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	A-24:182	SUBJECT 9724 Twenty Road West,		
NO.:		PROPERTY:	Glanbrook	
ZONE:	ER (Existing Residential)	ZONING BY-	Zoning By-law former Township of	
	,	LAW:	Glanbrook 464, as Amended	

APPLICANTS: Owner: Henriqueta and Anthony Guagliano

Applicant: Harmony on Twenty Properties Inc. c/o Nando De Caria Agent: Landwise (formerly T. Johns Consulting Group) c/o Joe Gravina

The following variances are requested:

- 1. A minimum lot area of 1300.0 square metres shall be provided instead of the minimum required lot area of 1390.0 square metres.
- 2.A minimum lot frontage of 21.0 metres shall be provided instead of the minimum required lot frontage of 22.5 metres.

PURPOSE & EFFECT: To create a two residential lots for two single detached dwellings.

Notes:

i. Minor Variances are to facilitate severance application B.24.26.

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, September 10, 2024
TIME:	2:00 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (71 Main St. W., Hamilton)

A-24:182

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

PUBLIC INPUT

Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon September 6, 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 noon September 9, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:182, 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: August 22, 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.



COMMITTEE OF ADJUSTMENT

City Hall, 5^{th} 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.

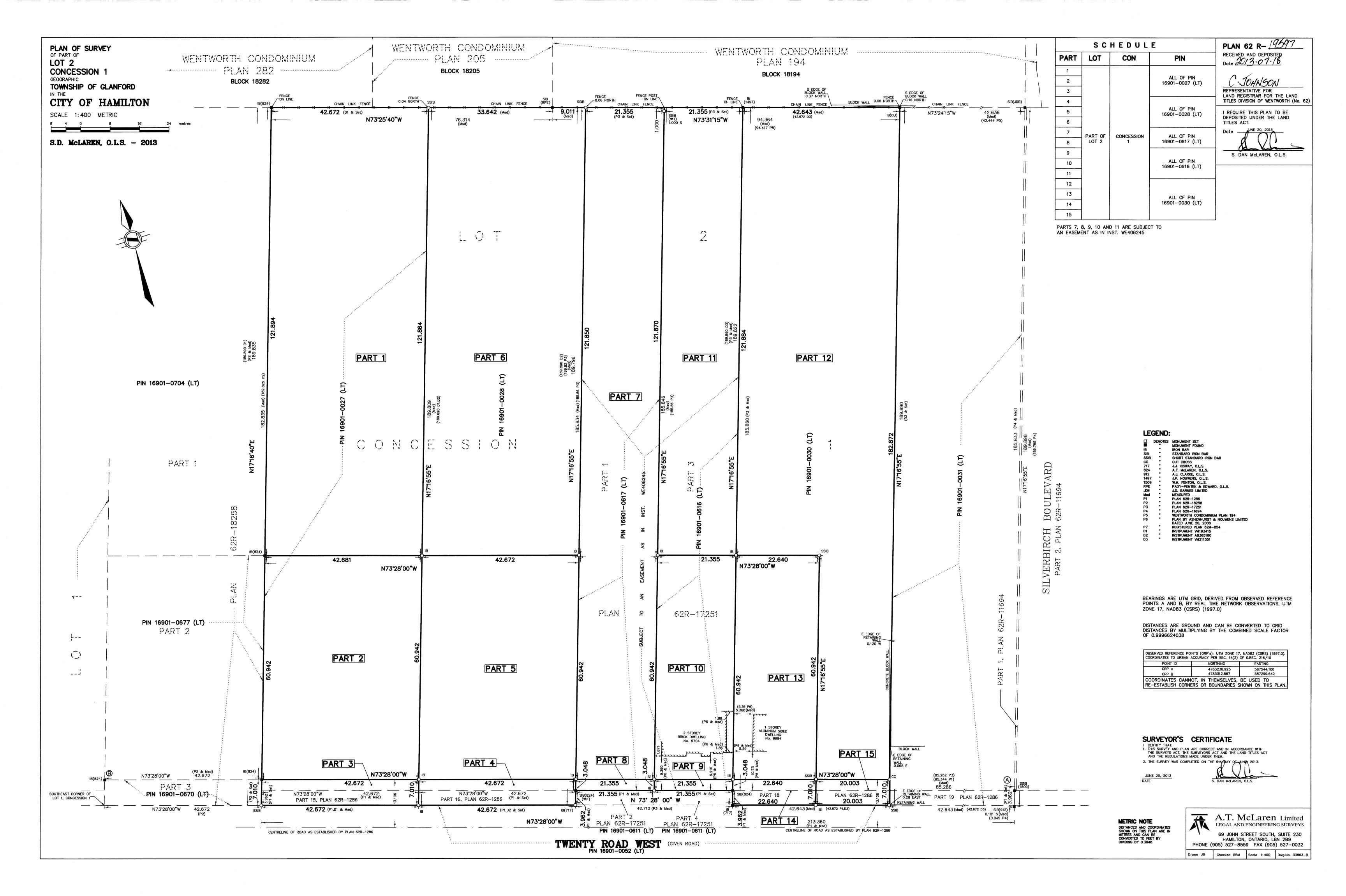
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

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.

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.



August 6, 2024



Landwise (formerly T. Johns Consulting Group) has prepared the following Planning Rationale Report in support of the Minor Variance and Consent to Sever applications for 9724 Twenty Road West, Hamilton (subject lands").

Description of Subject Lands and Surroundings

The subject lands are located on the north side of Twenty Road West, between Glancaster Road and Garth Street. The subject lands are approximately 0.26ha (0.64ac) in size with approximately 42.68m (140.03ft) of frontage on Twenty Road West and a depth of 60.94m (199.93ft). The subject lands are currently occupied by a 2-storey single-detached dwelling with an attached garage.

Immediately north of the subject lands are future residential lands, specifically Silverbirch Meadows. Single-detached dwellings are found east and west of the subject lands. South of the subject lands are open fields. Residential uses along Twenty Road between Garth Street and Glancaster Road are primarily in the form of single-detached dwellings.

Planning Status

The Urban Hamilton Official Plan (UHOP) Volume 1 designates the subject lands "Neighbourhoods" on Schedule "E-1". The "Neighbourhoods" designation permits a range of residential uses, including single-detached dwellings.

The UHOP Volume 2, North-West Glanbrook Secondary Plan designates the subject lands "Low Density Residential 2" on Map B.5.3-1. The subject lands are permitted single detached dwellings, duplex, semi-detached and triplex dwellings with a maximum net residential density permitted is 25 units per hectare (UPH).

The lands are zoned "ER" (Existing Residential) in the former Township of Glanbrook Zoning By-law No. 464, which permits single-detached dwellings.

Proposed Development

The Minor Variance application is to request relief from the ER Zone's minimum lot frontage and lot area to create one (1) new lot. The retained and sever lots are proposed to accommodate one (1) single detached dwelling that will meet all other provisions of the ER Zone. The existing dwelling on the subject lands is proposed to be demolished (**refer to the Conceptual Consent Sketch**).

August 6, 2024



Nature and Extent of Relief Applied For:

Two (2) Minor Variances are being sought from the Township of Glanbrook Zoning By-law No. 464 for the retained and severed lots (Part 1 and Part 2, respectively, on the Conceptual Consent Sketch). The requested Minor Variances are as follows:

Tow	nship of Glan	brook Zoning By-law No. 464
	Section	Purpose
1	12.2.a	To allow a minimum lot frontage of 21.0m, whereas a minimum of 22.5m is required.
2	12.2.c	To allow a minimum lot area of 1,300m ² , whereas a minimum of 1,390m ² is required.

Planning Rationale to Support the Variances

Overall Conformity to the Urban Hamilton Official Plan

The Urban Hamilton Official Plan (UHOP) identifies and designates the subject lands Neighbourhoods on Schedule "E" - Urban Structure and on Schedule "E-1" - Urban Land Use Designations. The proposed single detached dwellings are a permitted use within the designation.

Policy F.1.14.3.1 of the Urban Hamilton Official Plan states the following:

"Consents for new lot creation, for both the severed and retained lands, for residential uses in the Neighbourhoods designation shown on Map E-1- Urban Land Use Designation, shall be permitted provided the following conditions are met:

- 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 requested variances to reduce lot frontage and lot area are in conformity with the existing neighbourhood/lot pattern. The subject lands are fully serviced and front onto a public road (Twenty Road West). Therefore, the proposed development for one (1) newly created lot complies to the Official Plan respecting land division.

August 6, 2024



In the North-West Glanbrook Secondary Plan within Volume 2 of the UHOP, Policy 5.3.2.3 states:

"a) Notwithstanding Policy E.3.4.4 of Volume 1, the maximum net residential density on lands designated Low Density Residential 2 shall be 25 units per hectare."

The proposed development of one (1) single-detached dwelling on the retained and sever lots represent a density of approximately 7.7 units per hectare. An adequate building envelope will be provided and is in keeping with the character of the neighbourhood. Consequently, the proposed severance complies with the North-West Glanbrook Secondary Plan.

Overall, the proposed severance and consequent variances maintains the intentions of the policies within the UHOP.

VARIANCE 1 To allow a minimum lot frontage of 21.0m, whereas a minimum of 22.5m is required.

Why is it not possible to comply with the provision of the by-law?

The proposed lot frontage of 21.34m is to create two (2) lots with the same width. The existing lot is not large enough to be severed into two (2) parcels without varying the lot frontage for the retained and severed lots.

Planning Rationale to Support the Variance:

1. Conformity to the Intent of the Zoning By-law

Lot frontage minimums are used to ensure uniform lot widths that are compatible with the neighborhood lot fabric. Lot frontages along Twenty Road West vary where widths of 20.0m exists. The variance will meet the general intent and purpose of the Zoning Bylaw since an adequate lot frontage is being provided and associated setbacks will be maintained.

2. Is the Variance Minor and Desirable?

The requested variance to permit a minimum lot frontage of 21.0m is minor in nature since the frontage will be consistent with the surrounding neighbourhood, an adequate building envelope will be provided, and the reduction will not cause adverse impacts to the adjacent properties and is appropriate for the development and use of the subject lands.

VARIANCE 2 To allow a minimum lot area of 1,300m², whereas a minimum of 1,390m² is required.

Why is it not possible to comply with the provision of the by-law?

August 6, 2024



The existing lot is not large enough to be severed into two (2) parcels without varying the lot area for the retained and severed lots.

Planning Rationale to Support the Variance:

1. Conformity to the Intent of the Zoning By-law

The general intent and purpose of the minimum lot area requirement is to ensure that lots are consistent and compatible with the surrounding neighbourhood, have sufficient space for a suitable building envelope with appropriate setbacks, have appropriately sized amenity space, and have sufficient space for parking. The proposed reduction in lot area from 1,390m² to 1,300m² will meet the general intent of the Zoning By-law since an adequate lot area is being provided that will maintain all other provisions of the ER Zone, such as setbacks and parking requirements.

2. Is the Variance Minor and Desirable?

The requested variance to permit a minimum lot area of 1,300m² is minor in nature since the lot area is consistent with the surrounding neighbourhood, an adequate building envelope will be provided, and the reduction will not cause adverse impacts to the adjacent properties. Accordingly, the proposed reduction is appropriate for the development and use of the subject lands.

Conclusion

The proposed severance to create one (1) new lot and two (2) single detached dwellings will be compatible in scale and form to the surrounding area. The variances are minor in nature, desirable for the use of the lands, maintain the general intent of the Official Plan and Zoning By-law, and represent good land use planning.

Respectfully Submitted,

LANDWISE

Joe Gravina, CPT

Project Manager

Katelyn Gillis, BA Senior Planner



August 6, 2024 Via Digital Submission

ATTN: Jamila Sheffield, Secretary-Treasurer

Committee of Adjustment
City of Hamilton
Planning and Economic Development Department
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

RE: 9724 Twenty Road West, Hamilton (Glancaster)
Consent to Sever and Minor Variance Applications

Landwise (formerly T. Johns Consulting Group Ltd.) has been retained by Harmony on Twenty Properties Inc. to submit Consent to Sever and Minor Variance applications on their behalf for the lands municipally known as 9724 Twenty Road West in the City of Hamilton.

Site Description

9724 Twenty Road West ("subject lands") is situated north of Twenty Road West, between Garth Street and Glancaster Road. The subject lands are rectangular in shape with a lot area of ± 0.26 ha (± 0.64 ac), 42.68m (140.03ft) of frontage on Twenty Road West, and a lot depth of 60.94m (199.93ft). The subject lands are currently occupied by a 2-storey single-detached dwelling with an attached garage.

Planning Status

The *Urban Hamilton Official Plan* designates the subject lands "Neighbourhoods". The *North-West Glanbrook Secondary Plan* designates the subject lands "Low Density Residential 2". The subject lands are zoned "Existing Residential (ER) Zone" in the *Former Township of Glanbrook Zoning By-law No. 646*, which permits single-detached dwellings.

<u>Proposed Development</u>

The Consent to Sever application is to create one (1) new lot fronting Twenty Road West to accommodate two (2) new single-detached dwellings. The existing single-detached dwelling is proposed to be demolished. To facilitate the two (2) lots, two (2) minor variances are requested to reduce the minimum lot frontage and minimum lot area. Please refer to Appendix 'A': Planning Rationale for more details.



Consent to Sever and Minor Variance Applications Submission

Landwise respectfully requests that this letter and enclosed documents be circulated to all relevant Departments at the City of Hamilton and outside agencies for commenting.

Please find the enclosed:

- This Cover Letter:
- Minor Variance application with signatures;
- Consent to Sever application with signatures;
- Copy of the cheque (#000396) in the amount of \$7,260.00 to satisfy the Minor Variance (\$3,900.00) and Consent to Sever (\$3,360.00) application fee, made payable to the City of Hamilton;
- Survey Plan;
- Conceptual Consent Sketch, and;
- Planning Rationale dated August 6, 2024.

Should you have any questions or require additional information, please do not hesitate to contact Joe Gravina at 905-574-1993 ext. 204.

Respectfully submitted,

LANDWISE

Joe Gravina, CPT

Project Manager

Katelyn Gillis, BA

Senior Planner

Cc: Harmony on Twenty Properties Inc. c/o Nando De Caria



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				
Registered Owners(s)	Henriqueta and Anthony Guagliano				
Applicant(s)	Harmony on Twenty Properties Inc. c/o Nando De Caria				
Agent or Solicitor	Landwise (formerly T. Johns Consulting Group c/o Joe Gravina)			
1.2 Primary contact		☐ Applicar	nt	☐ Owner ☑ Agent/Solicitor	
1.3 Sign should be se	ent to	☐ Applicar	nt	☐ Owner☑ AgentSolicitor	
1.4 Request for digita	al copy of sign	☑ Yes*	□ No		
If YES, provide e	mail address where sign	n is to be se	nt		
1.5 All corresponden	ce may be sent by emai	I	✓ Yes*	□ No	
(if applicable). Or	nail must be included for nly one email address s s not guarantee all corre	ubmitted wil	I result in the		t
1.6 Payment type		☐ In perso		Credit over phone	*

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	9724 Twenty Road W	/est, Hamilton	
Assessment Roll Number	251890211008000		
Former Municipality	Township of Glanbro	ok	
Lot	2	Concession	1
Registered Plan Number	62R-19597	Lot(s)	
Reference Plan Number (s)		Part(s)	2, 5

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
	ditional sheets can be submitted if there is not sufficient room to answer the following estions. Additional sheets must be clearly labelled
All d etc.	dimensions in the application form are to be provided in metric units (millimetres, metres, hectares,)
3.1	Nature and extent of relief applied for: To seek relief from the Existing Residential "ER" Zone in the Township of Glanbook Zoning By-law No. 464 for two (2) zoning provisions: 1. A min. lot frontage of 21.0 m whereas 22.5m is required. 2. A min. lot area of 1,300m² whereas 1,390m² is required. Becond Dwelling Unit Reconstruction of Existing Dwelling
3.2	Why it is not possible to comply with the provisions of the By-law? Due to the constraints of the property size. Please refer to submitted Planning Rationale.
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
42.68 m	60.94 m	0.26 ha	19.2m

	ouildings and structur ce from side, rear and	es on or proposed fo d front lot lines)	r the subject lands:	
Existing:				
Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Single-detached dwelling	15.82 m	37.59 m	3.93 m (west), 22.26 m (east) Unknown
	pe of Structure			
Proposed:				
Type of Structure		Rear Yard Setback	1	
Single-detached dwelling	10.0 m		Min. 1.8 m	TBD
Single-detached dwelling	10.0 m	Min. 10.7 m	Min. 1.8 m	TBD
Existing:	• ,	Cross Floor Area	Number of Starcus	l la i edak
Single-detached dwelling	±120 M2	1240 1112	2	Max. 10.7 m
Proposed:				
				Date of Construction TBD TBD TBD S (attach additional Max. 10.7 m Max. 10.7 m Max. 10.7 m Max. 10.7 m Max. 10.7 m
Single-detached dwelling	IRD	IBD	IRD	Max. 10.7 m
☐ publicly own ☐ privately own ☐ privately own 4.5 Type of storm	ned and operated pi	ped water system adividual well propriate boxes)		s (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, maintained all year
4.8	Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):
	The proposed development consists of severing the subject lands to facilitate two (2) single detached dwellings that will meet all provisions of the ER Zone except for lot frontage and area.
4.9	Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):
	North: future residential uses; east & west: Single-detached dwelling; south: vacant
7	HISTORY OF THE SUBJECT LAND
7.1	Date of acquisition of subject lands:
	To be purchased the Applicant upon approval of the severance.
7.2	Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
	2-storey single-detached dwelling
7.3	Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
	2-storey single-detached dwelling
7.4	Length of time the existing uses of the subject property have continued:
	50+ years
7.5	What is the existing official plan designation of the subject land?
	Rural Hamilton Official Plan designation (if applicable):
	Rural Settlement Area:
	Natur Cottlement Area.
	Urban Hamilton Official Plan designation (if applicable) Neighbourhoods
	Please provide an explanation of how the application conforms with the Official Plan.
	Please refer to Planning Rationale.
7.6	What is the existing zoning of the subject land? Existing Residential (ER) Zone
7.0	What is the existing 20thing of the subject land:
7.8	Has the owner previously applied for relief in respect of the subject property?
	(Zoning By-lawAmendment or Minor Variance) ☐ Yes
	If yes, please provide the file number:

	☐ Yes	✓	No		
If yes, please provide the file nun	nber: C	onsent applic	ation submitte	d for concurrent re	viev
ADDITIONAL INFORMATION					
Number of Dwelling Units Existin	g: <u>1</u>				
Number of Dwelling Units Propos	sed: 2				
Additional Information (please inc	clude se	parate sheet	if needed):		
				nning Rationale fo	

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

COMPLETE APPLICATION REQUIREMENTS