



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.:	A-25:172	SUBJECT PROPERTY:	680 Windwood Drive, Glanbrook (Formerly Block 35, 3105 Fletcher Road)
ZONE:	RM3-298 (Residential Multiple)	ZONING BY-LAW:	Glanbrook Zoning By-law 464

APPLICANTS: Owner: Cachet Developments Inc c/o Marcus Gagliardi
 Agent: Landwise c/o Jennifer Badley

The following variances are requested:

1. A minimum Exterior Side Yard of 2.8 metres abutting the hypotenuse of a Daylight Triangle shall be permitted instead of the minimum required 4.5 metres.
2. A minimum separation distance of 3.1 metres between two exterior walls shall be permitted instead of the minimum required separation distance of 7.5 metres between two exterior walls when one wall contains a window to a habitable room, and 12.0 metres between two exterior walls when both walls contain windows to a habitable room.
3. No Amenity Area shall be required for a Dwelling Unit instead of the required minimum Amenity Area of 5.0 square metres per Dwelling Unit.
4. A parking space or area shall be permitted to be located 0 metres from a Street Line instead of the requirement that no parking space or area shall be located closer to a Street Line than 6 metres.

PURPOSE & EFFECT: To permit the construction of twenty-seven Block Townhouse Dwelling Units.

Notes:

- i. The proposed application is to facilitate Site Plan Approval file DA-24-044.

A-25:172

- ii. Please be advised a variance for a covered porch is not required provided that variance No. 1 is approved.
- iii. Insufficient information was provided to determine zoning conformity with Section 19.2 (k), 7.15, 7.26, 7.32, 7.35 (xii). Additional variances may be required if zoning conformity cannot be achieved.

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, September 25, 2025
TIME:	1:40 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/committeefadjustment

For more information on this matter, including access to drawings illustrating this request and other information submitted:

- Visit www.hamilton.ca/committeefadjustment
- 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 23, 2025

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 24, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:172, 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: September 8, 2025

Justin Leung,
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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E-mail: cofa@hamilton.ca

PARTICIPATING PROCEDURES

1. Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the deadline date for written comment submissions listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:

Send to: cofa@hamilton.ca

By Mail:

Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

2. Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:

All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

3. In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

4. Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the virtual oral submissions registration deadline date. This is listed on the Notice of Public Hearing. To register, email cofa@hamilton.ca with the following information:

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

5. Presentations

All presentations are permitted at the discretion of the Committee.

Virtual Presentations:

Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing**. The submission must be one document in PDF format only.

In-Person Presentations:

Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca **by 12:00 p.m. (noon) on the business day prior to the Hearing**. The submission must be one document in PDF format only. Handouts are permitted only if the same content can be displayed on the presentation screen.

6. Additional Notes

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.

SITE PLAN - BLOCK 35

1. SITE AREA:
 TOTAL AREA = 0.6968 ha (1.72 acre)
 CONDO SITE AREA = 0.5812 ha (1.44 acre)
 FREEHOLD BLOCK AREA = 0.1156 ha (0.28 acre)

2. PART A:
 2.1. NUMBER OF UNITS:
 TYPE 'A', 6.10m TRADITIONAL TOWNHOUSE, 2 STOREY = 22 UNITS
 TOTAL = 22 UNITS

2.2. DENSITY: 50 UNITS PER HEC MAXIMUM
 22 UNITS / 1.44 ACRE = 15.27 UNITS PER ACRE (37.85 UNITS PER HA)

2.3. RESIDENT PARKING REQ'D = 22 UNITS x 2
 (1 GARAGE + 1 DRIVEWAY) = 44 SPACES REQ'D

2.4. RESIDENT PARKING PROV'D = 44 SPACES PROV'D

2.5. VISITOR PARKING REQ'D = 22 UNITS x 0.50
 = 11 SPACES REQ'D

2.6. VISITOR PARKING PROV'D = 11 SPACES PROV'D (1 ACCESSIBLE SPACE)

NO PARKING SPACE OR AREA SHALL BE LOCATED CLOSER TO A STREET LINE THAN 6 METRES (20 FEET) AND NOT BE CLOSER THAN 3 METRES (10 FEET) TO ANY RESIDENTIAL ZONE.

3. COVERAGE

COVERAGE = TOTAL BUILDING COVERAGE / TOTAL LAND AREA
 = 1875.54 SM / 5811.68 SM
 = 32.3% TOTAL BUILDING COVERAGE

4.0 LANDSCAPE CALCULATION

LANDSCAPE CALCULATIONS	PROPOSED	REQUIRED
LOT AREA	5811.68 SM	100.00%
ROAD / SIDEWALK / PARKING / CURB	1353.13 SM	
TOTAL AREA OF BUILDINGS	1875.54 SM	N/A
DRIVEWAY AREA	410.66 SM	
WALKWAY (OFF PORCH)	54.78 SM	
SOFT LANDSCAPING (GRASSED AREA)	2117.57 SM	36.44% 30% PER RM2 ZONE

"LANDSCAPED AREA" means an area that shall not be built upon and shall not be used for any purpose other than as an area of landscaping, which may include grass, shrubs, flowers, trees and similar types of vegetation, and paths, walks, patios, fences and similar appearances, but shall exclude parking areas, loading areas, driveways or ramps.

PARENT BY-LAW CITY OF HAMILTON, BY-LAW NO. 464 (GLANBROOK)
 PROPOSED USE RESIDENTIAL - BLOCK/CLUSTER/STACKED TOWNHOUSES
 SITE SPECIFIC BY-LAW CITY OF HAMILTON, BY-LAW NO. XXXX
 PROPOSED ZONE RM3-298

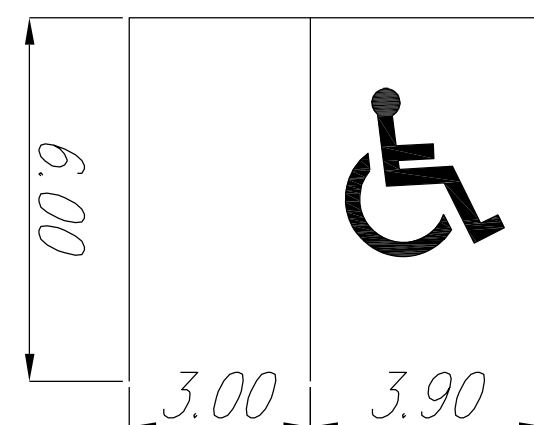
ZONING CHART:

STANDARD	BY-LAW REQUIREMENT	PROPOSED
MAXIMUM DENSITY	50 DWELLING UNITS PER HEC.	SEE STATS ABOVE
BUILDING HEIGHT	MAX. 10.7 m	8.22m TO MEAN OF ROOF
MIN. FLOOR AREA	95 sm	156 sm
MAX. GROSS FLOOR AREA	N/A	4364.5 sm OF ALL BUILDINGS
LANDSCAPE AREA	N/A	32.3%
LANDSCAPE AREA	MINIMUM 30% PER RM2 ZONE	36.44%
FRONT YARD	4.5m TO MAIN WALL	4.5m TO MAIN WALL
EXTERIOR YARD	4.5m TO MAIN WALL	4.5m TO MAIN WALL
FRONT YARD TO GARAGE	6.0 m	6.0 m
SIDE YARD + REAR YARD	6.0 m	6.0 m
MINIMUM BUILDING SEP.	7.5m BETWEEN TWO EXT. WALLS WITH ONE WALL HAVING WINDOWS	REFER TO CONCEPT PLAN
	12m BETWEEN TWO EXT. WALLS WITH BOTH WALLS HAVING WINDOWS	BUILDING SEPARATION CONFORMS TO BY-LAW PER INTERPRETATION PROVIDED BY STEVE ROBICHAUD
PERMITTED ENCROACHMENTS	FRONT YARD - PORCHES 3 m	FRONT YARD - PORCHES 1.55 m
	EXTERIOR YARD - PORCHES 1.8 m	EXTERIOR YARD - NO ENCROACHMENT
MIN. PRIVACY AREA	FRONT YARD - STAIRS 4.5 m	FRONT YARD - STAIRS 2.0 m
	35 sm PER DWELLING UNIT	MIN. 42sm PROVIDED IN REAR YARDS PER DWELLING UNIT
MIN. AMENITY AREA	5 sm PER UNIT (MIN. 130 sm)	0 SM
	GARAGE MUST BE 0.30 ABOVE CENTERLINE OF STREET	
GARAGE PARKING SPACE	MIN. SIZE 3m x 6m	MIN. SIZE 3m x 6m
DRIVEWAY	MIN. SIZE 3m x 6m	MIN. SIZE 3m x 6m
DAYLIGHT TRIANGLE	4.5 m FROM DAYLIGHT TRIANGLE	REFER TO MINOR VARIANCE APP.: GL/A-23-175

LEGEND

HOUSE SETBACK	POURCH SETBACK
VISIBILITY TRIANGLE	GARAGE SETBACK
AIR CONDITIONING	MAIL BOXES
HYDRO METER	GAS METER
WASTE LOCATION (2.5sm)	

PARKING SPACES



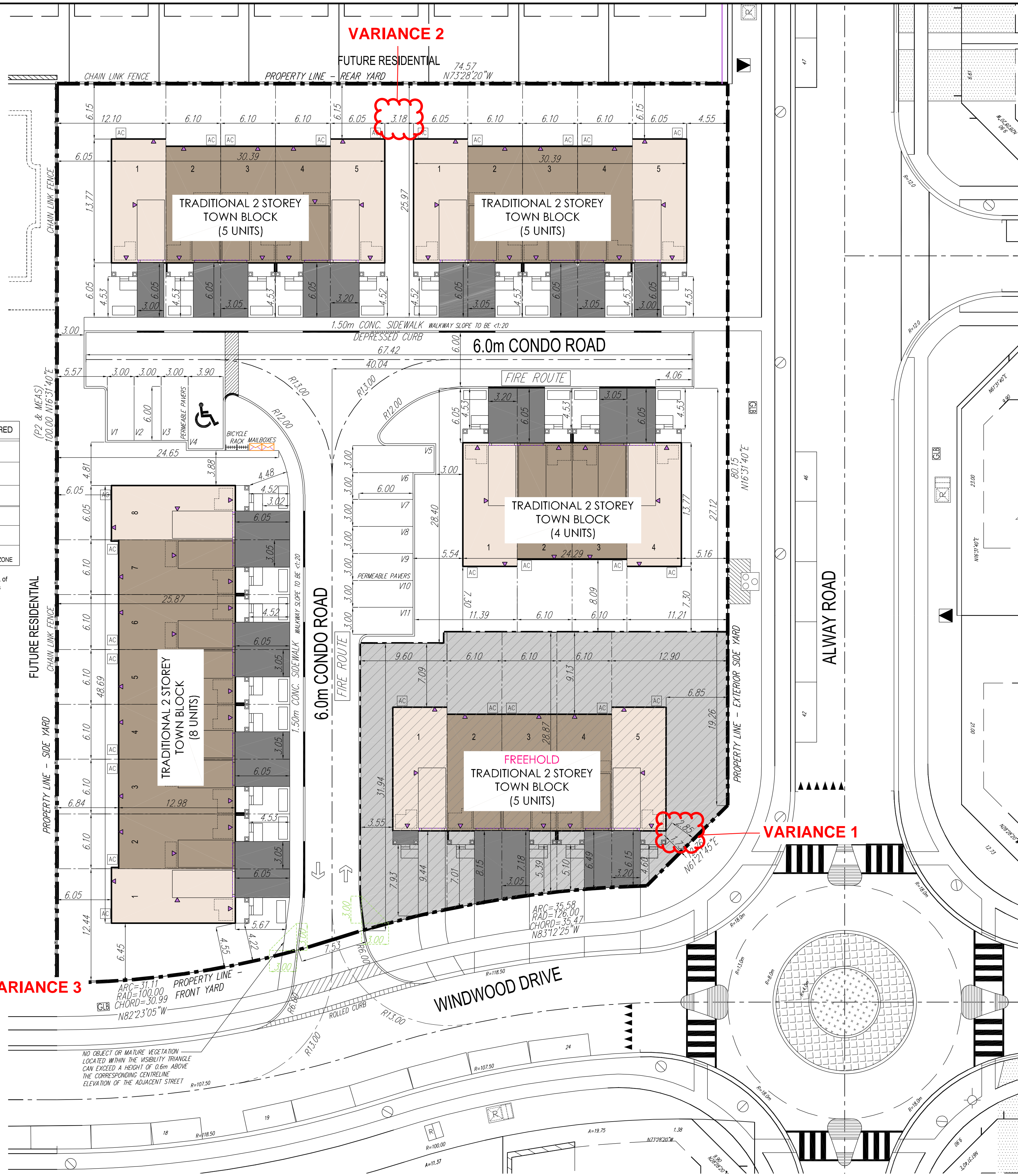
SITE PLAN

SCALE 1:250

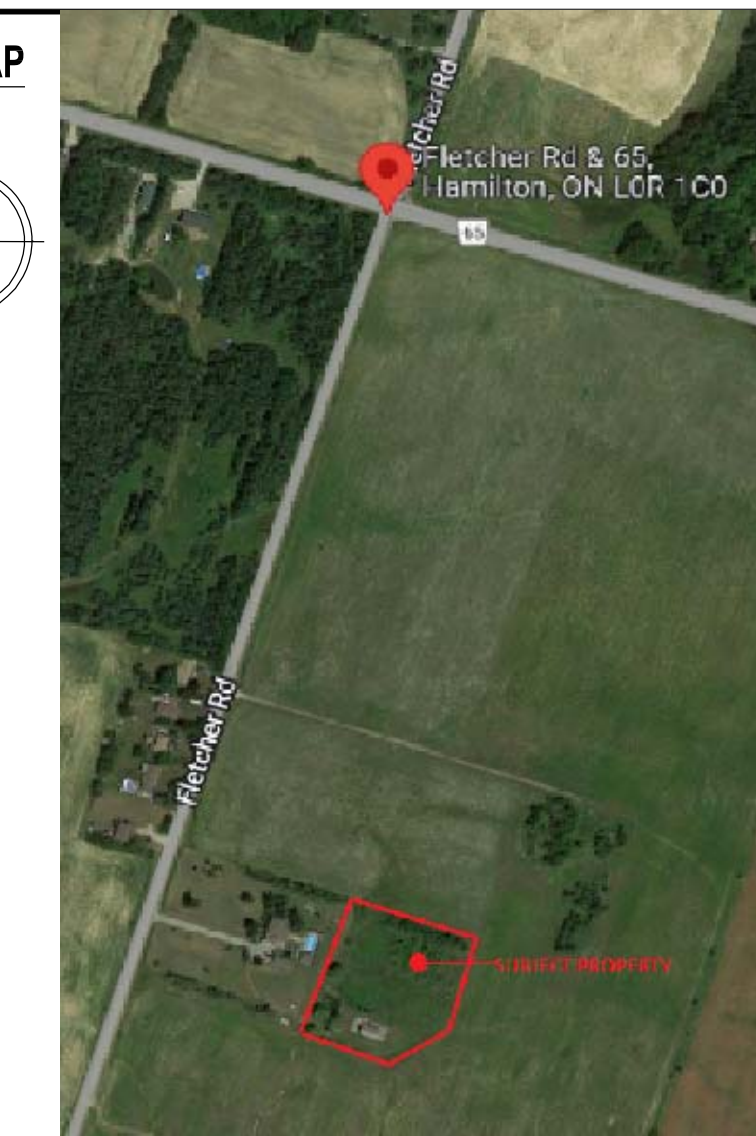
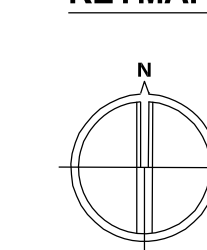
FIRE ACCESS ROUTE CONFORMING TO ONTARIO BUILDING CODE - SEC. 3.2.5.6

CURB SIDE MUNICIPAL WASTE COLLECTION HAS BEEN PROPOSED

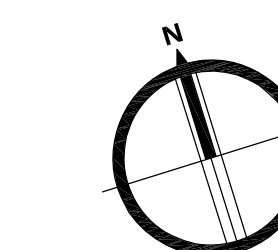
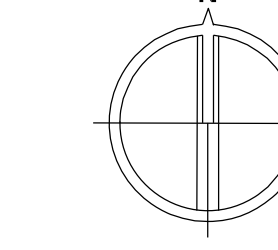
SNOW TO BE HAUL OFF SITE



KEYMAP

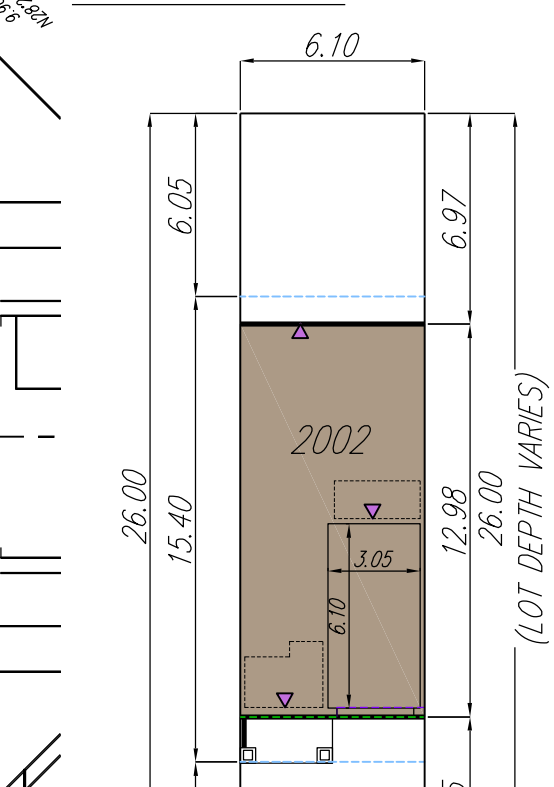


PROJECT NORTH

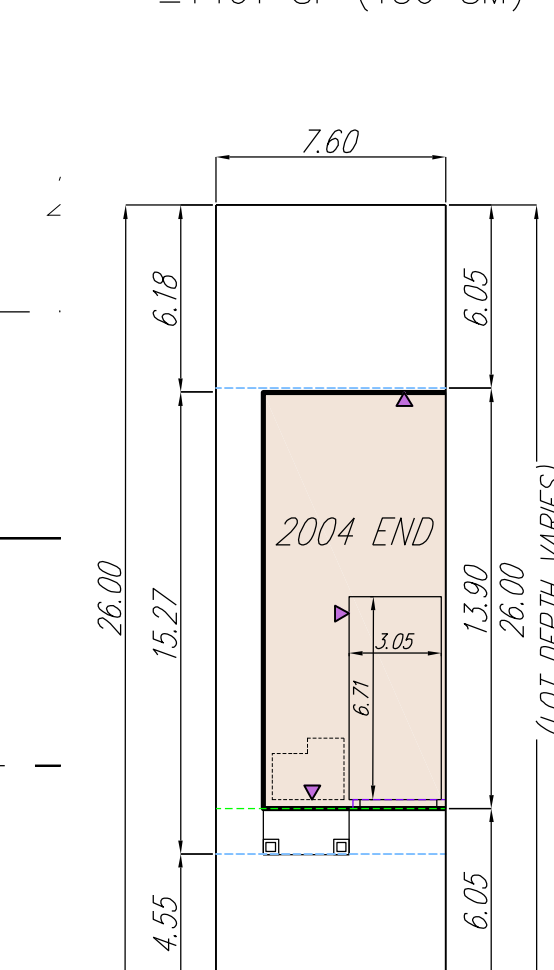


TRUE NORTH

UNIT TYPOLOGY



TRADITIONAL TOWN 2 STOREY (02-221069)
 6.1m X 26.0m
 TOTAL FLOOR AREA ±1461 SF (136 SM)



TRADITIONAL TOWN 2 STOREY - END (04END-221069)
 7.6m X 26.0m
 TOTAL FLOOR AREA ±1540 SF (143 SM)

FILE #: DA-24-044

STAMP

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFYING AND ABILITY TO MEET THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

DATE: 2024-04-23
 SIGNATURE: [Signature]
 HUNT DESIGN ASSOCIATES INC. 19869

HUNT DESIGN ASSOCIATES INC.
 www.huntdesign.ca
 8006 Woodbine Ave., Markham, ON L3R 0U7
 T 905.737.5133 email: hds@huntdesign.ca

THE SITING AND GRADING PLAN
 BINBROOK, HAMILTON, ON.
221068 - CACHET HOMES
BLOCK 35
 SSR 1:250
 221068SP01-SCHEDULE-B FILE #: XXXX

August 7, 2025
 Via Digital Submission

Committee of Adjustment
 c/o Justin Leung
 City of Hamilton
 71 Main Street West, 5th Floor
 Hamilton, ON L8P 4Y5

Dear Mr. Leung,

**RE: Minor Variance Application
 Block 35 (3105 Fletcher Road), Glanbrook**

Landwise has been retained by Cachet Developments (Binbrook) Inc. to submit the enclosed minor variance application on their behalf. The minor variance application is for lands known as Block 35 (3105 Fletcher Road), Glanbrook (“subject lands”), to facilitate Site Plan Approval (file no. DA-24-044).

Proposed Minor Variances

Minor variances are sought from Township of Glanbrook Zoning By-law No. 464, to provide relief on a site-specific basis to facilitate the proposed townhouse development on the subject lands. The development proposes a total of 27 townhouse units through conditionally approved site plan application DA-24-044. The variances are as follows:

	Section	Purpose
1	Amending By-law 16-168	To permit a minimum yard setback of 2.8 metres abutting the hypotenuse of a daylight triangle and a minimum front yard and exterior side yard setback of 4.5 metres; whereas a minimum front yard and exterior side yard setback of 4.5 metres is required.
2	Amending By-law 16-168	To permit a minimum separation distance of 3.0 metres between two exterior walls; whereas a minimum of 7.5 metres between two exterior walls, one of which contains windows to a habitable room, and 12 metres between two exterior walls, both of which contain windows to a habitable room is required.
3	19.2(m)	To permit 0 square metres of amenity area; whereas a minimum area of 5 square metres per dwelling unit is required.

Refer to the Planning Rationale for additional details and analysis in support of the requested variances.

Submission

Landwise respectfully requests the circulation of this letter along with the enclosed documents to all relevant departments. Please find the enclosed electronic documents:

- Completed Minor Variance Application Form;
- Copy of the cheque in the amount of \$4,015.00 made payable to the City of Hamilton, to satisfy the Minor Variance application fee (please note the cheque was delivered to City Hall August 7, 2025);
- Minor Variance Sketch; and,
- Planning Rationale.

Should you have any questions or require additional information, please do not hesitate to contact Jennifer Badley at (905) 574-1993 ext. 204 or jennifer.badley@landwise.ca.

Respectfully Submitted,

LANDWISE



Jennifer Badley, B.A.
Planner

Cc: Cachet Developments (Binbrook) Inc. c/o Marcus Gagliardi

Landwise has been retained by Cachet Developments (Binbrook) Inc. to prepare the following Planning Rationale in support of the Minor Variance application for Block 35 (3105 Fletcher Road) in Glanbrook (“subject lands”). The requested variances are required to facilitate the final approval of Site Plan Control application DA-24-044.

DESCRIPTION OF SUBJECT LANDS

The subject lands make up a portion of 3105 Fletcher Road, referred to as “Block 35”. The subject lands are roughly rectangular in shape, with an area of 0.6968 hectares (1.72 acres), with approximately 66.69 metres of frontage along Windwood Drive and approximately 80.15 metres of frontage along Alway Road, two proposed municipal right-of-ways (Figure 1).

Figure 1 - Site Location



SUBJECT LANDS

Block 35, 3105 Fletcher Road,
Glanbrook, ON L0R 1C0

PROPOSED DEVELOPMENT

The development of Block 35 proposes a 27 unit (38.8 UPH) townhouse development, comprised of five two-storey freehold townhouses fronting onto Windwood Drive, and 22 two-storey common element condominium townhouses, divided between five blocks fronting onto a private condominium road. Private amenity space is accommodated through the rear yards of each townhouse. The common element condominium will be supported by 44 residential parking spaces and 11 visitor parking spaces including one accessible space. The freehold townhouse units are supported by two residential parking spaces per unit. Vehicular access is proposed via a private condominium road off Windwood Drive and individual driveways for the freehold townhouses off Windwood Drive. Refer to the submitted Site Plan by Hunt Design Associates Inc. for additional details.

The proposed development is subject to Site Plan Control and was Conditionally Approved October 28, 2024 (DA-24-044).

PLANNING STATUS

Urban Hamilton Official Plan

The *Urban Hamilton Official Plan, Volume 1* designates the subject lands ‘Neighbourhoods’ (Schedule E and Schedule E-1). Within the ‘Neighbourhoods’ designation, low density residential areas are characterized by lower profile, grade-oriented built forms within the interior of neighbourhoods. Permitted uses within low density residential areas include townhouses, with a maximum building height of 3-storeys.

Binbrook Village Secondary Plan

The subject lands are designated “Low Density Residential 2h, Special Policy Area J” in the *Binbrook Village Secondary Plan*. Permitted uses include multiple dwelling unit types including street, block and stacked townhouse dwellings, with a permitted density of 26 to 50 units per net hectare.

Township of Glanbrook Zoning By-law No. 464

The subject lands are zoned “Residential Multiple - Holding (H-RM3-298) Zone, Modified” in the *Township of Glanbrook Zoning By-law No. 464*. The RM3-298 Zone permits Block Townhouse Dwellings.

NATURE AND EXTENT OF RELIEF APPLIED FOR:

Three Minor Variances are being sought from the *Township of Glanbrook Zoning By-law No. 464* to facilitate the proposed townhouse development. The requested Minor Variances are as follows:

	Section	Purpose
1	Amending By-law 16-168	To permit a minimum yard setback of 2.8 metres abutting the hypotenuse of a daylight triangle and a minimum front yard and exterior side yard setback of 4.5 metres; whereas a minimum front yard and exterior side yard setback of 4.5 metres is required.
2	Amending By-law 16-168	To permit a minimum separation distance of 3.0 metres between two exterior walls; whereas a minimum of 7.5 metres between two exterior walls, one of which contains windows to a habitable room, and 12 metres between two exterior walls, both of which contain windows to a habitable room is required.
3	19.2(m)	To permit 0 square metres of amenity area; whereas a minimum area of 5 square metres per dwelling unit is required.

PLANNING RATIONALE

Overall Conformity to the *Urban Hamilton Official Plan*

The subject lands are designated “Neighbourhoods” in the *Urban Hamilton Official Plan, Vol. 1* (“UHOP”), and “Low Density Residential 2h, Special Policy Area J” in the *Binbrook Village Secondary Plan* (“Secondary Plan”). The UHOP and Secondary Plan permit street and block townhouse dwellings on the subject lands, to a maximum building height of 3-storeys, with a density range of 26 to 50 units per net hectare (Vol 1 - E.3.4.3 & E.3.4.5, Vol 2 - B.5.1.4.5.c & B.5.1.13.10). The proposed use, built form and density are permitted in accordance with the UHOP and Secondary Plan Policies.

The UHOP encourages well-planned greenfield development that creates distinct, cohesive communities, which should include focal points, convenient access to transit routes, trails, and cycling, while preserving natural features and topography where feasible. Policy E.3.7.5 establishes specific criteria for new residential development in greenfield areas within the Neighbourhoods designation.

The proposed townhouse development will contribute towards achieving a diverse range of dwelling types and tenures within the area. The subject lands form part of a larger complete community, planned to be supported by municipal services, existing and future commercial and retail options, and community facilities. The proposed development has been designed to respect the low-density built form of the existing and future residential areas by creating appropriate transition between the surrounding agricultural lands and Binbrook’s downtown.

The proposal supports Binbrook's small-town character through its compatible scale and design, while contributing to the area's sense of place.

Overall, the proposed development and variances meet the intent of the UHOP by providing gentle residential intensification that is compatible with the existing and planned neighbourhood and will contribute to a complete community.

VARIANCE 1: To permit a minimum yard setback of 2.8m abutting the hypotenuse of a daylight triangle; whereas a minimum front yard and exterior side yard setback of 4.5m is required.

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

It is not possible to comply with the required front yard and exterior side yard setback as a result of the dedicated daylight triangle at the intersection of Alway Road and Windwood Drive. Apart from the setback to the daylight triangle, the proposed development complies with, and in some cases exceeds, the required front yard and exterior side yard setbacks.

Planning Rationale to Support the Variance:

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

The requested variance seeks to permit a minimum yard setback of 2.8 metres from the hypotenuse of a daylight triangle, whereas a 4.5 metres front yard and exterior side yard setback are required. The intent of the front yard and exterior side yard setback is to ensure consistent and orderly development, support safety and functionality, accommodate infrastructure and allow for landscaping. The intent of the Zoning By-law is maintained, as the requested variance only impacts the setback to the hypotenuse of the daylight triangle. As a result of the daylight triangle, the requested reduction will not impact visibility or site lines at the intersection. Further, the proposed development can accommodate the required infrastructure and landscape area that exceeds the minimum requirements.

2. Is the variance minor?

The variance is minor as the proposed development complies with, and in some cases exceeds the required front yard and exterior side yard setback, apart from the setback to the hypotenuse of the daylight triangle. The requested reduction facilitates the efficient development of the subject lands, without impacting safety or visibility at the intersection.

3. Is the variance desirable for the development of the property?

The requested variance is desirable as it will support a consistent streetscape and does not impact the visibility at the intersection of Windwood Drive and Alway Road.

VARIANCE 2: To permit a minimum separation distance of 3.0 metres between two exterior walls; whereas a minimum of 7.5 metres between two exterior walls, one of which contains windows to a habitable room, and 12 metres between two exterior walls, both of which contain windows to a habitable room is required.

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

Compliance with the minimum separation distance requirements is not possible due to the configuration of the proposed townhouse block development, where the sides of two townhouse units abut in a functional side yard condition. The proposed 3.0 metre separation is necessary to efficiently accommodate the site layout, optimize the use of urban land, and meet density targets, while still providing a reasonable spatial distance between units.

Planning Rationale to Support the Variance:

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

The variance maintains the intent of the Zoning By-law, which is to ensure adequate light, privacy, and access between dwellings. The affected walls do not contain windows to bedrooms. Instead, they include windows to open-concept living areas where access to daylight is also provided through other exposures. The design maintains functional and visual separation between units, thereby maintaining the intent of the separation distance requirement.

2. Is the variance minor?

The variance is minor in nature as the 3.0 metre separation still provides sufficient spatial buffering and is consistent with typical interior side yard setbacks for low-density dwellings. No negative impact on adjacent properties or the overall character of the development is anticipated, and the variance supports an efficient site design while remaining sensitive to the needs of future residents.

3. Is the variance desirable for the development of the property?

The requested variance is desirable as it will provide for an efficient site layout, while maintaining an appropriate separation distance that functions as a side yard condition and will not have adverse impacts on the privacy of the future residents.

VARIANCE 3: To permit 0 square metres of amenity area; whereas a minimum area of 5 square metres per dwelling unit is required.

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

It is not possible to comply with the minimum communal amenity area requirement due to the site layout and design of the proposed townhouse development, which prioritizes individual rear yard spaces for each dwelling. The available site area has been optimized to provide each unit with a generous amount of private outdoor space, a minimum of 42 square metres per unit, which exceeds the minimum requirement for privacy area. As a result, there is no surplus land available for a separate communal amenity area without compromising the functionality or livability of the private rear yards and visitor parking areas.

Planning Rationale to Support the Variance:

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

The variance conforms with the intent of the Zoning By-law, which is to ensure that residents have access to adequate outdoor amenity space for recreation, relaxation, and socializing. While the by-law contemplates a shared amenity area, the proposal achieves this intent by providing larger-than-required private outdoor spaces for each unit. These rear yards serve the same function as communal amenity space but offer enhanced privacy and flexibility for residents.

2. Is the variance minor?

The variance is minor in nature as the proposed development provides sufficient outdoor amenity area through the rear yards for each unit. The private amenity space proposed (minimum 42 square metres per unit) exceeds the total requirement for privacy area (35 square metres per unit) and amenity area (5 square metres per unit) combined.

3. Is the variance desirable for the development of the property?

The variance is desirable as it supports a more functional development by providing generous, usable private rear yards for each unit, and visitor parking areas. The Binbrook community benefits from a well-integrated network of existing and planned parks and open spaces, that will support the proposed development. The changes to the site layout as a result of the requested variance, will better meet the needs of future residents, while ensuring ample private outdoor space, within a community that provides convenient access to public amenities including green spaces and recreational opportunities.

CONCLUSION

The requested variances will help facilitate gentle residential intensification within Binbrook Village. In consideration of the overall context, Landwise is of the opinion that the variances are minor in nature, desirable for the appropriate 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



Jennifer Badley, B.A.
Planner



Shannon McKie, MCIP, RPP
Associate/Principal Planner



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)	Cachet Developments (Binbrook) Inc.	[REDACTED]
Applicant(s)	Same as Registered Owner	
Agent or Solicitor	Landwise	

1.2 Primary contact Applicant Owner Agent/Solicitor

1.3 Sign should be sent to Applicant Owner Agent/Solicitor

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.

1.6 Payment type In person Credit over phone* Cheque [REDACTED]

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	Block 35 (3105 Fletcher Road)		
Assessment Roll Number			
Former Municipality			
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:

1. To permit a minimum yard setback of 2.85m abutting the hypotenuse of a daylight triangle; whereas a minimum front yard and exterior side yard setback of 4.5m is required.
2. To permit a minimum separation distance of 3.18m between two exterior walls; whereas a minimum of 7.5m between two exterior walls, one of which contains windows to a habitable room, and 12m between two exterior walls, both of which contain windows to a habitable room is required.
- 3.0 To permit 0 square metres of amenity area; whereas a minimum area of 5 square metres per dwelling unit is required.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

Refer to the 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
75.33m (7.5m from chord)	80.15m (shortest)	6,968 sq.m.	20.00m (Windward Dr)

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
Vacant				

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Block Townhouse	4.55m	6.15m	2.85m to hypotenuse	TBD

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
N/A (Vacant)				

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Block Townhouse	1,875.54 sq.m.	TBD	2	8.22m to mean roof

- 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.):

Block Townhouse Dwellings

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

North & East: Future Single Detached Dwellings; South: Future SWM Pond, Single Detached Dwellings; West: Future Block Townhouse Dwellings

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

November 16, 2021

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

Agricultural uses

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

Vacant

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

Unknown

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

Rural Hamilton Official Plan designation (if applicable): Not applicable

Rural Settlement Area: Not applicable

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

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

Please refer to the submitted Planning Rationale.

7.6 What is the existing zoning of the subject land? Township of Glanbrook Zoning By-law No. 464- Residential Multiple (RM3-298) Zone

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: ZAC-21-001

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: Not applicable

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 0

8.2 Number of Dwelling Units Proposed: 27

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

Please refer to the submitted Cover Letter, Minor Variance Planning Rationale, and Site Plan for additional information.

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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