



Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**NOTICE OF PUBLIC HEARING**  
**Minor Variance**

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**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
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<b>APPLICATION NO.:</b>	<b>FL/A-23:181</b>	<b>SUBJECT PROPERTY:</b>	161 CONCESSION 10 E, FLAMBOROUGH
<b>ZONE:</b>	"A1, P8" (Agriculture)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:**      **Owner:** AARON ZANATTA  
                                 **Agent:** ZANATTA CONTRACTING C/O TAT ZANATTA

The following variances are requested:

1. A farm labour residence shall be permitted to exist prior to the principle farm dwelling instead of the requirement that a farm labour residence shall only be permitted on the same lot as an existing permanent farm dwelling.
2. A farm labour residence shall be located within 218 metres of the farm dwelling instead of the requirement that a farm labour residence shall be located within 30 metres of the farm dwelling.
3. A maximum floor area of 146 square metres shall be permitted instead of the permitted maximum of 116.2 square metres for a temporary detached dwelling.

**PURPOSE & EFFECT:**      To permit the construction of a new principle farm dwelling and the conversion of an existing structure into a farm labour residence.

**Notes:**

1. Insufficient information was provided to determine parking regulations. Additional variances may be required if conformity with Section 5 in the 05-200 Hamilton Zoning By-law cannot be achieved.
2. Insufficient information was provided to determine special setbacks from the P7 and P8 Zones. Additional variances may be required if compliance with Section 4.23 of the 05-200 Hamilton Zoning By-law cannot be achieved.
3. Please be advised a portion of the property falls under the Halton Conservation Authority. Please contact them prior to any development.

**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.**

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

<b>DATE:</b>	<b>Thursday, January 18, 2024</b>
<b>TIME:</b>	<b>10:55 a.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

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

## **PUBLIC INPUT**

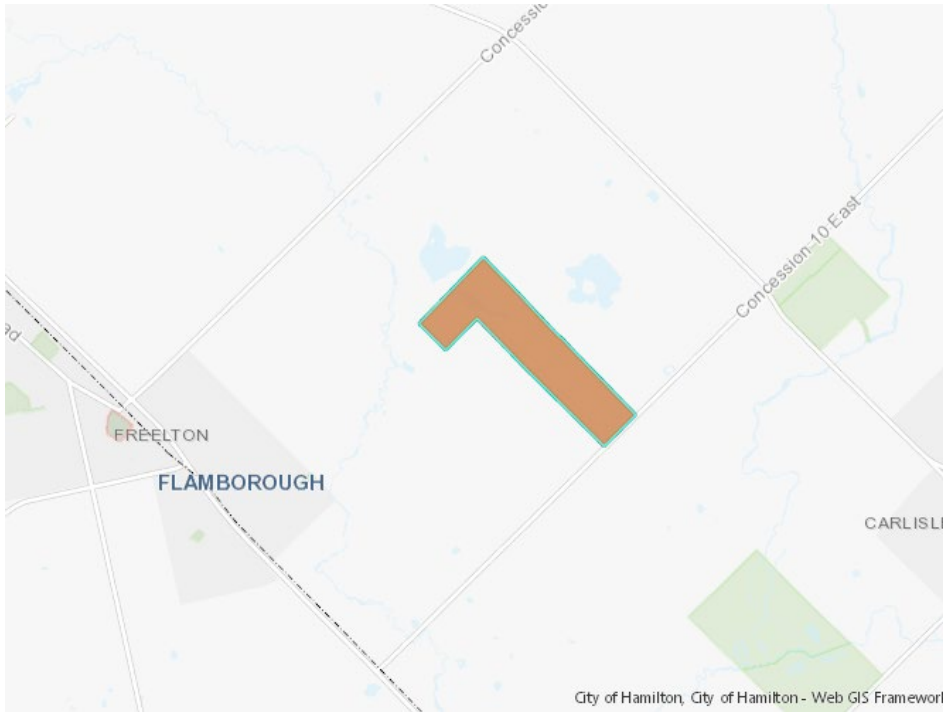
**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

**Orally:** If you would like to speak to this item at the hearing you may do so via video link, 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.

## **FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding FL/A-23:181, you must submit a written request to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



DATED: January 2, 2024

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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.



Hamilton

## COMMITTEE OF ADJUSTMENT

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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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. Comments can be submitted by emailing [cofa@hamilton.ca](mailto: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](http://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 must register by noon the day before the hearing 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](mailto: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 (2<sup>nd</sup> 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](mailto: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.

LOT 2 62M--754  
PART 5 62R--14273

PART 3 62R--6338

PIN 17524-0230 (LT)

PART 2  
62R--6338

N 43°35'05"E 450.63

LOT 11

PIN 17524-0226 (LT)

N 46°00'25"W  
182.58

N 44°07'35"E  
218.85

PART 1 62R--6338

Limit between Lots 9 & 10

182.78

N 44°56'25"W

PART 1 62R--1407 (REMAINDER)

PIN 17524-0232 (LT)

LOT

PIN 17524-0231 (LT)

N 44°54'20"W 324.73

854.0±

Shed

Barn

PIN 17524-0226 (LT)

183.79

N 44°05'05"W

PIN 17524-0294 (LT)

PART 1 62R--18536

174.71

N 44°26'05"W

8.22

N 71°45'05"W

9

Existing Septic and Tank

Existing Removable Residence To Be converted to Farm Labour Residence

Shed

Shed

CONCESSION 10

(EAST FLAMBOROUGH)

218m

SEE DETAIL "A"

558.10

N 46°05'15"W

Proposed Dwelling

61.3±

121.3±

PIN 17524-0283 (LT)

PART 1 62R--18336

LOT

PIN 17524-0227 (LT)  
PART 1 62R--4038

189.3±

N 45°01'05"W

Shed

PART 2  
62R--16579

PIN 17524-0284 (LT)

PART 1 62R--16579

154.73

N 44°52'55"E

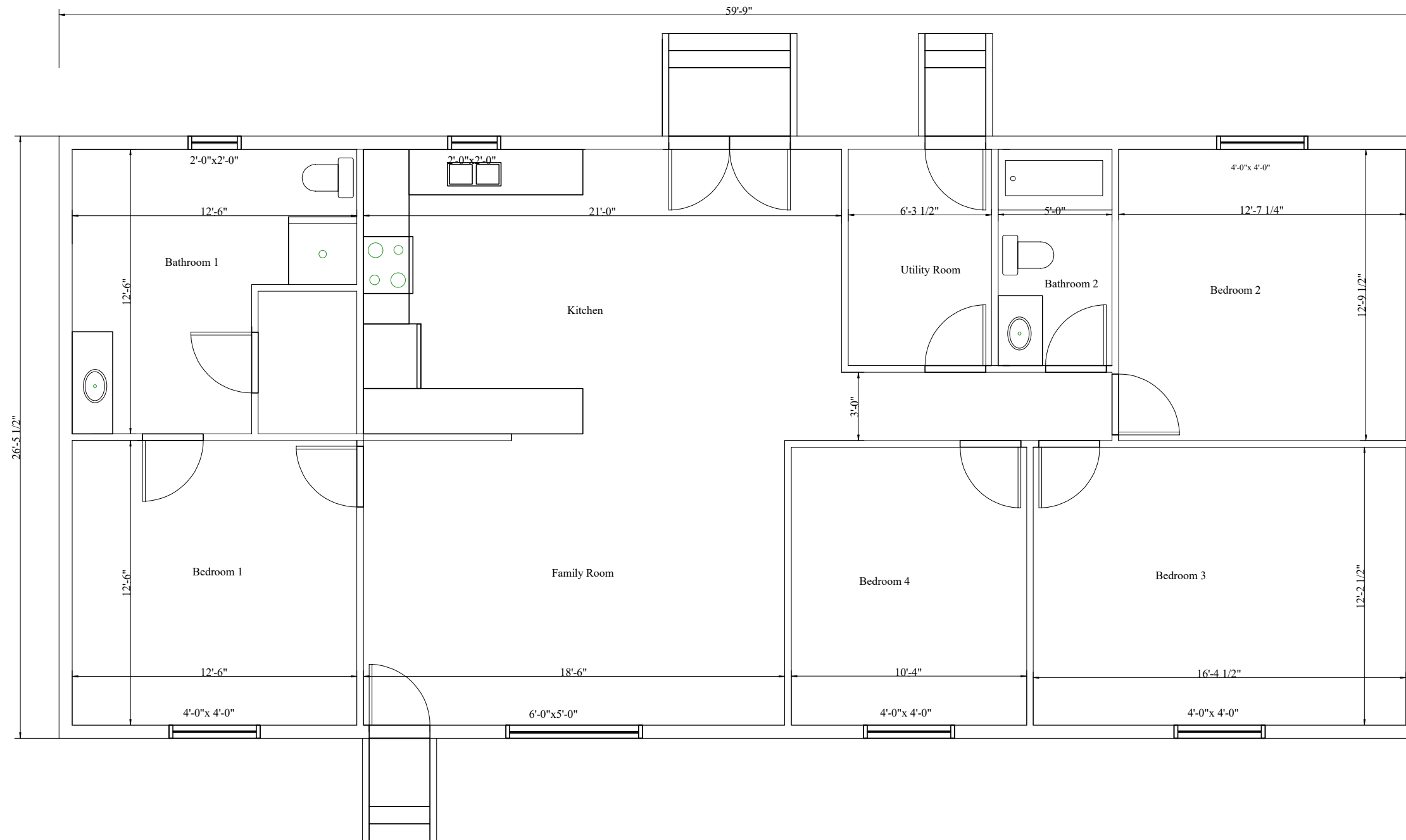
61.21

N 44°34'55"E

10th CONCESSION ROAD EAST

PIN 17524-0257 (LT)

ORIGINAL TOWNSHIP ROAD ALLOWANCE BETWEEN CONCESSIONS 9 & 10 (EAST FLAMBOROUGH)



1581 sq.ft (146.8 sq.m)

Issued

June 2023

Existing  
Removable  
Residence

161 Concession 10E  
Freelton, ON

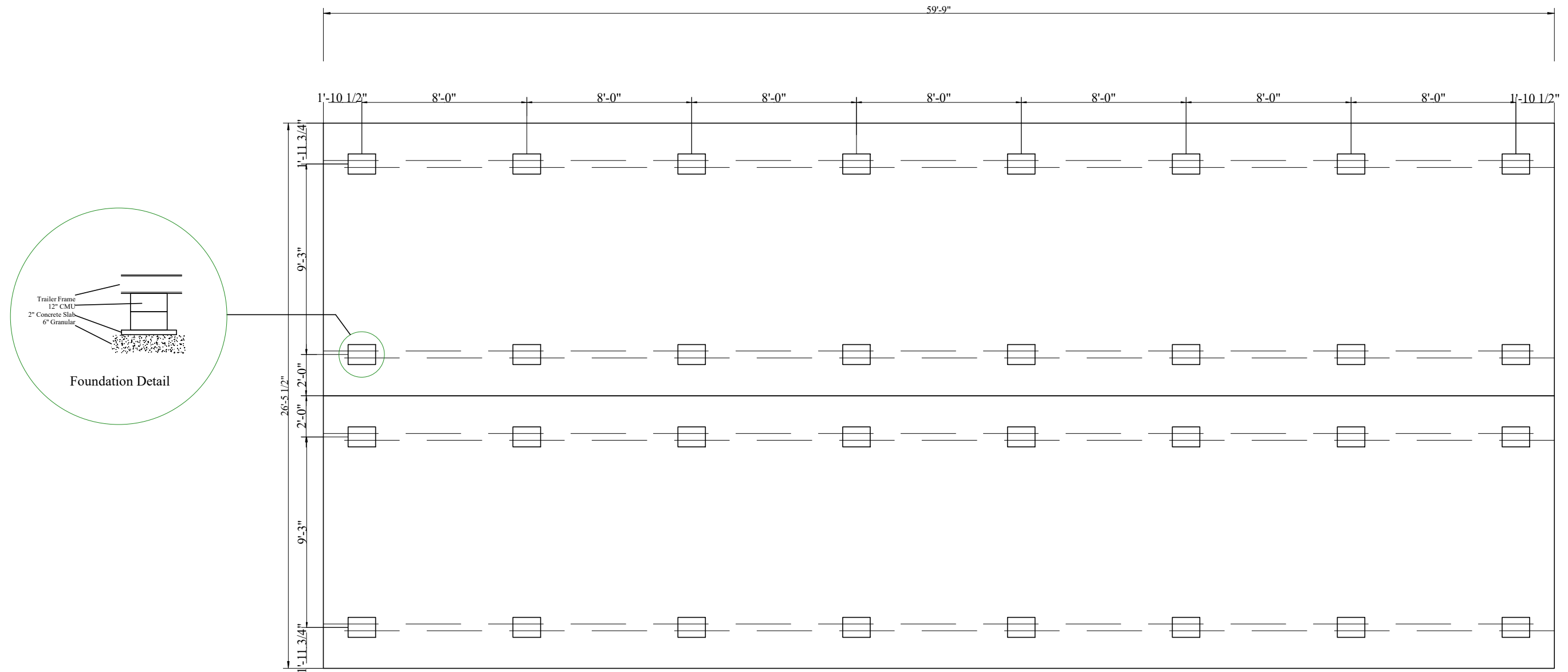
Scale: 3/16"=1'

Existing Floor Plan

A-1

Issued

June 2023



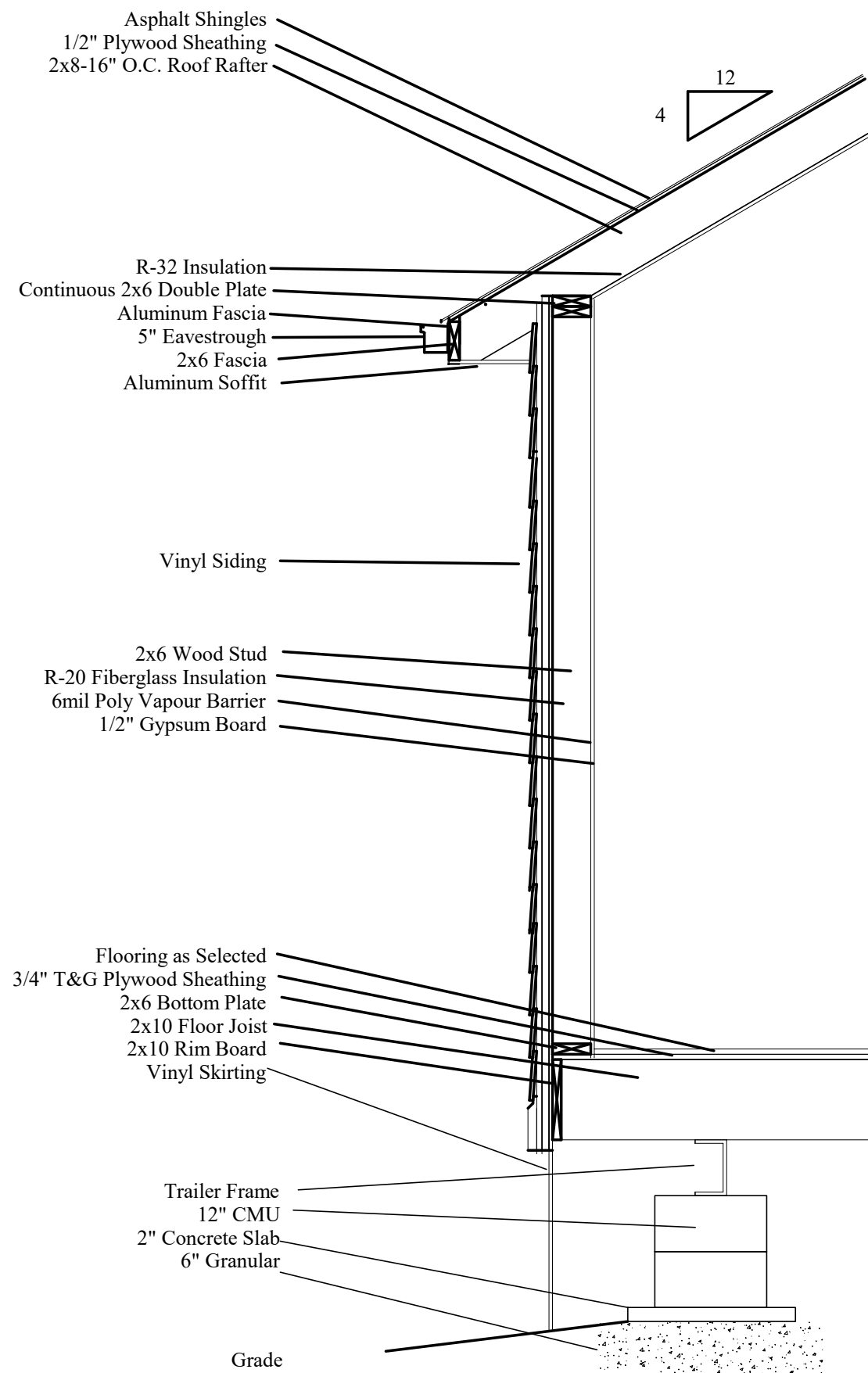
Existing  
Removable  
Residence

161 Concession 10E  
Freelton, On

Scale: 3/16"=1'

Existing Foundation

A-3



Existing  
Removable  
Residence

161 Concession 10E  
Freelton, On

Scale: 3/16"=1'

Existing Building  
Cross Section





Hamilton

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

Phone: (905) 546-2424 ext. 4221  
Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**APPLICATION FOR A MINOR VARIANCE/PERMISSION  
UNDER SECTION 45 OF THE PLANNING ACT**

**1. APPLICANT INFORMATION**

	NAME	MAILING ADDRESS	
Registered Owners(s)			
Applicant(s)			
Agent or Solicitor			
			E-mail:

1.2 All correspondence should be sent to  Purchaser  Applicant  Owner  Agent/Solicitor

1.3 Sign should be sent to  Purchaser  Applicant  Owner  Agent/Solicitor

1.4 Request for digital copy of sign  Yes\*  No

If YES, provide email address where sign is to be sent

1.5 All correspondence may be sent by email  Yes\*  No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

**2. LOCATION OF SUBJECT LAND**

2.1 Complete the applicable sections:

Municipal Address	161 Concession 10E Freerton L8B 1H3		
Assessment Roll Number			
Former Municipality			
Lot	Part Lot 9 and 10	Concession	10
Registered Plan Number	62R-6338	Lot(s)	9 and 10
Reference Plan Number (s)		Part(s)	

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

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

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for: To allow existing removable structure to become a farm labour residence, even though it is 218m from the primary residence and 30m<sup>2</sup> over the allowable footage

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

Trailer is existing and is already equipped with septic, hydro, water and gas

3.3 Is this an application 45(2) of the Planning Act.

Yes

No

If yes, please provide an explanation:

### 4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
215.94 m	<del>98.78 m</del> 1064 m	28 Hectares	8m

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Dwelling	189.3	854	61.3	2023
Barn	523	534	72	1950
Existing Trailer	440	617	90	1998

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
As Above				

4.3. Particulars of all buildings and structures on or proposed for the subject lands (attach additional sheets if necessary):

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Dwelling	592 m <sup>2</sup>	490 m <sup>2</sup>	2	<del>8.6 m</del> 8.6 m
Barn	396 m <sup>2</sup>	792 m <sup>2</sup>	2	10 m
Existing Trailer	146 m <sup>2</sup>	146 m <sup>2</sup>	1	4.5 m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
As Above				

- 4.4 Type of water supply: (check appropriate box)
- publicly owned and operated piped water system
  - privately owned and operated individual well

- lake or other water body
- other means (specify)

- 4.5 Type of storm drainage: (check appropriate boxes)
- publicly owned and operated storm sewers
  - swales

- ditches
- other means (specify)

4.6 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) \_\_\_\_\_

4.7 Type of access: (check appropriate box)

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

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):

*single detached / Farm agricultural*

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):

*single detached / Farm agricultural*

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

*2016*

7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)

*As above*

7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)

*As above*

7.4 Length of time the existing uses of the subject property have continued:

*100+ years*

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

*A1*

Rural Hamilton Official Plan designation (if applicable): \_\_\_\_\_

Rural Settlement Area: \_\_\_\_\_

Urban Hamilton Official Plan designation (if applicable) \_\_\_\_\_

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

7.6 What is the existing zoning of the subject land?

*A1*

7.8 Has the owner previously applied for relief in respect of the subject property?  
(Zoning By-law Amendment or Minor Variance)

Yes

No

If yes, please provide the file number: \_\_\_\_\_

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

Yes  No

If yes, please provide the file number: \_\_\_\_\_

7.10 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

7.11 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.

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 1 + Farm labour residence

8.3 Additional Information (please include separate sheet if needed):

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

### 11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
  - Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
  - Minimum Distance Separation Formulae (data sheet available upon request)
  - Hydrogeological Assessment
  - Septic Assessment
  - Archeological Assessment
  - Noise Study
  - Parking Study
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