



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.:	FL/A-24:01	SUBJECT PROPERTY:	23 Gardenbrook Trail, Flamborough
ZONE:	“R1-64” (Urban Residential (Single Detached))	ZONING BY-LAW:	Zoning By-law former Town of Flamborough 90-145-Z, as Amended 20-120

APPLICANTS: Owner: Harjinder Sandhu
Applicant: Linedezine Studio LTD c/o Sukhdeep Bhangu

The following variances are requested:

1. A deck shall be provided within a required interior side yard instead of the requirement that no deck shall be permitted in any required front yard or in any required exterior side yard, or in any required interior side yard;
2. An accessory building or structure shall be located within 0.8 metre of an interior side lot line instead of the requirement that an accessory building or structure shall be located within 1.0 metre of an interior side lot line.

PURPOSE & EFFECT: So as to permit an Entrance Deck to a proposed Secondary Dwelling Unit within the side yard of an existing Single Detached Dwelling notwithstanding:

Notes:

1. Be advised, insufficient information has been provided to determine overall density for lands Zoned R1-64 under Zoning By-Law Amendment 20-120. Should the addition of a Secondary Dwelling Unit within the Existing Single Detached Dwelling increase the overall density in excess of the permitted 40 Units Per Net Residential Hectare for lands zoned as “R1-64”, additional variances may be required.
2. Note, existing parking conditions indicated to be provided and as such no additional parking shall be required for the proposed Secondary Dwelling Unit. Please be advised however that parking as shown does not comply with manoeuvring requirements for parking spaces as tandem parking is not permitted. Any additional, proposed parking spaces shall comply with the regulations under

FL/A-24:01

Section 5.21 of Flamborough Zoning By-Law 90-145- Z and Zoning By-Law Amendment 20-120.

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:	2:35 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 FL/A-24:01, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



DATED: January 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.



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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 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.

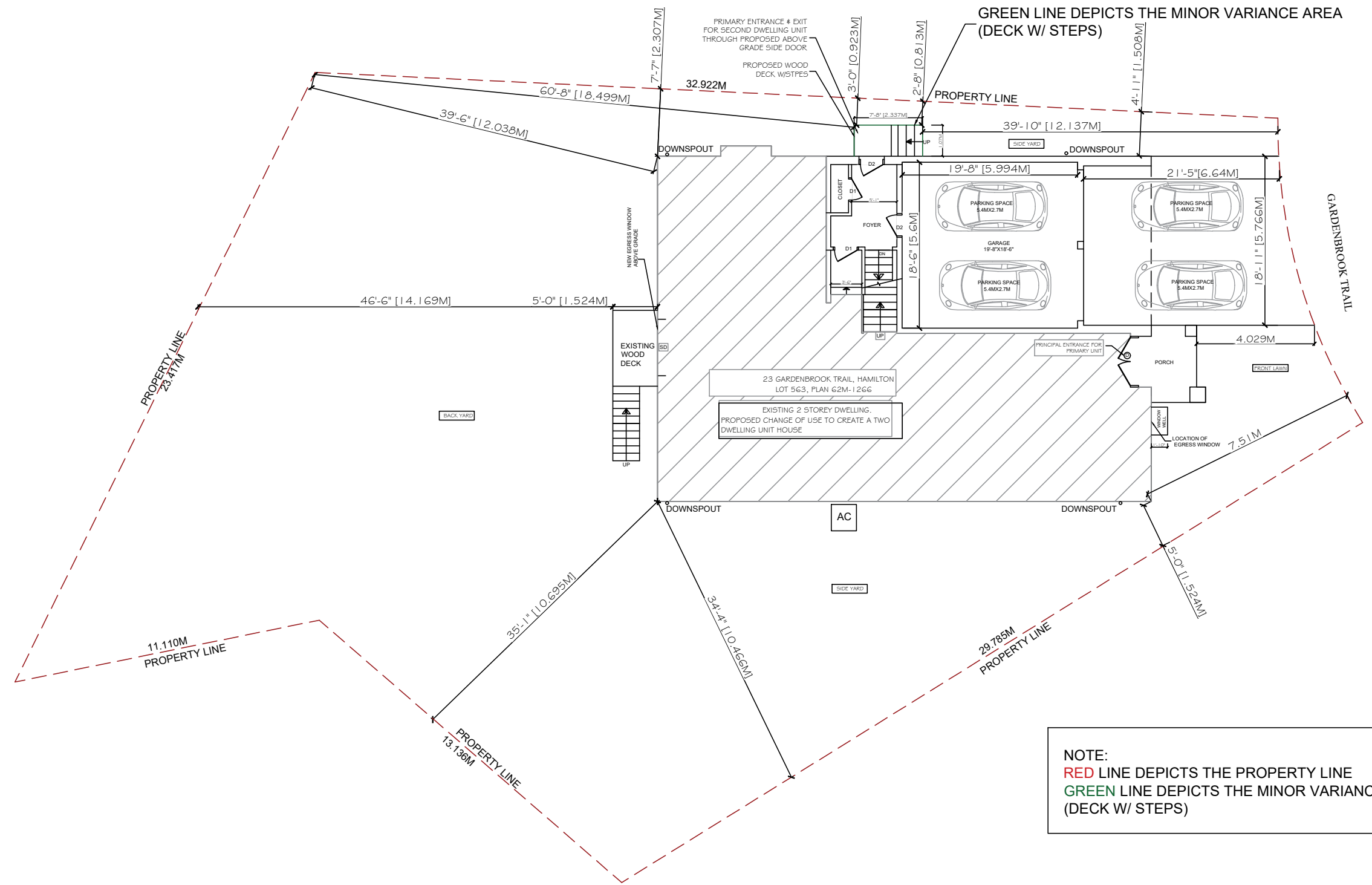
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

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.



NOTE:
RED LINE DEPICTS THE PROPERTY LINE
GREEN LINE DEPICTS THE MINOR VARIANCE AREA (DECK W/ STEPS)

GENERAL NOTE:
 DO NOT SCALE DRAWINGS. VERIFY CONFIGURATIONS & DIMENSIONS ON SITE BEFORE BEGINNING WORK. NOTIFY DESIGNER/ENGINEER IMMEDIATELY OF ANY ERRORS, OMISSIONS OR DISCREPANCIES.

TWO UNIT DWELLING EGRESS OPTIONS	
A. DIRECT EXCLUSIVE ACCESS TO EXTERIOR	X
B. SHARED PROTECTED EXIST	✓
C. EGRESS THROUGH ANOTHER DWELLING	X

PROPOSED CHANGE OF USE
 -TO CREATE A SECOND UNIT DWELLING IN THE BASEMENT
 -THREE NEW PROPOSED WINDOWS INCLUDING EGRESS WINDOWS
 -ONE ENLARGED EXISTING WINDOW
 -ABOVE GRADE EXTERIOR DOOR TO THE IN THE SIDE YARD

HOUSE AREA
 -TOTAL AREA (GROUND+SECOND FLOOR) = 3705 sqft EXCLUDING GARAGE & PORCH
 -PROPOSED SECOND UNIT TOTAL AREA OF BASEMENT = 1407.96 SF (130.8 SQM)

PROJECT:
23 GARDENBROOK TRAIL
WATERDOWN
HAMILTON, ON
L8B 1Z9

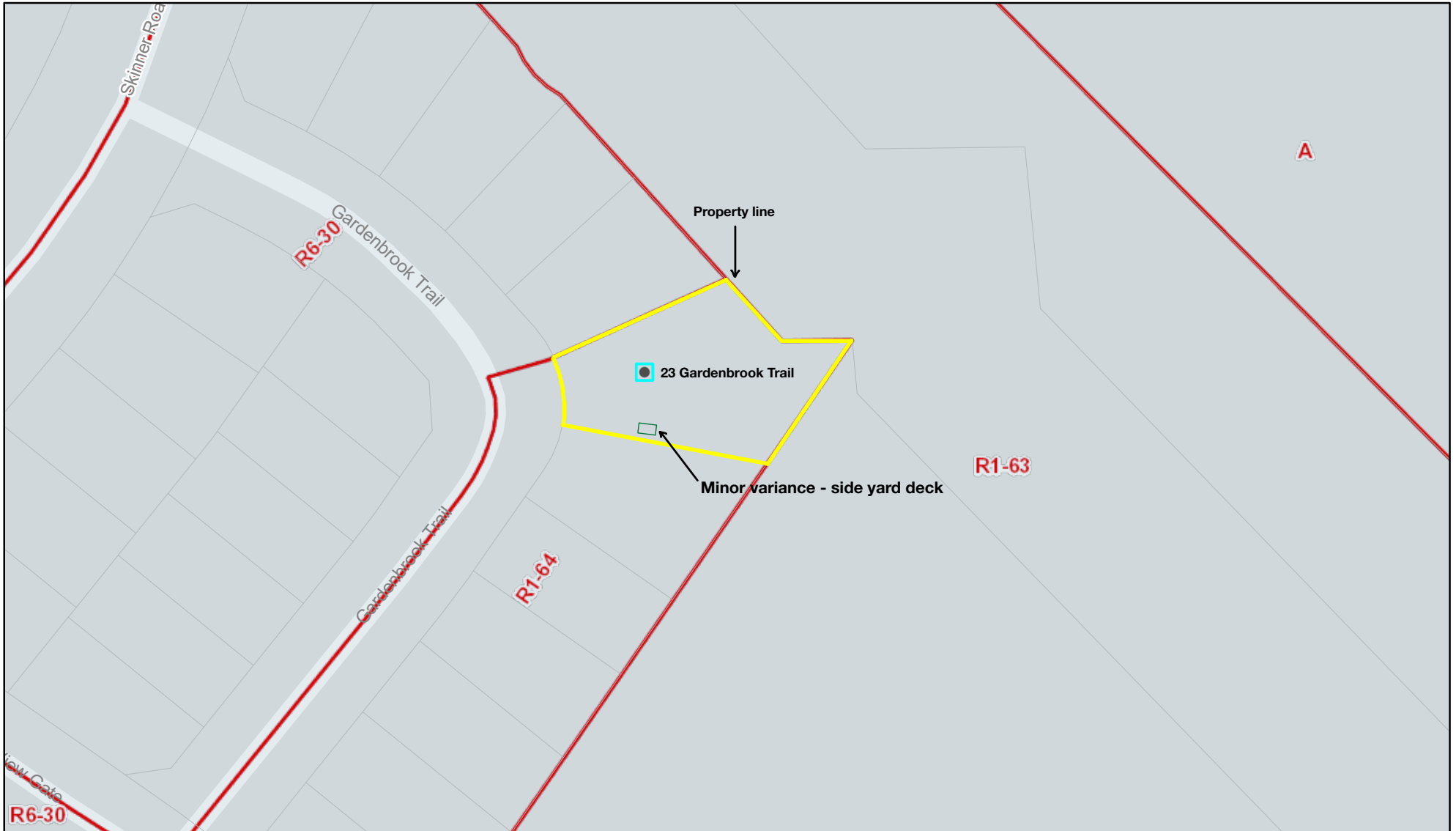
NOTE: ALL WINDOWS EXISTING UNLESS OTHERWISE SPECIFIED	
DRAWING TITLE: SITE PLAN	
DRAWN BY: SB	CHECKED BY: SS
SHEET #: L-101	ISSUED FOR: BUILDING PERMIT
SCALE: 1=85	

The undersigned has reviewed and taken responsibility for this design and has qualifications and meet the requirements set out in the Ontario Building Code to be a designer
QUALIFICATION INFORMATION
 SUKHDEEP SINGH BHANGU
 BCIN#110272
 FIRM BCIN #117813
 DATE: DEC 28, 2023

SIGNATURE:

REGISTRATION INFORMATION
 DESIGNER FIRM
 LINEZINE STUDIO LTD

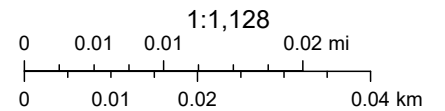
MV_23 Gardenbrook Trail_Map



2023-12-28, 1:46:01 p.m.

- Ward Boundary
- Community Boundary
- City Boundary
- Urban Boundary
- Property Parcels
- Zoning Compliance Review Required

- Zoning Boundaries
- Interim Control By-laws





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APPLICATION FOR A MINOR VARIANCE/PERMISSION
UNDER SECTION 45 OF THE *PLANNING ACT*

1. APPLICANT INFORMATION

	NAME
Registered Owners(s)	HARJINDER SANDHU
Applicant(s)	SUKHDEEP BHANGU (LINEDEZINE STUDIO LTD)
Agent or Solicitor	

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

1.3 Sign should be sent to Purchaser Applicant Owner AgentSolicitor

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

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	23 GARDENBROOK TR, HAMILTON, ON		
Assessment Roll Number	25 18 303 310 10569 0000		
Former Municipality			
Lot	563	Concession	
Registered Plan Number	62M - 1266	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 deck in the side yard for side entrance to the basement.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

Zoning By-law No.90-145-Z section 5.2.3 (b) No deck shall be permitted in front yard or in exterior side yard, or in interior side yard.

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
10.86m	24m	251sqm	8.53

**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
Bricked 2 Storey House	7.51m	12.083m	1.5m	09/07/2023

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Deck	12.141m	18.5m	0.8m	

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
Bricked 2 Storey House	147sqm	344sqm	2	6m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Deck	2.5sqm	2.5sqm	0	0.9

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.):

TWO UNIT DWELLING

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

SINGLE UNIT DWELLING (detached house)

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

Sept 07, 2023

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

Two Storey Single Detached Dwelling (Residential)

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

SINGLE FAMILY DWELLING UNIT

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

3 Months

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) Urban Residential Zone (R1-64)

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

7.6 What is the existing zoning of the subject land? R1-64

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: R1-64

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):

Scope of Work:

CHANGE OF USE -- TO CREATE A SECOND UNIT DWELLING IN THE BASEMENT, 3 NEW PROPOSED WINDOWS INCLUDING EGRESS WINDOWS, 1 ENLARGED EXISTING WINDOW, AND AN ABOVE GRADE EXTERIOR DOOR TO THE BASEMENT IN THE SIDE YARD.

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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