

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-21:362

APPLICANTS: Agent Zoltan Engineering Inc. c/o Tara Veurink
Owner Todd & Naomi Shepherd

SUBJECT PROPERTY: Municipal address **1384 Hwy #8, Flamborough**

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

ZONING: "A1" (Agricultural) district

PROPOSAL: To permit the construction of a new 69.3m² accessory building notwithstanding that:

1. An accessory building shall be located within the front yard whereas the by-law prohibits an accessory structure to be within a front or flankage yard.
2. Eaves and gutters may project 0.49m into the required side yard whereas the by-law permits eaves and gutters associated with an accessory building to encroach a maximum of 0.45m into a required yard.
3. A building height of 7.7m shall be permitted instead of the maximum permitted accessory building height of 6.0m.

NOTES:

- i. The applicant shall be advised that accessory buildings shall not be used for human habitation pursuant to subsection 4.8(a) of Hamilton Zoning By-law 05-200.

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

DATE: Thursday, November 4th, 2021
TIME: 1:35 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: October 19th, 2021.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

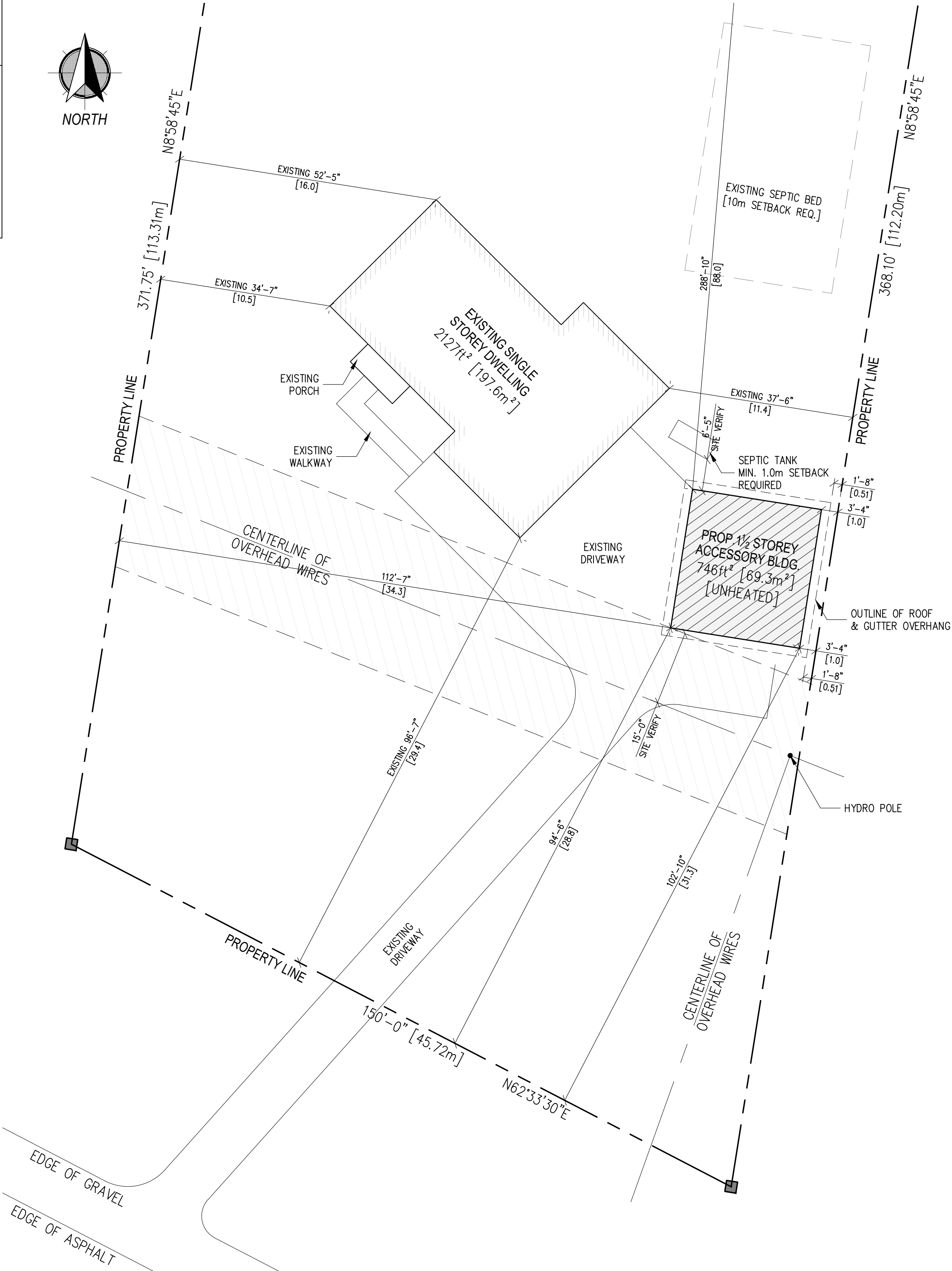
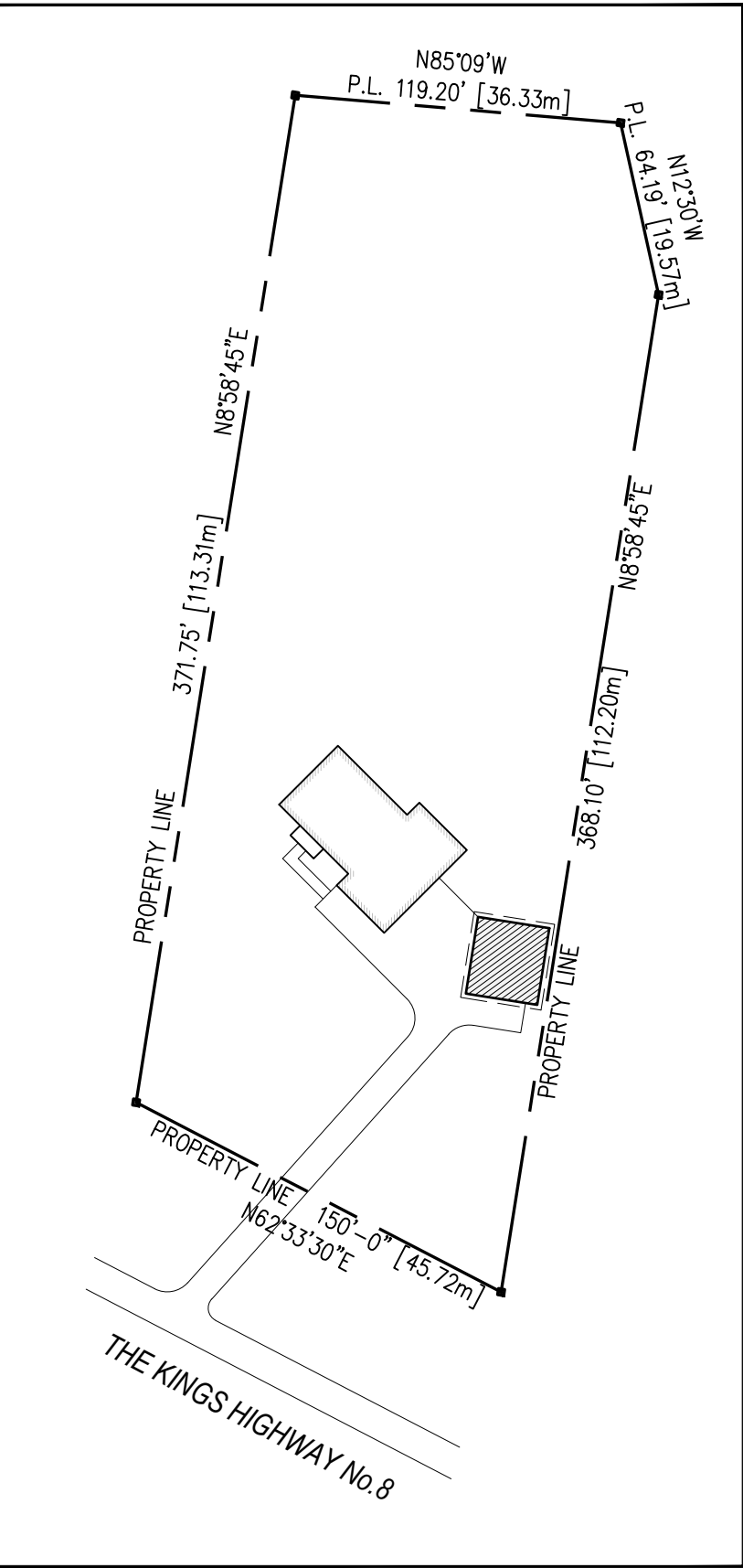
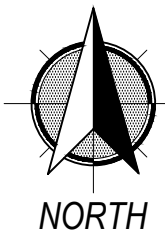
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.

ZONING STATISTICS - 1384 Highway No. 8, Flamborough, ON

A1 - Agriculture - Rural Zoning

Accessory Building - In accordance with the requirements of
Sections 4.8 and 4.8.2 of this By-law.

ITEM	REQUIRED	PROVIDED	COMPLIANCE
LOT AREA	40.4 HECTARES	0.523 HECTARES [5228.7m ²]	EXIST.
LOT COVERAGE	5% [MAX. 200m ²]	1.3% [69.3m ²]	Y
NOT PERMITTED WITHIN A FRONT YARD	--	27.6m	Y
MINIMUM SIDE YARD [EAST]	1.0m	1.0m	Y
MINIMUM SIDE YARD [WEST]	1.0m	34.3m	Y
MINIMUM REAR YARD	1.0m	89.3m	Y
MAXIMUM BUILDING HEIGHT	6.0m	7.61m	N



THESE DESIGN DOCUMENTS ARE PREPARED SOLELY FOR THE
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HAS ENTERED INTO A CONTRACT AND THERE ARE NO
REPRESENTATIONS OF ANY KIND MADE BY THE DESIGN
PROFESSIONAL TO ANY PARTY WITH WHOM THE DESIGN
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DO NOT SCALE DRAWINGS. THE CONTRACTOR SHALL CHECK
AND VERIFY ALL DIMENSIONS AND REPORT ANY ERRORS AND
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USED FOR CONSTRUCTION UNLESS MARKED AS "ISSUED FOR
CONSTRUCTION", CERTIFIED AND DATED.

2	01JUN21	ISSUED FOR MINOR VARIANCE
1	20MAY21	ISSUED FOR APPROVAL
0	20APR21	ISSUED FOR APPROVAL
REV.	DATE	REMARKS

ZOLTAN
ENGINEERING
4380 S Service Road, Suite #25
Burlington, ON L7L 5Y6
905.331.8307
www.zoltanengineering.com

PROJECT TITLE

SHEPHERD ACCESSORY BUILDING

1384 HWY 8
FLAMBOROUGH, ONTARIO

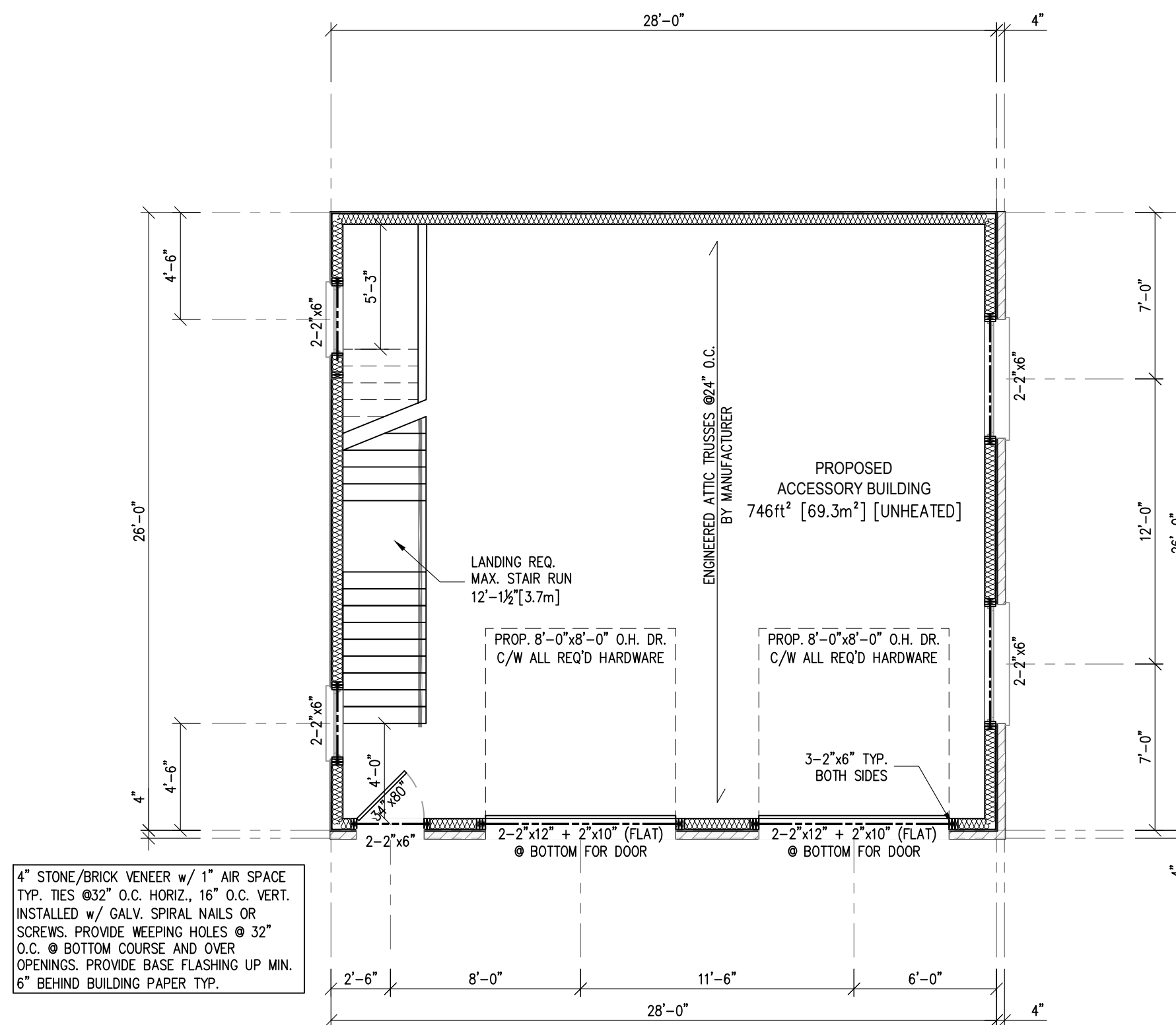
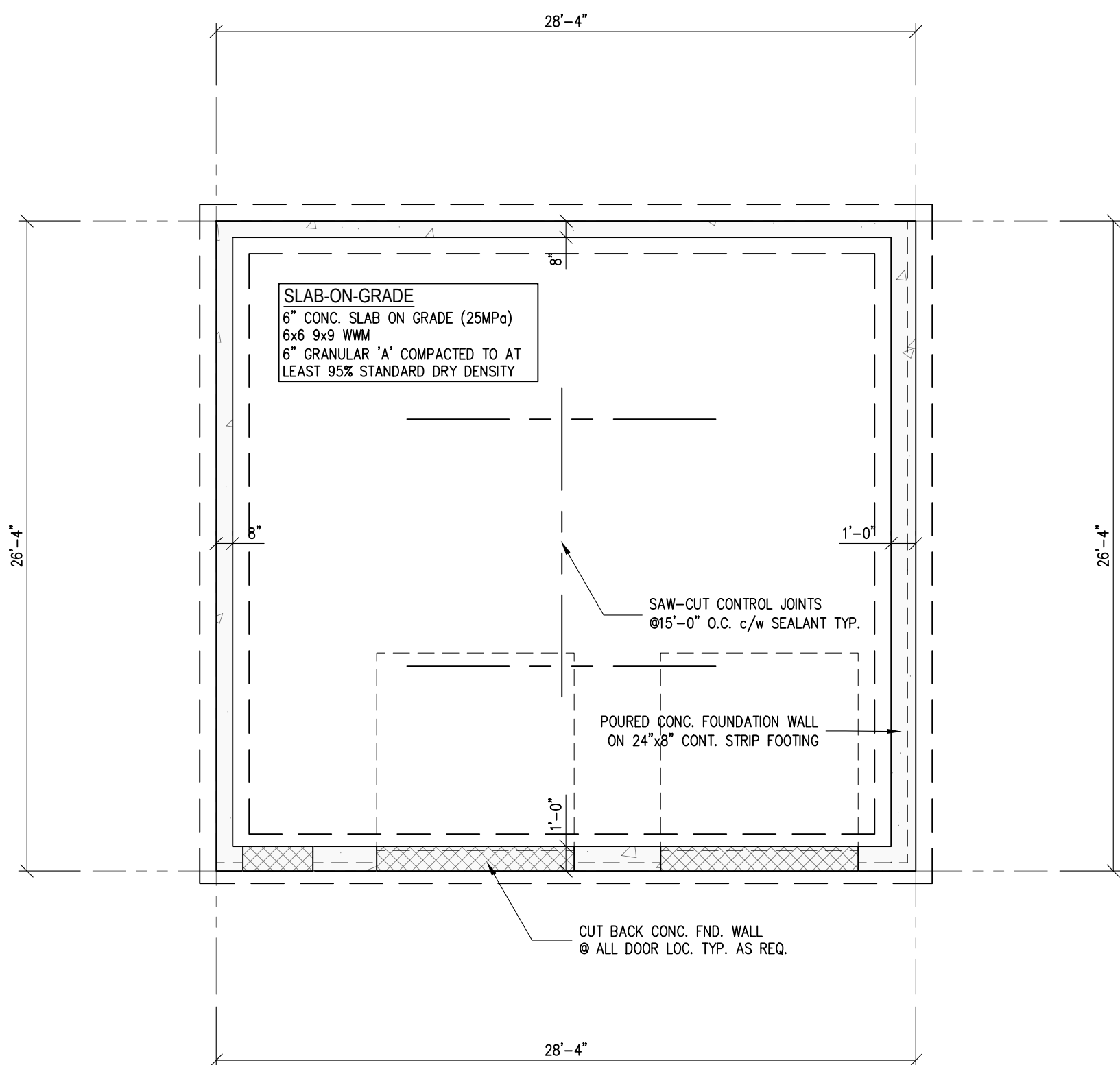
DRAWING TITLE

ARRANGEMENT PLAN

SCALE	AS NOTED	STAMPED FOR MINOR VARIANCE
DATE	01JUN21	
DRAWN	TV	
DESIGNED	ZL	
CHECKED	ZL	

PROJECT No. 21-085
SHEET No. S1





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PROJECT TITLE

SHEPHERD ACCESSORY BUILDING

1384 HWY 8
FLAMBOROUGH, ONTARIO

DRAWING TITLE

FOUNDATION PLAN
& GROUND FLOOR FRAMING PLAN

SCALE AS NOTED

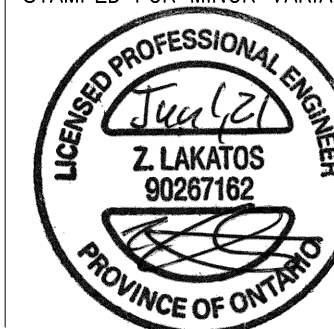
DATE 01JUN21

DRAWN TV

DESIGNED ZL

CHECKED ZL

STAMPED FOR MINOR VARIANCE



PROJECT No.

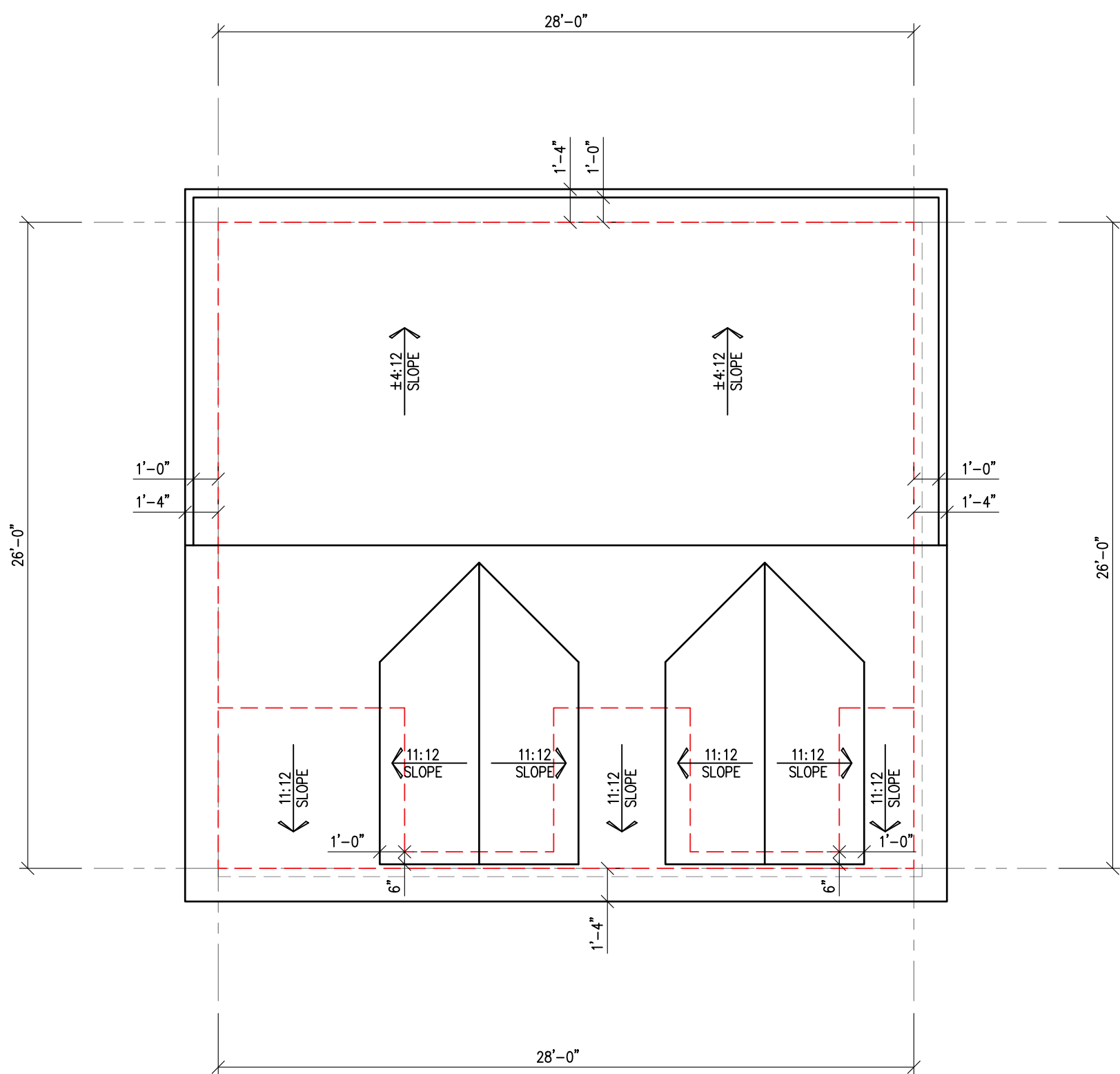
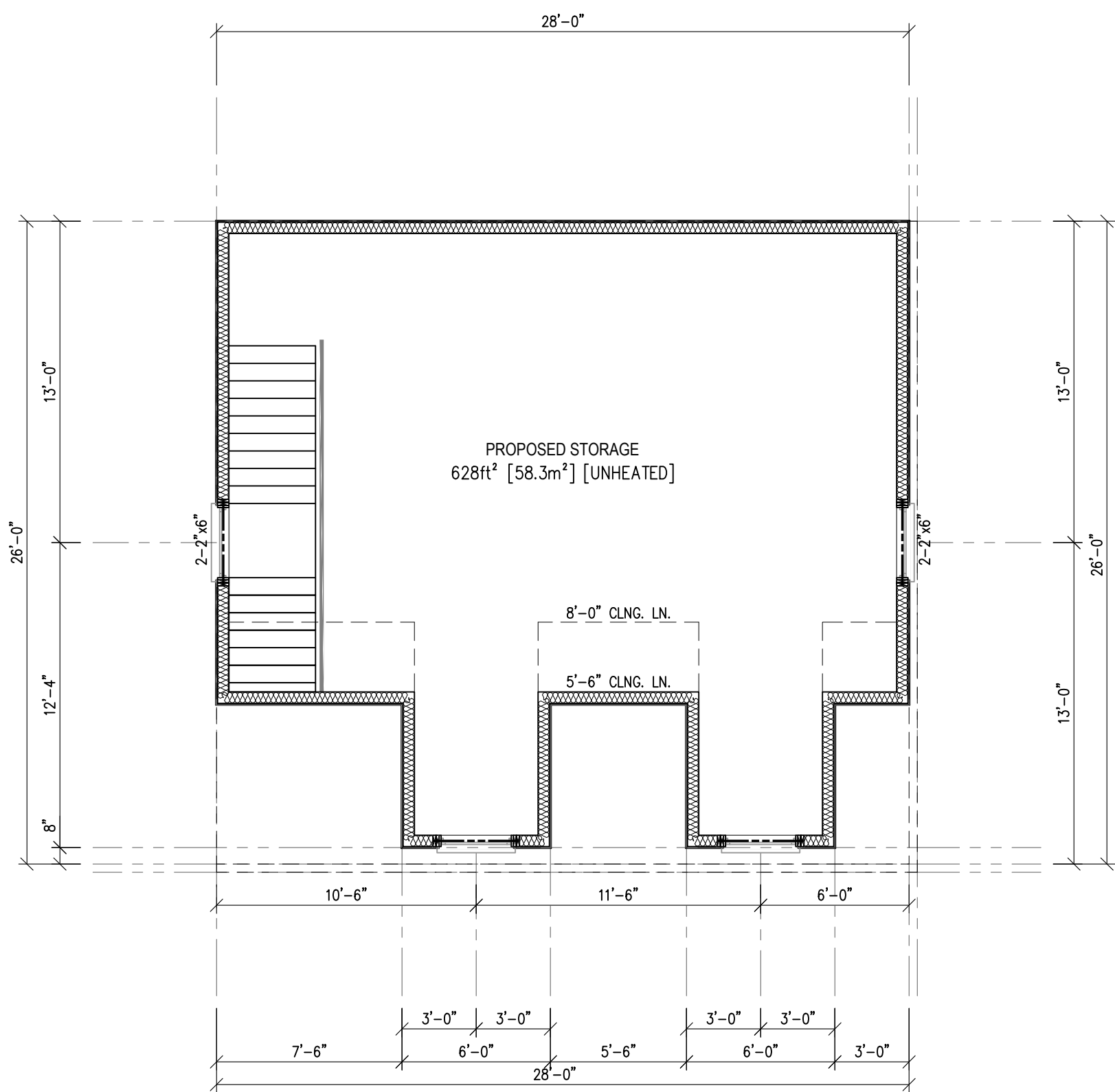
21-085

SHEET No.

A1

1

CLIMATIC DATA	
(HAMILTON ESCARPMENT, WEST OF AIRPORT)	
Ss =	1.5kPa
Sr =	0.4kPa
Cs =	0.91kPa
q(½a) =	0.46kPa
DESIGN LOADS	
SNOW LOAD =	31.5psf
DEAD LOAD =	15psf



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PROJECT TITLE

SHEPHERD ACCESSORY BUILDING

1384 HWY 8
FLAMBOROUGH, ONTARIO

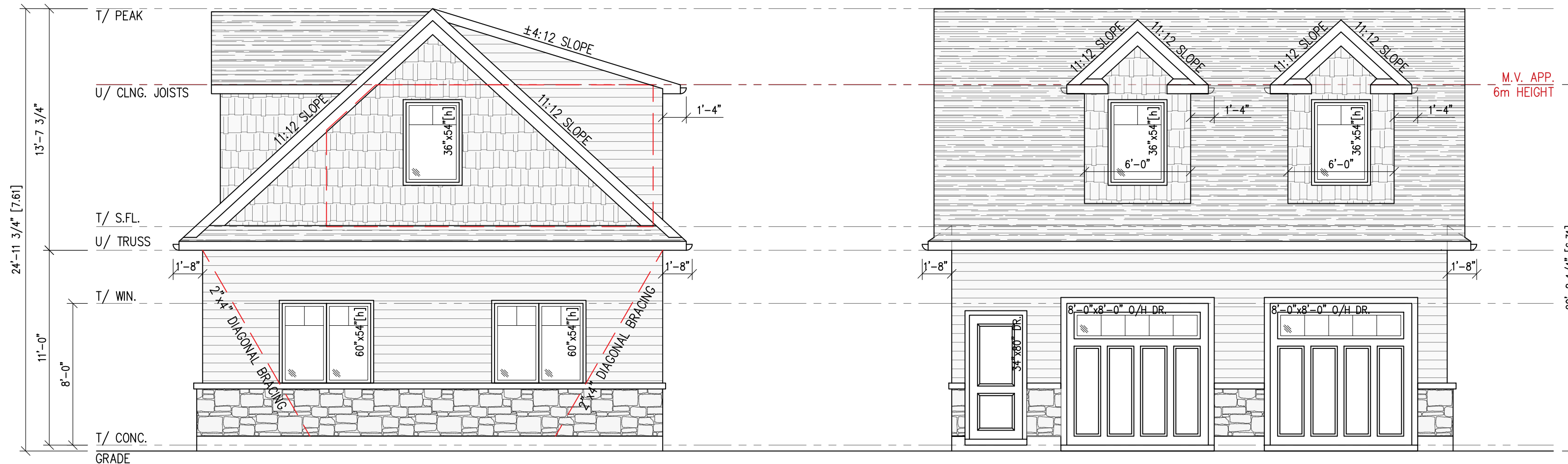
DRAWING TITLE

SECOND FLOOR FRAMING PLAN
& ROOF FRAMING PLAN

SCALE	AS NOTED	STAMPED FOR MINOR VARIANCE
DATE	01JUN21	
DRAWN	TV	
DESIGNED	ZL	
CHECKED	ZL	

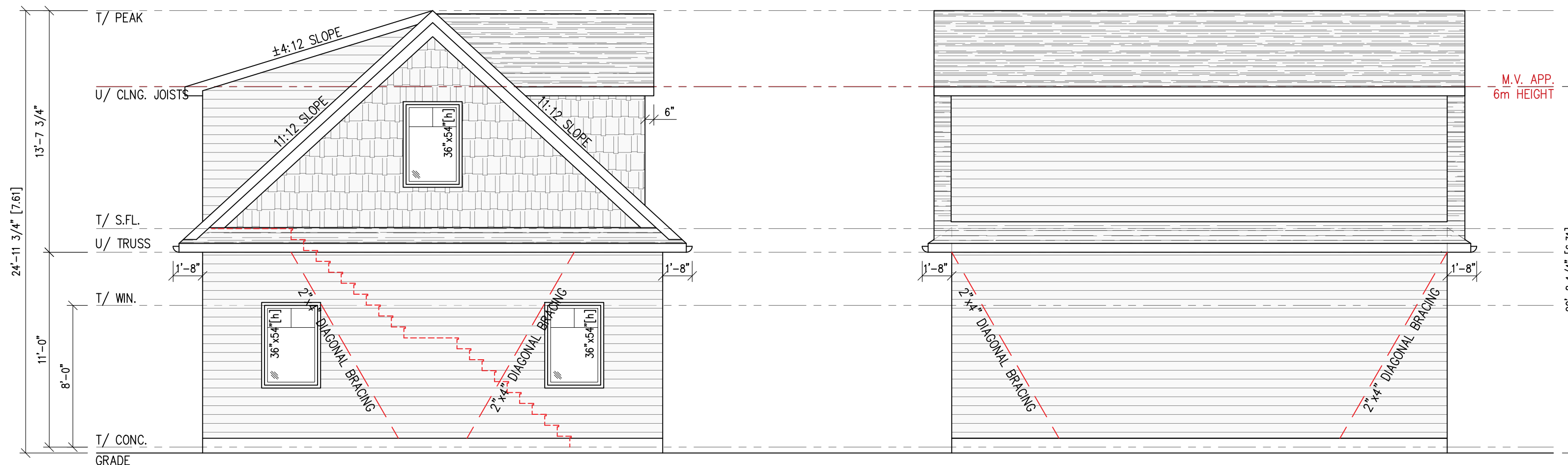
PROJECT No.	SHEET No.
21-085	A2





1 SIDE ELEVATION
Scale: 3/16"=1'-0"

2 FRONT ELEVATION
Scale: 3/16"=1'-0"



3 SIDE ELEVATION
Scale: 3/16"=1'-0"

4 REAR ELEVATION
Scale: 3/16"=1'-0"

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REV.	DATE	REMARKS

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PROJECT TITLE
SHEPHERD ACCESSORY BUILDING
1384 HWY 8
FLAMBOROUGH, ONTARIO

DRAWING TITLE
ELEVATIONS

SCALE	AS NOTED	STAMPED FOR MINOR VARIANCE
DATE	01JUN21	
DRAWN	TV	
DESIGNED	ZL	
CHECKED	ZL	

PROJECT No. **21-085** SHEET No. **A3**



**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

Registered
Owners(s)

Applicant(s)*

Agent or
Solicitor

Note: Unk
any

3. Names and addresses of any mortgagees, holders of charges or other encumbrances:
TD Canada Trust, 231 Guelph St.
Georgetown, Ontario
L7G 4A8

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:

Proposed a maximum building height of 7.62 [25'-0"] which is more than allowed

☐ Secondary Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

Owner would like to build an accessory building that does not meet the required maximum height.

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**):

1384 Highway 8 PT. LT3, Conc 7 Beverly Part 1, Flamborough, 62R4534
T/W CD 116685

7. PREVIOUS USE OF PROPERTY

Residential ☒ Industrial ☐ Commercial ☐

Agricultural ☐ Vacant ☐ Other ☐

Other _____

- 8.1 If Industrial or Commercial, specify use _____

- 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?

20 years on the property, purchased from owner and 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.

7/19/21
Date

[Signature]
Signature Property Owner(s)

TODD & NAOMI SHEPHERD
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>45.72m</u>
Depth	<u>113.31m</u>
Area	<u>5229m²</u>
Width of street	<u>40m</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: _

Existing Residence:

GFA = 197.6m², 1 Storey,

Width = 18.3m, Depth = 13.0m, Height = 5.5m

Proposed

Accessory Building:

GFA = 69.3m², 1-1/2 Storey,

Width = 8.64m, Depth = 8.02m, Height = 7.62m

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

Existing:

Existing Residence

Front - 29.4m, Rear - 71.6m, Right (East) - 11.4m, Left (West) 10.5m

Proposed:

Accessory Building:

Front - 28.8m, Rear - 88.0m, Right (East) - 1.0m, Left (West) 34.3m

13. Date of acquisition of subject lands:
Aug. 23, 2002
-
14. Date of construction of all buildings and structures on subject lands:
1980
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Residential (Single Family)
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Residential (Single Family) and Agricultural
17. Length of time the existing uses of the subject property have continued:
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:
N/A
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
N/A
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.