



Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	A-26:059	<b>SUBJECT PROPERTY:</b>	5398 White Church Road, Glanbrook
<b>ZONE:</b>	A1 (Agriculture) and P6 (Conservation/Hazard Land Rural)	<b>ZONING BY-LAW:</b>	Hamilton Zoning By-law 05-200

**APPLICANTS:** Owner: Lisa and Steve Zahorodni  
 Applicant: Allison Zahorodni  
 Agent: Angela Beppe

The following variances are requested:

1. An Additional Dwelling Unit – Detached shall be permitted on a lot containing a Single Detached Dwelling having a minimum Lot Area of 0.23 hectares, instead of the minimum required Lot Area of 1.5 hectares.
2. An Additional Dwelling Unit - Detached shall be permitted within a Front Yard instead of the requirement that Additional Dwelling Units – Detached shall only be permitted in a Rear and/or Interior Side Yard.
3. An Additional Dwelling Unit – Detached shall not be required to be setback a minimum distance from the front Façade of the principle dwelling instead of the requirement that an Additional Dwelling Unit – Detached shall be setback a minimum of 5.0 metre from the front Façade of the principal dwelling.

**PURPOSE & EFFECT:** To permit the construction of an Additional Dwelling Unit – Detached on a lot with an existing Single Detached Dwelling, under the Agriculture (A1) Zone.

**Notes:**

- i. Please be advised insufficient information was provided to determine zoning compliance with Section 4.33.4 e) i) and ii). Additional variances may be required if zoning conformity cannot be achieved.

- ii. Please be advised insufficient information was provided to determine zoning compliance with Section 4.33.4 k). Additional variances may be required if zoning conformity cannot be achieved.
- iii. Please be advised Insufficient information was provided to determine zoning compliance with Section 5, Parking of the Hamilton Zoning By-law 05-200. Additional variances may be required if zoning conformity cannot be achieved.
- iv. Please be advised Additional Dwelling Units – Detached waste disposal and water supply systems shall be in accordance with Section 4.22 iii) below.

*For lands in a Rural zone, 1) 2) An approved waste disposal and water supply systems to sustain the use of land for buildings shall be provided and maintained to the satisfaction of the Chief Building Official; and, All regulatory approvals have been received to the satisfaction of the General Manager of the Planning and Economic Development Department and/or his or her designate*

**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:

<b>DATE:</b>	<b>Thursday, April 30, 2026</b>
<b>TIME:</b>	<b>12:05 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>City Hall Council Chambers (71 Main St. W., Hamilton)</b>
	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> 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 April 28, 2026.

**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 April 29, 2026.

A-26:059

## **FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding A-26:059, you must submit a written request to [cofa@hamilton.ca](mailto: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](mailto: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: April 13, 2026

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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.



Hamilton

## COMMITTEE OF ADJUSTMENT

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221

E-mail: [cofa@hamilton.ca](mailto: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](mailto:cofa@hamilton.ca)

##### By Mail:

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

#### The following information is required with your written submission:

- Committee of Adjustment file number
- Full name and address of the person providing comments. Anonymous comments will not be accepted.

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All written comments received by the deadline 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](mailto:cofa@hamilton.ca) with the following information:

- Committee of Adjustment file number
- Hearing date
- Full name and address of the person wishing to speak. Anonymous comments will not be accepted.
- 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](mailto: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.

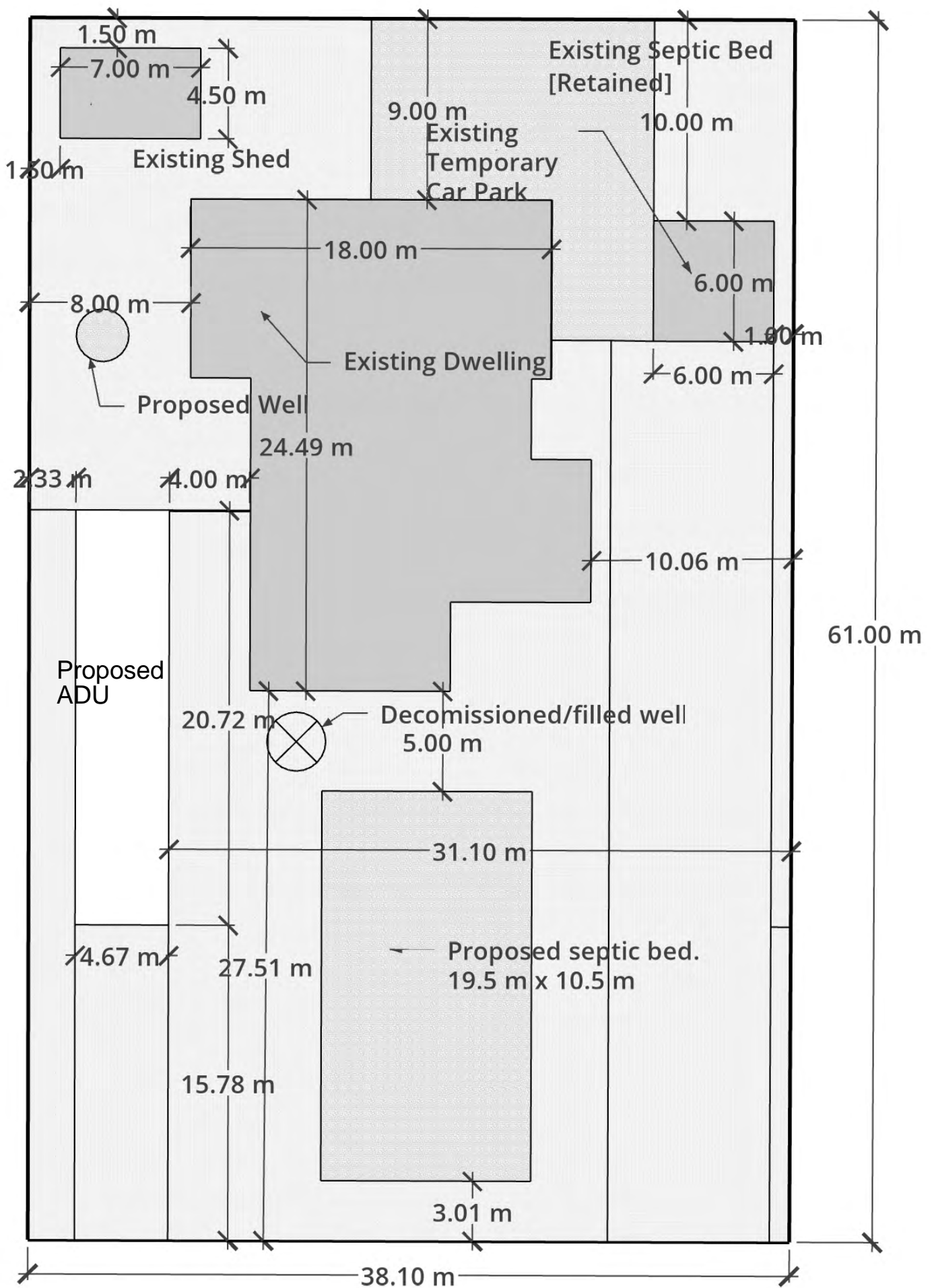
#### **In-Person Presentations:**

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](mailto: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.

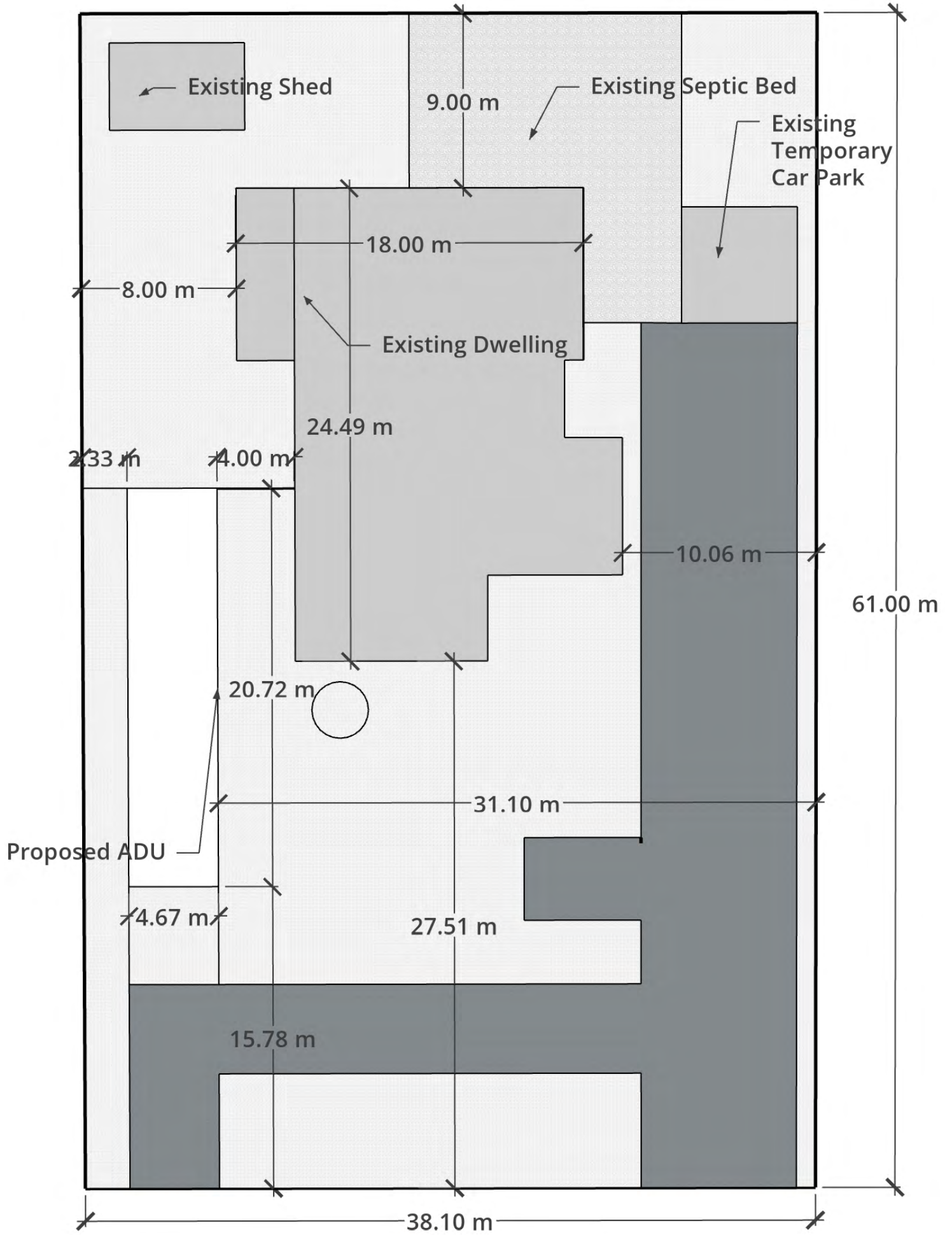
### 6. Additional Notes

- 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](mailto:cofa@hamilton.ca) or call 905-546-2424 ext. 4221.



White Church Road



White Church Road

RECEIVED AND DEPOSITED AS  
**PLAN 62R-4346**  
 DATED: Aug 23, 1978  
*[Signature]*  
 LAND REGISTRAR FOR THE REGISTRY DIVISION OF WENTWORTH

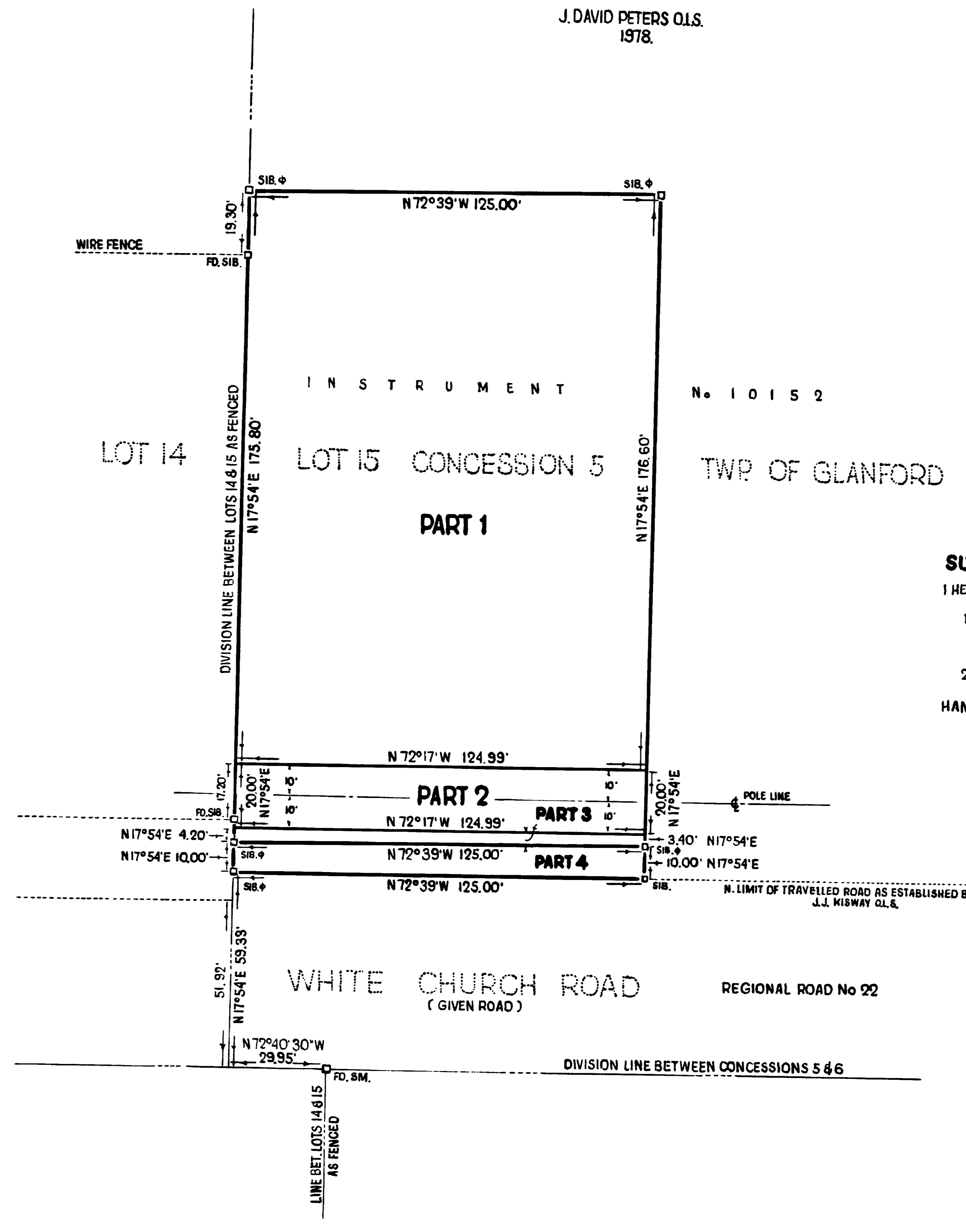
I REQUIRE THIS PLAN TO BE DEPOSITED UNDER PART  
 E OF THE REGISTRY ACT.

DATED: AUGUST 14, 1978  
*[Signature]*  
 J. DAVID PETERS

**CAUTION:**  
 THIS PLAN IS NOT A PLAN OF SUBDIVISION WITHIN THE  
 MEANING OF SECTION 29, 32 OR 33 OF THE PLANNING ACT.

**PLAN**  
 SHOWING  
**PART OF LOT 15 CONCESSION 5 TOWNSHIP OF GLANFORD**  
 NOW IN THE  
**TOWNSHIP OF GLANBROOK**  
 IN THE  
**REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH**  
 SCALE: 1"=40'

J. DAVID PETERS O.L.S.  
 1978.



SCHEDULE					
PART	LOT	CON.	INSTRUMENT	AREA	
1	15	5	PART 10152	0.506 ACRES	
2	15	5	PART 10152, EASEMENT IN 6576	0.057 ACRES	
3	15	5	PART 10152	0.011 ACRES	
4	15	5	PART 10152	0.029 ACRES	

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE REGISTRY ACT AND THE REGULATIONS MADE THEREUNDER.
- THE SURVEY WAS COMPLETED ON THE 10TH DAY OF JULY 1978.

HAMILTON - ONT. AUGUST 14, 1978.

*[Signature]*  
 J. DAVID PETERS  
 ONTARIO LAND SURVEYOR

BEARINGS ARE ASTRONOMIC IN NATURE AND ARE REFERRED TO DIVISION LINE BETWEEN LOTS 14 AND 15 ON A COURSE OF N 17° 54' E.

**NOTE:**  
 ALL HANGING LINES HAVE BEEN VERIFIED.

SIGN ◊ SM DENOTES A STONE MONUMENT  
 SIGN ◊ SIB DENOTES A STANDARD IRON BAR  
 SIGN ◊ SIB◊ DENOTES A ROUND IRON BAR  
 FD. DENOTES FOUND

**MACKAY, MACKAY & PETERS LIMITED**  
 ONTARIO LAND SURVEYORS  
 HAMILTON - ONTARIO

Y-17553

16X

March 6, 2026

Secretary-Treasurer  
Committee of Adjustment  
City of Hamilton  
71 Main Street West  
Hamilton, Ontario L8P 4Y5

**Re:** Application for Minor Variance – 5398 White Church Road East, Hamilton, Ontario

Dear Members of the Committee of Adjustment,

We are pleased to submit this letter in support of the Minor Variance application for the above-noted property. The applicant seeks relief from the City of Hamilton Zoning By-law to permit an Accessory Dwelling Unit (ADU) on lands zoned Agricultural (A), where the by-law requires a minimum lot area of 1.5 hectares. The subject property is approximately 0.23 hectares in size. Accordingly, the applicant respectfully requests the Committee's approval to recognize the proposed ADU on the existing lot.

### **1. Property Context and Background**

The subject property is located at 5398 White Church Road East, Hamilton, Ontario. While designated Agricultural in the Rural Hamilton Official Plan (RHOP) and zoned Agricultural under the Zoning By-law, the property and its immediately adjacent neighbours are not, and have not been, used for agricultural purposes for many decades. The property was created by subdivision in approximately 1978, and its dimensions and area have remained unchanged since that time.

The subject site and its neighbours along this portion of White Church Road constitute an established pattern of large residential lots, each individually serviced by private well and septic systems. These lots exist adjacent to, but are functionally distinct from, the larger agricultural landholdings in the surrounding area.

### **2. Proposed Variance**

The applicant proposes to construct an Accessory Dwelling Unit in association with the existing principal dwelling on the subject property. The Zoning By-law requires a minimum lot area of 1.5 hectares for an ADU in the Agricultural zone; the subject lot does not satisfy this requirement. The requested variance is limited in scope and is necessary solely to recognize the existing lot configuration, which has been established for over forty years.

### **3. Four Tests for Minor Variance**

Pursuant to Section 45(1) of the Planning Act, R.S.O. 1990, c. P.13, the Committee of Adjustment may grant a minor variance where the application satisfies the following four tests. Each is addressed below.

**(a) General Intent and Purpose of the Official Plan**

The Rural Hamilton Official Plan emphasizes both the protection of the agricultural land base and the fundamental importance of housing to community well-being. Although the subject lands carry an Agricultural designation under the RHOP, this segment of White Church Road has long been characterized by an established cluster of residential lots of comparable size and character. The addition of an accessory dwelling unit represents contextually appropriate residential infill within this cluster, rather than the introduction of a new residential use into an active agricultural landscape.

The RHOP recognizes that additional housing opportunities in rural areas must be balanced against private servicing constraints. In this case, a qualified septic designer has confirmed that adequate and sustainable water and wastewater servicing can be accommodated entirely on-site (see Section 6 below). The proposal therefore satisfies the servicing rationale underlying these policies and is consistent with the general intent and purpose of the Rural Hamilton Official Plan.

**(b) General Intent and Purpose of the Zoning By-law**

The minimum lot area requirement for ADUs in the Agricultural zone is intended to ensure that lots can accommodate private water and septic servicing without adverse environmental impacts, and to avoid introducing incompatible residential uses into active agricultural areas. The requirement reflects the wide variation in soil types, hydrogeological conditions, and lot configurations across the municipality.

The subject application directly addresses both of these underlying objectives. The proposed servicing design demonstrates that the lot can sustainably support both the principal dwelling and the accessory unit. This includes separate septic and water infrastructure for the ADU, and the decommissioning of the existing well. Furthermore, the property is not used for agricultural purposes and is situated within a long-established residential pattern; no agricultural operations will be affected. The general intent and purpose of the Zoning By-law is therefore maintained.

**(c) Desirable for the Appropriate Development or Use of the Land**

The proposed ADU represents a modest and appropriate form of gentle intensification on a lot that has functioned exclusively as a residential property for decades. The proposal makes efficient use of existing infrastructure and services, consistent with provincial and municipal policy objectives to increase housing supply. It does not require the removal of any land from agricultural production, introduce new servicing demands on neighbouring properties, or alter the residential character of the surrounding area. The variance is accordingly desirable for the appropriate use of the land.

**(d) Minor in Nature**

The requested variance is limited to the minimum lot area requirement and arises solely from the pre-existing configuration of a lot created in 1978. No changes to permitted uses, setbacks, built form, or any other zoning standard are sought. The ADU will be of limited scale, located in close proximity to the principal dwelling, and fully serviced on-site. Given the longstanding residential character of the subject property and the demonstrated

servicing capacity, the variance is minor in nature and will have no adverse impact on adjacent properties or the surrounding area.

#### **4. Consistency with the Provincial Planning Statement, 2024**

The proposal is consistent with the Provincial Planning Statement, 2024 (PPS). In particular, it supports Section 2.5(1)(c), which requires the accommodation of an appropriate range and mix of housing in rural settlement areas, and Section 2.5(1)(d), which directs that rural infrastructure and public service facilities be used efficiently.

Section 4.3.2.5 of the PPS permits additional residential units on agricultural lands subject to the following criteria. The proposal has been assessed against each requirement:

- a) **Minimum Distance Separation (MDS) Formulae:** Based on a conservative assessment of nearby agricultural uses, the proposed ADU is anticipated to comply with applicable MDS requirements. Confirmation can be provided prior to issuance of a building permit if verification is required by the municipality.
- b) **Compatibility with agricultural operations:** The subject property has not been used for agricultural purposes for at least four decades. The proposed ADU will not hinder or interfere with any surrounding agricultural operations.
- c) **Sewage and water services:** A qualified septic designer has confirmed that adequate on-site water and wastewater servicing can be provided for both the principal dwelling and the ADU. Full details are provided in Section 6.
- d) **Public health and safety:** The proposed servicing design addresses all applicable public health and safety requirements under the Ontario Building Code and the Zoning By-law.
- e) **Limited scale and proximity to principal dwelling:** The ADU is of limited scale and will be located in close proximity to the existing principal dwelling on the subject property.
- f) **Minimizing land taken out of agricultural production:** No agricultural land will be removed from production. The property is, and has long been, used exclusively for residential purposes.

#### **5. Conformity with the Greenbelt Plan, 2017**

The subject property is located within the Protected Countryside designation of the Greenbelt Plan, 2017. The applicant acknowledges that Section 4.5.3 of the Greenbelt Plan, which addresses second dwelling units in the Protected Countryside, permits such units within single dwellings or within existing accessory structures. The proposed ADU is a newly constructed detached structure and therefore does not fall squarely within the express language of Section 4.5.3.

The applicant submits, however, that the proposal is consistent with the purposes and objectives of the Greenbelt Plan, and that the apparent tension with Section 4.5.3 arises from a gap in the plan rather than a deliberate prohibition. The Greenbelt Plan's ADU provisions were established prior to the province's subsequent policy evolution on housing, including the More Homes Built Faster Act, 2022 and the Provincial Planning

Statement, 2024, which together established additional residential units as a permitted use across Ontario, including on agricultural lands. The Greenbelt Plan has not been updated to reflect this shift in provincial housing policy, creating an unresolved gap between the plan's language and current provincial intent.

The core purposes of the Greenbelt Plan are to protect the natural environment, agricultural lands, and the character of the countryside. The proposed ADU does not conflict with any of these purposes. Specifically:

- a) No agricultural land is removed from production. The subject property has not been used for agricultural purposes for at least four decades and is situated within a long-established residential cluster;
- b) No new lot is created. The proposed ADU is an accessory use on the existing lot;
- c) No new infrastructure extension is required. The proposal is fully serviced on-site by private well and septic systems;
- d) No natural heritage features are affected. The subject property is not located within the Natural Heritage System designation of the Greenbelt Plan; and
- e) The countryside character of the area is maintained. The ADU is of limited scale and is accessory to a long-established residential use.

The applicant respectfully submits that a prohibition on a modest detached ADU of this nature would be inconsistent with the current direction of provincial housing policy, and that the Greenbelt Plan's silence on newly constructed detached ADUs in the post-2022 policy context should not be read as a prohibition where none of the plan's underlying purposes are engaged. Should the Committee or City staff wish to seek guidance from the Ministry of Municipal Affairs and Housing on this question, the applicant is supportive of that process.

## **6. Servicing**

The subject property is not located within a vulnerable area as identified in the applicable Assessment Report prepared pursuant to Sections 15–21 of the Clean Water Act, 2006, S.O. 2006, c. 22, as confirmed by review of City of Hamilton source water protection and watercourse mapping. The owners retained Hygrade Excavating to complete a site assessment and to develop a servicing solution meeting the requirements of the Ontario Building Code (Part 8 - Sewage Systems), the Zoning By-law, and applicable environmental standards. The proposed servicing design includes the following elements:

1. The existing septic system will be retained and will continue to service the principal dwelling exclusively;
2. The existing well will be properly capped and decommissioned in accordance with applicable standards;
3. A new well will be constructed at the location identified on the Proposed Site Plan; and
4. A new septic bed and associated infrastructure will be constructed for the ADU at the location identified on the Proposed Site Plan.

This design ensures that the effluent from both the principal dwelling and the ADU will be contained entirely on the subject property, and that source water and groundwater on and adjacent to the property will be protected. The servicing solution demonstrates that the lot can sustainably support the proposed additional residential unit, notwithstanding the variance to the minimum lot area requirement.

## **7. Conclusion**

For the reasons set out above, the application satisfies all four tests for a minor variance under the Planning Act. The proposed Accessory Dwelling Unit is consistent with the Provincial Planning Statement, 2024, and conforms with the general intent and purpose of the Rural Hamilton Official Plan and Zoning By-law. The variance is minor in nature, arises from the pre-existing configuration of a long-established residential lot, and will have no adverse impact on surrounding properties or agricultural operations.

With respect to the Greenbelt Plan, 2017, the applicant submits that the proposal is consistent with the plan's purposes and objectives, and that the gap between the plan's ADU language and the current direction of provincial housing policy should not operate as a prohibition where none of the plan's underlying purposes are engaged by the proposed development.

The application will modestly contribute to the local supply of housing in a manner that is compatible with the surrounding residential and agricultural context, and that fully meets applicable servicing and environmental standards. We respectfully request that the Committee approve the application as submitted.

We are available to attend the hearing and to respond to any questions from the Committee. Please do not hesitate to contact the undersigned should additional information be required in advance of the hearing.

Yours truly,

**Angela Bepple**  
Bepple Paralegal Services  
437-288-7121  
abepple@beppleparalegal.ca



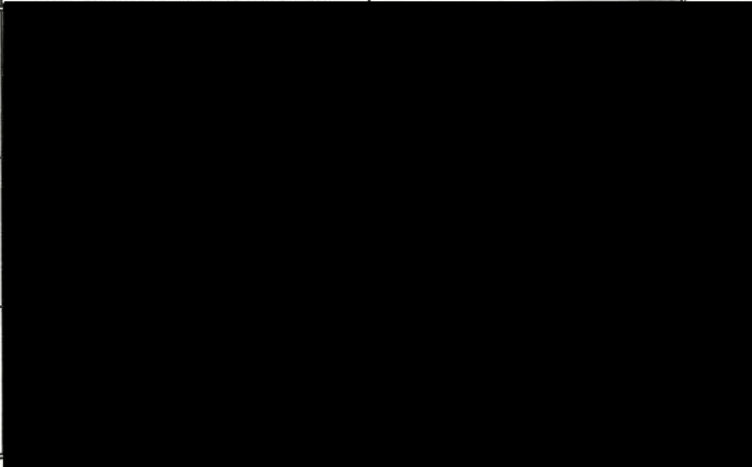
Hamilton

Committee of Adjustment  
City Hall, 5<sup>th</sup> Floor,  
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Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221  
Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

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

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS
<b>Registered Owners(s)</b>	Lisa and Steve Zahorodni	
<b>Applicant(s)</b>	Allison Zahorodni	
<b>Agent or Solicitor</b>	Angela Beppele	

1.2 Primary contact

Applicant

Owner

Agent/Solicitor

1.3 Sign should be sent to

Applicant

Owner

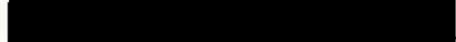
Agent/Solicitor

1.4 Request for digital copy of sign

Yes\*

No

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



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

\*Must provide number above

## 2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	5398 Whitechurch Road East		
Assessment Roll Number			
Former Municipality	Glanbrook		
Lot	Pt Lt 15	Concession	5
Registered Plan Number		Lot(s)	
Reference Plan Number (s)	62R4346	Part(s)	1,2,3

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:

Subject to Ontario Hyrdo easement GL6976 since 1942

## 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:

To permit an Accessory Dwelling Unit on an agricultural lot under 1.5 hectares in size.  
The existing lot is approximately 0.23 hectares in size.

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

The lot area is pre-existing.

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
38.1 M	61 M	2333 sqm	21 M

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Single Dwelling unit	24.5 M	9 M	8 M, 8 M	01/01/1979

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
ADU	20.5 M	20 M	2.33M, 4 M	

4.3. Particulars of all buildings and structures on or proposed for the subject lands (attach additional sheets if necessary):

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Single Dwelling Unit	419 sqm	630 sqm	2	7 M

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
ADU	96.8 sqm	96.8 sqm	1	4 M

- 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.):

Single detached dwelling and detached Accessory Dwelling Unit

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

Residential (Agricultural), Agricultural, Conservation / Hazard Land - Rural Zone

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

December 2017

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

Single detached residential dwelling

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

Single detached residential dwelling

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

40 + years

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

Rural Hamilton Official Plan designation (if applicable): Agriculture

Rural Settlement Area: N/A

Urban Hamilton Official Plan designation (if applicable) \_\_\_\_\_

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

ADUs are permitted in Agricultural zones.

7.6 What is the existing zoning of the subject land? Agriculture

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: Agriculture

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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: \_\_\_\_\_

## 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):

## 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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