



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

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

<b>APPLICATION NO.:</b>	<b>A-24:192</b>	<b>SUBJECT PROPERTY:</b>	1477 Guyatt Road, Glanbrook
<b>ZONE:</b>	A1 (Agriculture)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:** Owner: Dino and Palma Dionisio  
Applicant: Dino and Palma Dionisio

The following variances are requested:

1. A maximum gross floor area of 460.0 square metres shall be permitted for all buildings devoted to retailing of agricultural products grown primarily as part of the farm operation instead of the requirement that shall not exceed a total maximum gross floor area of 200.0 square metres.

**PURPOSE & EFFECT:** To facilitate the construction of an agricultural building.

**Notes:**

1. This property is listed in the City of Hamilton’s Inventory of Buildings of Architectural and/or Historical Interest as a property of cultural heritage value or interest. Please contact a Cultural Heritage Planner [CulturalHeritagePlanning@hamilton.ca](mailto:CulturalHeritagePlanning@hamilton.ca) for further information.
2. Please be advised that a portion of this property is regulated by the Niagara Peninsula Conservation. Please contact Niagara Peninsula Conservation at 905-788-3135 for further information.

**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>Tuesday, September 24, 2024</b>
<b>TIME:</b>	<b>1:30 p.m.</b>

<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>City Hall Council Chambers (71 Main St. W., Hamilton)</b>
	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

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

## **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 20, 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 23, 2024

## **FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:192, 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.



 Subject Lands

DATED: September 5, 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.



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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 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 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](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 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](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 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.

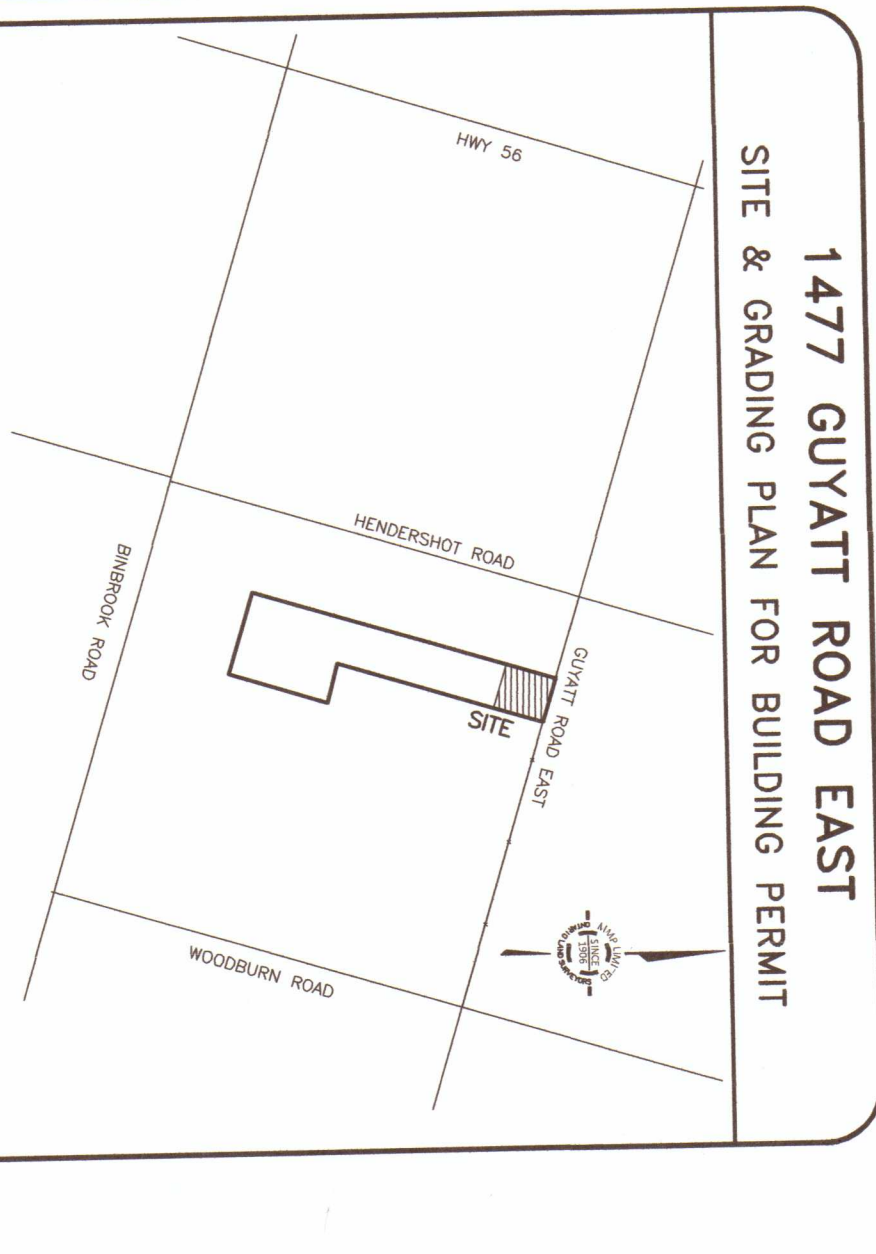
We hope this is of assistance and if you need clarification or have any questions, please email [cofa@hamilton.ca](mailto:cofa@hamilton.ca).

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.



ZONE	REQUIRED	PROVIDED
LOT WIDTH	30.0 m (min)	202.02 m
LOT AREA	4000.0 sqm (min)	24130.28 sqm
FRONT YARD	1.0 m (min)	MORE THAN 1000 m
REAR YARD	3.0 m (min) (RES)	121.52 m
SIDE YARD	3.0 m (min) (RES)	48.04 m
BUILDING AREA	200.0 sqm (max)	428.3 sqm (EXISTING BUILDINGS)
LOT COVERAGE	N/A	139.8 sqm (PROPOSED STRUCTURES)
BUILDING HEIGHT	10.5 m (max)	0.15 m EXISTING
FRONT YARD	6.0 m (max)	5.99 m
REAR YARD	6.0 m (max)	95.64 m
SIDE YARD	1.0 m (min) (RES)	96.44 m
PROPOSED BARN = 1 STOREY	1.0 m (min) (RES)	96.07 m

POINT No.	AVERAGE GRADE		FACTORED LENGTH 2 x L
	BEGIN ELEV (A)	END ELEV (B)	
A - B	207.60	207.60	9.45
B - C	207.60	207.55	13.72
C - D	207.55	207.49	9.45
D - E	207.49	207.45	13.72
E - F	207.45	207.35	9.45
F - G	207.35	207.25	13.72
G - H	207.25	207.25	9.45
AVERAGE GRADE TOTAL FACTORED LENGTH/TOTAL LENGTH			10683.11



**KEYPLAN**  
GEOGRAPHIC LOCATION NOTE  
PART OF LOT 4  
BLOCK 2  
CONCESSION 3  
GEOGRAPHIC TOWNSHIP OF BINBROOK  
NOW IN THE  
CITY OF HAMILTON  
SCALE 1 : 400

**NOT TO SCALE**

**LEGEND**  
MB DENOTES FINISHED FLOOR ELEVATION  
HE DENOTES HEAD OF FOUNDATION WALL  
TWS DENOTES TOP OF FOUNDATION WALL  
TBS DENOTES TOP OF BASEMENT FLOORING  
US DENOTES UNDERGROUND SERVICES  
S DENOTES SWAMP PUMP  
R DENOTES RISER  
D DENOTES DIRECTION OF DRAINAGE  
XXXXX DENOTES EXISTING ELEVATIONS  
(XXXXX) DENOTES PROPOSED ELEVATIONS  
PIN DENOTES PERMANENT IDENTIFICATION NUMBER  
TM DENOTES TRUNK MAIN  
DENOTES REDUNDANT TREE SCALED TO CANOPY, TRUNK SIZE SHOWN IN METRES  
DENOTES CONIFEROUS TREE SCALED TO CANOPY, TRUNK SIZE SHOWN IN METRES

**NOTES**  
- PROPOSED TIES SHOWN HEREON ARE TO FOUNDATION ONLY  
- BUILDING DIMENSIONS WERE NOT REFERRED TO THE BENCHMARK NOTED ABOVE  
- LOT GRADING SHALL MATCH WITH THE EXISTING DRAINAGE PATTERNS  
- BUILDERS TO VERIFY ALL EXISTING GRADES PRIOR TO CONSTRUCTION INCLUDING ROAD  
- ALL UNDERGROUND SERVICES MUST BE LOCATED BY CONSULTOR PRIOR TO ANY  
- CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND JOB CONDITIONS BEFORE  
- PROCEEDING WITH WORK  
- BOUNDARY AND SURVEY RECORDS OF M&P LIMITED AND WERE VERIFIED IN FIELD ON  
- JANUARY 8, 2024  
- PROPOSED BUILDING IS POSITIONED BY CALCULATION, NOT BY AN ACTUAL SURVEY  
- ANY AMENDMENT OR ALTERATION OF THIS PLAN MUST BE REPORTED TO M&P LIMITED  
- PRIOR TO ANY CONSTRUCTION  
- VERIFIED BEFORE CONSTRUCTION  
- NO NEW SERVICE CONNECTIONS ARE PROPOSED

**CAUTION**  
- THIS IS NOT ORIGINAL COPY UNLESS EMBOSSED  
- THIS PRODUCT SHALL NOT BE USED EXCEPT FOR THE PURPOSES INDICATED IN TITLE BLOCK  
- THIS PRODUCT IS NOT TO BE USED FOR TRANSACTION  
- THIS PRODUCT IS PROTECTED BY COPYRIGHT INCLUDING ALL RELATED DIGITAL PRODUCTS

**CERTIFICATION NOTE**  
- HEREON ARE DERIVED FROM LAND REGISTRY OFFICE  
- RECORDS AND SURVEY RECORDS OF M&P LIMITED  
- WE HAVE REVIEWED THE PLANS FOR CONSTRUCTION OF A 1 STOREY BUILDING LOCATED  
- AT 1477 GUYATT ROAD EAST AND CERTIFYING MUNICIPAL SERVICES  
- WITH THE BUILDING SETBACKS AS SHOWN  
- PROPOSED BUILDING HEIGHT AS SHOWN  
- PROPOSED LOT COVERAGE AS SHOWN  
- FEBRUARY 26, 2024

**M&P**  
Mackay, Mackay & Peters Limited  
LAND SURVEYORS & MAPPERS  
SINCE 1906

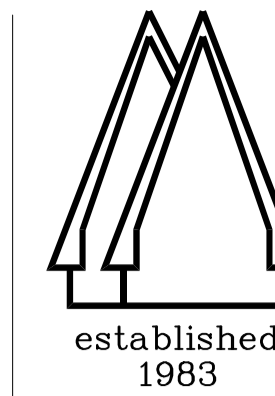
3380 South Service Road  
Hamilton, ON  
L7N 3J5  
(905) 659-1375  
hali@mmplimited.com  
mmplimited.com

**ASSOCIATION OF ONTARIO LAND SURVEYORS 2024**  
ASRBRELI

FORM: MACKAY, MACKAY & PETERS LIMITED  
DATE: FEBRUARY 26, 2024

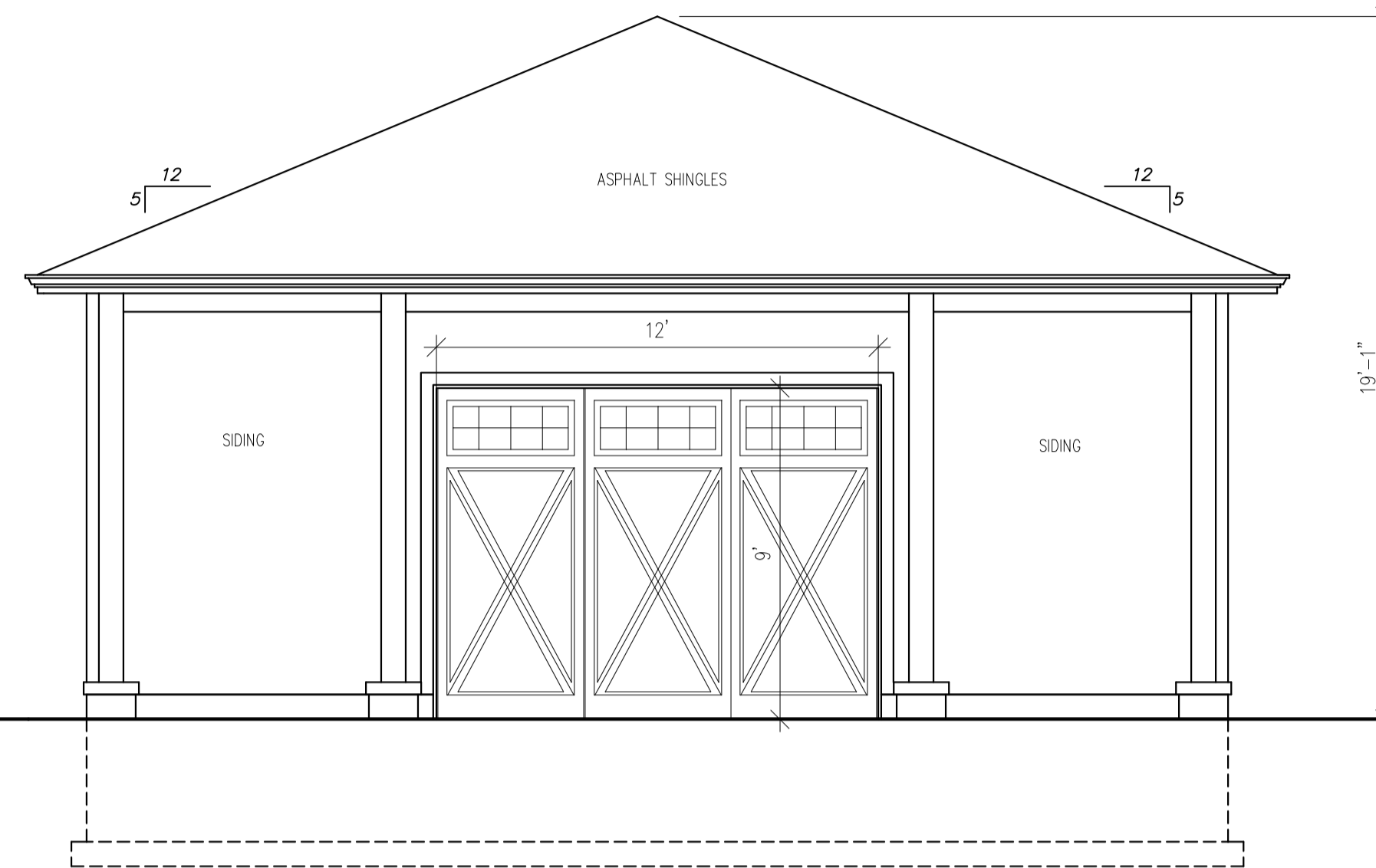
DRAWN BY: A.B. CHECKED BY: A.S.  
PROJECT NO: 23-302-SPF  
DWG. NO: 1



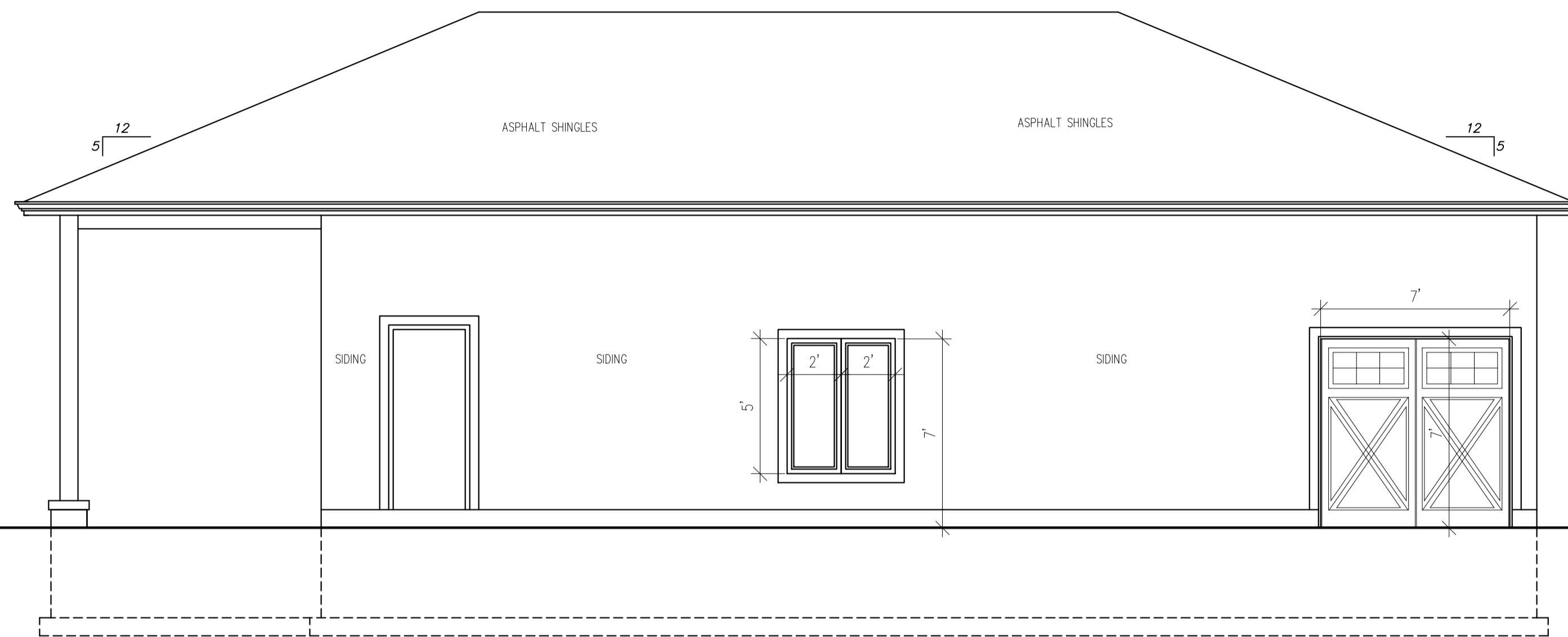


**SAGITTARIUS**  
 design & drafting  
 99 HANOVER PLACE  
 HAMILTON, ONTARIO  
 L8K - 5X7  
 Phone: (905) 973-9839  
 e-mail: sagit1129@rogers.com

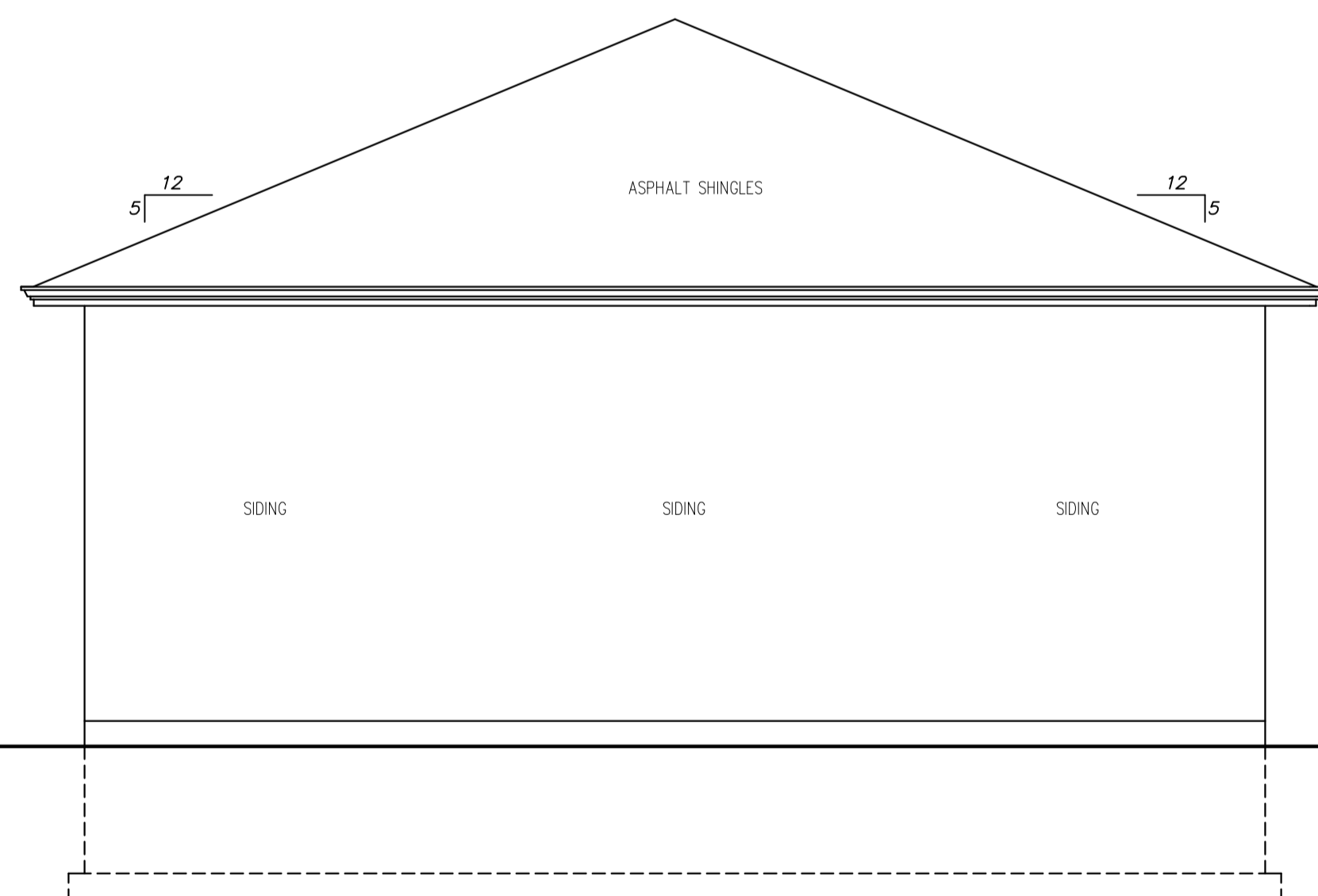
FRONT ELEVATION



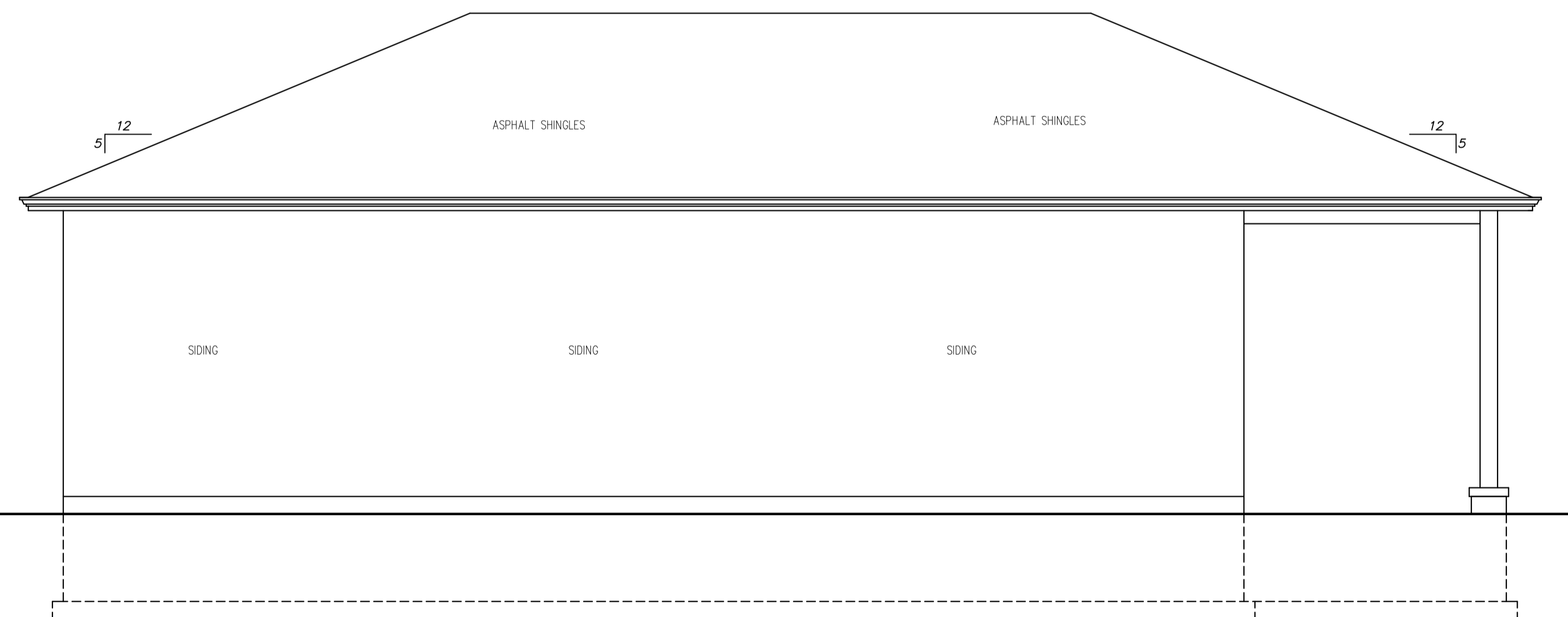
RIGHT SIDE ELEVATION



REAR ELEVATION



LEFT SIDE ELEVATION



GENERAL NOTES:

1. ALL CONSTRUCTION SHALL CONFORM TO THE O.B.C. AND LOCAL AUTHORITY HAVING JURISDICTION.
2. DO NOT SCALE DRAWINGS. CONTRACTOR SHALL VERIFY ALL DIMENSIONS PRIOR TO COMMENCING CONSTRUCTION.
3. ALL WOOD MEMBERS TO BE CONSTRUCTION SPRUCE No.2, UNLESS NOTED OTHERWISE.
4. INSTALL DOUBLE JOISTS UNDER ALL PARALLEL PARTITIONS.
5. ALL CONSTRUCTION BETWEEN GARAGE AND DWELLING UNIT SHALL PROVIDE AN EFFECTIVE BARRIER FROM GAS AND EXHAUST. DOOR TO HAVE WEATHER STRIP/G AND SELF CLOSER.
6. RESISTANCE TO FORCED ENTRY TO CONFORM TO SECTION 9.6.8. OF THE O.B.C.
7. ANY DEVIATION FROM APPROVED PLAN MUST BE APPROVED BY LOCAL BUILDING DEPARTMENT.
8. SIZES OF ALL BEAMS AND LINTELS MUST BE CONFIRMED UPON FINAL TRUSS LAY OUT.
9. STEEL : G40.21-M 300W;  $\phi=0.90$   
 STEEL BEAM WITH WELDED PLATE / 6"x1/2"  
 & 3/8" THICK BRACKETS @ 24" O.C. TO SUPPORT BRICK.  
 ALL BRICK VENEER ANGEL IRON LINTELS TO BE ANCHORED AT 24" O.C. TO PREVENT TWISTING.
10. STAIRS, RAMPS, HANDRAILS & GUARDS AS PER SECTION 9.8. OF THE O. B. C.  
 ATTACHMENT OF HANDRAILS AS PER SUPPLEMENTARY STANDARDS TO THE O. B. C. SB-7
11. ALL WORKS SHALL BE PERFORMED BY QUALIFIED AND LICENCED CONTRACTORS
12. ALL CONCRETE MATERIALS AND WORKMANSHIP TO SCA A23.1, 2 & 3.

PROPOSED BARN/STORAGE  
 1477 GUYATT ROAD EAST  
 HAMILTON, ONTARIO

ELEVATIONS

DATE:	JULY 25, 2023
SCALE:	1/4"=1'-0"
DWG BY:	M.T.
FILE:	2318

DWG No.

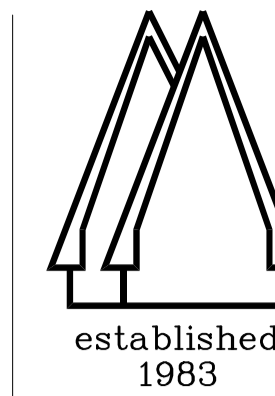
A2.01

**REGISTRATION INFORMATION**  
 The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.  
**MILOS TRKULJA** BCIN: 24457  
**SAGITTARIUS DESIGNS** BCIN: 30427

Signature:

TO PERFORM ACTUAL CONSTRUCTION THE BUILDER SHALL USE SET OF DRAWINGS SEALED - THEREFORE APPROVED - BY THE LOCAL BUILDING DEPARTMENT

NOT ISSUED FOR CONSTRUCTION UNTIL SIGNED AND DATED

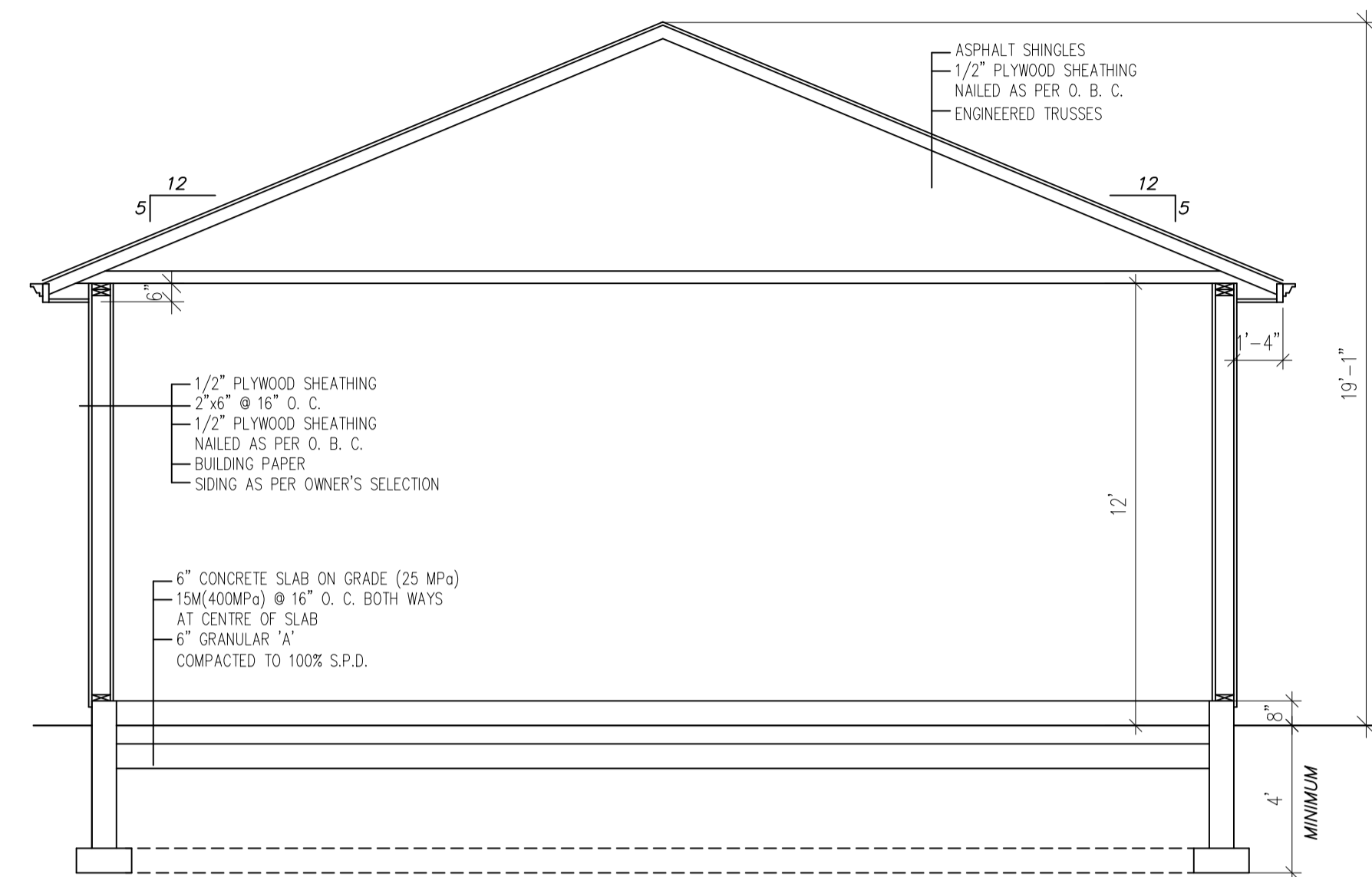


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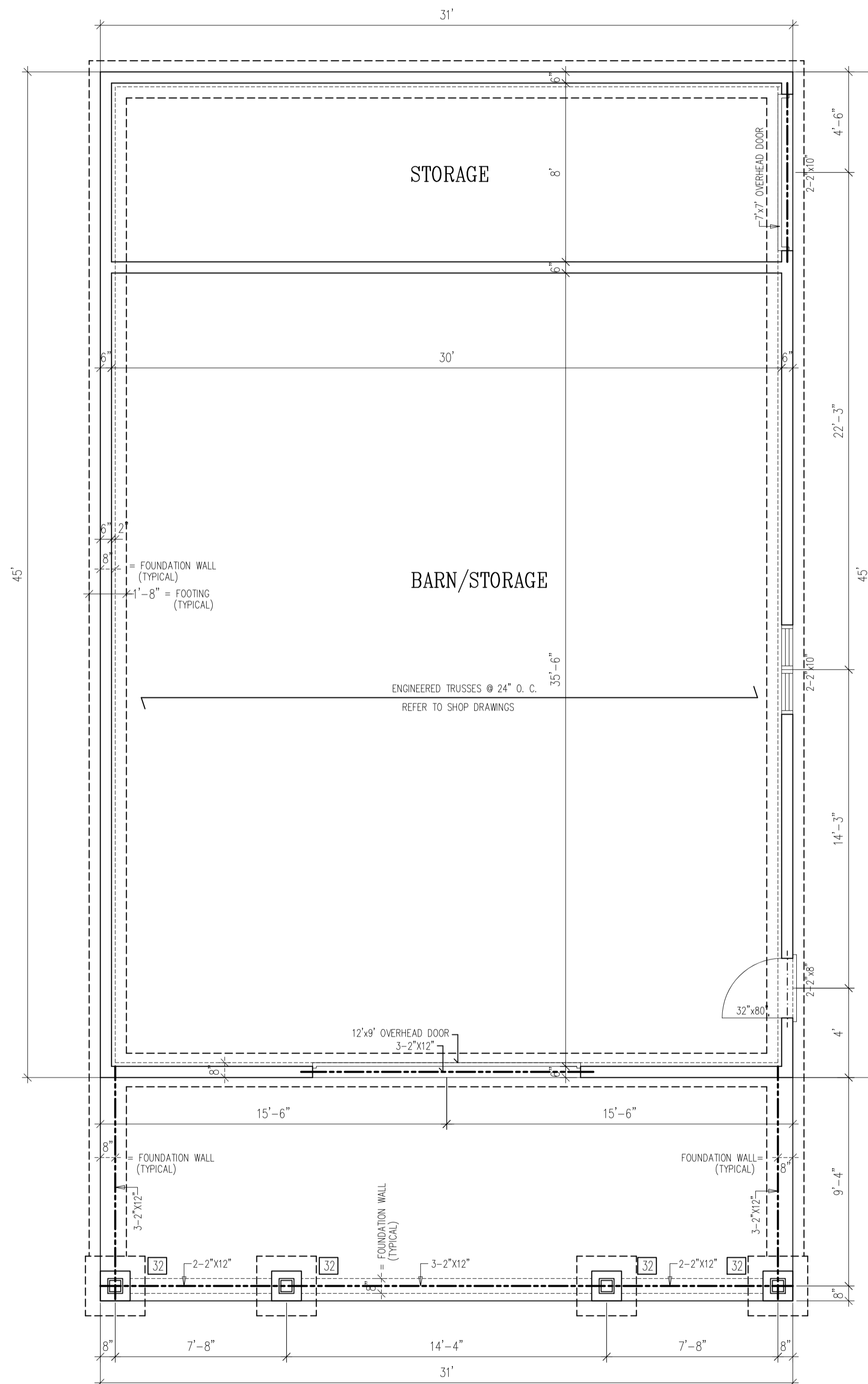
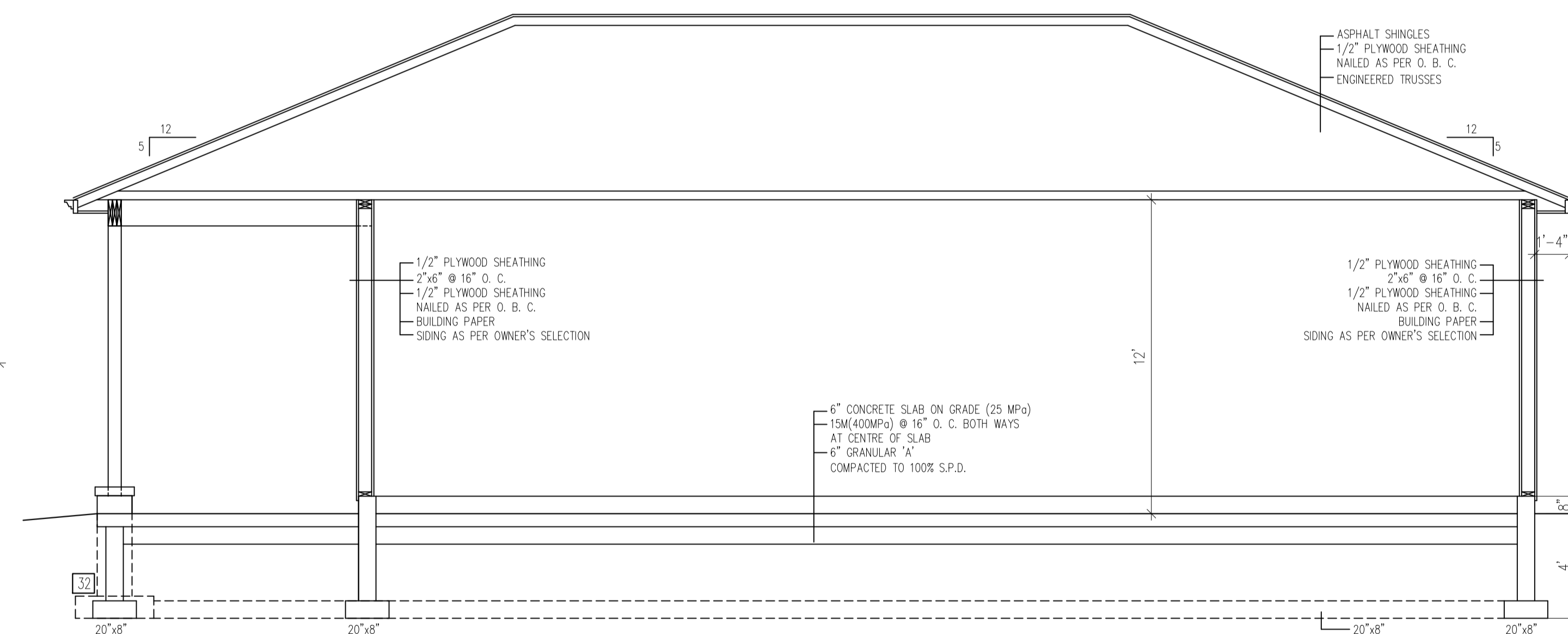
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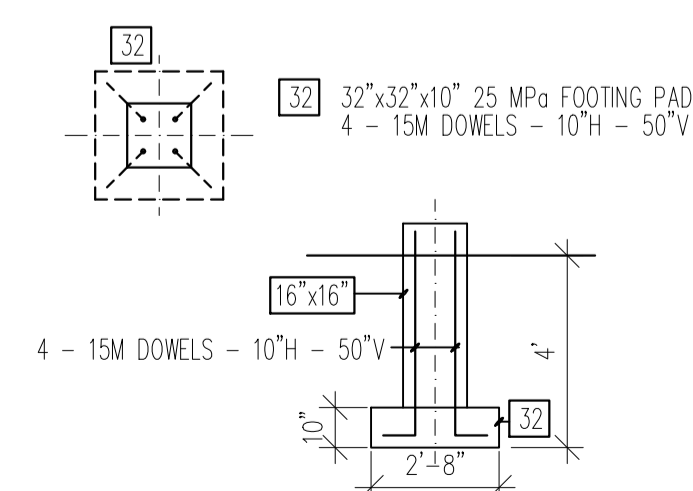
**SECTION - A**



**SECTION - B**



**FLOOR PLAN**



TO PERFORM ACTUAL CONSTRUCTION THE BUILDER SHALL USE SET OF DRAWINGS SEALED - THEREFORE APPROVED - BY THE LOCAL BUILDING DEPARTMENT

**REGISTRATION INFORMATION**

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

**MILOS TRKULJA**  
**SAGITTARIUS DESIGNS**

BCIN: 24457  
 BCIN: 30427

Signature: \_\_\_\_\_

**PROPOSED BARN/STORAGE**  
 1477 GUYATT ROAD EAST  
 HAMILTON, ONTARIO

**GROUND FLOOR PLAN/SECTIONS**

DATE:	JULY 25, 2023
SCALE:	1/4"=1'-0"
DWG BY:	M.T.
FILE:	2318

DWG No.

A1.01

NOT ISSUED FOR CONSTRUCTION  
 UNTIL SIGNED AND DATED



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	
Registered Owners(s)	DINO + PALMA DIONISIO	[Redacted]
Applicant(s)		Phone:
		E-mail:
Agent or Solicitor		Phone:
		E-mail:

1.2 Primary contact

- Applicant
  Owner  
 Agent/Solicitor

1.3 Sign should be sent to

- 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

[Redacted]

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	1477 GUYATT RD · BINBROOK		
Assessment Roll Number			
Former Municipality	GLANBROOK		
Lot	4	Concession	3
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	4

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 CONSTRUCT A BARN / STORAGE AND TO KEEP EXISTING BARN / STORAGE

Second Dwelling Unit                       Reconstruction of Existing Dwelling

3.2 Why it is not possible to comply with the provisions of the By-law?  
 ALL ZONING ONLY PERMITS 200 M OF 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
202.01 m	1512.77 m	102 ACRES	6 m

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	61.09m	1451.68m	46.04m + 121.63m	2005
BARN	224.03m	1276.99m	116.72m + 51.77m	UNKNOWN

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
BARN / STORAGE	95.64m	1404.46m	96.07m + 96.54m	TBD

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	456.71 m <sup>2</sup>	329.90 m <sup>2</sup>	1	6.4 m
BARN	328.51 m <sup>2</sup>	328.51 m <sup>2</sup>	1	6 m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
BARN / STORAGE	156.47 m <sup>2</sup>	129.6 m <sup>2</sup>	1	5.99 m

- 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 family

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

Single family

**7 HISTORY OF THE SUBJECT LAND**

7.1 Date of acquisition of subject lands:

2004

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

SINGLE FAMILY / FARMER

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

SINGLE DETACHED DWELLING

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

Approx 18 years.

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

Rural Hamilton Official Plan designation (if applicable): AGRICULTURE

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: \_\_\_\_\_

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: 0

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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