

NOTICE OF PUBLIC HEARING

Minor Variance

You are receiving this notice because you are either:

- Assessed owner of a property located within 60 metres of the subject property
 - Applicant/agent on file, or
 - Person likely to be interested in this application
-

APPLICATION NO.: FL/A-21:248

APPLICANTS: Agent Prem Tewari
Owner Singh Greenhouses

SUBJECT PROPERTY: Municipal address **653 Safari Rd., Flamborough**

ZONING BY-LAW: Zoning By-law 05-200, as Amended

ZONING: "A2, P7 and P8" (Rural (A2) Zone; Conservation/Hazard Land
- Rural (P7) Zone and Conservation/Hazard Land - Rural (R8)
Zone

PROPOSAL: To permit the alteration of an existing single detached dwelling into a permanent farm labour residence and to permit the construction three (3) permanent farm labour residences for a total of four (4) permanent farm labour residences and also to permit the construction of a single detached farm dwelling and greenhouses for an Agriculture use notwithstanding that:

1. A total of four (4) permanent farm labour residences shall be permitted instead of the requirement that a maximum of one farm labour residence shall be permitted on a lot.
2. A total of four (4) farm labour residences shall be permitted in the form of permanent construction instead of the requirement that the farm labour residences are only permitted in the form of an accessory detached dwelling of temporary construction, such as a mobile home; or, an accessory detached bunk house of temporary construction, where cooking and sanitary facilities are shared.
3. The permanent farm labour residence labelled as "existing farm labour residence" shall be permitted prior to the construction of a existing permanent principal farm dwelling instead of the requirement that a farm labour residence shall be on the same lot as an existing permanent principal Farm Dwelling.
4. Full-time farm labourers accommodated within the four (4) permanent farm labour residences shall be permitted to be employed on farm operations on other lots with an agricultural use instead of the requirement that a farm labour residence including their full-time farm labourers shall be accessory to Agriculture and on the same lot.
5. The four (4) permanent farm labour residences shall be permitted be located within 265m of the farm dwelling instead of the requirement that a farm labour residence shall be located within 30.0 metres of the farm dwelling.

6. The four (4) permanent farm labour residences shall be permitted to utilize a new driveway which does not have access to the farm dwelling instead of the requirement that a farm labour residence shall utilize the existing driveway access to the farm dwelling.

7. The permanent farm labour residence labelled as “existing farm labour residence” shall be permitted to have a maximum floor area of 207m² instead of the requirement that any temporary detached dwelling shall have a maximum floor area of 116.2m².

NOTE:

i) Pursuant to Variance No. 7, there is a discrepancy on the Grading Plan respecting the floor area of the permanent farm labour residence labelled as “existing farm labour residence”. The Grading Plan indicates this building has a main floor area of 125m² and a 2nd floor area of 81.2m² for a total floor area of 206.2m²; however, the Legend on this Plan indicates this building has an area of 130m². As such, the greater gross floor area was used for this variance.

ii) Full details have not been provided for the proposed single detached farm residence and the proposed two (2) greenhouse buildings. If zoning compliance cannot be achieved, further variances shall be required.

iii) The variances are not intended to vary the Official Plan regulations.

iv) The lands are subject to subject to Site Plan Control. To date, no application has been made.

This application will be heard by the Committee as shown below:

DATE:	Thursday, August 12th, 2021
TIME:	1:20 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:

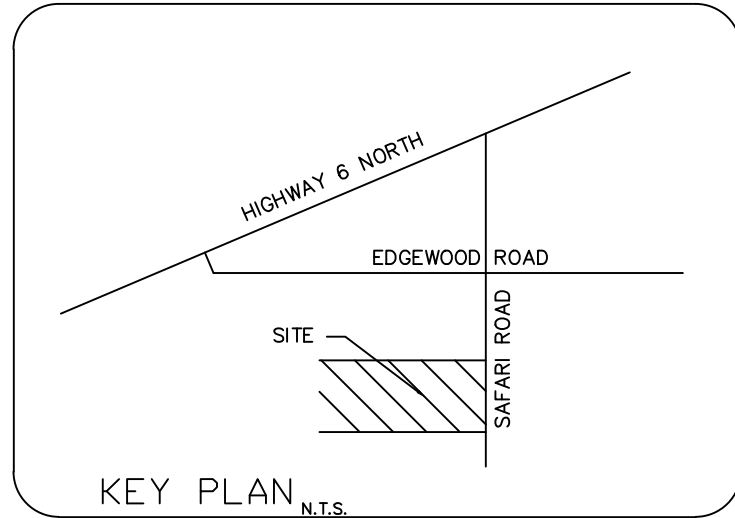
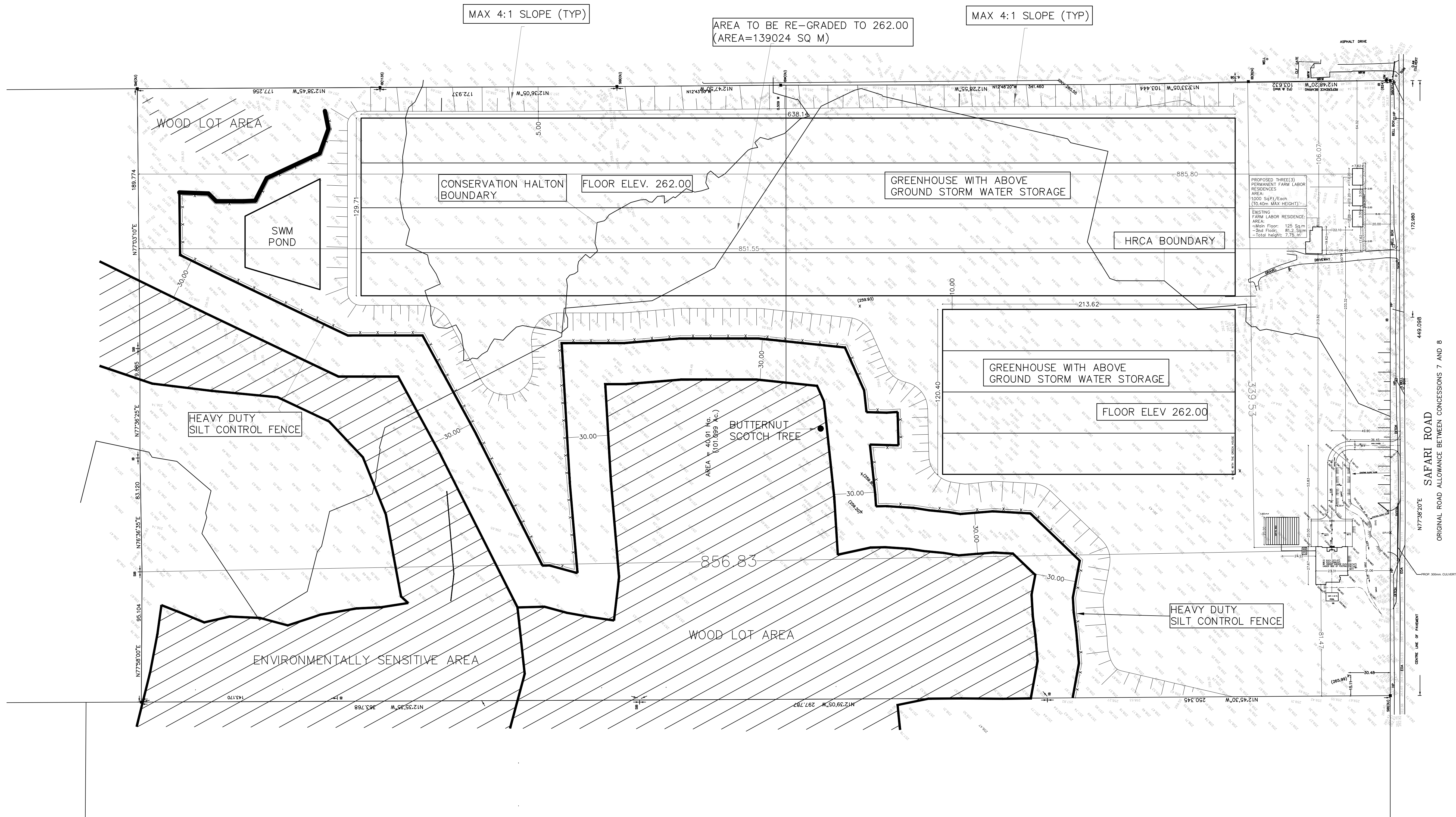
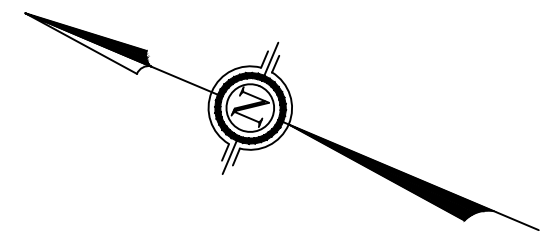
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: July 27th, 2021.

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.

LOT 11
CONCESSION 7
GEOGRAPHIC
TOWNSHIP OF WEST FLAMBOROUGH
IN THE
CITY OF HAMILTON

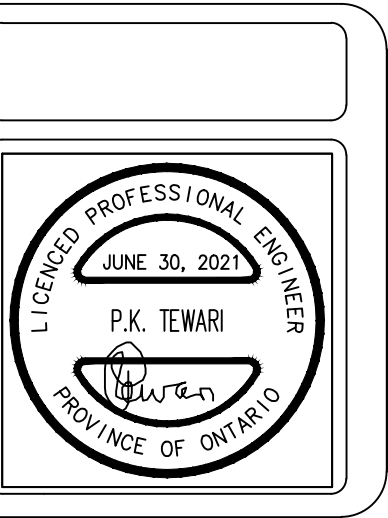


LEGEND	
(268.02):	PROPOSED GRADE
268.00:	EXISTING GRADE
LOT AREA: 409,135.84 Sq.m	
LOT COVERAGE AREA (0.24%):	
— EXISTING FARM LABOR RESIDENCE: 130.00 Sq.m	
— PROPOSED 3 FARM LABOR RESIDENCES: 278.90 Sq.m	
— PROPOSED PRINCIPAL RESIDENCE: 581.00 Sq.m	

NO.	REVISIONS	DATE	BY

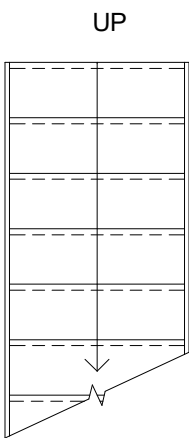
OWNER:	SINGH GREENHOUSES
MUNICIPALITY	653 SAFARI ROAD FLAMBOROUGH CITY OF HAMILTON
PROJECT NAME:	GREENHOUSE CONSTRUCTION

DRAWN BY: MS	DATE: MAR 2021
DESIGNED BY: CKY	CHECKED BY: CKY
DATE OF ISSUE:	
DATE OF PLOT:	MAR 23, 2021



IDM (2005) CONSULTANTS INC
5325 HARVESTER RD., BURLINGTON ONTARIO L7L 5K4 TEL. 905-928-2542

SCALE IN METERS:	1:1500
DRAWING TITLE	GRADING PLAN
PROJECT NO.	3613
DRAWING NO.	SP04-01


$$3/8" = 1'-0"$$

No.	Description	Date
	ISSUED FOR CLIENT REVIEW	03/06/2021

IDM (2005)
CONSULTANTS INC.

5325 HARVESTER RD,
BURLINGTON ONTARIO L9L 0A3
TEL. 905-928-2542

653 SAFARI ROAD
FLAMBOROUGH

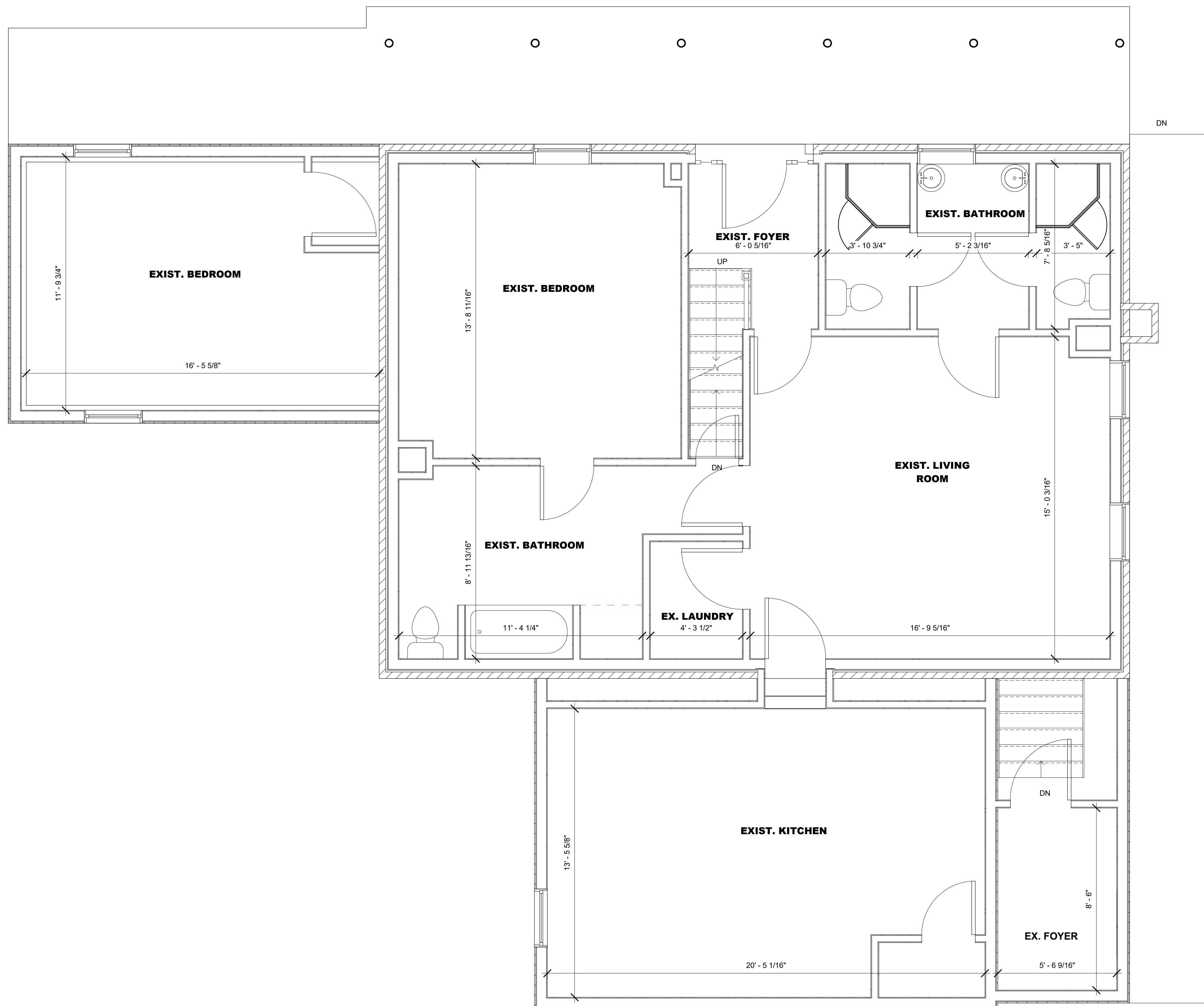
EXIST. BASEMENT /
FOUNDATION PLAN

Project number	Project Number
Date	26/05/2020
Drawn by	S.K.
Checked by	P.T.

S-100

Scale $3/8" = 1'-0"$

03/06/2021 12:54:56 PM



IDM (2005)
CONSULTANTS INC.

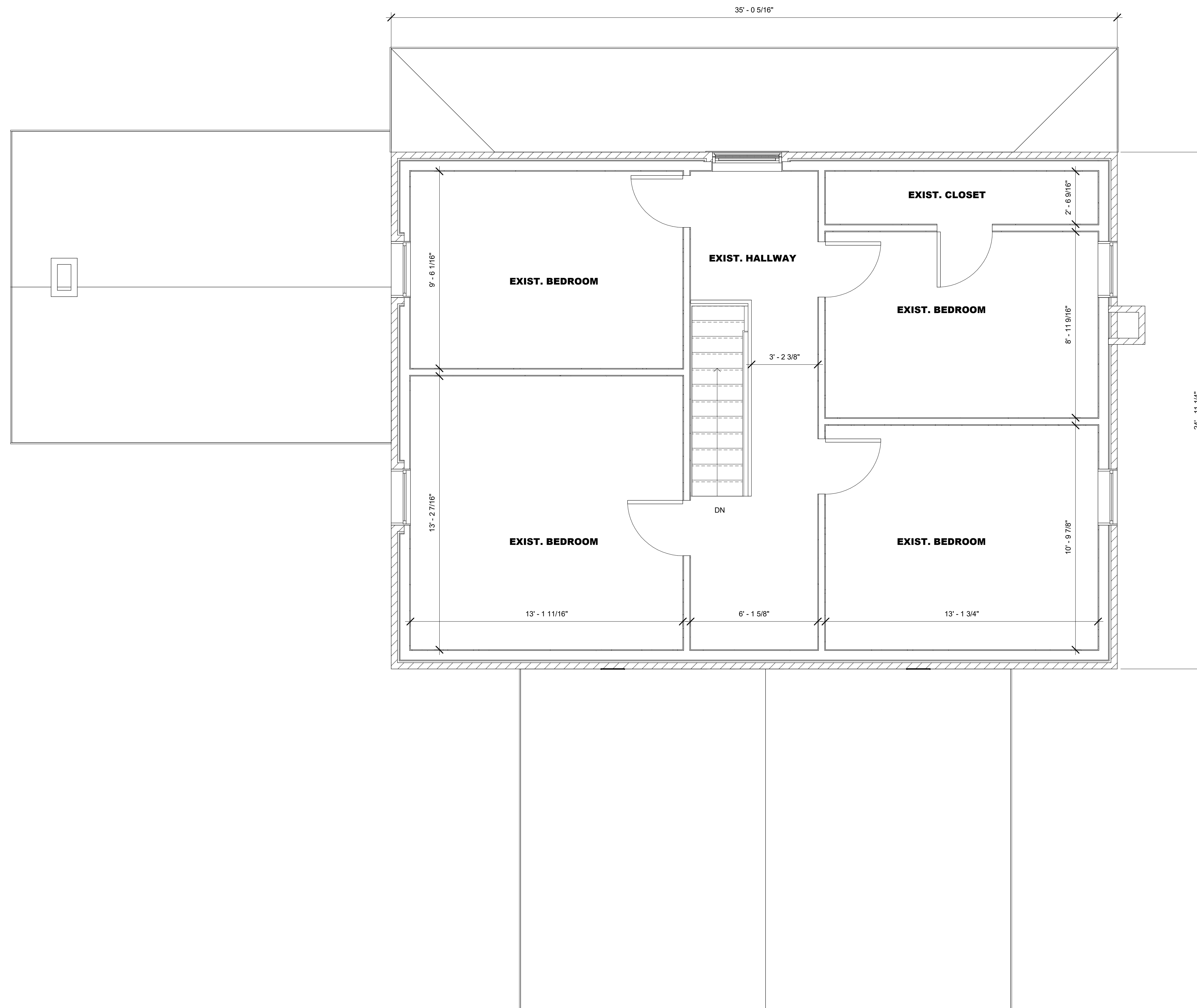
5325 HARVESTER RD,
BURLINGTON ONTARIO L9L 0A3
TEL. 905-928-2542

653 SAFARI ROAD
FLAMBOROUGH

EXIST. FIRST FLOOR
PLAN

S-101

Scale	3/8" = 1'-0"
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1 EXISTING SECOND FLOOR PLAN

[illegible]

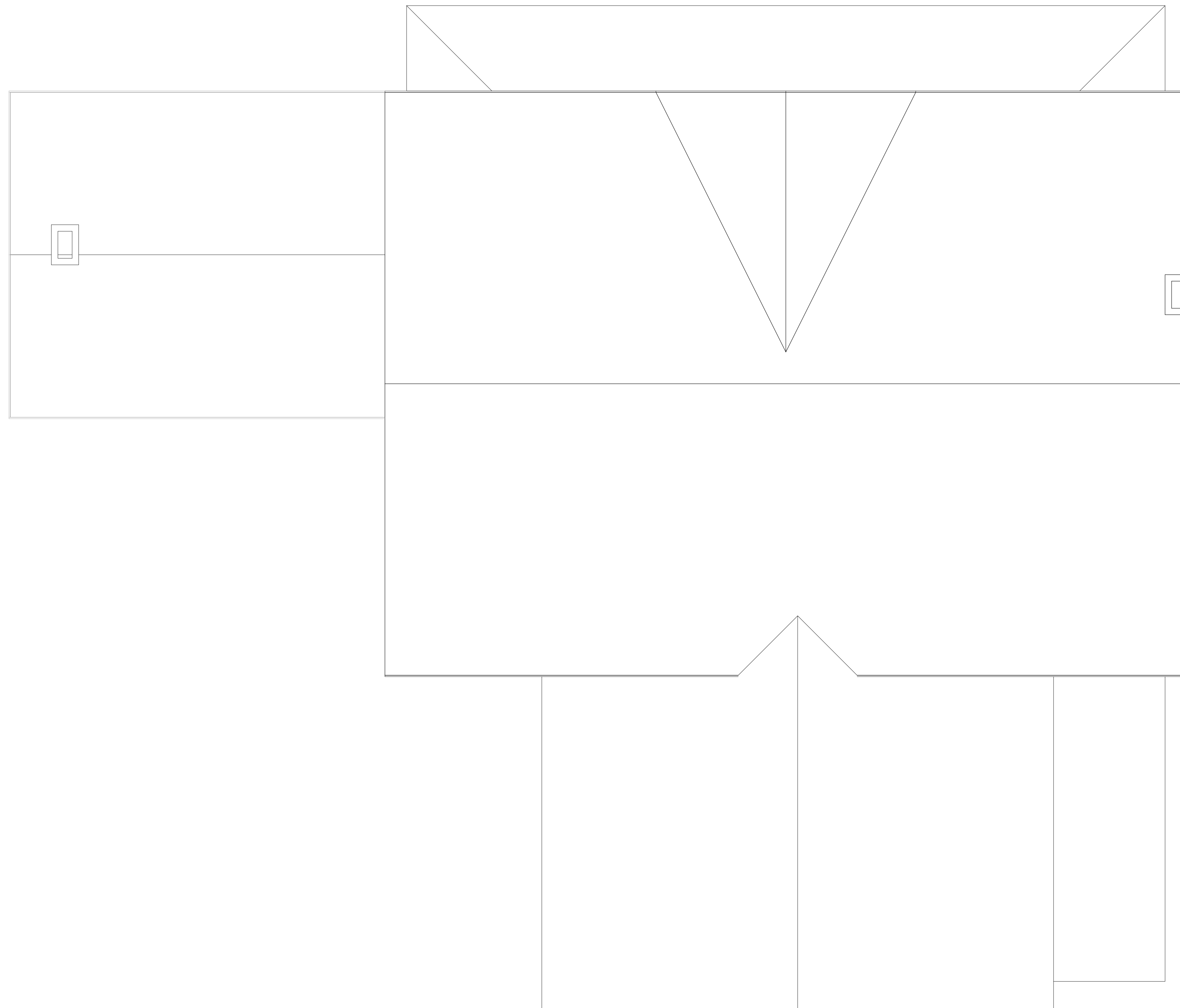
IDM (2005)
CONSULTANTS INC.

5325 HARVESTER RD,
BURLINGTON ONTARIO L9L 0A3
TEL. 905-928-2542

653 SAFARI ROAD
FLAMBOROUGH

EXIST. SECOND
FLOOR PLAN

Project number	Project Number
Date	26/05/2020
Drawn by	S.K.
Checked by	P.T.
S-102	
Scale	3/8" = 1'-0"



1 EXISTING ROOF PLAN

[illegible]

IDM (2005)
CONSULTANTS INC.

5325 HARVESTER RD,
BURLINGTON ONTARIO L9L 0A3
TEL. 905-928-2542

653 SAFARI ROAD
FLAMBOROUGH

EXISTING ROOF
PLAN

Project number	Project Number
Date	26/05/2020
Drawn by	S.K.
Checked by	P.T.
S-103	
Scale	3/8" = 1'-0"



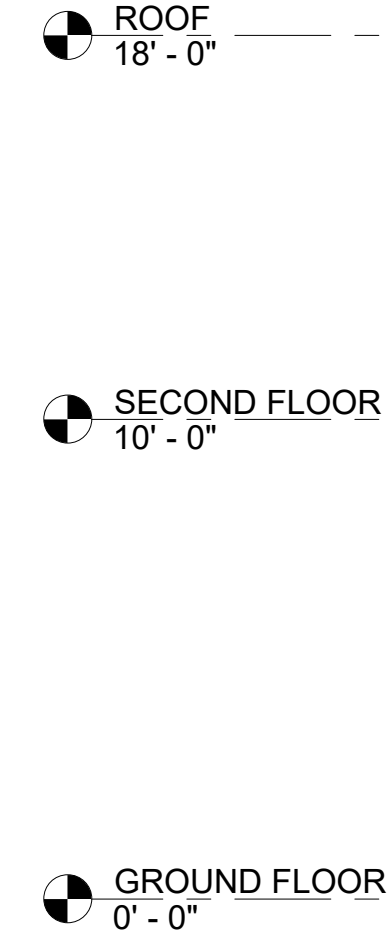
IDM (2005)
CONSULTANTS INC.

5325 HARVESTER RD,
BURLINGTON ONTARIO L9L 0A3
TEL. 905-928-2542

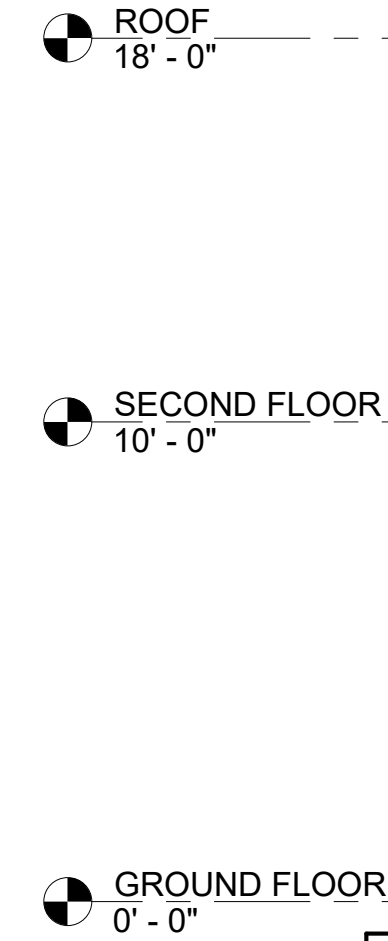
653 SAFARI ROAD
FLAMBOROUGH

EXISTING ELEVATIONS

Project number	Project Number
Date	26/05/2020
Drawn by	S.K.
Checked by	P.T.
S-200	
Scale	1/4" = 1'-0"



$\frac{1}{4}'' = 1'-0''$



2 $1/4" = 1'-0"$

<h1 style="text-align: center;">EXISTING ELEVATIONS</h1>	
Project number	Project Number
Date	26/05/2020
Drawn by	S.K.
Checked by	P.T.
<h2 style="font-size: 48px;">S-201</h2>	
Scale	1/4" = 1'-0"



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

FOR OFFICE USE ONLY.

APPLICATION NO. _____ DATE APPLICATION RECEIVED _____

PAID _____ DATE APPLICATION DEEMED COMPLETE _____

SECRETARY'S
SIGNATURE _____

The Planning Act

Application for Minor Variance or for Permission

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

1, 2	NAME	MAILING ADDRESS	
Registered Owners(s)	SINGH GREENHOLD		
Applicant(s)*	IDM(2005) Consultants Inc.		
Agent or Solicitor	Same as above		Phone:
			E-mail:

Note: Unless otherwise requested all communications will be sent to the agent, if any.

3. Names and addresses of any mortgagees, holders of charges or other encumbrances:

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

4. Nature and extent of relief applied for:

Please refer to the attached Appendix.

☒ Secondary Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

The current Bylaw allows only Temporary Farmhouse.

6. Legal description and Address of subject lands (registered plan number and lot number or other legal description and where applicable, **street and street number**):

Lot 11, Cone. 7 Township of West Flamborough
653 Safari Rd, Flamborough

7. PREVIOUS USE OF PROPERTY

Residential ☐ Industrial ☐ Commercial ☐

Agricultural ☒ Vacant ☐ Other ☐

Other _____

- 8.1 If Industrial or Commercial, specify use No

- 8.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes ☒ No ☐ Unknown ☐

- 8.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes ☐ No ☒ Unknown ☒

- 8.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes ☐ No ☐ Unknown ☒

- 8.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes ☐ No ☐ Unknown ☒

- 8.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?

Yes ☐ No ☐ Unknown ☒

- 8.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes ☐ No ☐ Unknown ☒

- 8.8 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 ☐

- 8.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?

Yes ☐ No ☐ Unknown ☒

8.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes ☐ No ☒ Unknown ☐

8.11 What information did you use to determine the answers to 8.1 to 8.10 above?

Local knowledge


8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, 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 ☐

9. ACKNOWLEDGEMENT CLAUSE

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application

JUNE 11, 2021
Date


Signature Property Owner(s)

TERANTIT SINGH
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>449.98 m</u>
Depth	<u>911.90 m</u>
Area	<u>410336.76 sq.m (= 100 Ac)</u>
Width of street	<u>26.0 m</u>

11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: Two stories, width = 27 ft, length = 23 ft
Ht. 24 ft.

Proposed

— Same as above —

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

Existing: South Setback (from Safari Rd) = 95.0 m
East " = 7100 m
West " = 200 m
North " = 300 m

Proposed:

— Same as above —

13. Date of acquisition of subject lands:
Sept 2011
14. Date of construction of all buildings and structures on subject lands:
More than 50 years old
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Single family
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Single family, farming, greenhouses
17. Length of time the existing uses of the subject property have continued:
Since 1970s
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|--------------------------|-----------|--------------------------|
| Water | <input type="checkbox"/> | Connected | <input type="checkbox"/> |
| Sanitary Sewer | <input type="checkbox"/> | Connected | <input type="checkbox"/> |
| Storm Sewers | <input type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
Agricultural A3
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
21. Has the owner previously applied for relief in respect of the subject property?
Yes ☐ No ☒
If the answer is yes, describe briefly.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
Yes ☐ No ☒
23. Additional Information
24. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

Appendix

Application for a Minor Variance

653 Safari Rd, Flamborough

Our agricultural operation currently consists of growing English Cucumbers at 629 Safari Rd and 87 Carlisle Rd, in Freelon and Carlisle respectively. The greenhouses at 629 Safari Rd are 12 acres in size and the greenhouses at 87 Carlisle Road are 6 acres with an additional 4 acres under site plan review with the City.

We have had Site Alteration permit to grade 653 Safari Rd to construct approximately 40 Acres of Greenhouse in order to prepare for a greenhouse after a site plan approval from the City. The discussions have already started with the City, Conservation Halton and Hamilton Conservation Authority as to the requirements of Site Plan approval process. We plan to submit an application in the coming months. This operation alone will require approximately 60 farm labourers.

The greenhouse operates on a 24/7, 365 days schedule. Even though a lot of operation has been automated, we still need about 30 farm labourers to carry out the day to day operation. Due to the sensitivity of the vegetable growing operation, staff sometimes has to attend to it in the middle of the night. That is the main reason we need staff to be in close proximity of the greenhouses. With the two operations under way, we are planning to cross employ farm labour between the two operations.

The existing house on site has been modified to meet the Ontario Building Code as well as Service Canada requirements. However, it has not been designated as a Farm Labour House due to current by-law. We do want to maintain the existing house as a Farm Labour House. It has its own potable water system and an independent septic system – approved by the City's Building Department. It has its own driveway as well.

Based on the needs of the operation, we are applying for the following Variances:

- Section 12.2.4.1 of zoning by law 05-200 states that a Farm labour house if detached should be temporary in nature. We are requesting that the current house on site be designated as a permanent Farm Labour House with its own driveway access.
- Further, there is a Rural Official Plan policy that requires the dwelling to be on same septic system as the main residence. We are requesting that the Permanent farm house be on an independent septic and potable water system.
- Further, the zoning allows only one Farm Labour House on one property. Due to the nature of our business and the requirements by the health department and current pandemic, we will require more than one Farm Labour House on the property. Our request is to allow multiple Farm labour house as long as the houses meet the regulatory requirements set out by Ontario Building Code and the Health Department requirements.
- Please allow one principal residence at 653 Safari rd in addition to multiple Farm Labour Houses on site independent of the principal residence.