



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221

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 NO.:	A-24:176	SUBJECT PROPERTY:	1326 Butter Road, Ancaster
ZONE:	A1 (Agriculture)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended

APPLICANTS: Owner: Jack & Teresa Wieske
Applicant: Jonathan Lensink, P.Eng

The following variances are requested:

1. A minimum 3.9 metre Side Yard shall be permitted instead of the minimum required 15.0 metres setback.
2. A total maximum Gross Floor Area of 885.0 square metres shall be permitted for all buildings and structures used as part of the Landscape Contracting Establishment (Secondary Use) instead of the maximum required total Gross Floor Area of 250.0 square metres.

PURPOSE & EFFECT: To permit the construction of a secondary use structure (Landscape Contracting Establishment).

Notes:

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:

DATE:	Tuesday, September 10, 2024
TIME:	2:40 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at

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

PUBLIC INPUT

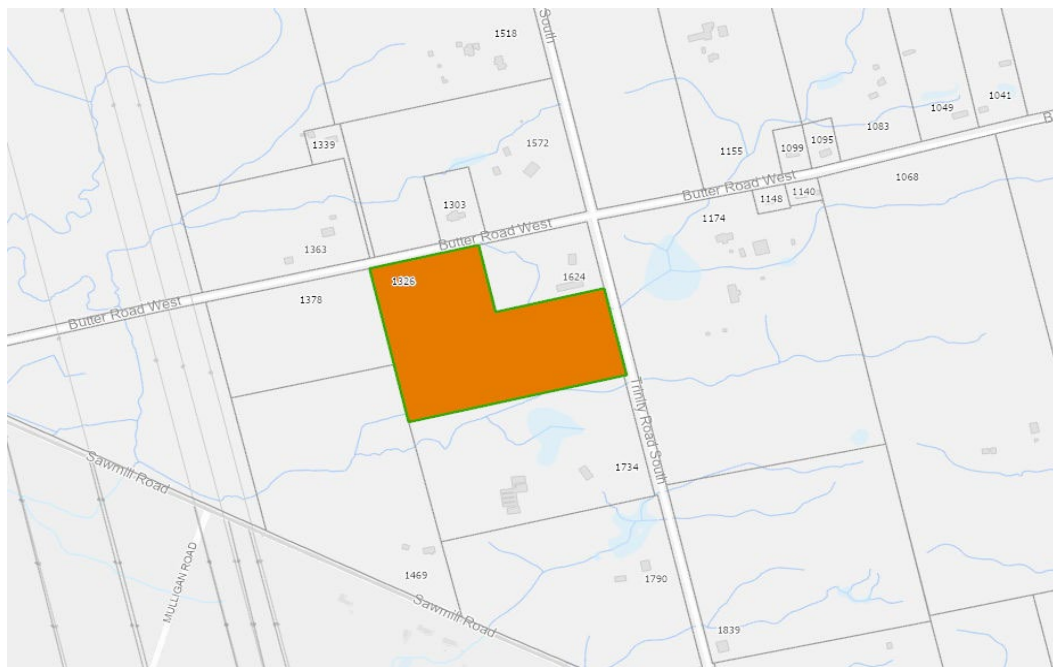
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon September 6, 2024

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, registration to participate virtually must be received no later than noon September 9, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:176, you must submit a written request to 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 or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



Subject Lands 

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

application is being collected
anning Act, R.S.O., 1990, c.
ions submitted to the City of
iding the name, address, and
ersons 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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Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

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 advance of the meeting. 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 on the date listed on the Notice of Public Hearing.**

Comments are available the Friday 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 **must register by noon on the day listed on the Notice of Public 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. 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.

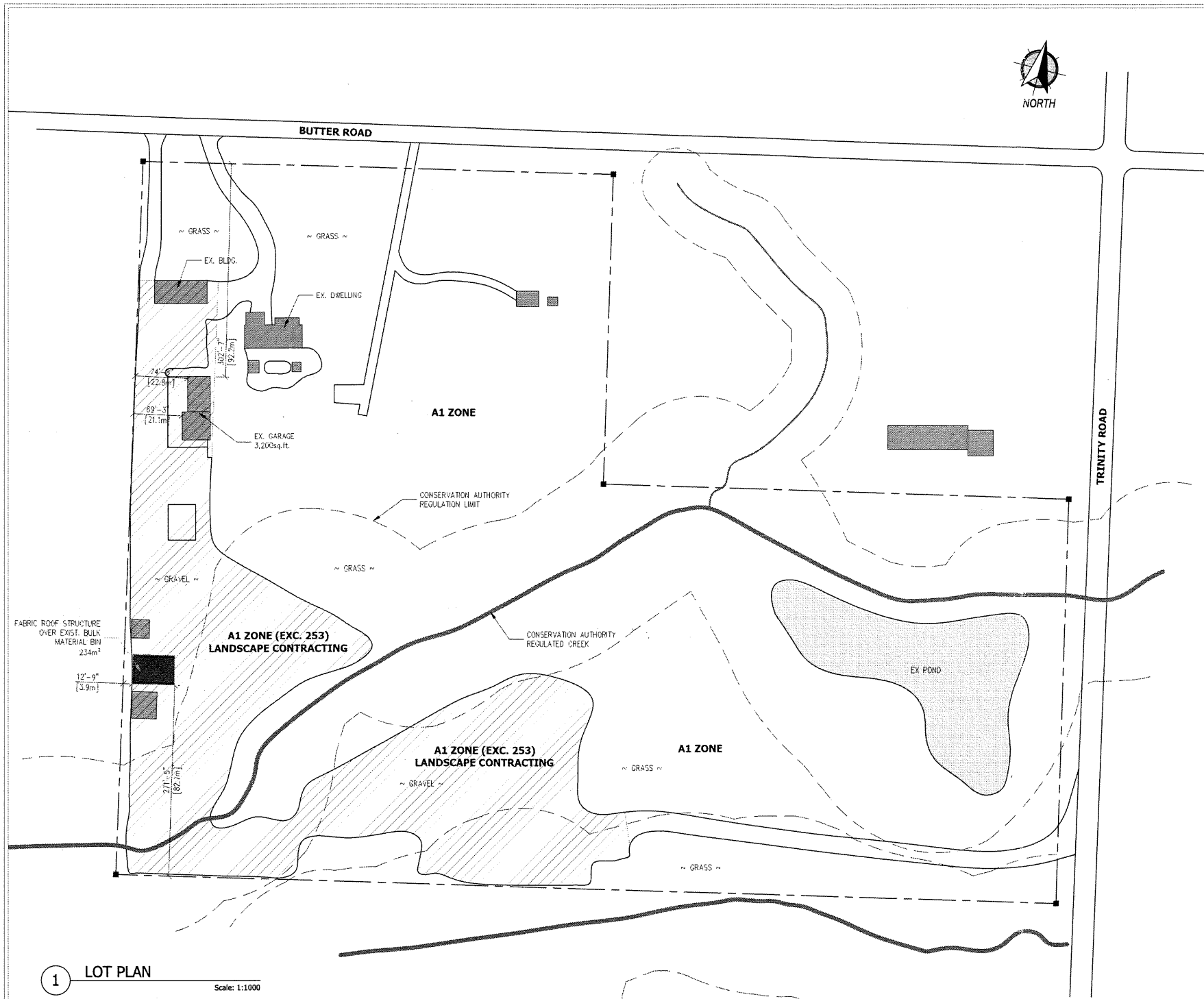
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **no less than 10 minutes** before the time of the Public Hearing as noted on the Notice of Public Hearing.

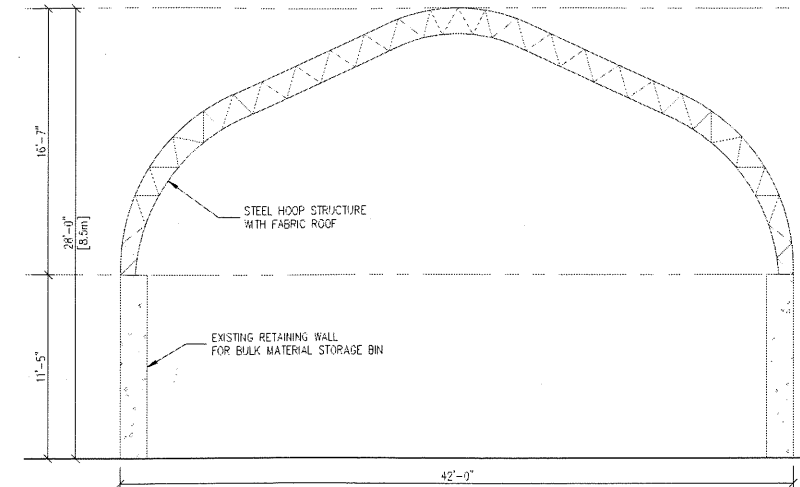
We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca.

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.



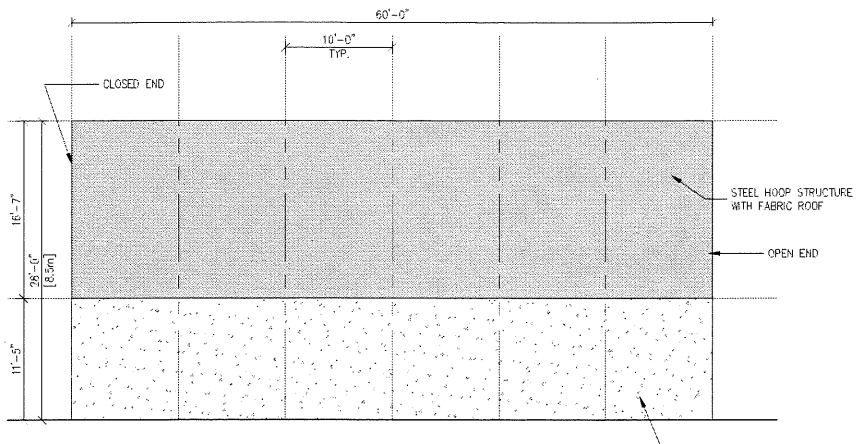
1 LOT PLAN

Scale: 1:1000



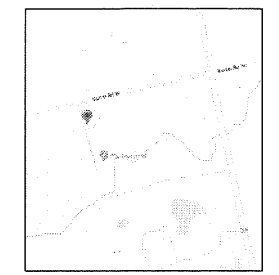
2 ROOF STRUCTURE - END VIEW

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



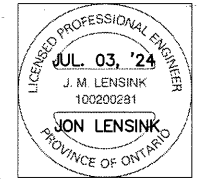
3 ROOF STRUCTURE - SIDE VIEW

Scale: 1/8" = 1'-0"



KEY MAP

REV.	DATE	REMARKS
1	03JUL24	ISSUED FOR VARIANCE
0	14JUN24	PERMIT



PROJECT TITLE
 JACK WESKE - CSL GROUP
 ACCESSORY BUILDING & STRUCTURE

1326 BUTTER ROAD
 ANCASTER, ON

DRAWING TITLE
 LOT PLAN & ZONING

ZONING STATISTICS - ACCESSORY STRUCTURES 1376 BUTTER ROAD (A1 ZONE, EXC. 253)				
ITEM	REQUIRED	EXISTING	PROPOSED	COMPLIANCE
USE: LANDSCAPE CONTRACTOR'S ESTABLISHMENT				
LOT AREA	0.4ha	±9.9ha	NO CHANGE	Y
GARAGE ADDITION				
FRONT YARD	15m	±107m	92m	Y
SIDE YARD	15m	21m	21m	Y
REAR YARD	15m	>100m	>100m	Y
BULK MATERIAL BIN COVER				
FRONT YARD	15m	>100m	>100m	Y
SIDE YARD	15m	3.9m	3.9m	N
REAR YARD	15m	82m	82m	Y

NOTE:
 LOT PLAN HAS BEEN PREPARED FOR BUILDING PERMIT PURPOSES.
 LOT PLAN HAS BEEN PREPARED BASED ON APPROXIMATE SITE MEASUREMENTS,
 ONLINE MAPPING, AND INFORMATION PROVIDED.
 THIS IS NOT A LEGAL SURVEY.



Jon Lensink <jonlensink@gmail.com>

RE: 1326 Butter Road - Existing Structures

Permits <permits@grandriver.ca>
To: Jon Lensink <jonlensink@gmail.com>, Permits <permits@grandriver.ca>

Mon, Jun 17, 2024 at 1:06 PM

Hello Jon,

The proposed works fall outside of the GRCA regulated area. A permit is not required from the GRCA.

Thank you,

Nicholas Stasiak, EP, BBRM

Regulations Officer

Grand River Conservation Authority

400 Clyde Road, PO Box 729

Cambridge, ON N1R 5W6

Office: 519-621-2763 ext. 2323

Toll-free: 1-866-900-4722

Email: nstasiak@grandriver.ca

www.grandriver.ca | [Connect with us on social media](#)

From: Jon Lensink <jonlensink@gmail.com>
Sent: Monday, June 17, 2024 12:09 PM
To: Permits <permits@grandriver.ca>
Subject: Fwd: 1326 Butter Road - Existing Structures

Hello!

I'm working with the owner of the property at 1326 Butter Road (Mr. Jack Wieske, CSL Group) to get permits for an existing garage addition and an existing hoop/fabric roof structure.

See attached drawings.

They are both outside the conservation regulation boundary. Can you confirm if I need anything from your office to get my building permits?

Thanks in advance!

Jon Lensink, P.Eng.



Hamilton

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/PERMISSION
UNDER SECTION 45 OF THE *PLANNING ACT*

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS
Registered Owners(s)	Jack & Teresa Wieske	[REDACTED]
Applicant(s)	Jonathan Lensink, P.Eng.	
Agent or Solicitor		

1.2 Primary contact Applicant Owner Agent/Solicitor

1.3 Sign should be sent to Applicant Owner AgentSolicitor

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.

1.6 Payment type In person Credit over phone*
 Cheque

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	1326 Butter Road		
Assessment Roll Number			
Former Municipality	Ancaster		
Lot	30	Concession	6
Registered Plan Number		Lot(s)	
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:

Hydro Easement on front of property, north of the dwelling and existing buildings.

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 permit a side yard of 3.9m instead of the required 15.0m for a fabric roof over a bulk material storage bin for the Landscaping Establishment.

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

Roof structure was built many years ago over an existing bulk material storage bin, subjected to an Order to Comply in 2020 to recognize the already-built structure.

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
+/- 200m	+/- 300m	+/- 9.9 ha	

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: **All approximate**

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
House	60m	230m	130m/45m	25+ years ago
Landscape Bldg 1	92m	190m	21m/170m	2015/2008
Landscape Bldg 2	50m	245m	7m/174m	25+ years ago
Roof Structure	210m	82m	3.9m	2008

Proposed:

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

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

Existing: **All approximate**

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
House	330sq.m.	450sq.m.	2	7m
Landscape Bldg 1	220sq.m.	350sq.m.	2	7m
Landscape Bldg 2	300sq.m.	300sq.m.	1	6.6m
Roof Structure	234sq.m.	234sq.m.	n/a	8.5m

Proposed:

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

- 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 dwelling & Landscape Contractor Establishment

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

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:
1993

7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
Single Detached Dwelling & Landscape Contractor Establishment, Agricultural

7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
Single Detached Dwelling & Landscape Contractor Establishment

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

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

Rural Hamilton Official Plan designation (if applicable): Agricultural

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) _____

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

Roof structure enhances the operations of the Landscape Contractor use, which is a permitted secondary use.

The Landscape Contractor use was in existence before the current zoning bylaw and rural official plan.

The roof structure screens in the storage bin from the neighbour.

7.6 What is the existing zoning of the subject land? R21

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: R2

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: _____

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 1

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

This roof structure was built many years ago over the existing material storage bin and was subject to an Order to Comply in 2020 to recognize the already-built structure.

GRCA has confirmed that this building is outside their regulated boundary.

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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