

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5
Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING Minor Variance

You are receiving this notice because you are either:

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

APPLICATION	FL/A-22:271	SUBJECT	1044 GARDEN LANE,
NO.:		PROPERTY:	FLAMBOROUGH
ZONE:	"A1,P7 & P8" (Conservation	ZONING BY-	Zoning By-law City of Hamilton 05-
	Hazard Land and Agriculture)	LAW:	200, as Amended

APPLICANTS: Owner – Zahira Khalid

The following variances are requested:

- The proposed accessory building (greenhouse for personal use) shall be permitted to be located in the front yard as close as 65.0m from the front lot line whereas the zoning By-law states that accessory buildings shall not be permitted within a front or flankage yard.
- 2. A maximum building height of 4.7m shall be permitted for the proposed accessory building (greenhouse for personal use) instead of the maximum 4.5m height permitted.

PURPOSE & EFFECT: To facilitate the construction of a new accessory building to be used as a

greenhouse for personal use (hobby farming) for the existing single

detached dwelling on the farm.

Notes:

The applicant shall ensure that the height dimension as requested in Variance #2, is determined from grade as defined in the Zoning by-law to the uppermost point of the building. Otherwise, further variance may be required.

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

FL/A-22:271

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

DATE:	Thursday, September 8, 2022		
TIME:	1:30 p.m.		
PLACE:	Via video link or call in (see attached sheet for details)		
	2 nd floor City Hall, room 222 (see attached sheet for		
	details), 71 Main St. W., Hamilton		
	To be streamed (viewing only) at		
	www.hamilton.ca/committeeofadjustment		

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

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

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, <u>including deadlines</u> 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, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.



DATED: August 23, 2022

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, and may include posting electronic versions.



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PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Please include your name and address, hearing date, and file number. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. Comments must be received by noon two days before the Hearing.

Comment packages are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners <u>must register by noon the day</u> <u>before the hearing</u> to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

Please find enclared

2 copies of Site Plan drawing

2 copies of Site Plan drawing

2 copies of greehouse (proposal) engineering

drawng.

2 copies of letter from Site Plan & Conservation

Arthorty

Thortyon.
Zahne Khalid
90518844)



Additional Comments

Memorandum

То:	Dio Ortiz Manager, Building Engineering and Zoning				
	✓ Jessica Abrahamse M.E.S., Natural Heritage Planner (ext. 1231) Heritage and Urban Design				
	☐ Melissa Kiddie, Natural Heritage Planner (ext. 1290) Heritage and Urban Design				
Date: May 18, 2022					
Subject:	Exemption from Site Plan Control By-law No. 15-176 for 1044 Garden Lane for Development within or adjacent to Core Areas				
shall apply t decks and a except for si	ce with Section 9.1 of Site Plan Control By-law No. 15-176, Site Plan Control to "any buildings or structures, including accessory buildings and structures, additions to existing buildings, situated Adjacent to or within a Core Area (s), ingle detached, duplex, semi-detached or street townhouse dwellings located to of subdivision or plan of condominium draft approved after January 1, 2013".				
Proposed D concept plai New greenh	35 (B)				
	include: <u>ESA, Provincially Significant Woodlands and Provincially Significant Wetlands</u> <u>vatercourse</u>				
Based on a	review of the proposed development, the following is applicable:				
☐ Propos	sed development is located within the footprint of an existing structure.				
☑ Propos	sed development is located within a disturbed area (i.e. manicured area).				
	sed development is located at least X metres away from the Core Areas. pondence has been provided by the relevant Conservation Authority ed).				
Therefore, S	Site Plan Control for the above property is waived.				
Notes:					

This memo does not exempt the proposal from the requirements of a building permit, nor does it exempt the proposal from the requirements of the Zoning By-law or any further regulations. Please be advised that should the application change, the Planning Division has the right to review the revised submission.

If you have any questions, please contact Tiffany Singh, Planner I @ ext. 1221

May 16, 2022

Zahira Khalid 1044 Garden Lane Hamilton, Ontario L8B 1P1

Conservation Halton

Planning & Watershed Management

905.336.1158 | Fax: 905.336.6684 2596 Britannia Road West Burlington, Ontario L7P 0G3 conservationhalton.ca

BY EMAIL ONLY (Zahira.khalid@medportal.ca)

To Zahira Khalid:

Re: Construction of a ±33 ft greenhouse for personal use on a property partially regulated by

Conservation Halton 1044 Garden Lane City of Hamilton

The applicant is proposing to construct a ±33 ft geodesic dome greenhouse for personal use. The greenhouse will be anchored on a 36 ft concrete foundation, serviced by water and electricity from the existing dwelling. Conservation Halton (CH) regulates all watercourses, valleylands, wetlands, Lake Ontario and Hamilton Harbour shoreline and hazardous lands, as well as lands adjacent to these features. The property, 1044 Garden Lane, Hamilton, is traversed by a tributary of Grindstone Creek and contains the flooding and erosion hazards associated with that watercourse. Additionally, the property contains Provincially Significant Wetland (PSW). CH regulates those hazards/features, plus a 15m allowance from the creek hazards, and 120m from the PSW for this particular site. Permission is required from CH prior to undertaking development within CH's regulated area and must meet CH's Policies and Guidelines for the Administration of Ontario Regulation 162/06.

Staff has reviewed the submission and note that the proposed works are to occur outside of the portion of the property which is regulated by CH. As such, CH has no objection to the proposed development as shown on the attached plans date stamped May 16, 2022.

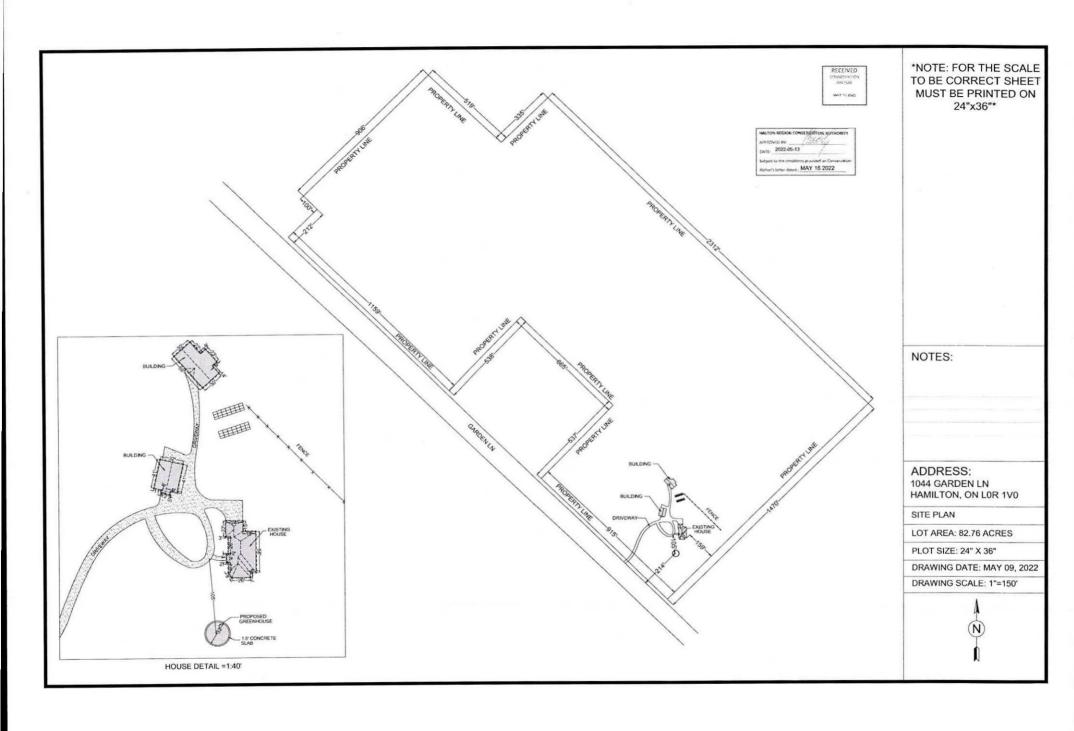
Please note that, separate from any review pursuant to Ontario Regulation 162/06, CH provides peer review advice to the City of Hamilton through our Memorandum of Agreement (MOA) on issues related to natural heritage and environmental features, as well as the Provincial Policy Statement (PPS). The above comments relate strictly to CH's review under Ontario Regulation 162/06 and comments related to the MOA and/or the PPS will be provided when requested by the City of Hamilton, as part of any *Planning Act* application review in the future. Please note that the City of Hamilton may collect fees for Conservation Halton, related to our review of *Planning Act* applications.

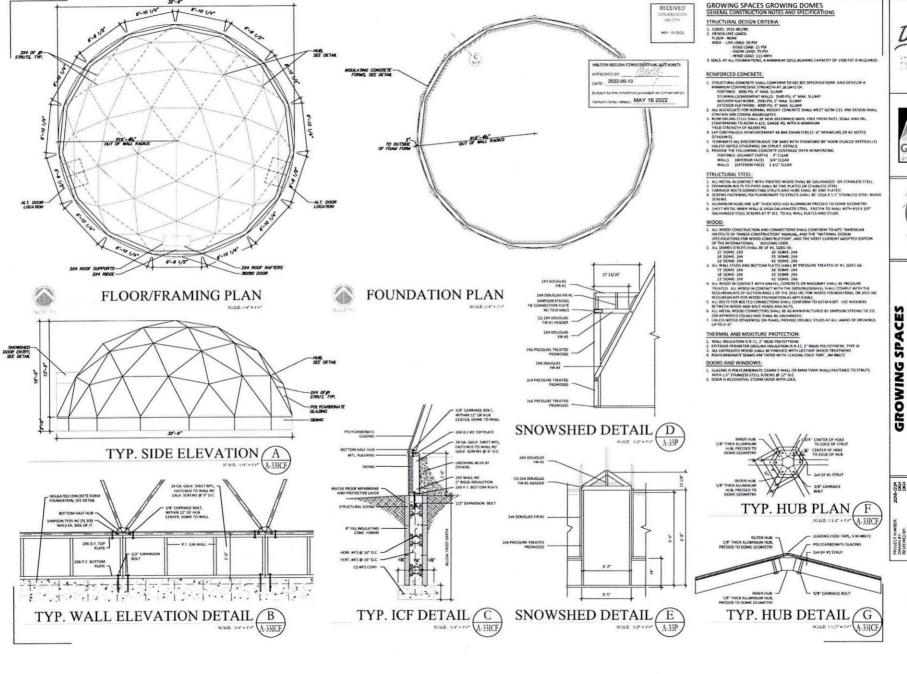
If you have any further questions, please contact the undersigned at cconnolly@hrca.on.ca.

Yours truly,

Cassandra Connolly Regulations Officer

Cc: City of Hamilton, Building Department, By Email: building@hamilton.ca





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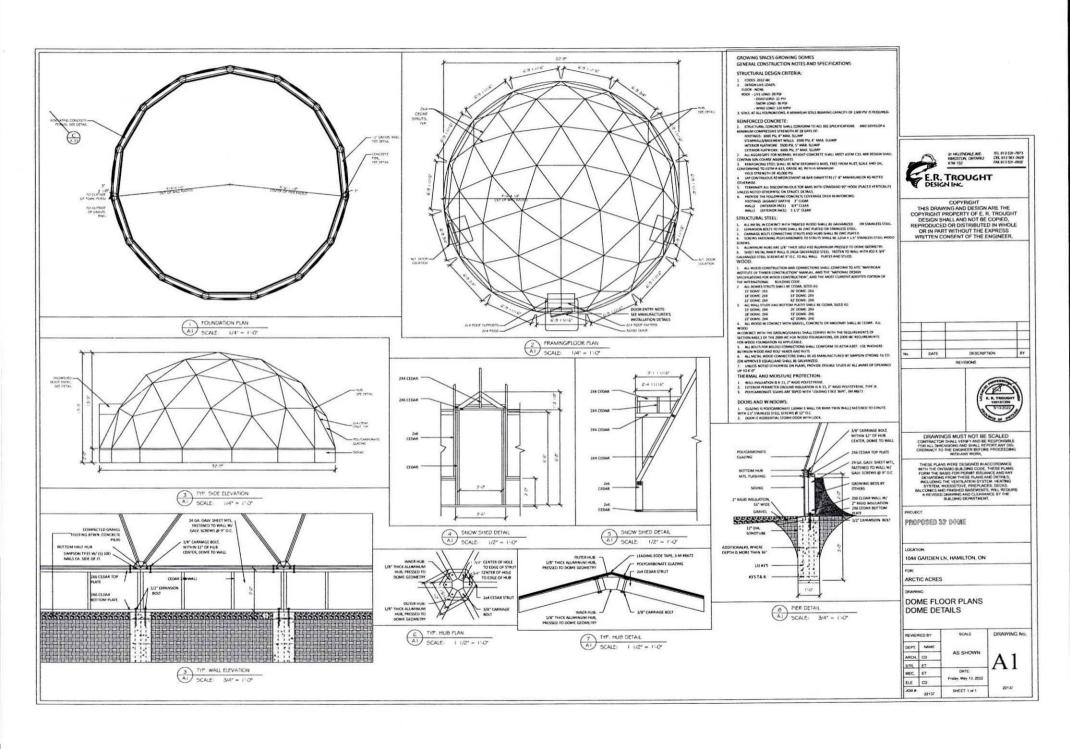


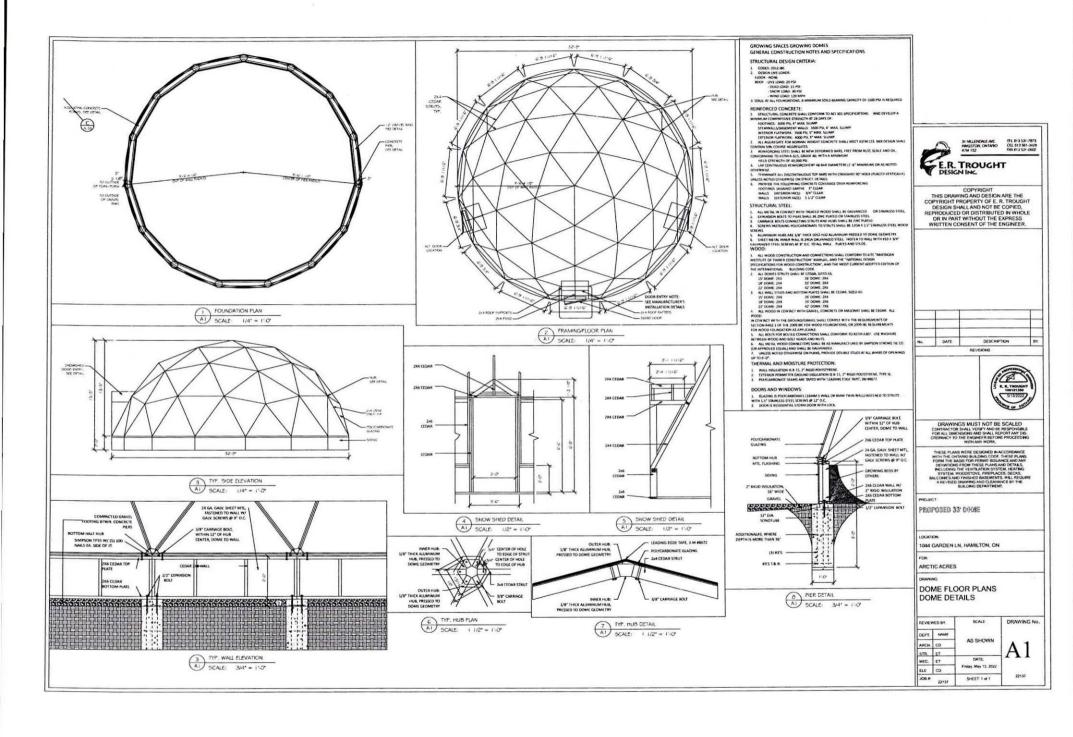
FOUNDATION **GROWING DOME** ON INSULATED CONCRETE

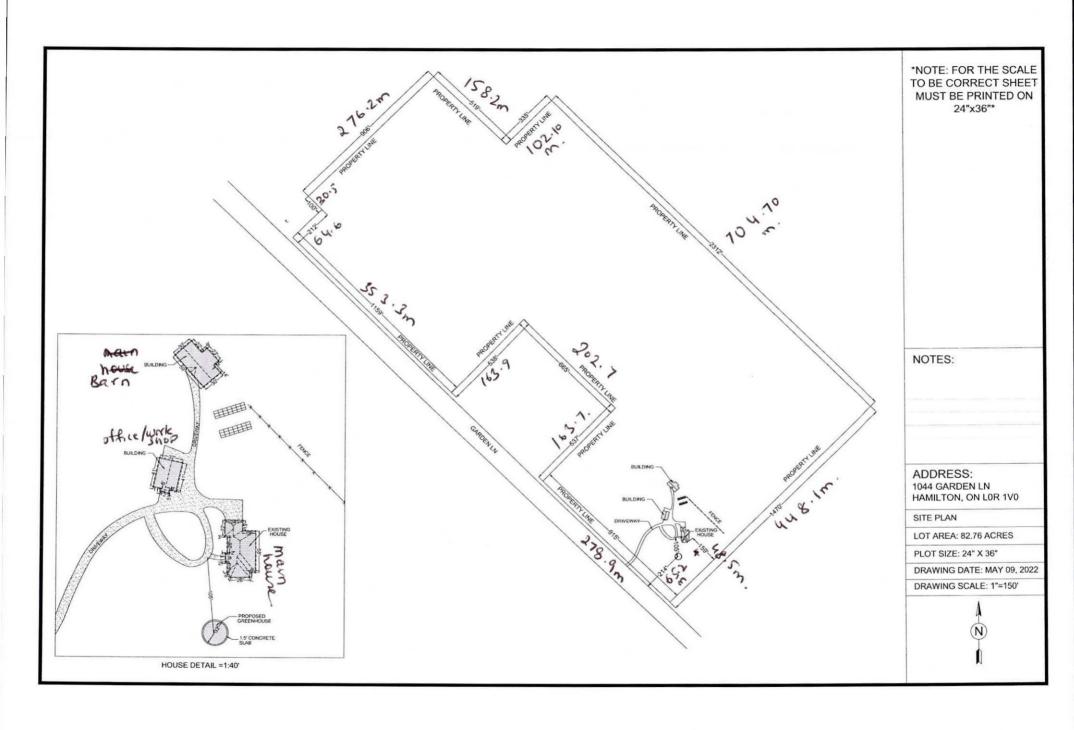


A-33ICF

SY DOME (KT FOUNDATION)









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

APPLICATION NO.	DATE APPLICATION RECEIVED			
PAID DATE APPLICATION DEEMED COMPLETE				
SECRETARY'S SIGNATURE				
	Th	e Planning Act		
	Application for Mi	nor Variance or for Permiss	sion	
	nning Act, R.S.O. 1990, 0	ittee of Adjustment for the Ci Chapter P.13 for relief, as de		
1, 2	NAME	NAME MAILING ADDRESS		
Registered Owners(s)	Zahira Khalid			
Applicant(s)*	Zahira Khalid			
Agent or Solicitor			Phone:	
			E-mail:	
any.	•	all communications will be		
	ddresses of any mortgag , 1044 Garden Lane, Oh	ees, holders of charges or ot	ner encumbrances:	
Zanira Knalio	, 1044 Garden Lane, Or	V,LODIFI		

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 exter	ture and extent of relief applied for:			
	Application to construct a greenhouse (for hobby farming and recreation) in front a the house (on the side) where previously was a tree nursery to allow for winter/greenhouse gardening.				
	Second Dwel	ling Unit	Reconstruction of Existing Dwelling		
5.	Why it is not pos	sible to comply w	vith the provisions of the By-law?		
	The structure ca	nnot be built beh	hind the house because of the conservation area		
6.	other legal descr	iption and where	subject lands (registered plan number and lot number or applicable, street and street number):		
	Parts 1 & 2,62R		IBOROUGH AS IN VM124783, SAVE AND EXCEPT RF 19906, HL 8489,AB395794,IF ANY, CITY of HAMILTON DN,L8B1P1		
7.	PREVIOUS USE	OF PROPERTY	Υ		
	Residential	Industrial	☐ Commercial ☐		
	Agricultural	Vacant	□ ·		
	Other				
8.1			fy use		
8.2	Has the grading has filling occurr		nd been changed by adding earth or other material, i.e.		
	Yes	No 🔳	Unknown		
8.3	Has a gas station	n been located or No 🔳	on the subject land or adjacent lands at any time? Unknown		
8.4	Has there been ∣	petroleum or othe No 🔳	er fuel stored on the subject land or adjacent lands? Unknown		
8.5	subject land or a	idjacent lands?	n underground storage tanks or buried waste on the		
	Yes	No 🔳	Unknown		
8.6			ever been used as an agricultural operation where n used as pesticides and/or sewage sludge was applied		
	Yes No	y ⊠ Unkn	nown		
8.7	Have the lands of Yes ☐	or adjacent lands No 🔳	ever been used as a weapon firing range? Unknown		
8.8			e application within 500 metres (1,640 feet) of the fill area I landfill or dump? Unknown		
8.9	If there are exist	ing or previously	existing buildings, are there any building materials ntially hazardous to public health (eg. asbestos, PCB's)?		
	Yes 🗌	No 🔳	Unknown		

8.10	Is there any reason uses on the site or a	to believe the subject	ct land may	have been con	taminated by form	er
		· (12 1년) 및 그리겠습니다 - 12 (2.42 1 보니다.	own 🗌			
			J			
8.11	What information di	d you use to determi	ne the answ	ers to 8.1 to 8	10 above?	
0.11		on and information re				
	Iny own observation	on and information re	slayed by te	mant familier ar	ia previous owner	
8.12	previous use invent	roperty is industrial o ory showing all form subject land, is nee	er uses of th			
	Is the previous use	inventory attached?	Yes	☐ No	x	
9.	ACKNOWLEDGEN	MENT CLAUSE				
	remediation of conta	the City of Hamilton amination on the pro al to this Application	perty which			- by
	2022/08/04		3	sheeps talul		
	Date			Property Owne	er(s)	
			Zahira Kh	nalid	1000 00	
				e of Owner(s)		
40	D:	· · ·				
10.	Dimensions of lands	s апестеd: 2073.06 ft				
	Frontage	1470 ft				
	Depth	82.76 acres			······································	
	Area	6.5 metres		-7-11		
	Width of street	0.5 metres				
11.		ldings and structures gross floor area, nur				ify
		alaur (haasaasat aad	main atous	.\ 1550 200cc	4	
	Barn-35ftX60 ft Office building/wor			y)-1550-200sq	II.	*
		long and 5 m wide (z paneis)			
	Proposed	00 % "	050	<i>r</i>	- (ill be en 05 ft	
	concrete base)	ouse- 33 ft diameter,	850 square	e it green nous	e. (will be on 35 it	

12.	Location of all buildi	ings and structures or rear and front lot line	on or propos es)	ed for the subje	ect lands; (Specify	
	Existing:					- 4 Paga - 476 ft for
		from front lot line,15	9 ft from sid	de lot line (sout	th side), approx	* Barn-476 ft form front, 425 ft toms sout ide, o 994 ft from rear
	1100 sq ft from rea	r lot line ft from front lot line,	323 ft from	side lot line (so	outh side), approx	sout 1 de ; 0 994 ft
	1120 sq from rear l		mes is men			from rear.
	Proposed:	and lad line 400ft free	en elele letie		and an lad line	- Solerpanels -
		t south from house,		front lot line, 1	00 ft from south	Solorpaneds- 430ft from front 300ft from Side Une, 996 ft from veer side line
	side line.approx 12	00 sq ft from rear lo	t line			south from St. from
						une, grabe line
						- 1/60

	of acquisition of subject lands: 0,2020
	of construction of all buildings and structures on subject lands:
	ng uses of the subject property (single family, duplex, retail, factory etc.): nal use- single family
	ng uses of abutting properties (single family, duplex, retail, factory etc.):
	n of time the existing uses of the subject property have continued:
	ipal services available: (check the appropriate space or spaces) Connected
Sanita	ary Sewer Connected
	nt Official Plan/Secondary Plan provisions applying to the land:
	Agri withre.
Prese	hgricollare Al 20ne/Conservation/Hazar
	mendment or Minor Variance)
.,	☐ Yes 区 No
if yes,	please provide the file number:
21.1	If a site-specific zoning by-law amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?
	☐ Yes ☐ No
21.2	If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.
	subject property the subject of a current application for consent under Section 53 of lanning Act?
	☐ Yes 区 No
Additi	onal Information (please include separate sheet if needed)
of the	applicant shall attach to each copy of this application a plan showing the dimensions subject lands and of all abutting lands and showing the location, size and type of all and structures on the subject and abutting lands, and where required by the mittee of Adjustment such plan shall be signed by an Ontario Land Surveyor.