



Hamilton

STAFF COMMENTS

HEARING DATE: September 24, 2024

A-24:192 – 1477 Guyatt Road, Glanbrook

Recommendation:

Development Planning - Table

Proposed Conditions:

Proposed Notes:



Hamilton

Development Planning:

Background

To facilitate the construction of an agricultural building.

Analysis

Rural Hamilton Official Plan

The subject lands are designated “Agriculture” in Schedule D – Rural Land Use Designations within the Rural Hamilton Official Plan, which permits agricultural uses, agricultural-related commercial and agricultural-related industrial uses and on-farm secondary uses. Staff note that the requested variance is for a structure devoted to retailing of agricultural products grown primarily as part of the farm operation. Retailing of agricultural products on site is an agricultural related commercial use, which is defined as small scale and directly related to the farm operation and are required in close proximity to the farm operation. Small scale uses are characterized by a size and intensity of activity that is clearly secondary to and does not negatively impact the predominant use of the lands for agricultural uses, and which meet the maximum floor area, site coverage and other provisions of the Zoning By-law specific to that use.

Archaeology

The subject property meets four (4) of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential:

- 1) Within 100m of Unusual Landforms
- 2) Within 100 metres of a Historic EuroCanadian Settlement Area
- 3) Within a primary watercatchment area or permanent waterbody, 200 metres of a secondary watercourse or seasonal waterbody, or 300 metres of a prehistoric watercourse or permanent waterbody; and,
- 4) Along historic transportation routes.

Notwithstanding current surface conditions, these criteria define the property as having archaeological potential. Accordingly, Section 2 (d) of the Planning Act and Section 2.6.2 of the Provincial Policy Statement apply to the subject application.

Hamilton Zoning By-law No. 05-200

The subject site is zoned Agriculture (A1) Zone, which permits agricultural uses and accessory uses associated with agriculture.



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Variance 1

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.

The intent of this provision is to maintain small scale retailing of agricultural products to a size and intensity that is secondary to the primary agricultural use.

Staff note that the application indicates that the proposed structure is to be a barn/storage and no retail use has been identified. More information is required to further assess the minor variance application. Staff note that the total maximum gross floor area of 200.0 square metres applies to buildings and structures devoted to retailing of agricultural products grown primarily as part of the farm operation, and buildings accessory to single detached dwellings in the Agriculture (A1) Zone. There is no maximum gross floor area requirement for structures accessory to a primary agricultural use in the A1 Zone, such as barns.

Staff recommend that the application be **tabled** pending additional information regarding the intended use of the proposed structure.

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	<p>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 for further information.</p> <p>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.</p>
Notes:	

Development Engineering:

Recommendation:	No Comments.
Proposed Conditions:	
Comments:	
Notes:	

Building Engineering:



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HEARING DATE: September 24, 2024

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	
Notes:	<p>A building permit is required for the construction the proposed agricultural building.</p> <p>Be advised that Ontario Building Code regulations may require specific setback and construction types.</p>

Transportation Planning:


Recommendation:	Approve
Proposed Conditions:	
Comments:	
Notes:	

Please Note: Public comment will be posted separately, if applicable.



NPCA Comments for Hamilton Committee of Adjustments Meeting on

From Kyle Riley <kriley@npca.ca>
Date Mon 9/16/2024 9:53 AM
To Committee of adjustment <CofA@hamilton.ca>

 1 attachments (575 KB)
1477 Guyat Road Basemap.pdf;

External Email: Use caution with links and attachments
Hello Jamila,

The Niagara Peninsula Conservation Authority (NPCA) has reviewed the subject items for Hamilton's CofA Agenda for September 2024.

The following Proposals fall within our mandate's region:

A-24:192: 1477 Guyatt Road - The subject address is traversed by unevaluated wetlands within its southwest and has a number of regulated watercourses which make their way onto the property, to the extreme south of the existent structures.

The proposed agricultural barn is to the immediate south of the existent residential structure on-site, and this region is free of the influence of NPCA-regulated features. Due to the scope, and location of the structure, the NPCA offers No Objections to the proposed development.

No Fees for Planning or Permitting are required for our review.

From our review, no other files would fall within our regulation area.

Best,



Kyle Riley
Watershed Planner

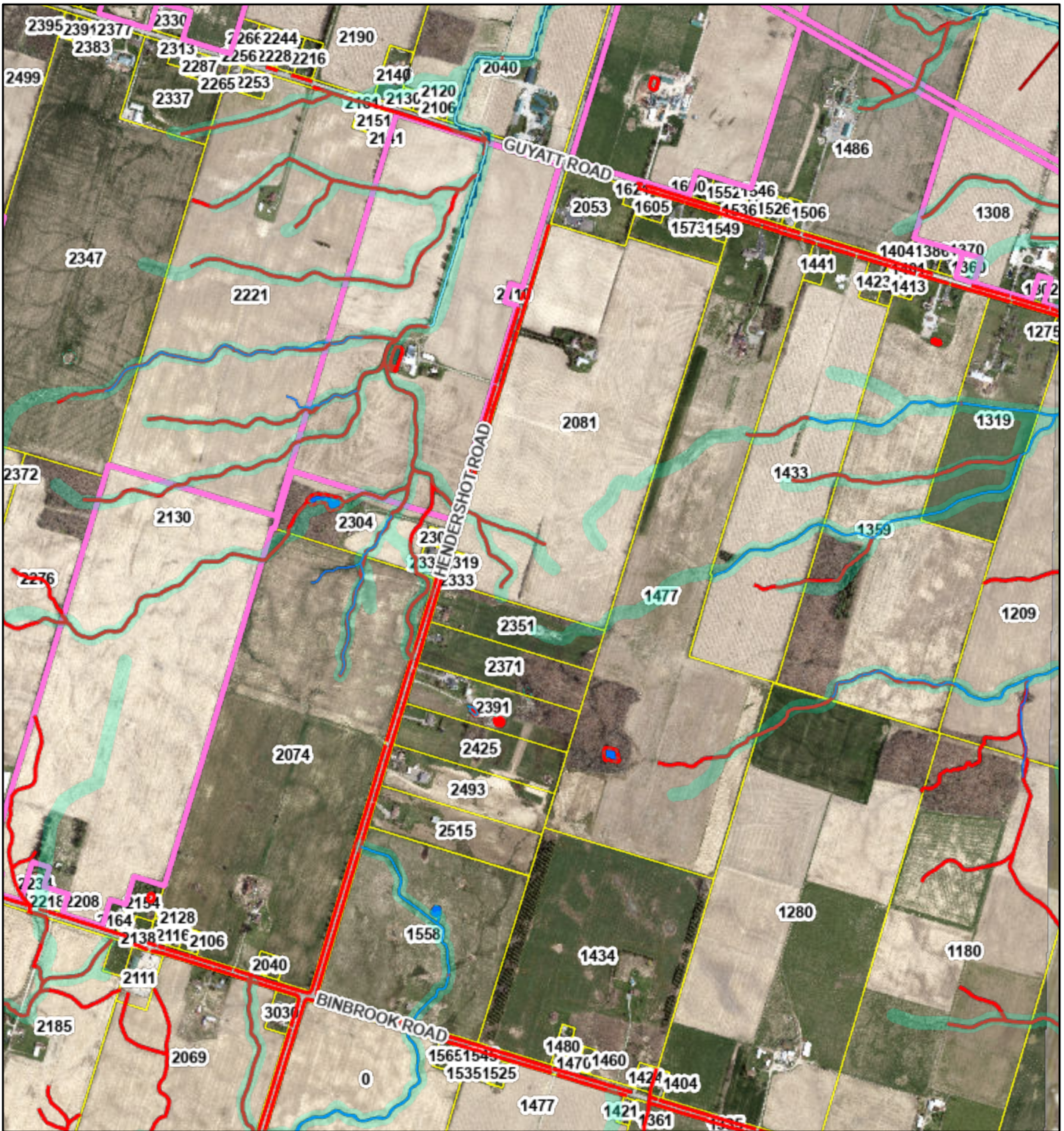
Niagara Peninsula Conservation Authority (NPCA)
3350 Merrittville Highway, Unit 9, Thorold, Ontario L2V 4Y6

(O) 905.788.3135 Ext 252
(Cell) 905.933.2541
www.npca.ca
kriley@npca.ca

For mapping on features regulated by the NPCA please go to our GIS webpage at <https://gis-npca-camaps.opendata.arcgis.com/> and utilize our Watershed Explorer App or GIS viewer.

The information contained in this communication, including any attachment(s), may be confidential, is intended only for the use of the recipient(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any disclosure of this communication, or any of its contents, is prohibited. If you have received this communication in error, please notify the sender and permanently delete the original and any copy from your computer system. Thank-you. Niagara Peninsula Conservation Authority.

ArcGIS Web Map



9/9/2024, 10:18:56 AM

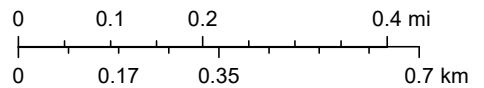
1:18,056

SWOOP 2020 NPCA

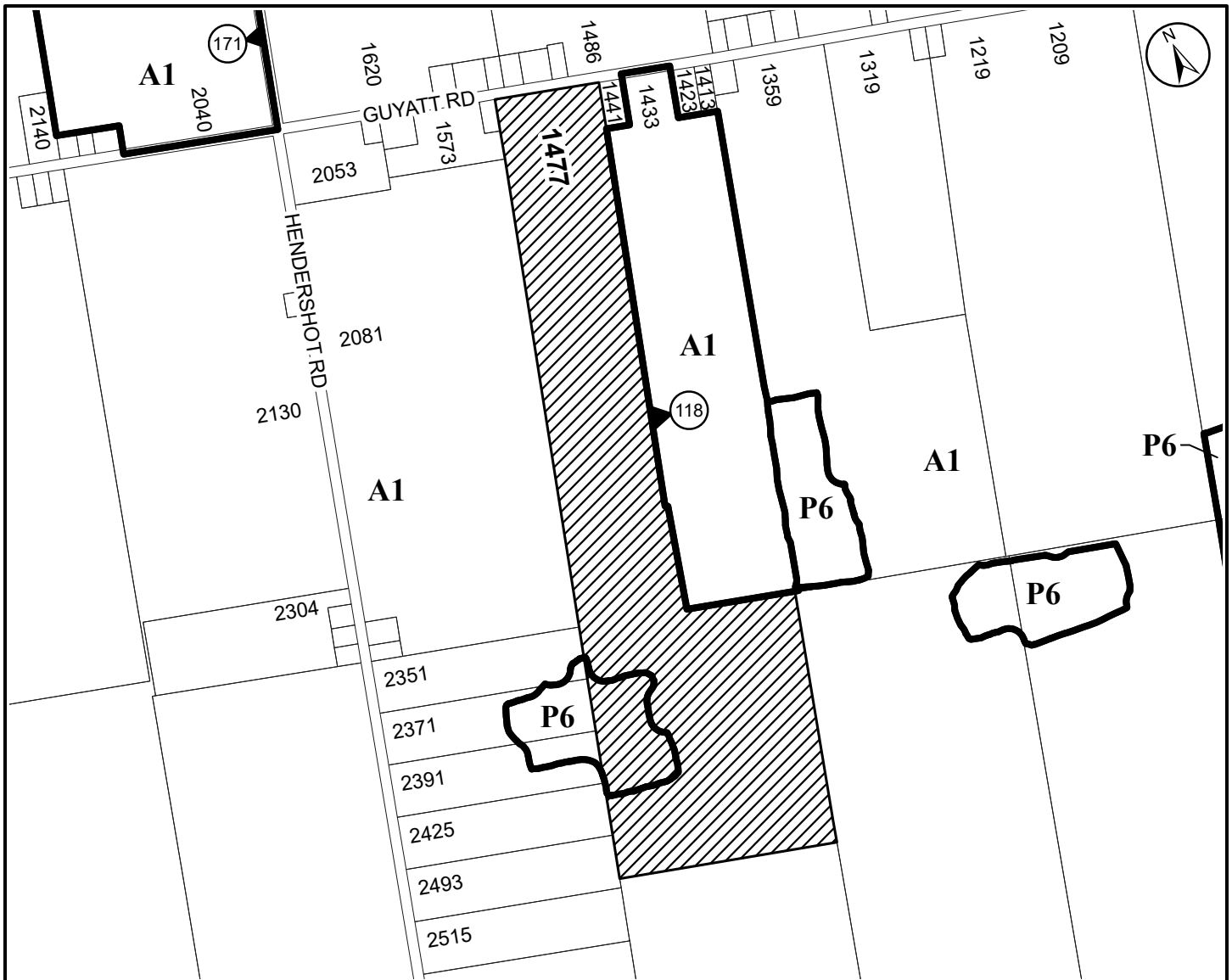
- Red: Band_1
- Green: Band_2
- Blue: Band_3

Roads

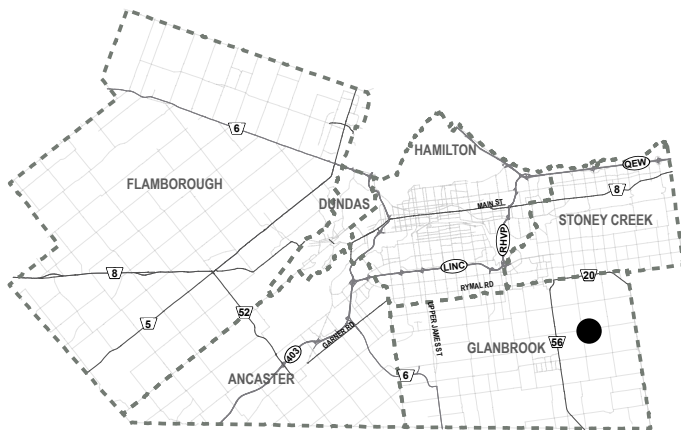
NPCA APPROXIMATE REGULATION LANDS



NPCA, Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



● Site Location



City of Hamilton

Committee of Adjustments

Subject Property



1477 Guyatt Road, Glanbrook
(Ward 11)

File Name/Number:
A-24:192

Date:
September 9, 2024

Technician:
SH

Scale:
N.T.S.

Appendix "A"



Hamilton