



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5
Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202
E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: FL/B-20:59

SUBJECT PROPERTY: 2016 2nd Con. Rd. W., Flamborough

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
-

APPLICANT(S): Agent Nick Winkelmolten
Owner Lee Smith

PURPOSE OF APPLICATION: To sever a rear portion of vacant land to be added to the adjacent lands known as 148 Lynden Rd.

Severed lands:
10.53 ha[±]

Retained lands:
20.22 ha[±]

DATE: Thursday, October 1st, 2020

TIME: 1:50 p.m.

PLACE: Via video link or call in (see attached sheet for details)
To be streamed at www.hamilton.ca/committeeofadjustment
for viewing purposes only

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, including deadlines for submitting to be seen by the Committee.

Orally: If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

MORE INFORMATION

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

- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: September 14th, 2020.

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.

2ND CONCESSION

RETAINED
PARCEL

AREA = 49.96 ACRES
= 20.22 HA

LOT 14

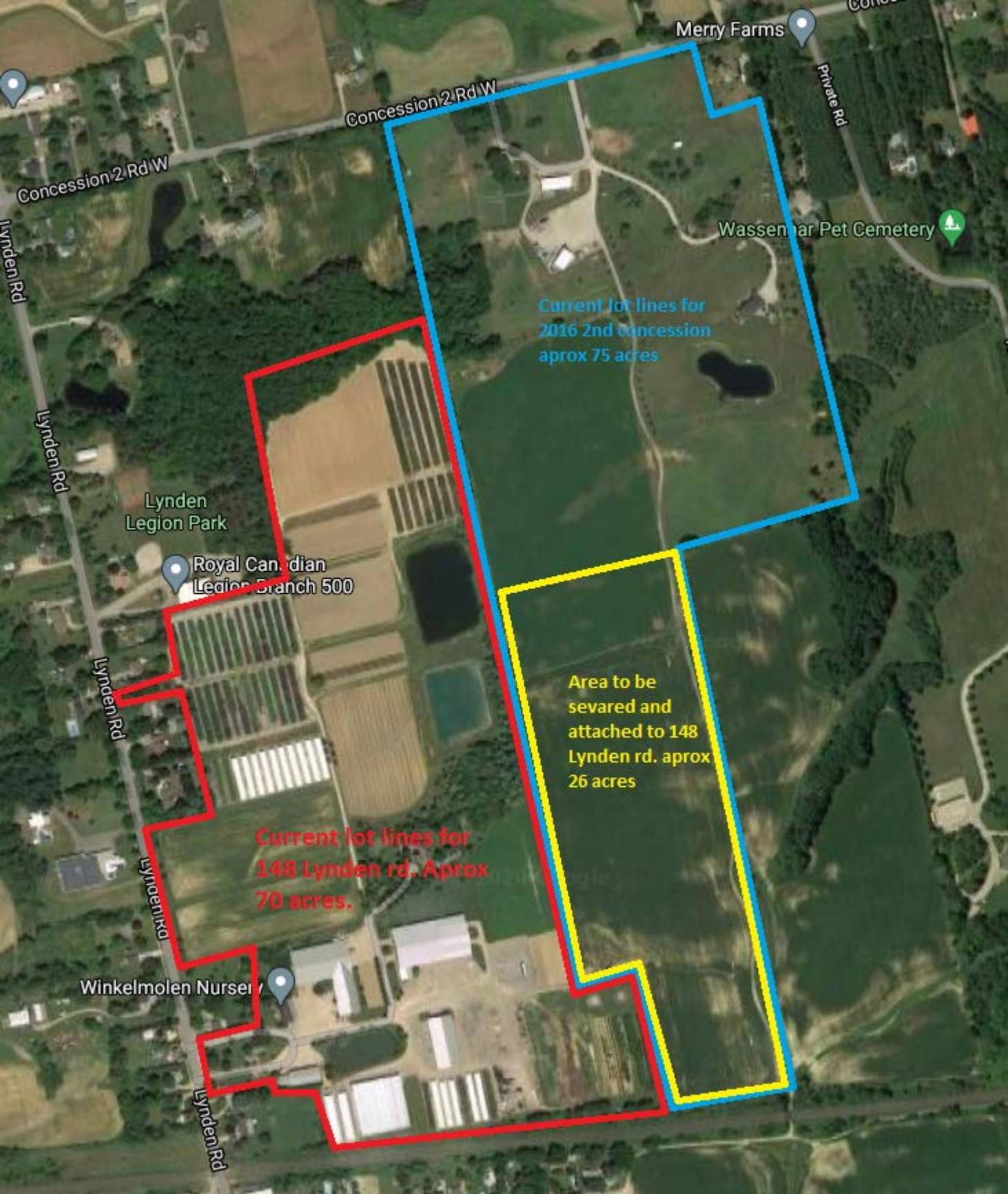
LOT 13

SEVERED
PARCEL

AREA = 26.0 ACRES
= 10.53 HA

LEE N. SMITH
2018 2ND CONC.
RR #1 LYNDEN, ONT LOR 1T0
PH: (519) 647-2105

CANADIAN NATIONAL RAILWAY



Merry Farms

Concession 2 Rd W

Concession 2 Rd W

Private Rd

Wassenar Pet Cemetery

Current lot lines for
2016 2nd Concession
aprox 75 acres

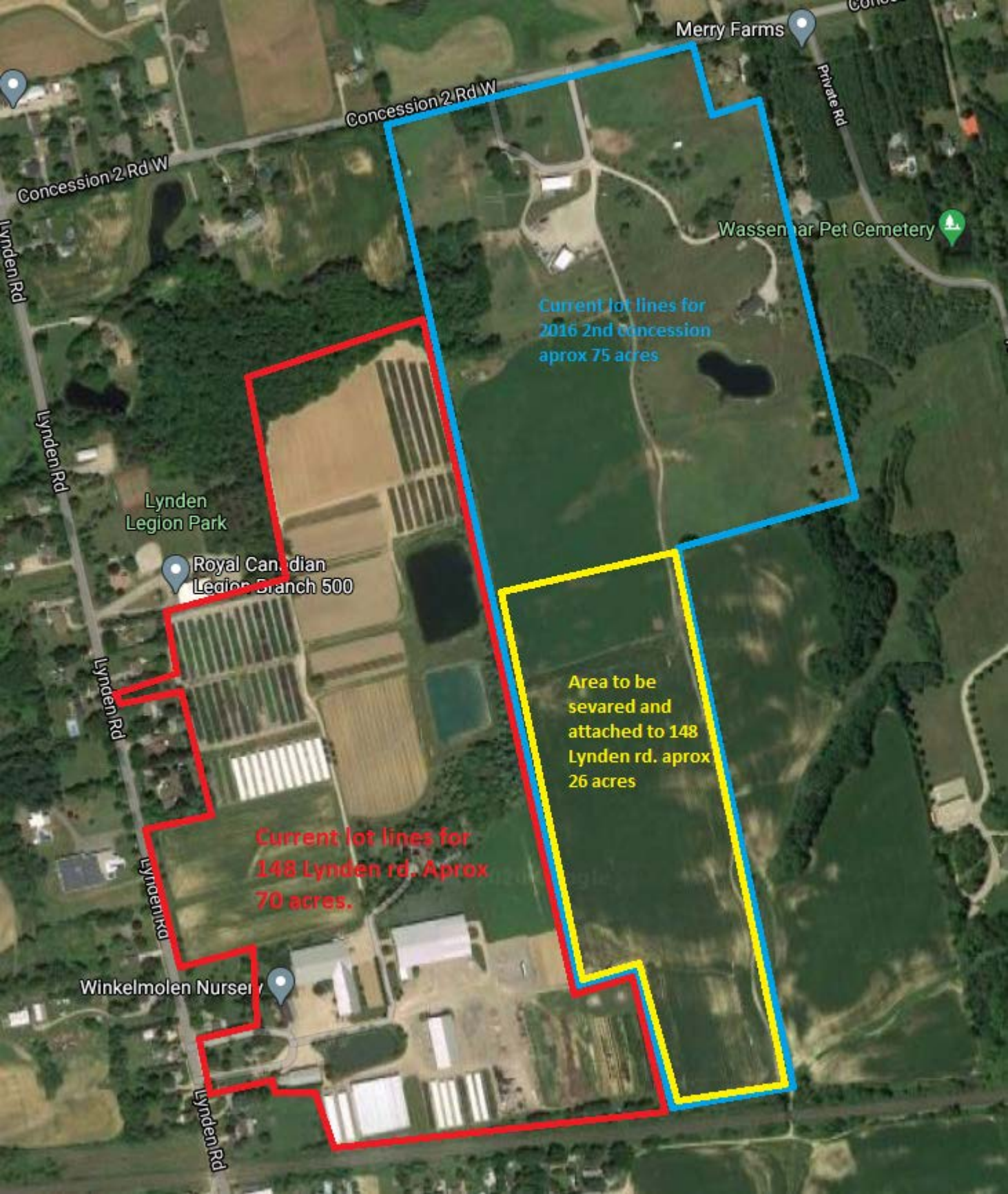
Lynden
Legion Park

Royal Canadian
Legion Branch 500

Area to be
separed and
attached to 148
Lynden rd. aprox
26 acres

Current lot lines for
148 Lynden rd. Aprox
70 acres.

Winkelmolens Nursery



Merry Farms

Private Rd

Concession 2 Rd W

Concession 2 Rd W

Lynden Rd

Wassenar Pet Cemetery

Current lot lines for
2016 2nd Concession
aprox 75 acres

Lynden
Legion Park

Royal Can. dian
Legion Branch 500

Lynden Rd

Lynden Rd

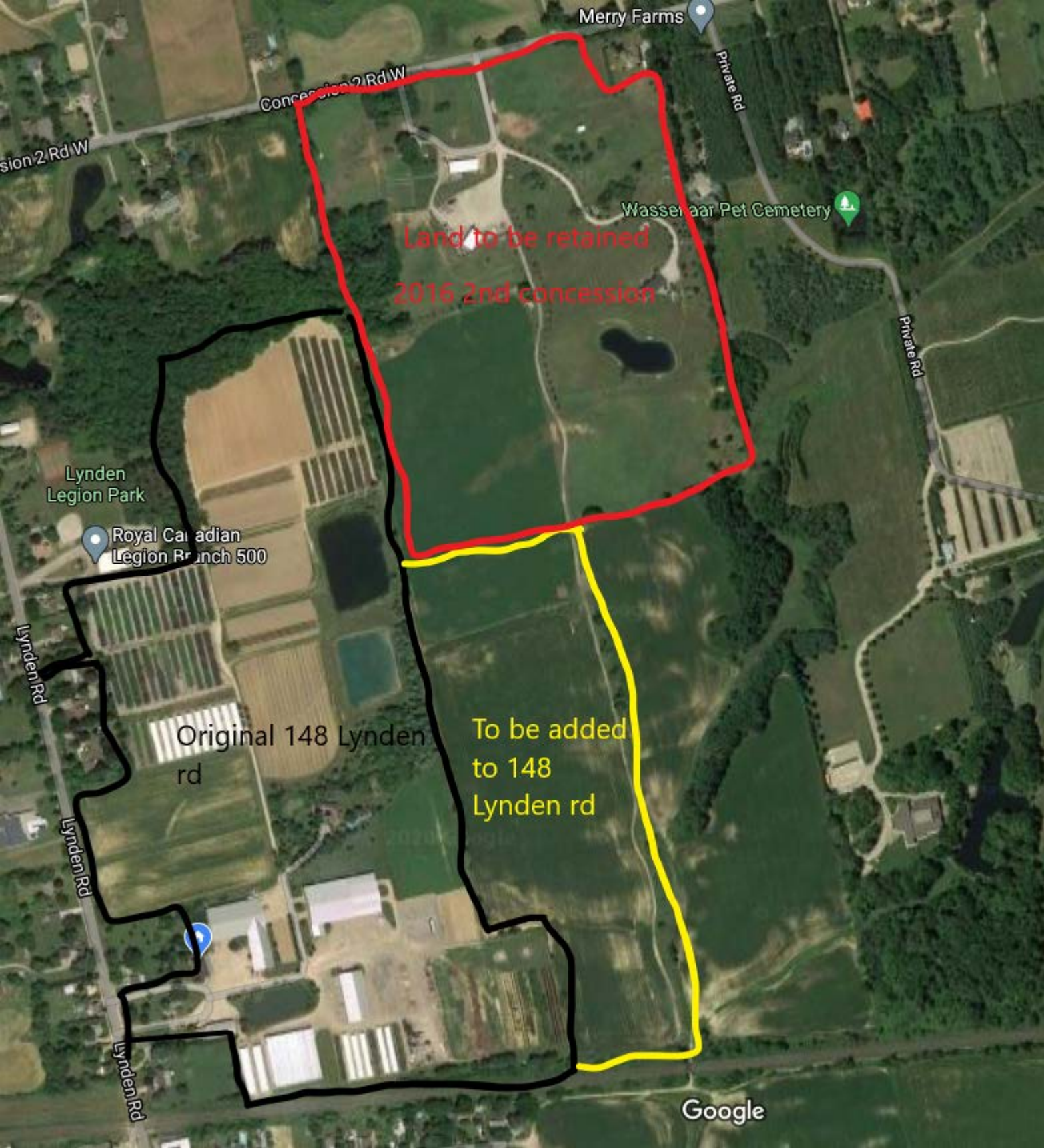
Area to be
separed and
attached to 148
Lynden rd. aprox
26 acres

Current lot lines for
148 Lynden rd. Aprox
70 acres.

Lynden Rd

Winkelmolen Nursery

Lynden Rd



Merry Farms

Concession 2 Rd W

Private Rd

Concession 2 Rd W

Wassenaar Pet Cemetery

Land to be retained
2016 2nd concession

Private Rd

Lynden Legion Park

Royal Canadian Legion Branch 500

Lynden Rd

Original 148 Lynden rd

To be added to 148 Lynden rd

Lynden Rd

Lynden Rd

Google



Hamilton

Planning and Economic Development Department
Planning Division

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

Phone (905) 546-2424, ext. 4221
Fax (905) 546-4202

APPLICATION FOR CONSENT TO SEVER LAND
UNDER SECTION 53 OF THE PLANNING ACT

Office Use Only

Date Application Received:	Date Application Deemed Complete:	Submission No.:	File No.:
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1 APPLICANT INFORMATION

1.1, 1.2	NAME	ADDRESS	PHONE/FAX
Registered Owners(s)	Lee Smith	[REDACTED]	[REDACTED]
Applicant(s)*	Nick Whistler		
Agent or Solicitor			

* Owner's authorisation required if the applicant is not the owner.

1.3 All correspondence should be sent to Owner Applicant Agent/Solicitor

2 LOCATION OF SUBJECT LAND Complete the applicable lines

2.1 Area Municipality Flamborough	Lot Pt. Lot 2/14	Concession 2nd Concession	Former Township Flamborough
Registered Plan N°. 62R 21401	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 2016 2nd Concession West			Assessment Roll N°. 30110814 000000

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

3.1 Type and purpose of proposed transaction: (check appropriate box)

a) Urban Area Transfer (do not complete Section 10):

- creation of a new lot
- addition to a lot
- an easement

- Other: a charge
 a lease
 a correction of title

b) Rural Area / Rural Settlement Area Transfer (Section 10 must be completed):

- creation of a new lot
 creation of a new non-farm parcel
 (i.e. a lot containing a surplus farm dwelling resulting from a farm consolidation)
 addition to a lot
- Other: a charge
 a lease
 a correction of title
 an easement

3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

Winkelmeier Nursery Ltd

3.3 If a lot addition, identify the lands to which the parcel will be added:

148 Lynden Rd

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of land intended to be **Severed**:

Frontage (m)	Depth (m)	Area (m ² or ha)
<u>279.95</u>	<u>306.94</u>	<u>10.53 ha</u>

Existing Use of Property to be severed:

- Residential
 Agriculture (includes a farm dwelling)
 Other (specify) _____
- Industrial
 Agricultural-Related
 Commercial
 Vacant

Proposed Use of Property to be severed:

- Residential
 Agriculture (includes a farm dwelling)
 Other (specify) _____
- Industrial
 Agricultural-Related
 Commercial
 Vacant

Building(s) or Structure(s):

Existing: None

Proposed: None

Type of access: (check appropriate box)

- provincial highway
 municipal road, seasonally maintained
 municipal road, maintained all year
- right of way
 other public road

Type of water supply proposed: (check appropriate box)

- publicly owned and operated piped water system
 privately owned and operated individual well
- lake or other water body
 other means (specify) _____

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) _____

4.2 Description of land intended to be **Retained**:

Frontage (m)	Depth (m)	Area (m ² or ha)
<u>338.95</u>	<u>408.94</u>	<u>20.22</u>

Existing Use of Property to be retained:

- Residential
 Agriculture (includes a farm dwelling)
 Other (specify) _____
- Industrial
 Agricultural-Related
 Commercial
 Vacant

Proposed Use of Property to be retained:

- Residential
- Agriculture (includes a farm dwelling)
- Other (specify) _____
- Industrial
- Agricultural-Related
- Commercial
- Vacant

Building(s) or Structure(s):

Existing: Barns + Horse, Drive Gled

Proposed: None

Type of access: (check appropriate box)

- provincial highway
- municipal road, seasonally maintained
- municipal road, maintained all year
- right of way
- other public road

Type of water supply proposed: (check appropriate box)

- publicly owned and operated piped water system
- privately owned and operated individual well
- lake or other water body
- other means (specify) _____

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) _____

4.3 Other Services: (check if the service is available)

- electricity
- telephone
- school bussing
- garbage collection

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): Agriculture

Urban Hamilton Official Plan designation (if applicable): _____

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

Current Farm is horse breeding facility
with more land than can maintain.
Smaller lot will allow for better farming
practices

5.2 What is the existing zoning of the subject land?

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? A1

5.3 Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified. Please check the appropriate boxes, if any apply.

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
An agricultural operation, including livestock facility or stockyard	<input checked="" type="checkbox"/>	1 m

A land fill	<input type="checkbox"/>	
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	
A provincially significant wetland	<input type="checkbox"/>	
A provincially significant wetland within 120 metres	<input type="checkbox"/>	
A flood plain	<input type="checkbox"/>	
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	
An active railway line	<input type="checkbox"/>	20m
A municipal or federal airport	<input type="checkbox"/>	

6 PREVIOUS USE OF PROPERTY

- Residential Industrial Commercial
 Agriculture Vacant Other (specify)

- 6.1 If Industrial or Commercial, specify use _____
- 6.2 Has the grading of the subject land been changed by adding earth or other material, i.e., has filling occurred?
 Yes No Unknown
- 6.3 Has a gas station been located on the subject land or adjacent lands at any time?
 Yes No Unknown
- 6.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
 Yes No Unknown - Farm fuel tank
- 6.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
 Yes No Unknown
- 6.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or biosolids was applied to the lands?
 Yes No Unknown
- 6.7 Have the lands or adjacent lands ever been used as a weapons firing range?
 Yes No Unknown
- 6.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?
 Yes No Unknown
- 6.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?
 Yes No Unknown
- 6.10 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?
 Yes No Unknown
- 6.11 What information did you use to determine the answers to 6.1 to 6.10 above?
Owner Knowledge / History
- 6.12 If previous use of property is industrial or commercial or if YES to any of 6.2 to 6.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed. Is the previous use inventory attached?
 Yes No 6.4 - Farm gas storage

7 PROVINCIAL POLICY

- 7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)

Yes No

b) Is this application consistent with the Provincial Policy Statement (PPS)?
 Yes No (Provide explanation)

c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?
 Yes No (Provide explanation)

d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)

Yes No

e) Are the subject lands subject to the Niagara Escarpment Plan?
 Yes No

If yes, is the proposal in conformity with the Niagara Escarpment Plan?

Yes No
(Provide Explanation)

f) Are the subject lands subject to the Parkway Belt West Plan?
 Yes No

If yes, is the proposal in conformity with the Parkway Belt West Plan?

Yes No (Provide Explanation)

g) Are the subject lands subject to the Greenbelt Plan?
 Yes No

If yes, does this application conform with the Greenbelt Plan?

Yes No (Provide Explanation)

8 HISTORY OF THE SUBJECT LAND

- 8.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or a consent under sections 51 or 53 of the *Planning Act*?
 Yes No Unknown

If YES, and known, indicate the appropriate application file number and the decision made on the application.

- 8.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

No change - Needed extension due to Covid 19

- 8.3 Has any land been severed or subdivided from the parcel originally acquired by the owner of the subject land? Yes No

If YES, and if known, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

No that we know

- 8.4 How long has the applicant owned the subject land?

12 years

- 8.5 Does the applicant own any other land in the City? Yes No

If YES, describe the lands in "11 - Other Information" or attach a separate page.

9 OTHER APPLICATIONS

- 9.1 Is the subject land currently the subject of a proposed official plan amendment that has been submitted for approval? Yes No Unknown

If YES, and if known, specify file number and status of the application.

- 9.2 Is the subject land the subject of any other application for a Minister's zoning order, zoning by-law amendment, minor variance, consent or approval of a plan of subdivision? Yes No Unknown

If YES, and if known, specify file number and status of the application(s).

File number _____ Status _____

10 RURAL APPLICATIONS

- 10.1 Rural Hamilton Official Plan Designation(s)

- Agricultural Rural Specialty Crop
 Mineral Aggregate Resource Extraction Open Space Utilities
 Rural Settlement Area (specify) _____

Settlement Area Designation

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate the existing land use designation of the abutting or non-abutting farm operation.

- 10.2 Type of Application (select type and complete appropriate sections)

- Agricultural Severance or Lot Addition
 Agricultural Related Severance or Lot Addition
 Rural Resource-based Commercial Severance or Lot Addition
 Rural Institutional Severance or Lot Addition
- } (Complete Section 10.3)

- Rural Settlement Area Severance or Lot Addition
- Surplus Farm Dwelling Severance from an Abutting Farm Consolidation (Complete Section 10.4)
- Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation (Complete Section 10.5)

10.3 Description of Lands

a) Lands to be Severed:

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from in Section 4.1)
	10.53

Existing Land Use: Agriculture Proposed Land Use: Agriculture

b) Lands to be Retained:

Frontage (m): (from Section 4.2)	Area (m ² or ha): (from Section 4.2)
338.45	70.22

Existing Land Use: Agriculture Proposed Land Use: Agriculture

10.4 Description of Lands (Abutting Farm Consolidation)

a) Location of abutting farm:

148 Lynden Rd Flamborough L0R1T0
 (Street) (Municipality) (Postal Code)

b) Description abutting farm:

Frontage (m):	Area (m ² or ha):
282.48	28.5

Existing Land Use(s): Agriculture Proposed Land Use(s): Agriculture

c) Description of consolidated farm (excluding lands intended to be severed for the surplus dwelling):

Frontage (m):	Area (m ² or ha):
	39.02

Existing Land Use: agriculture Proposed Land Use: agriculture

d) Description of surplus dwelling lands proposed to be severed:

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from Section 4.1)

Front yard set back: _____

- e) Surplus farm dwelling date of construction:
- Prior to December 16, 2004
 - After December 16, 2004
- f) Condition of surplus farm dwelling:
- Habitable
 - Non-Habitable
- g) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

Frontage (m): (from Section 4.2)	Area (m ² or ha): (from Section 4.2)

Existing Land Use: _____ Proposed Land Use: _____

10.5 Description of Lands (Non-Abutting Farm Consolidation)

a) Location of non-abutting farm

 (Street) (Municipality) (Postal Code)

b) Description of non-abutting farm

Frontage (m):	Area (m2 or ha):
---------------	------------------

Existing Land Use(s): _____ Proposed Land Use(s): _____

c) Description of surplus dwelling lands intended to be severed:

Frontage (m): (from Section 4.1)	Area (m2 or ha): (from Section 4.1)
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Front yard set back: _____

d) Surplus farm dwelling date of construction:

- Prior to December 16, 2004 After December 16, 2004

e) Condition of surplus farm dwelling:

- Habitable Non-Habitable

f) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

Frontage (m): (from Section 4.2)	Area (m2 or ha): (from Section 4.2)
----------------------------------	-------------------------------------

Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

Is there any other information that you think may be useful to the Committee of Adjustment or other agencies in reviewing this application? If so, explain below or attach on a separate page.

*This is a re-application of FL/B
- 19:48 which was not completed
due to time constraints due
to covid 19 and its effect*

12 SKETCH (Use the attached Sketch Sheet as a guide)

12.1 The application shall be accompanied by a sketch showing the following in metric units:

- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
- (b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
- (c) the boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;
- (d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- (e) the approximate location of all natural and artificial features (for example, buildings, barns, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,
 - i) are located on the subject land and on land that is adjacent to it, and
 - ii) in the applicant's opinion, may affect the application;
- (f) the current uses of land that is adjacent to the subject land (for example, residential, agricultural or commercial);
- (g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221 Fax (905) 546-4202

E-mail: samantha.costa@hamilton.ca or scott.baldry@hamilton.ca

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: FL/B-19:48

SUBJECT PROPERTY: 2016 - 2ND Concession Road West, Flamborough

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
-

APPLICANT(S): Agent Winkelmolen Nursery Ltd.
Owner Lee N. Smith

PURPOSE OF APPLICATION: to sever a rear portion of vacant land to merge in title with the adjacent lands known municipally as 148 Lynden Road.

Severed lands:
an area of 10.53ha[±]

Retained lands:
an area of 20.22ha[±]

The Committee of Adjustment will hear this application on:

DATE: Thursday, May 16th, 2019
TIME: 2:10 p.m.
PLACE: Hamilton City Hall
71 Main Street West, 1st Floor
Rooms 192 & 193

PUBLIC INPUT

In person: This public meeting will allow for any member of the public to speak to the committee regarding this request.

In writing: If you are unable to attend the meeting, you may also send your comments in writing to the Secretary-Treasurer prior to the meeting date. Refer to the contact information at the top of this notice to submit comments via e-mail, mail or fax. You may also use this means of contact to request notice of the committee's decision.

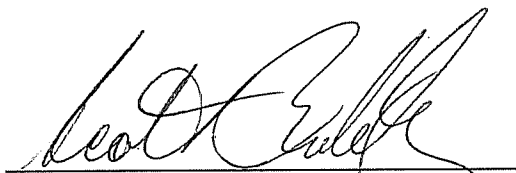
Important note: *If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent does not make written submission to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal (LPAT) may dismiss the appeal.*

MORE INFORMATION

For further information on this application, including access to drawings illustrating this request:

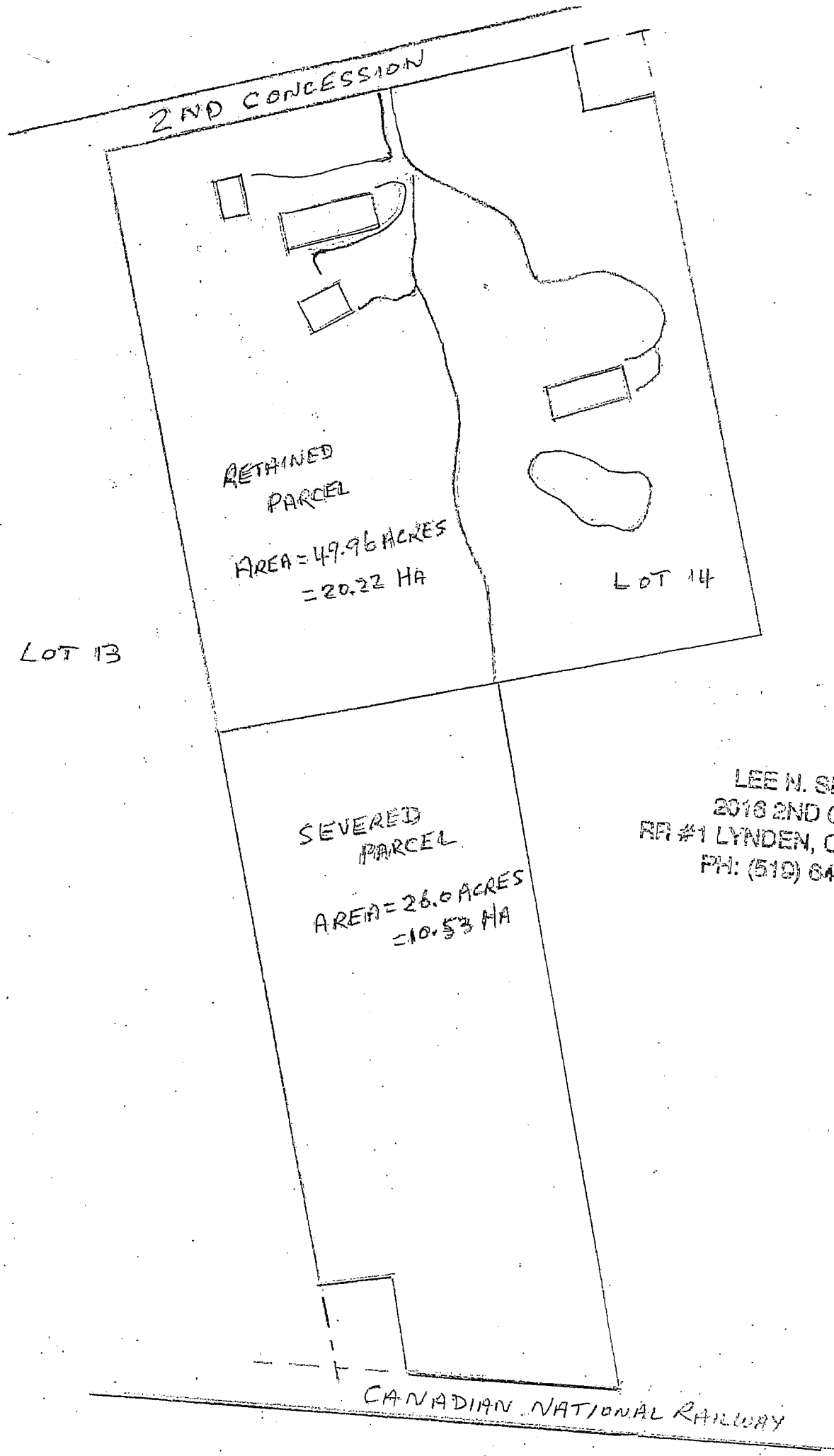
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, 4144 or 3935
- Visit the Committee of Adjustment office in person at Hamilton City Hall, 71 Main Street West, 5th Floor

DATED: April 30th, 2019



Scott Baldry,
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.



LEE N. SMITH
2016 2ND CONC.
RR #1 LYNDEN, ONT LOR 1T0
PH: (519) 647-2105

FL/B-19:48
SKETCH (1)

METRIC DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METERS AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

**PLAN OF SURVEY OF
PART OF LOT 14
CONCESSION 1
GEOGRAPHIC TOWNSHIP OF BEVERLY
CITY OF HAMILTON**

SCALE - 1 : 1000
WEST & RUUSKA LTD.



SCHEDULE				I ENCLOSE THIS PLAN TO BE REGISTERED UNDER THE LAND TITLES ACT.	PLAN 62R-- RECEIVED AND DEPOSITED DATED _____ J.M. JOHNSON, O.L.S. REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF NORTHERN ONT.
PART	LOT	CONCESSION	P.L.N.		
1	PART OF 14	1	PART OF 17254-0224(LT)		

LOT 13

LOT 14

Severed Parcel

AREA = 10.53 hectares
= 26.0 Acres

P.L.N. 17254 - 0034(LT)

P.L.N. 17254 - 0224(LT)

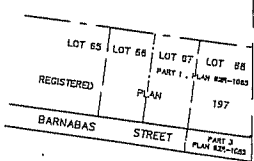
P.L.N. 17254 - 0154(LT)

CONCESSION

NOTE:
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY THE CASSINI CAN-NET REAL TIME NETWORK OBSERVATION, UTM ZONE 17, HAECS (CSRS) (2010).
FOR BEARING COMPANIONS, A ROTATION OF 82.5000° COUNTER-CLOCKWISE WAS APPLIED TO BEARINGS ON PLAN 378-1081.
DISTANCES ARE GRID AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999836.
OBSERVED REFERENCE POINTS (ORP) UTM ZONE 17 HAECS (CSRS) COORDINATES TO SURVEY ACCURACY FOR SEC. 14 (2) OF CLRS, 211/10

POINT ID	NORTHING	EASTING
ORP A	478194.82	562521.77
ORP B	478191.40	562713.43

COORDINATES CANNOT BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN



CANADIAN NATIONAL RAILWAY
P.L.N. 17254 - 0037(LT)

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THIS SURVEY WAS COMPLETED ON THE 8th DAY OF JULY, 2018.

DATED: _____
J.M. JOHNSON
ONTARIO LAND SURVEYOR

- LEGEND**
- DENOTES SET MONUMENT -
 - POINT MONUMENT
 - IRON BAR
 - STANDARD IRON BAR
 - SHORT STANDARD IRON BAR
 - ROUND IRON BAR
 - SPLIT SPOKE
 - CONCRETE PIN
 - IRON WOODEN
 - 1418 WEST & RUUSKA LTD., O.L.S.

WEST & RUUSKA LTD.
Ontario Land Surveyors
17 HILSON STREET, BRAMPTON, ONTARIO, L6Y 2A8
Telephone: (905) 751-8841
DRAWN BY: Ted S. KUTYLA, INC. 01

FL/B-19-48
SKETCH (2)



Mailing Address:
 City Hall, 71 Main Street West
 Hamilton, Ontario
 Canada L8P 4Y5
 www.hamilton.ca

Planning and Economic Development, Building and Licensing Division
 Physical Address: 71 Main Street West, 3rd Floor
 Email: building@hamilton.ca

Customer Service: 905.546.2720
 Inspection Request: 905.546.3950

Hamilton

BUILDING PERMIT

PERMIT NO. 07 284621 00 SS

2016 2ND CON RD W Plan FLA

Part 8 - Sewage System - Class 4 - Leaching Bed System

Roll Number: 30100110814000000 (Ward 14)

This Permit is issued to:

(APPLICANT)
 CEDAR LANE BOBCAT SERVICES
 (BRAD HOOD)
 1402 2ND CON RD W
 LYNDEN ON L0R 1T0
 Work: (905) 627-4515

(OWNER)
 LEE SMITH
 1709 HWY 5
 FLAMBOROUGH ON
 Work: (519) 647-2105

(CONTRACTOR)
 CEDAR LANE BOBCAT SERVICES
 (BRAD HOOD)
 1402 2ND CON RD W
 LYNDEN ON L0R 1T0
 Work: (905) 627-4515

(TENANT)

Description of Work:

To install a raised filter bed sewage disposal system to serve a single family dwelling as per the approved septic design

Plans:

Conditions:

All construction shall conform to the Ontario Building Code.
 Contractor must be licensed with the Ministry of Municipal Affairs and Housing

Zoning Data: Front Yard m Rear Yard m Side Yard m Zoning A/CM

REVIEWED BY: Danielle Oatman Zoning Building

NOTICE

PLANS AND DOCUMENTS

The Plans and documents, on the basis of which this Permit was issued, shall be kept on site.

REVOCAION

This permit may be revoked if it was issued on the basis of mistaken or false information or in error, or where the construction has been substantially suspended or discontinued for a period in excess of one year. This permit will be deemed to have lapsed, and will be revoked if construction has not commenced within six months of the date of issue.

CONSTRUCTION

All construction proposed and authorized, hereto, shall, in all respects, conform with the plans submitted and reviewed, the provisions of the Building Code Act and the Ontario Building Code, as amended, the Bylaws of the City of Hamilton and any other applicable law. It is the responsibility of the permit holder to ensure that the work authorized by this permit is carried out in accordance with the requirements set out, hereto.

ISSUED BY: Danielle Oatman

DATE ISSUED: July 18, 2007

FOR CHIEF BUILDING OFFICIAL

CONSTRUCTION VALUE: \$16,000.00

File • Assessment • Audit • Inspector



CITY OF HAMILTON
 Building & Licensing Division
 These drawings and/or specifications have been reviewed by

D. Dalman
 FOR CHIEF BUILDING OFFICIAL *July 17/07*
 DATE

THE OWNER AND/OR CONTRACTOR SHALL COMPLY WITH THE ONTARIO BUILDING CODE AND ALL OTHER APPLICABLE LAW

Permit No. 07-281621 0055

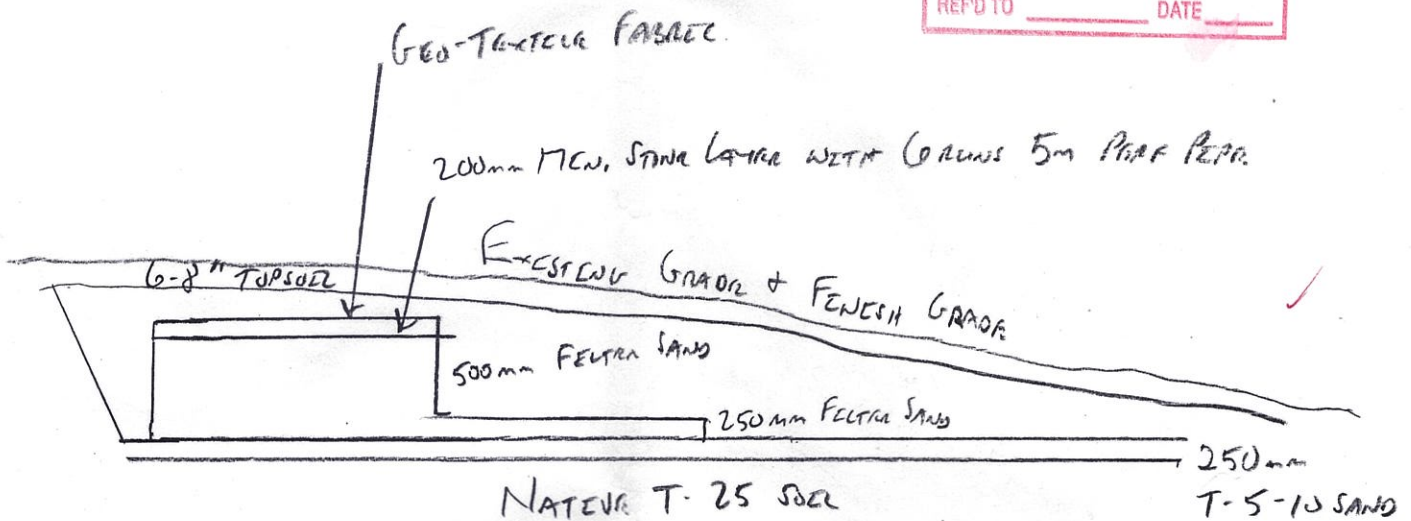
THESE STAMPED DRAWINGS SHALL BE AVAILABLE ON SITE

CITY OF HAMILTON
 BUILDING & LICENSING DIVISION
 PLANNING & DEVELOPMENT DEPARTMENT

 JUL 10 2007
 REC. BY _____ DATE _____
 REF'D TO _____ DATE _____
 REF'D TO _____ DATE _____

CITY OF HAMILTON
 BUILDING & LICENSING DIVISION
 PLANNING & DEVELOPMENT DEPARTMENT

 JUL 10 2007
 REC. BY D.O. DATE _____
 REF'D TO _____ DATE _____
 REF'D TO _____ DATE _____



NOTCH BAG INTO EXISTING SEWER + BLEND BACK UP TO EXISTING GRADE



July 10, 2007
Lee Smith
2016 2nd Concession W.
Lynden
City of Hamilton

SEPTIC SYSTEM DESIGN

SYSTEM TYPE- Partially raised filter bed

DAILY USAGE- Based on supplied drawings, 224 sq. meter dwelling with 3 + 1 bedrooms & 3 1/2 fixture units. Total flow 2650L/day
2240

T-TIME OF SOIL- 25 min./cm ✓

TANK SIZE- 5300L use 6800L (1500 GAL) ✓

PUMP CHAMBER- 900L chamber with effluent pump & high-level alarm

FILTER CORE- 35.3 sq. meters, use 36 sq. meters. 6m x 6m. ✓

FILTER BASE- 78 sq. meters, use 81 sq. meters. 9m x 9m. ✓

DISTRIBUTION PIPING- 6 runs of 5m length 100mm perf. Pipe ✓

TOTAL CONTACT AREA- 331.25sq. meters, use approx. 350 sq. meters ✓

SCOPE OF WORK-

- Install tank and pump chamber to gravity drain under footing at rear of house
- Bed to be located in the area of test pit #1
- Strip topsoil and pile for re-use
- Level sub-grade and fully scarify
- Build bed to drawing specifications that meet O.B.C.
- Bury bed and mantle with min. 300mm T-5-10 sand
- Topsoil bed site with native topsoil and grade to shed surface water

Brad Hood, Cedar Lane Bobcat Services
Site supervisor # 11907, installer 16869



CHUNG & VANDER DOELEN ENGINEERING LTD.

Geotechnical Engineering, Construction Inspecting
& Testing, Environmental Services

280 Victoria Street North, Unit # 8
Kitchener, Ontario, N2H 5E2
Telephone: 519-742-8979
Facsimile: 519-742-7739
E-Mail: cvd@bellnet.ca

July 5, 2007
File No. K07195

Cedar Lane Bobcat Services
1480 2nd Concession West
Lynden, Ontario
L0R 1T0

Attention: Brad Hood

**Re: Percolation Time Assessment
2016 Concession 2 West
Lynden, Ontario**

We are pleased to present our report of findings for the above noted project. This report is based upon the soil conditions encountered during the excavation of test pits which were dug to determine the suitability of the insitu soils for the subsurface dispersal of sewage effluent.

FIELD WORK

The site was visited on June 26, 2007 to gain an appreciation of existing site conditions and to inspect two test pits to establish the subsurface conditions in two potential leaching bed areas (see Drawing No. 1).

The exposed soil profiles were visually inspected and logged by a Soils Engineer from our firm. Representative samples were obtained from the exposed soil strata and these were taken to our laboratory for detailed description and one grain size distribution analysis was conducted. Groundwater conditions were monitored during the inspection of the test pits.

Cedar Lane Bobcat Services
Percolation Time Assessment
2016 Conc. 2 West, Lynden, Ontario

July 5, 2007
File No. K07195
Page 2

SUBSURFACE CONDITIONS

The subsurface conditions encountered at the test pits are detailed on the Test Pit Log Sheets, Enclosures 1 and 2 of this report. The data obtained is summarized in the following paragraphs.

Topsoil measuring 150 and 450 mm thick was contacted at the ground surface of Test Pits 1 and 2, respectively.

The topsoil at Test Pit 1 was underlain by compact to dense brown sand and silt which extended to at least 2.0 m below existing grade. A grain size distribution analysis was performed on a sample of the sand and silt deposit and the results are presented on Enclosure 3 of this report.

The topsoil at Test Pit 2 was underlain by compact brown silt with a trace of sand which extended to at least 1.5 m below existing grade.

Both test pits remained dry and open at completion.

RESULTS AND DISCUSSION

Based on the laboratory results and our past experience, the coefficient of permeability and percolation time of the encountered inorganic soil types are estimated in the following table:

MATERIAL	PERMEABILITY (K) (cm/sec)	PERCOLATION TIME (min/cm)
Sand and Silt	8×10^{-6}	25
Silt, trace sand	3×10^{-6}	40

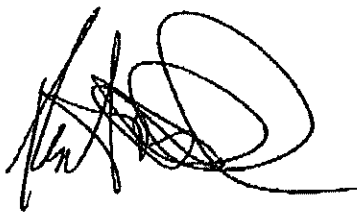
Cedar Lane Bobcat Services
Percolation Time Assessment
2016 Conc. 2 West, Lynden, Ontario

July 5, 2007
File No. K07195
Page 3

CLOSURE

We trust that the information presented herein is sufficient for your requirements. Should you have any questions regarding this report, please contact our office at your convenience.

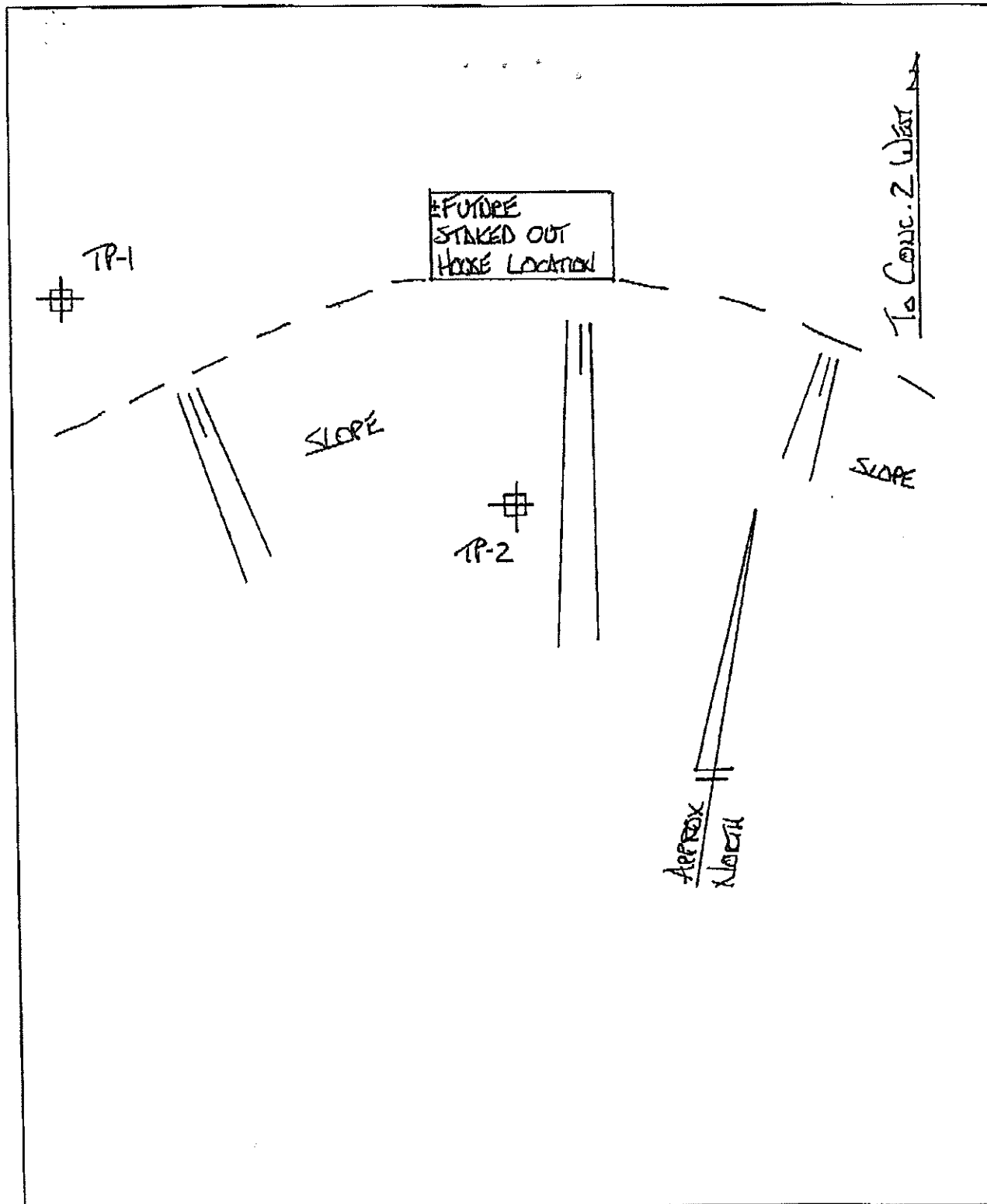
Respectfully yours,
CHUNG & VANDER DOELEN ENGINEERING LTD.

A handwritten signature in black ink, appearing to be 'R. Vander Doelen', written over a horizontal line.

Robert Vander Doelen, P. Eng.
Senior Engineer

encl.

CHUNG & VANDER DOELEN ENGINEERING LTD.



<p>CHUNG & VANDER DOELEN ENGINEERING LTD. 311 Victoria Street North Kitchener, Ontario, N2H 5E1 Phone: 519-742-8979 Fax: 519-742-7739</p>			Date:	7/3/07
			Scale:	NTS
	File No.:	K07195	Drawing No.:	1

FILE No: K07195

TEST PIT No. 1

Enclosure No.: 1
Sheet 1 of 1



Client: **Cedar Lane Bobcat Services**
Project: **Percolation Time Assessment**
Location: **2016 Concession 2 West, Lynden, Ontario**

EQUIPMENT DATA
Machine: **Backhoe**
Method: **Backhoe**
Size:
Date: **Jun 26 07 TO Jun 26 07**

SOIL LITHOLOGY			SAMPLE			SHEAR STRENGTH (kPa)				WATER CONTENT (%)			WELL DATA	DEPTH (m)	REMARKS
ELEV./DEPTH (m)	DESCRIPTION	DEPTH (m)	SYMBOL	SAMPLE ID	TYPE	N-VALUE	FIELD VANE: Peak ⊗ Rem. X LAB TEST: Unc. ■ P.P. □ 50 100 150 200				W _p W _u W _L				
	Ground Elevation: 150mm TOPSOIL						PENETRATION RESISTANCE STANDARD ● DYN. CONE ○ 20 40 60 80				10	20	30		
0.15	Compact to dense brown SAND AND SILT	0.5													
		1.0		1	BS										
	damp	1.5													
2.00	End of Test Pit	2.0													Test Pit dry at completion

CVD-TEST PIT K07195.GPJ CVD_ENG.GDT 7/4/07

ENGINEER: RVD

CHUNG & VANDER DOELEN ENGINEERING LTD.
311 Victoria Street North
Kitchener, Ontario N2H 5E2
ph. (519) 742-8979 Fax (519) 742-7739

FILE No: K07195

TEST PIT No. 2



Client: **Cedar Lane Bobcat Services**
Project: **Percolation Time Assessment**
Location: **2016 Concession 2 West, Lynden, Ontario**

EQUIPMENT DATA
Machine: **Backhoe**
Method: **Backhoe**
Size:
Date: **Jun 26 07 TO Jun 26 07**

SOIL LITHOLOGY			SAMPLE			SHEAR STRENGTH (kPa)				WATER CONTENT (%)			WELL DATA	DEPTH (m)	REMARKS
ELEV./DEPTH (m)	DESCRIPTION	DEPTH (m)	SYMBOL	SAMPLE ID	TYPE	N-VALUE	FIELD VANE: Peak ⊗ Rem. X LAB TEST: Unc. ■ P.P. □ 50 100 150 200				W _p W _l W _c				
	Ground Elevation: 450mm TOPSOIL						PENETRATION RESISTANCE STANDARD ● DYN. CONE ○ 20 40 60 80				10	20	30		
0.45	Compact brown SILT trace sand	0.5													
	damp			1	BS										
1.50	End of Test Pit	1.5													Test Pit dry at completion
		2.0													

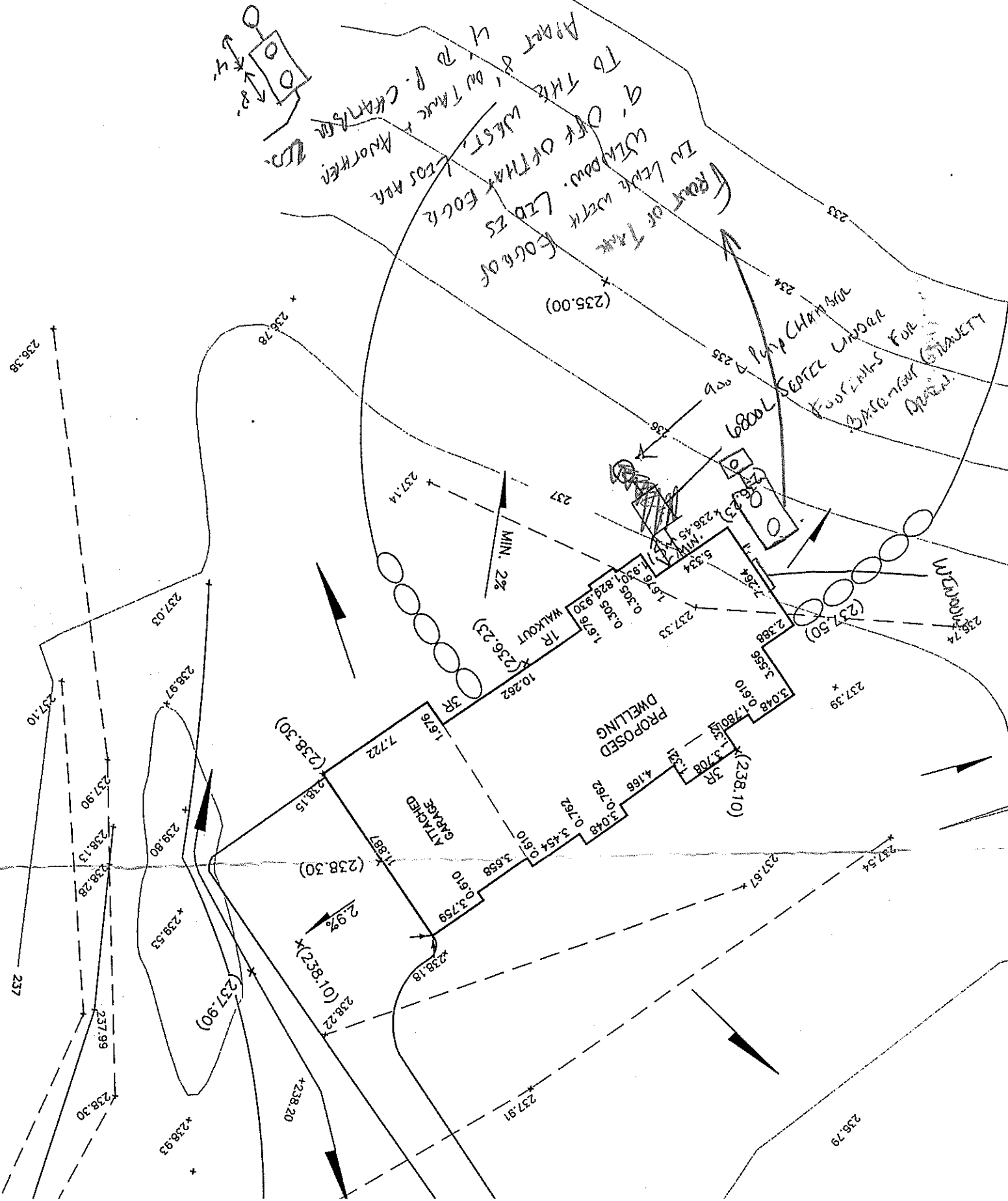
CVD TEST PIT K07195.GPJ CVD_ENGG.DWT 7/4/07

ENGINEER: **RVD**

**CHUNG & VANDER DOELEN
ENGINEERING LTD.**

311 Victoria Street North
Kitchener, Ontario N2H 5E2
ph. (519) 742-8979, fx. (519) 742-7739

DETAIL 1:300 SCALE



To whom it may concern:

The plan for this severance is to remove 26 acres from 2016 2nd concession road west in Lynden and attach that to 148 Lynden rd in Lynden.

2016 2nd concession is a horse breeding facility that has stables for rent along with training as an option. They currently use less than 50 acres of the property and rent out the other 26 acres. They are unable to maintain all 75 acres and with the difficulty of access to the back of the property due to railway tracks they also have trouble renting out the back portion for any significant amount. They would like to sever off 26 acres so they can focus on their agricultural needs for the horse breeding and training facility. The acreage they plan to retain is more than sufficient to meet their need for hay production, pasture area and training facilities.

148 Lynden rd would like to purchase the 26 acre parcel and attach it to their current 70 acre lot that is directly connected to create a 96 acre parcel. 148 Lynden rd is unable to rent the land because the type of farming they do is a speciality crop that requires heavy infrastructure investment to make the land viable to their farming practices. They also have knowledge of what the historical crop rotation has been on the land which allows them to know if their crop will survive on this land. The crop is also a long term crop (3-10 years before harvest) so it does not fit with rental agreements.



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Building Division
71 Main Street West – 3RD Floor
Hamilton, Ontario, Canada, L8P 4Y5
Phone: 905.546.2720 Fax: 905.546.2764
www.hamilton.ca

FILE NO: 20-176521-00 OBC
COA #: FL/B- 19:48
ATTENTION OF: Amanda Calcagni
TELEPHONE NO: 905.546.2424 x2583

August 20, 2020

Nick Winkelmolten
Winkelmolten Nursery Ltd
148 Lynden Rd.
Lynden, ON, L0R 1T0

Dear Sir or Madam:

RE: 2016 2nd Con Rd. W

An Ontario Building Code Compliance Review request letter was received by our department on July 31, 2020. This application was submitted to determine if the existing septic system would be in compliance with the clearance requirements of Part 8 of the Ontario Building Code (Condition #4) and to determine if the spatial separation distances of all structures would be in compliance with the Ontario Building Code (Condition #5) with respect to the location of the proposed new property line.

We are pleased to inform you that, based on the partial site plan and GIS mapping showing the location of the existing structures, conditions #4 and #5 are deemed to be in compliance with the Ontario Building Code. Therefore, conditions #4 and #5 of your Committee of Adjustment Land Severance Application FL/B-19:48 have been satisfied. If you have any further questions, please feel free to contact our office.

Yours very truly,

Amanda Calcagni
Plans Examiner