

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: <u>cofa@hamilton.ca</u>

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-21:354 |
|-------------------|--|
| APPLICANTS: | Owner Ryan Klaas |
| SUBJECT PROPERTY: | Municipal address 1824 Concession 8 Rd. W., Flamborough |
| ZONING BY-LAW: | Zoning By-law 05-200, as Amended 15-173 |
| ZONING: | "S1, Exception 53 and P8" (Settlement Residential, Modified (S1, Ex.53) and Conservation/Hazard - Rural (P8)) district |

PROPOSAL: To permit the construction of an accessory building to be used for a garage for a proposed single detached dwelling, notwithstanding that:

1. The maximum height for an accessory building shall be 6.4 metres instead of 4.5 metres;

2. The maximum aggregate gross floor area for accessory buildings shall be 108 square metres instead of the maximum 45 square metres;

NOTES:

1. The variance was written as requested by the applicant except that a second variance was included to address the maximum gross floor area for accessory buildings.

2. The 1.1 ha lot was created by Consent Application FL/B-19:134, approved October 1, 2020. The property is currently vacant but building permits have been submitted and are under review for a new single detached dwelling and the proposed accessory building. The applicant is intending to construct the proposed accessory building after the single detached dwelling has been constructed in accordance with City of Hamilton Zoning Bylaw 05-200.

3. The property is within the Kirkwall Settlement Area. The portion of the property subject to the proposed development is zoned S1, Exception 53. The portion zoned P8 is located near the northerly part of the property abutting Concession 8 Road West.

4. The property is regulated by the Grand River Conservation Authority.

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

| DATE: TIME: | Thursday, November 4th, 2021 1:40 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

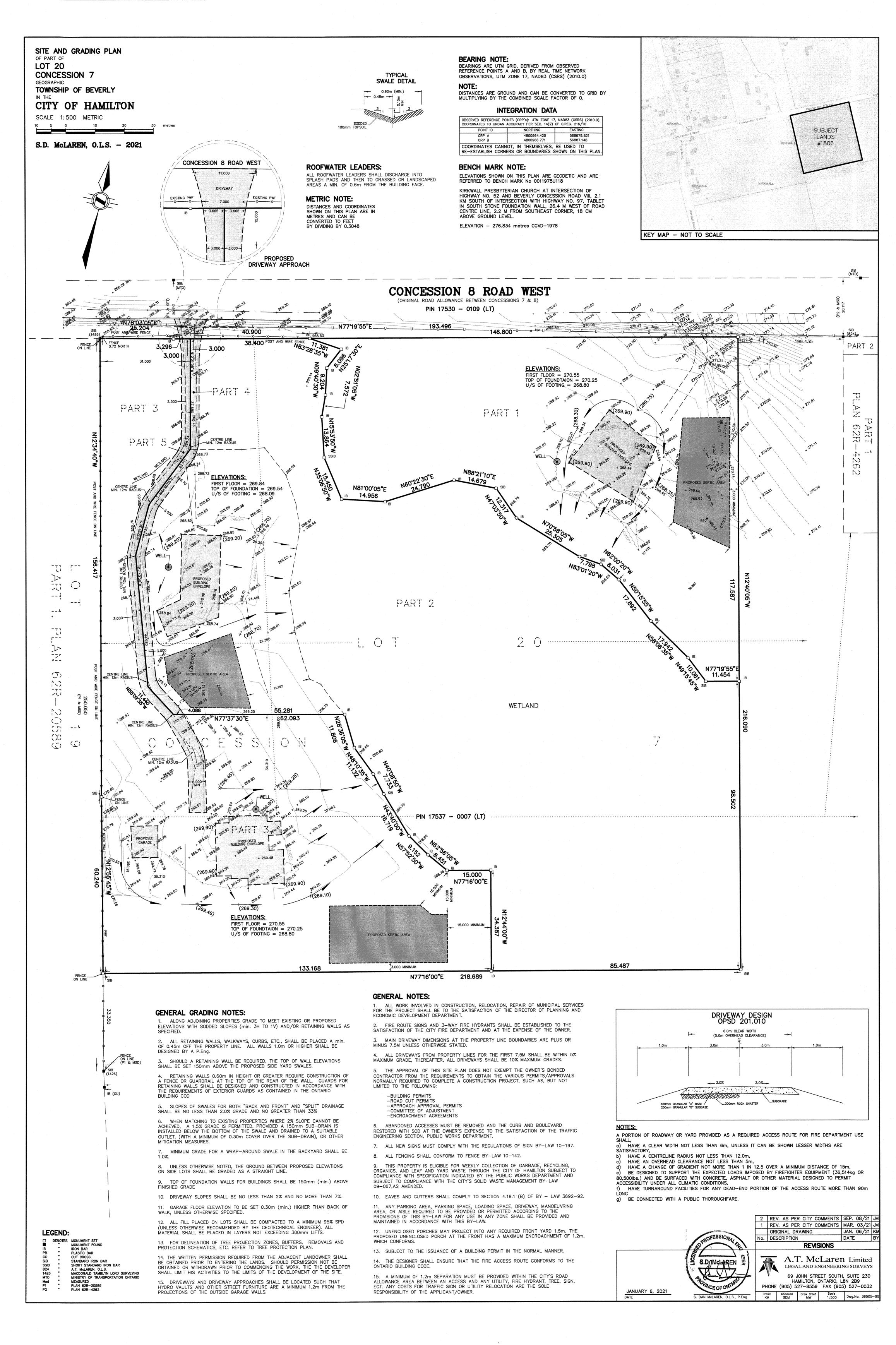
For more information on this matter, including access to drawings illustrating this request:

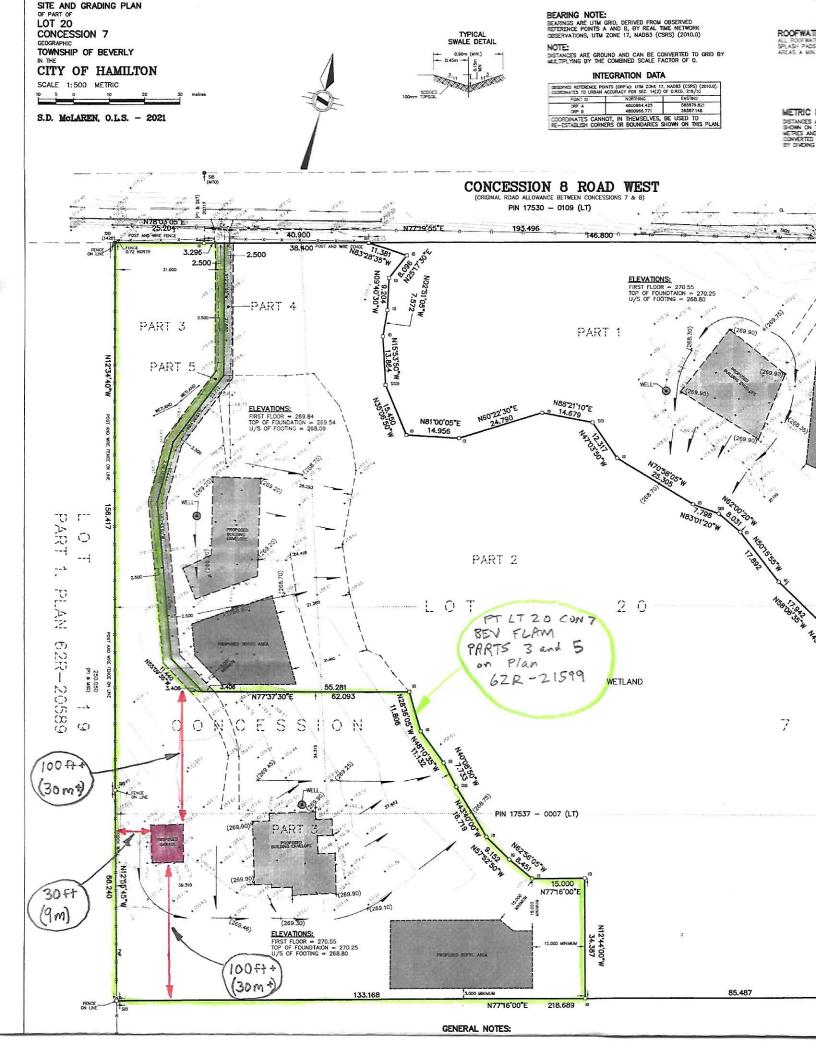
- Visit <u>www.hamilton.ca/committeeofadjustment</u>
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at <u>cofa@hamilton.ca</u>

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.







Committee of Adjustment City Hall, 5th Floor, 71 Main St. W., Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221 Email: <u>cofa@hamilton.ca</u>

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) | | | |
| Applicant(s)* | | | |
| Agent or Solicitor | | | |
| | | | |

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

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:

garage

| □ Secondary Dwelling Unit □ Reconstruction of Existing Dwelling 5. Why it is not possible to comply with the provisions of the By-law? • The pitch of the transformed plan and the floor to ceiling. • The potch of the transformed plan number of the height requirement to grange (12 Feet) 6. Legal description and Address of subject lands (registered plan number or other legal description and Address of subject lands (registered plan number) PT LT 20 CON 7, BEV, FLAM, Parts 3 and 5 on flan 62R - 215991 - 18 Z4 Con, 8 W ; FLAMBor Resusch , NIR 552 7. PREVIOUS USE OF PROPERTY Residential Industrial Other □ 0ther □ 0ther □ 0ther □ 0ther □ 0ther □ 0ther □ 11 If Industrial or Commercial, specify use | | |
|--|----------------|--|
| 6. Legal description and Address of subject lands (registered plan number and lot number of other legal description and where applicable, street and street number): PT LT ZO CON 7, BEV, FLAMM, farts 3 and 5 on flan 62R - 21599 -1824 Con, 8 W ; FLAMM, scewst, NIR 552 7. PREVIOUS USE OF PROPERTY Residential I Industrial Commercial Agricultural Vacant Other Other Other Other Commercial, specify use | | |
| 7. PREVIOUS USE OF PROPERTY Residential Industrial Commercial Agricultural Vacant Other Other Other Other Tree As the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred? Yes No Unknown Has there been petroleum or other fuel stored on the subject land or adjacent lands at any time? Yes No Unknown Unknown Has there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands? Yes No Unknown Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands? Yes No Unknown Unknown Are there or have there 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 Inver the lands or adjacent lands ever been used as a weapon firing range? Yes No Unknown 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 Unknown 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)? | 6. P1 Pa | Legal description and Address of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number): TLT ZO CON 7, BEV, FLAM, rHs 3 and 5 on Plan 62R - 21599 |
| Residential Industrial Commercial Agricultural Vacant Other Other Tree form 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 8.4 Has there or have there ever been underground storage tanks or buried waste 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 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 a weapon firing range? Yes No Unknown 8.6 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/anon-operat | - | 1824 Con. & W, FLAMBOROUGH, NIR 552 |
| Agricultural Vacant Vacant Other Other | 7. | PREVIOUS USE OF PROPERTY |
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| | 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)? |

8.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites? Unknown (No (Q) Yes (

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

because our family has owned the property before myself for lover 40 years.

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

ACKNOWLEDGEMENT CLAUSE 9.

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.

Signature Property Owner(s) Sept. 21/21 RYAN KLARS Print Name of Owner(s)

- Jurage dimensions & lands affected Dimensions of lands affected: 10. Frontage M Depth approx 75 Area Width of street
 - Particulars of all buildings and structures on or proposed for the subject lands: (Specify 11. ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing:

n/a

Refer to blueprint / design Proposed

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

Existing:

Proposed:

Refer to site plan

n/a

13. Date of acquisition of subject lands:

14. Date of construction of all buildings and structures on subject lands:
$$N \propto$$

July

15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
 Vacant land

12 2021

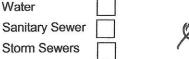
Connected

16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):

17. Length of time the existing uses of the subject property have continued:

-over 40 years

18. Municipal services available: (check the appropriate space or spaces) Water Connected



19. Present Official Plan/Secondary Plan provisions applying to the land:

residential - Hamlet settlement

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 No

If the answer is yes, describe briefly.

Yes X

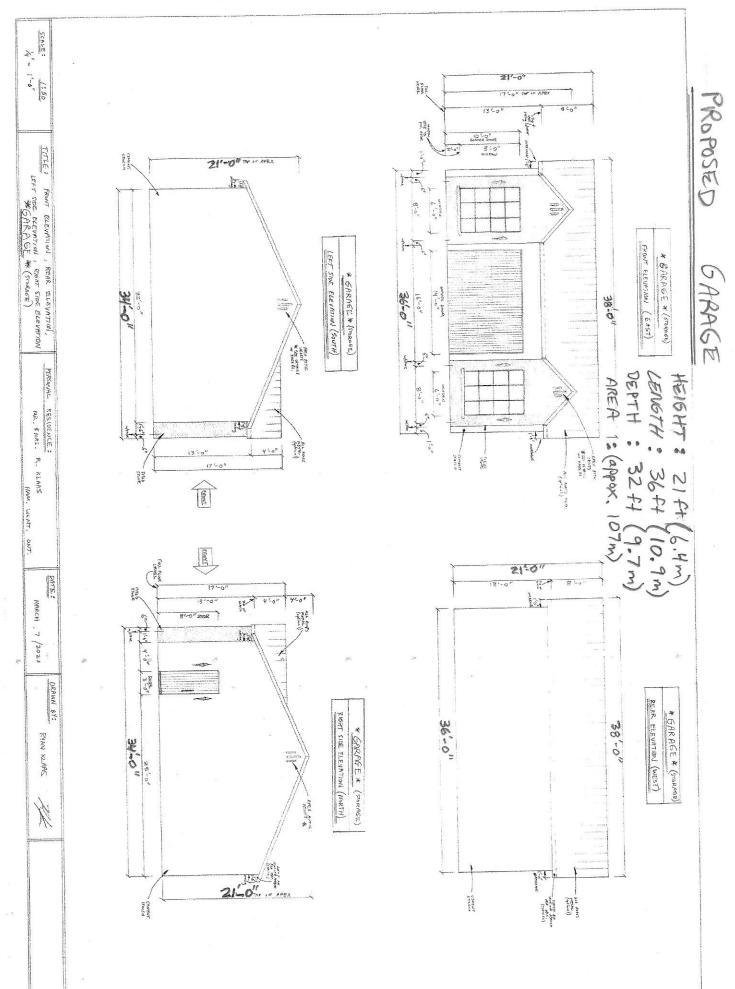
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?

23. Additional Information

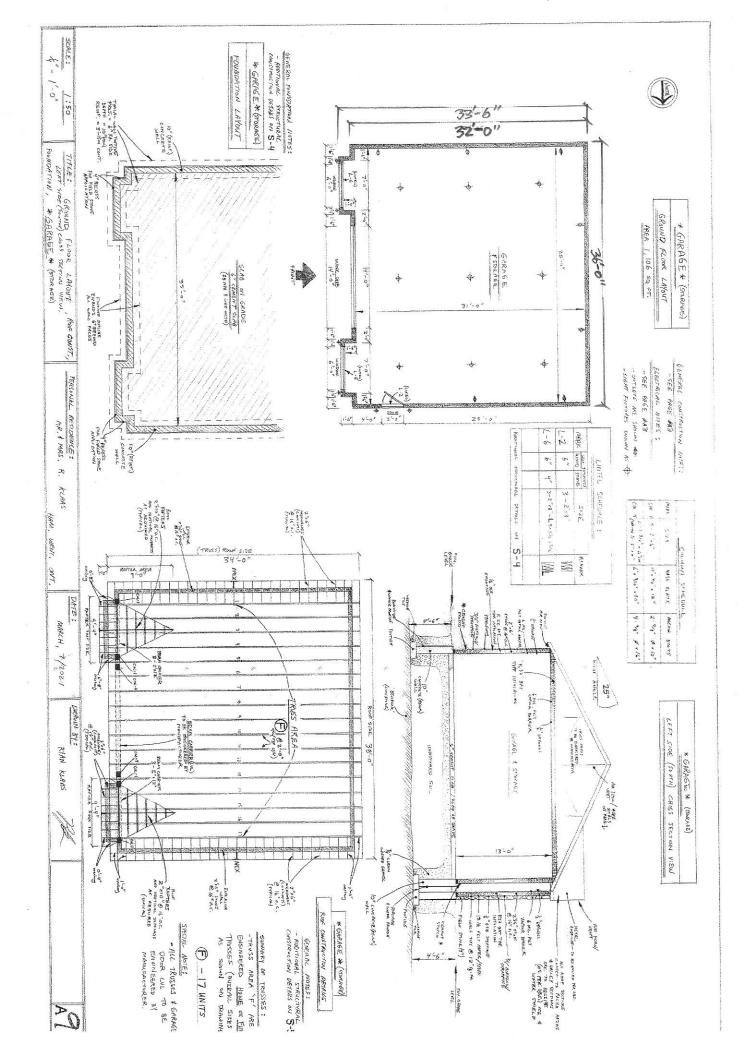
- Consent Agreement was approved as part of the COFA severance application approval

No()

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.



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Administration Centre: 400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6

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Phone: 519-621-2761 Toll free: 1-866-900-4722 Fax: 519-621-4844 www.grandriver.ca

September 7, 2021

Ryan Klaas, Nathan Klaas & Aaron Klaas 1285 Kirkwall Road Cambridge, ON N1R 5S2

Re: Application for Permission No. 715/21, Pursuant to Ontario Regulation 150/06

The Grand River Conservation Authority approved your application on September 2, 2021. The permit and attached schedules are enclosed. The schedules form part of the permit and describe the work as approved by the Grand River Conservation Authority. Any changes to these plans must be reviewed and approved by Grand River Conservation Authority staff.

Please note that this permission is based on existing information, policies, and practices, and does not bind nor imply that any other permission will be forthcoming. Please review when the permit expires (maximum is 2 years) and keep a copy of the permit on-site.

If you have questions regarding this letter or the conditions described on the permit, please contact Jenn Simons, Resource Planner, at (519) 621-2763 ext. 2230.

Encl.

c.c. Clerk, City of Hamilton Building Inspector, City of Hamilton

Member of Conservation Ontario, representing Ontario's 36 Conservation Authorities | The Grand – A Canadian Heritage River



And expires on:

Grand River Conservation Authority

Under Ontario Regulation 150/06 made under the Conservation Authorities Act, R.S.O. 1990, Chapter C.27, permission is granted to:

Ryan Klaas, Nathan Klaas & Aaron Klaas

Whose address for purposes pertaining to this project is:

1285 Kirkwall Road Cambridge, ON N1R 5S2

To execute proposed works in accordance with the following particulars and conditions:

| Location of Work: | 1816, 1820 & 1824 Concession 8 West City of Hamilton |
|----------------------------|---|
| Purpose of Work: | To construct three residences with septic systems. |
| This permit is valid from: | September 2, 2021 |

The attached Schedules form parts of this permit describing the approved work and must be implemented in order so that the true intent of the permit can be achieved.

September 2, 2023

The Permittee, by acceptance and in consideration of the issuance of this permit, agrees to the conditions listed on the reverse side of Schedule "A".

Dated at Cambridge, Ontario, this 2nd day of September , 2021

GRAND RIVER CONSERVATION AUTHORITY

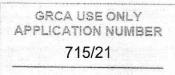
wson

Samantha Lawson, Chief Administrative Officer



Grand River Conservation Authority

Administration Office: 400 Clyde Road, P.O. Box 729, Cambridge, Ontario N1R 5W6 Telephone: 519-621-2761 Fax: (519) 621-4945



Schedule "A" - Application for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Permit (Pursuant to Ontario Regulation 150/06)

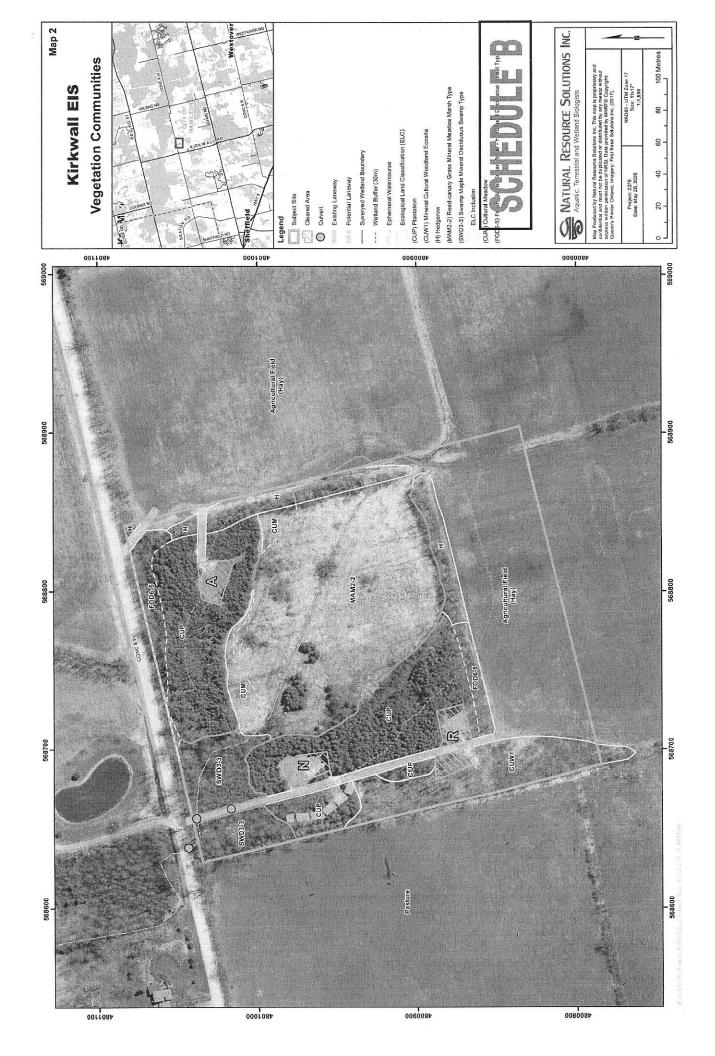
Please read, complete each section as required, attach fee and sign and date this application.

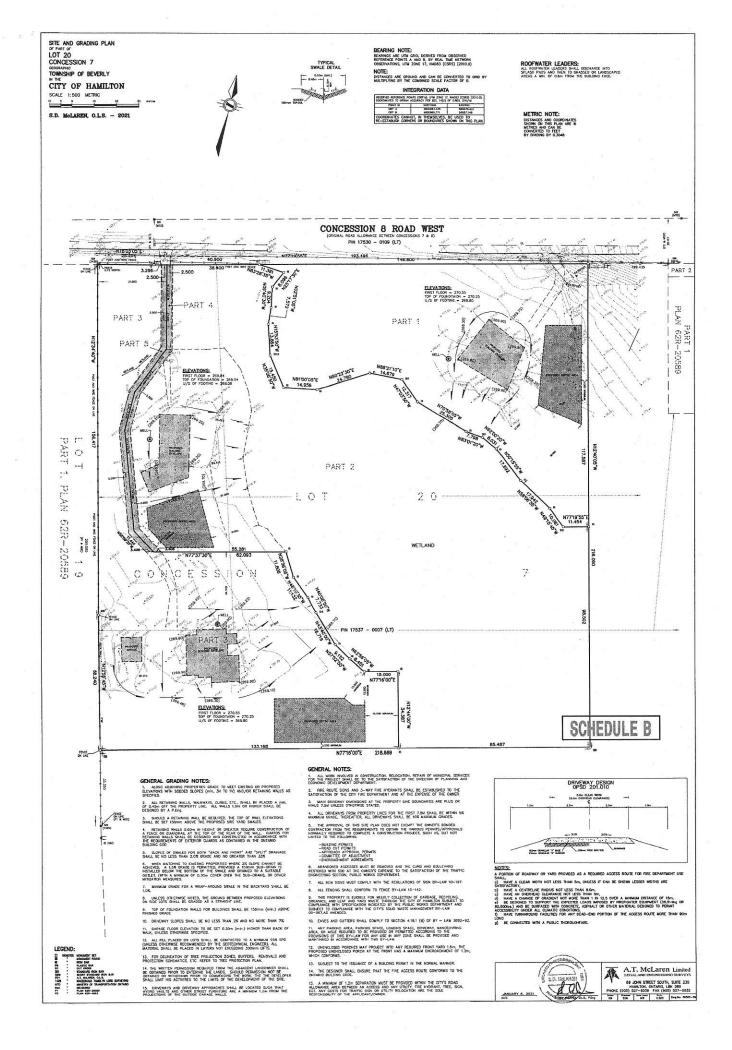
| Owner's name: <u>RYAN K</u> Mailing address: <u>1285</u> | LAAS, NATHAN K | ZAAS, AARON KLAAS | ail: info@Klag | sdesign, com |
|--|--|-----------------------------|---------------------------|--|
| Mailing address: 1285 | KIRKWALL | RD, City/Tow | . CAMBRIDGE Pos | al Code: NIR 55a |
| Telephone: Bus. (571) | 623 4418 Res. | (310)699 6496 | Fax () | |
| Agent's name (Consulta | | | | |
| Mailing address: | | City/Tow | n: Post | al Code: |
| Telephone: Bus. () | | | | |
| Location of proposed we for iginal to the 1806 | ork: | | | |
| Municipal address of prop | erty: (ARWIY desig | nea)# 1816 # | 1820 #182 | 4 |
| City(Town/Village: (Circle One) | MBOROUGH | | County/Regi | on: Hamilton |
| Application is hereby m | ade for: | | | |
| For examples of Minor, Standa | rd and Major applicatio | ons please refer to the Fee | Schedule on pages 3 and | 14. |
| Minor Development | Wetlands, Alteration | to Shorelines & Watercou | Irses | |
| Standard Developmen Standard Interference | | ion to Shorelines & Wate | rcourses | |
| Major Development Major Interference with | n Wetlands, Alteration | to Shorelines & Waterco | urses | |
| Description of propose | d work: Person | nal residen | ces | |
| | | | | |
| This application must inclu | de four (4) <u>FOLDED</u> c | oples of each appropria | ate plan(s) showing the | proposed work. |
| Land Use: Present | farm | Proposed chang | ge (if any) <u>Person</u> | al residences |
| I declare that I have read a | and agree to the Ger | neral Conditions of Per | mit on the reverse of | this form and that all |
| information provided is true | 2. | | Bu - | in the second se |
| Bull | J | aly, 27 2021 | Dan | |
| Signature of Owner | and a second | Date | Signatu | ire of Agent |
| Malan | | | Marte | |
| in the second | | | ger 1er | January 1, 2020 |

- 1. This permit does not absolve the permittee of the responsibility of obtaining necessary permission from applicable federal and provincial agencies or local municipalities.
- 2. The permittee agrees by acceptance of the permit:
 - (a) to indemnity and save harmless, the Grand River Conservation Authority and its officers, employees, or agents, from and against all damage, injury, loss, costs, claims, demands, actions and proceedings, arising out of or resulting from any act or omission of the permittee or of any of his agents, employees or contractors relating to any of the particular terms or conditions of this permit.
 - (b) that this permit shall not release the permittee from any legal liability or obligation and remains in force subject to all limitations, requirements and liabilities imposed by law.
 - (c) that all complaints arising from the proposed works authorized under this permit shall be reported immediately by the permittee to the Grand River Conservation Authority. The permittee shall indicate any action which has been taken, or is planned to be taken, with regard to each complaint.
 - (d) to provide certification of conformance to ensure compliance with the intent of the permit. This certification must be provided by an accredited professional and is to be submitted as may be specified in the permit.
- 3. Authorized representatives of the Grand River Conservation Authority will be granted entry at any time into lands and buildings which are the subject of this permit application in order to make such surveys, examinations, investigations, inspections or other arrangements which such representatives deem necessary.
- 4. The Grand River Conservation Authority may cancel this permit or may change any of the conditions at any time and without prior notice if it is determined that:
 - (a) the works are not in conformance to the intent of the permission granted;
 - (b) the information presented to obtain a permit is false;
 - (c) the works or method of construction have detrimental impacts on the environment.
- 5. This permit shall not be assigned (non-transferable).
- 6. Permits are valid for two years. No notice will be issued on expiration of the permit and it is the responsibility of the permittee to ensure a valid permit is in effect at the time work is occurring.
- 7. The Grand River Conservation Authority may make copies of Schedule A, as required, for the purposes of assessing the proposal and, where approved, to form part of the permit issued.

NOTICE OF COLLECTION

Pursuant to section 29(2) of the Municipal Freedom of Information and Protection of Individual Privacy Act, 1989, the personal information contained on this form is collected under the legal authority of the Conservation Authorities Act, R.S.O. 1980, c85, as amended. This information is used to assess applications for and, where approved, issue the Permit. Information on this form may be disclosed to Government and Municipal Agencies for review and comment. The name of the applicant, location of the work and a description of the project may be published in GRCA documents including agendas, reports and meeting minutes which are posted on the GRCA website. Questions about the collection of personal information should be directed to the Freedom of Information Co-ordinator, Administration Division, Grand River Conservation Authority, 400 Clyde Road, P.O. Box 729, Cambridge, Ontario, N1R 5W6, (519) 621-2761.





GRCA Permit Approval

From: Planning (planning@grandriver.ca)

- To: info@klaasdesign.com
- Cc: clerk@hamilton.ca; building@hamilton.ca
- Date: Tuesday, September 7, 2021, 03:54 PM EDT

Hello,

The Grand River Conservation Authority has approved permit application 715/21 for the proposed work at 1816, 1820 & 1824 Concession 8 West. Please find a copy of the permit in the form of an attachment or a link provided below.

We're aware of the garage in part three on the second Schedule B and have no issues with it.

Should you have any further questions, please contact the GRCA planning department at planning@grandriver.ca.

Thank you.

GRCA Permit 715-21.pdf 2.3MB