units And Secondary Dwelling Units – Detached [as per section 12.5 of Glanbrook Zoning By-law 464]	Pursuant to the provisions of Subsection 11.13 of this By-law.	See below	
SECTION: 7.35 – MINIMUM PARKING REQUIREMENTS <i>In accordance with the APPLICABLE requirements of Section 12.2 (j) of the Glanbrook Zoning By-law No. 464</i>			
Minimum Parking Requirements: General Provisions [as per section 7.35 (a) of Glanbrook Zoning By-law 464] <i>(ii) If the calculation of the required parking spaces results in a fraction, the next higher whole number shall apply</i>	(i) The number of required parking spaces shall be as set out in 7.35(b). 7.35(b) Single Detached Dwelling – 2 required parking spaces for each dwelling unit	Provided	Conforms
	(iii) The parking facilities shall be located on the same lot as the principal use.	Provided	Conforms
	(iv) The parking facilities shall have adequate access from a street to permit unobstructed ingress and egress of motor vehicles. Notwithstanding the foregoing, tandem parking is permitted for single detached, semi-detached, street townhouse and block townhouse dwellings, and home occupations and home professions.	Provided	Conforms
	(v) Each required parking space shall be permanently accessible and shall be located to avoid interfering with any loading facilities, garbage storage and collection, and	Provided	Conforms

	By-Law Requirement	Provided	Conforming/ Non-Conforming
	any fire route.		
	(vi) Access to parking spaces, except those accessory to single detached, semidetached, street townhouse or block townhouse dwellings, shall be provided in accordance with the following provisions: (a) Direct Access Ingress and egress directly to and from every parking space shall be by means of a driveway, lane or aisle having a minimum width of 6 metres (20 feet); and	> 6.0m	Appears to Conform
	(vii) Each parking space for ninety (90) degree perpendicular parking shall have a minimum width of 3 metres (10 feet) and a minimum length of 6 metres (20 feet), exclusive of any land required for access or driveway	Details not Provided	Appears to Conform
	(x) All parking areas shall be constructed with a stable surface, shall have adequate drainage and shall be permanently maintained.	Asphalt	Conforms
SECTION 11.13 – SECONDARY DWELLING UNITS & SECONDARY DWELLING UNITS - DETACHED <i>In accordance with the APPLICABLE requirements of Section 12.5 of the Glanbrook Zoning By-law No. 464</i>			
Parking [as per section 11.13 (a) of Glanbrook Zoning By-law 464]	(a) Parking shall be provided in accordance with Section 7.35 of this by-law and the following: (i) No additional parking space shall be required for either a Secondary Dwelling Unit or a Secondary Dwelling Unit - Detached, provided the required parking spaces which existed on May 12, 2021 for the existing dwelling shall continue to be provided and maintained; and, (A) Notwithstanding Section 11.13 (a) (i), one parking space shall be required for a Secondary Dwelling Unit - Detached if it constitutes the fourth Dwelling Unit on a lot. (ii) A maximum of two parking spaces for a Secondary Dwelling Unit and/or Secondary Dwelling Unit - Detached may be provided in the required Front Yard.	<i>Applicant to Note</i>	Conforms
Building Permit [as per section 11.13 (b) of Glanbrook Zoning By-law 464]	(b) Notwithstanding Section 3.2 of this By-law, the following provisions shall apply: i) A Building Permit application for a Secondary Dwelling Unit or Secondary Dwelling Unit - Detached, received by the City of Hamilton prior to the date By-law No. 22-136 was approved by Council, will be evaluated against the provisions of Section 11.13 of this By-law, in effect before By-law No. 22- 136 came into effect. (1) Notwithstanding Section 11.13 (b) i), if a Building Permit is not issued within 180 days of the effective date of this By-law, By-law No. 22-136 shall apply in all respects to the Building Permit in question. ii) A Building Permit may be issued to permit a Secondary Dwelling Unit or Secondary Dwelling Unit – Detached, in accordance with any Minor Variance that has been approved by the City of Hamilton or the Ontario Land Tribunal as it read on the day before By-law 22-136 was approved by Council, provided the Building Permit	<i>Applicant to Note</i>	

	By-Law Requirement	Provided	Conforming/ Non-Conforming
	<p>application complies with Section 11.13 of this By-law, in effect the day before By-law No. 22-136 came into effect.</p> <p>iii) For the purposes of determining zoning conformity, the following shall apply:</p> <p>(1) This By-law is deemed to be modified to the extent necessary to permit a Secondary Dwelling Unit or Secondary Dwelling Unit – Detached that is constructed in accordance with Section 11.13 (b) i) or ii).</p> <p>(2) Once a Building Permit has been issued under Section 11.13 (b) i) or ii), or more than 180 days has transpired as per Section 11.13 (b) i) (1), the provisions of this By-law apply in all other respects.</p>		
<p>Secondary Dwelling Unit [as per section 11.13.1 of Glanbrook Zoning By-law 464]</p>	<p>(a) For lands within a “ER”, “R1”, “R2”, “R3”, “R4”, “RM1”, and “RM2” Zone, a maximum of one Secondary Dwelling Unit shall be permitted within a Single Detached Dwelling, a Semi-Detached Dwelling, or a Street Townhouse Dwelling on a divided or undivided lot and shall not result in a change to the defined dwelling type on the lot.</p>	<p><i>One Secondary Dwelling unit proposed within the proposed addition of the existing Single Detached Dwelling of the ER Zone.</i></p>	<p>Conforms</p>
	<p>(b) All the regulations of this By-law applicable to the existing dwelling shall continue to apply unless specifically provided in Section 11.13.1.</p>	<p><i>Applicant to Note</i></p>	
	<p>(c) Notwithstanding Section 11.7, a Secondary Dwelling Unit may be permitted in a basement or cellar.</p>	<p>N/A</p>	
	<p>(d) There shall be no outside stairway above the first floor other than a required exterior exit.</p>	<p>Details not Provided</p> <p><i>If the Stairway proposed above the first floor is the only / required exit to the proposed SDU then outside stairway is permitted.</i></p>	<p>Unable to Determine Compliance</p>
	<p>(e) A maximum of one entrance shall be permitted on the front façade of a dwelling containing a Secondary Dwelling Unit.</p>	<p><i>Existing single front façade entrance</i></p>	<p>Conforms</p>
<p>SECTION 11 – GENERAL PROVISIONS FOR ALL RESIDENTIAL ZONES <i>In accordance with the APPLICABLE requirements of Section 11 of the Glanbrook Zoning By-law No. 464</i></p>			
<p>Open Parking & Storage [as per section 11.5 of Glanbrook Zoning By-law 464]</p>	<p>(a) No person shall permit the open parking or open storage of any equipment or material unless such equipment or material is for use incidental to the residential use.</p> <p>(c) The following provisions pertain to the Residential "ER", "RH" and "RE" Zones:</p> <p>The open parking or open storage of any vehicle, trailer or boat exceeding a maximum length of 6.4 metres (21 feet) or an overall height of 2.6 metres (8.5 feet) shall be restricted to one (1) vehicle, trailer or boat along with its trailer, and shall not be located closer than:</p> <p>(i) 4.5 metres (15 feet) from any front lot line, exterior side lot line or the rear lot line, and</p> <p>(ii) 1.2 metres (4 feet) from any of the interior side lot lines.</p>	<p><i>Applicant to Note</i></p>	

	By-Law Requirement	Provided	Conforming/ Non-Conforming
	(d) Vehicles used for the transport and storage of any dangerous goods as defined by the Dangerous Goods Transportation Act, being Chapter D.1 of the Revised Statutes of Ontario, 1990, as amended from time to time, shall not be permitted.		
Parking Spaces in Residential Zones [as per section 11.6 of Glanbrook Zoning By-law 464]	In addition to the parking requirements pursuant to Subsection 7.35 of this By-law, the following provisions shall also apply to parking spaces in Residential Zones: (a) In any Residential Zone, at grade parking areas shall not occupy more than thirty five percent (35%) of the total lot area, <i>"PARKING AREA" means an area of land which is provided and maintained for the purpose of parking motor vehicles, and which area:</i> <i>(a) Comprises all parking spaces of at least the minimum number required according to the provisions of this By-Law, and all driveways, aisles, manoeuvring areas, entrances, exits and similar areas used for the purpose of gaining access to or egress from the said parking spaces, and</i> <i>(b) Is provided and thereafter maintained in accordance with all applicable provisions of this Bylaw.</i>	17.5%	Conforms
	(b) No part of the required minimum exterior side yard of a corner lot abutting a public street is to be used for the temporary parking or storage of any motor vehicle, and	<i>Applicant to Note</i> Site Plan shows a vehicle in required exterior side yard	Non-Conforming
	(c) No parking space or part thereof shall be located, and no land shall be used for the temporary parking or storage of any motor vehicle at a distance of less than 1.5 metres (5 feet) from the rear lot line.	> 1.5m	Conforms
Basement or Cellar [as per section 11.7 of Glanbrook Zoning By-law 464]	No basement or cellar may be used for calculating the minimum floor area of any dwelling or dwelling unit and no basement or cellar may be used as a complete dwelling unit, except in an apartment building.	<i>Applicant to Note</i>	
Garage [as per section 11.8 of Glanbrook Zoning By-law 464]	The floor elevation of a garage shall be a minimum of 30 centimetres (12 inches) above the centre line of the street adjacent to the garage, unless other provisions are made for adequate drainage to the satisfaction of the Township Engineer.	Details not Provided	Unable to Determine Compliance
SECTION 7 – GENERAL PROVISIONS <i>In accordance with the requirements of Section 7 of Glanbrook Zoning By-law No. 464</i>			
Encroachment into Yards [as per section 7.26 of Glanbrook Zoning By-law 464]	Every part of any required yard shall be open and unobstructed by any structure from the ground upwards, except for: (a) Sills, belt courses, cornices, eaves or gutters, chimneys, bay windows, or pilasters, which may project into any required yard a distance of not more than 0.5 metres (1.6 feet);	Details not Provided	Unable to Determine Compliance

	By-Law Requirement	Provided	Conforming/ Non-Conforming
	b) Balconies, canopies, fruit cellars or unenclosed porches which may project into any required front or rear yard a distance of not more than 1.5 metres (5 feet), or into any minimum side yard a distance of not more than 0.5 metres (1.6 feet);	Proposed Covered Porches do not encroach into a required yard	Conforms
	(c) Fire escapes which may project into any required side or rear yard a distance of not more than 1.5 metres (5 feet);	N/A	
	(g) Fences, trellises, free-standing walls, flag poles, antennae (except satellite dishes), light standards and similar accessory structures and appurtenant structures, and hedges, trees and shrubs, subject to Subsections 7.29 and 7.30 of this By-law. Notwithstanding the provisions stated in this subsection, no encroachment into registered easements shall be permitted.	<i>Applicant to Note</i>	
Fences [as per section 7.32 of Glanbrook Zoning By-law 464]	Subject to the provisions of Subsections 7.29 and 7.30 of this By-law, fences, freestanding walls or similar structures may be located in any yard subject to the following maximum height restrictions: (a) Residential Zones: (i) Solid Fence = Maximum 1.8 metres (6 feet) (ii) Chain-Link Fence = Maximum 2.4 metres (8 feet), except a maximum of 3 metres (10 feet) where the fence is accessory to a tennis court.	<i>Applicant to Note</i>	

Best Regards,



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

Table with columns NAME and MAILING ADDRESS, and rows Registered Owners(s), Applicant(s), Agent or Solicitor. The content is redacted with a black box.

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

1.3 Sign should be sent to [checkbox] Purchaser [checkbox] Owner [checkbox] Applicant [checkbox] AgentSolicitor

1.4 Request for digital copy of sign [checkbox] Yes* [checkbox] No

If YES, provide email address where sign is to be sent

1.5 All correspondence may be sent by email [checkbox] Yes* [checkbox] 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	3352 Homestead Dr, Hamilton		
Assessment Roll Number			
Former Municipality	Glanbrook / Mount Hope		
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:

Proposed Attached Garage with second floor Second Dwelling Unit

Second Dwelling Unit Reconstruction of Existing Dwelling

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

Desire to maintain rear yard area, as well as provide garage attached to main dwelling unit

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
18.29m	63.40m	1159.0 SM	

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	+/- 15.7m	+/- 27.43m	+/- 1.25m & +/- 6.44m (exterior)	
metal shed (on grade)		8.47m	0.16m	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
2 Storey Addition	existing unaltered	18.92m	3.0m (exterior)	

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	+/- 169.7	+/- 250.13	2	+/- 7.68m
metal shed (on grade)	15 sm	15 sm	1	+/- 2.4m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
2 Storey Addition	+/- 64.7m	+/- 129.4m	2	+/- 7.3m

- 4.4 Type of water supply: (check appropriate box)
 publicly owned and operated piped water system
 privately owned and operated individual well

- lake or other water body
 other means (specify)

- 4.5 Type of storm drainage: (check appropriate boxes)
 publicly owned and operated storm sewers
 swales

- ditches
 other means (specify)

4.6 Type of sewage disposal proposed: (check appropriate box)

publicly owned and operated sanitary sewage

system privately owned and operated individual

septic system other means (specify) _____

4.7 Type of access: (check appropriate box)

provincial highway

right of way

municipal road, seasonally maintained

other public road

municipal road, maintained all year _____

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

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

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

Jan 2019

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

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

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

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

Rural Hamilton Official Plan designation (if applicable): Urban Area

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? _____

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: _____

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):

The Proposed 2 Storey addition will have the Garage entrance face the front yard and be set back from the front corner of the house. The addition will not be taller than the existing house roof, and will maintain windows and features which face the exterior side yard property line to maintain a desirable aesthetic. The proposed two storey addition will have minimal impact to the street-scape and character of the surrounding community.

The requested Minor Variance will maintain the character of the existing neighborhood and subdivision. The requested Minor Variance has no adverse impact on the adjacent properties or to the future built-up form of the neighborhood. The proposed relief meets the intent of the official plan designation of Urban Area.

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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