

## July 23, 2024 - CoA - HCA Comments for A-24:64 for 261 Highway 5 West, Flamborough

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To:Committee of adjustment <CofA@hamilton.ca>

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Good afternoon,

The Hamilton Conservation Authority (HCA) has reviewed the Committee of Adjustment Agenda for July 23, 2024 in accordance with HCA's responsibilities under the *Conservation Authorities Act* relating to provincial interests for natural hazards and offer the following comments for A-24:64 for 261 Highway 5 West, Flamborough.

### **A-24:64 – 261 Highway 5 West, Flamborough**

The subject property is approximately 1.09 ha (2.69 ac) in size and located within the Borer's Creek watershed. The roadside ditch located adjacent to the west and south boundaries of the property receives and conveys flows from and to Borer's Creek and its tributaries. A portion of the property (southwest corner) is regulated by HCA pursuant to the *Conservation Authorities Act* and *Ontario Regulation 41/24 (Prohibited Activities, Exemptions and Permits)*. The regulated area is associated with the potential flooding and erosion hazards associated with Borer's Creek. The requested minor variance is to permit a dine-in restaurant whereas only a /take-out restaurant with a drive through facility is permitted. Based on a review of the submitted materials the application does not propose any new structures, additions to the existing structures or changes to the existing structures. The existing structures are located outside of the erosion and flooding hazards associated with Borer's Creek. HCA staff have no objections to the granting of the requested minor variance by the municipality. Written permission from HCA is not required for the proposed change.

Please contact the undersigned if there are any questions regarding the provided comments.

The will be no fee for HCA's comments on this file.

Regards,

### **Jeff Tweedle**

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