



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-24:210	SUBJECT PROPERTY:	682 Ofield Road North, Flamborough
ZONE:	A1, E253 Agriculture	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended by By-law 15-238

APPLICANTS: Owner: Brad Paton & Tracey Urbasik
Agent: Fortino Bros. Inc.

The following variances are requested:

1. A minimum 13.1 metre setback shall be provided from the front lot line instead of the 15.0 metre setback required.
2. A minimum 11.3 metre setback shall be provided from the rear lot line instead of the 15.0 metre setback required.

PURPOSE & EFFECT: To facilitate the establishment of a landscape contracting establishment building.

Notes:

1. Applicant to note that the proposed landscape contracting establishment is only permitted within the boundaries identified as "Exception 253". Should the proposed building be provided outside of these boundaries, further zoning review will be required.

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, November 12, 2024
TIME:	2:20 p.m.

A-24:210

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 www.hamilton.ca/committeeofadjustment

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 November 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 November 8, 2024

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:210, 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**

DATED: October 24, 2024

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 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.

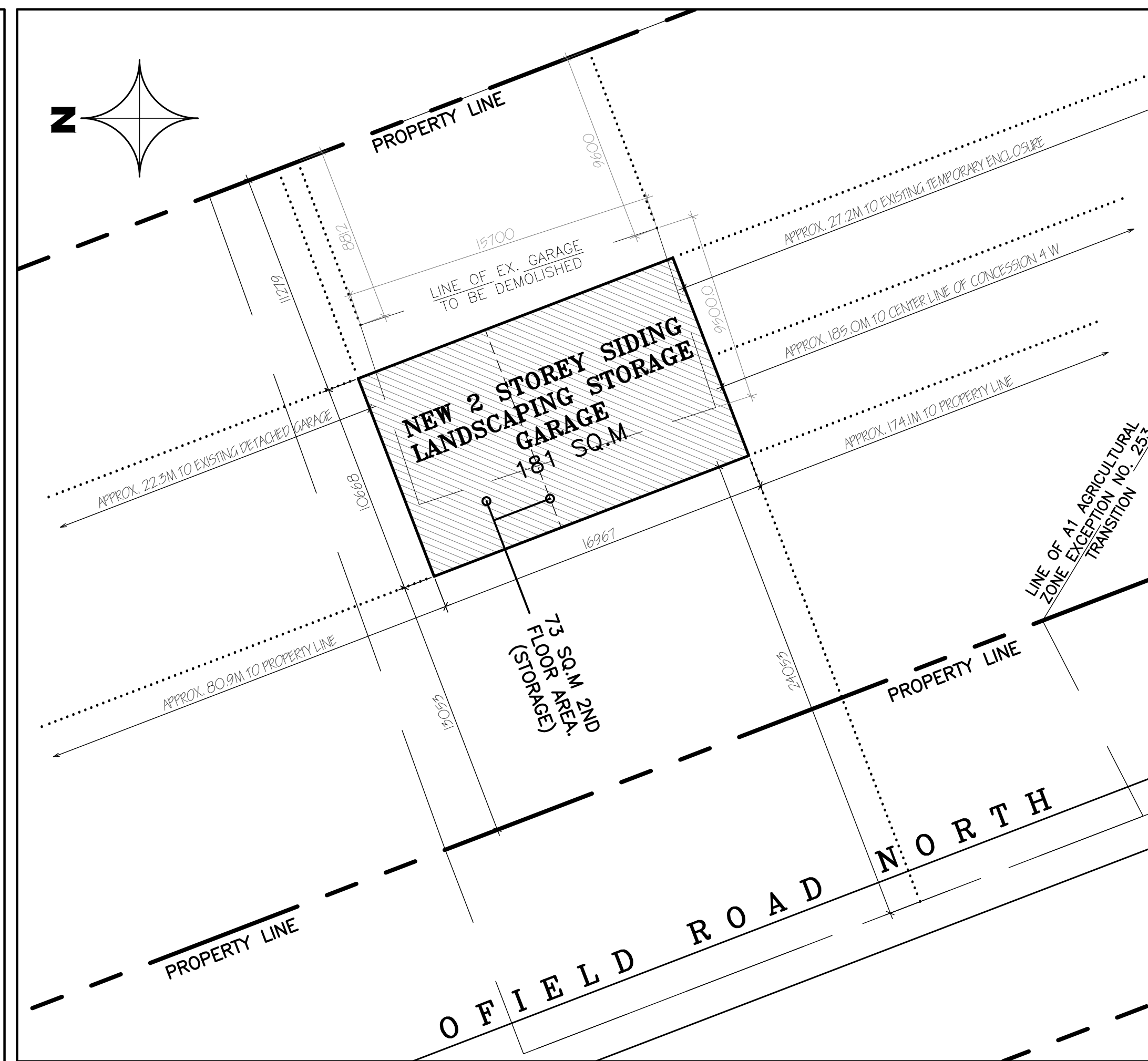
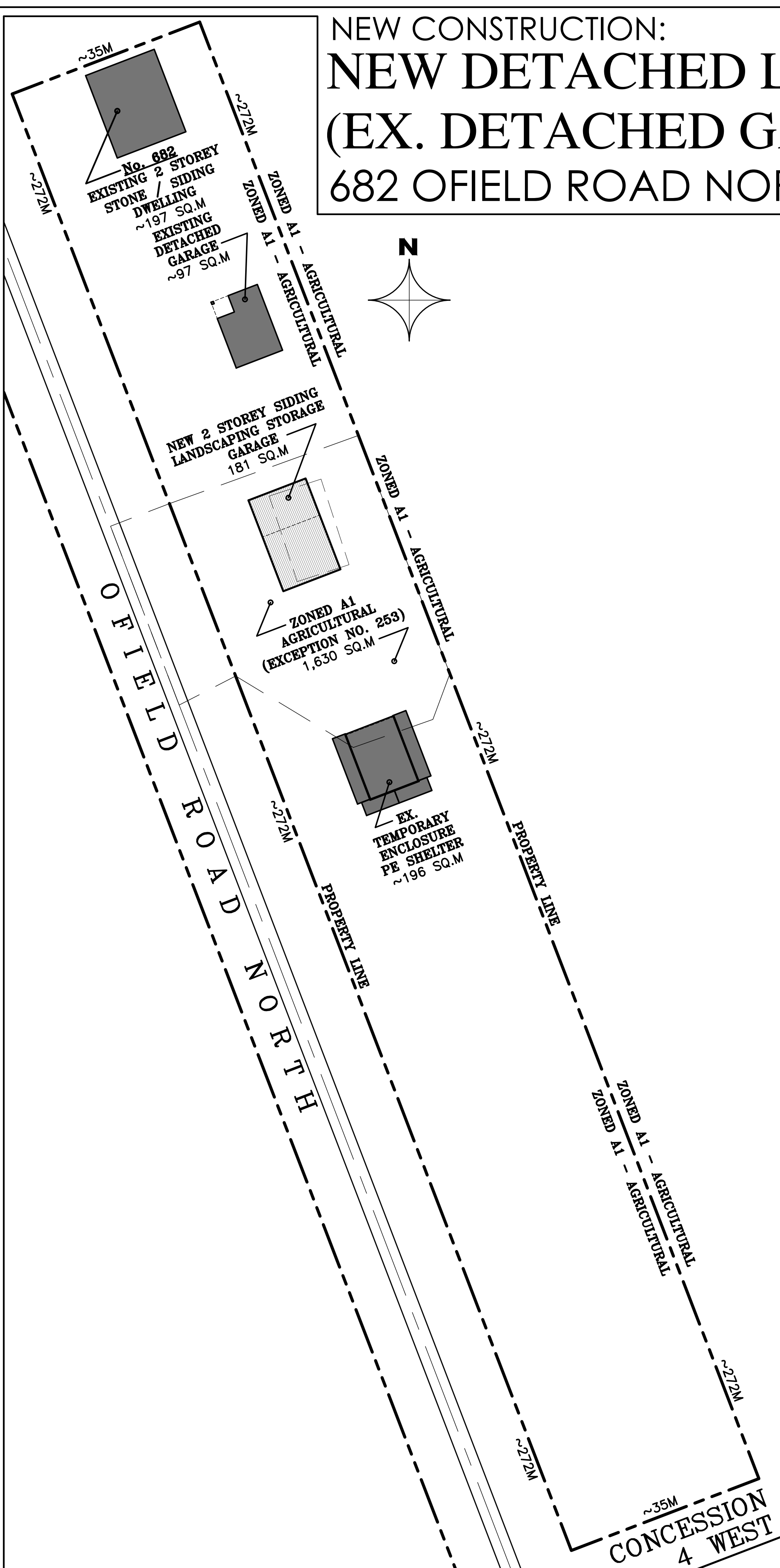
2. In person Oral Submissions

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.

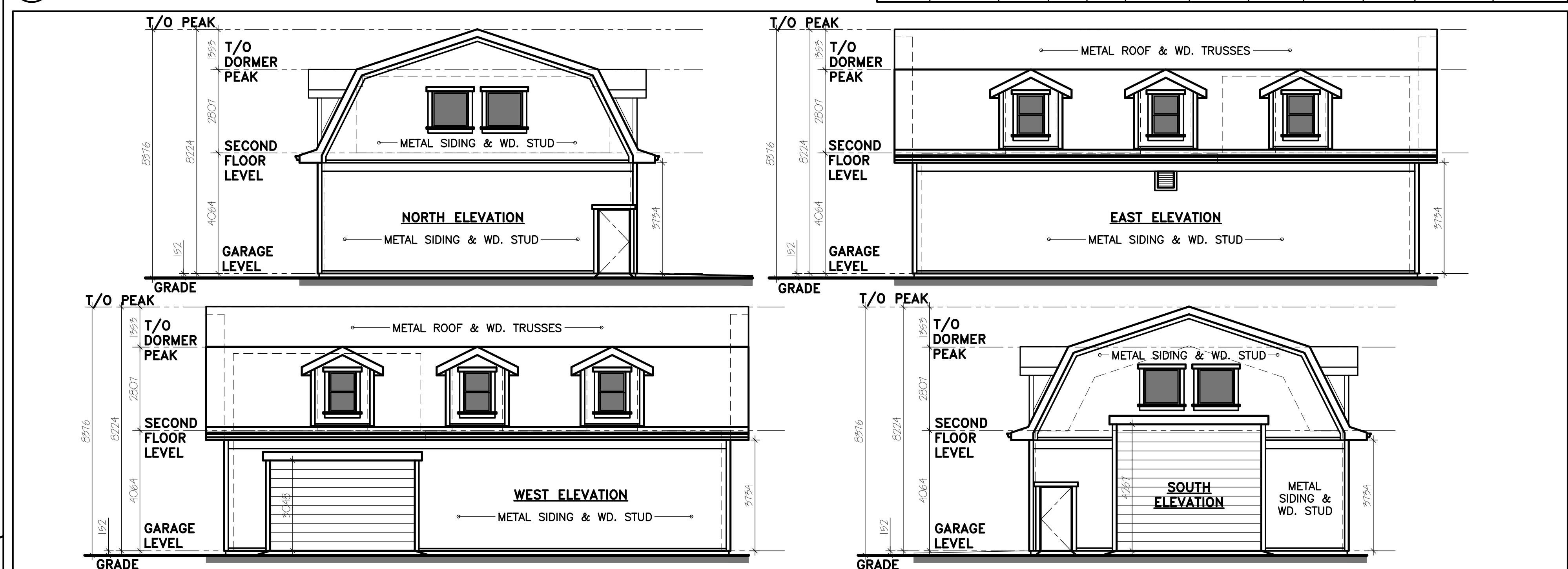
We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca.

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.

NEW CONSTRUCTION: NEW DETACHED LANDSCAPING STOR. GARAGE (EX. DETACHED GARAGE & TEMP. ENCLOSURE) 682 OFIELD ROAD NORTH, HAMILTON, ONTARIO



2 PARTIAL SITE PLAN - NEW DETACHED LANDSCAPING STORAGE GARAGE
SCALE 1:200



3 ELEVATIONS - NEW DETACHED LANDSCAPING STORAGE GARAGE
SCALE 1:100

EXISTING ZONING: "A1" AGRICULTURAL & "A1" AGRICULTURAL EXCEPTION NO.253 (BY-LAW 05-200)

SITE AREA: ~9,520 SQ.M.

EX. BUILDING(S) COVERAGE (EX. DWELLING, DETACHED GARAGE & TEMP. ENCLOSURE): ~490 SQ.M.

NEW BUILDING COVERAGE (NEW LANDSCAPE STORAGE GARAGE): 181 SQ.M.

PROPOSED BUILDING HEIGHT (GRADE TO PEAK): 8.4 METERS

SETBACKS (NEW LANDSCAPING GARAGE):	REQUIRED:	PROPOSED:	VARIANCE REQ:
MIN. FRONT YARD (WEST - OFIELD ROAD NORTH)	15 METERS	13.1 METERS	YES
MIN. FRONT YARD (SOUTH - CONCESSION 4 WEST)	15 METERS	~174.1 METERS	NO
MIN. REAR YARD (EAST)	15 METERS	11.3 METERS	YES
MIN. SIDE YARD (NORTH)	15 METERS	~80.9 METERS	NO

ITEM:	ONTARIO BUILDING CODE DATA MATRIX - PARTS 3 & 9:	OBC REFERENCE:																																																												
1	TYPE OF WORK: <input checked="" type="checkbox"/> New <input type="checkbox"/> Addition <input type="checkbox"/> Alteration <input type="checkbox"/> Change of Use PROJECT DESCRIPTION: NEW 2 STOREY LANDSCAPING STORAGE GARAGE	<input checked="" type="checkbox"/> PART 3 11.2(A) <input checked="" type="checkbox"/> PART 9 11.2(A), 9.10.1.3																																																												
2	MAJOR OCCUPANCY(S): GROUP F3	3.1.2.1(C) 9.10.2																																																												
3	BUILDING AREA: (m ²) 181	1.4.1.2(A) 1.4.1.2(A)																																																												
4	GROSS AREA: (m ²) 254	1.4.1.2(A) 1.4.1.2(A)																																																												
5	NUMBER OF STOREYS: Above Grade: 2 Below Grade: 0	3.2.1.1 & 1.4.1.2(A) 9.10.4 & 1.4.1.2(A)																																																												
6	NUMBER OF STORIES: 2	3.2.2.10 & 3.2.5. 9.10.20																																																												
7	BUILDING CLASSIFICATION: LOW HAZARD (F3)	3.2.2.20-B5 9.10.2																																																												
8	SPRINKLER SYSTEM: <input type="checkbox"/> Entire Building <input type="checkbox"/> Placement <input type="checkbox"/> Not Required <input type="checkbox"/> Selected Compartments <input type="checkbox"/> Not Required <input type="checkbox"/> Selected Floor Areas <input type="checkbox"/> In Lieu of Roof Rating	3.2.2.20-B5 3.2.1.5 3.2.1.7 INDEX 9.10.8.2																																																												
9	STANDPIPE REQUIRED: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	3.2.9 N/A																																																												
10	FIRE ALARM REQUIRED: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	3.2.4 9.10.18																																																												
11	WATER SERVICE / SUPPLY IS ADEQUATE: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	3.2.5.7 N/A																																																												
12	HIGH BUILDING: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	3.2.6. N/A																																																												
13	PERMITTED CONSTRUCTION: <input checked="" type="checkbox"/> Combustible <input type="checkbox"/> Non-combustible <input type="checkbox"/> Both ACTUAL CONSTRUCTION: <input type="checkbox"/> Combustible <input type="checkbox"/> Non-combustible <input checked="" type="checkbox"/> Both	3.2.2.20-B5 9.10.6																																																												
14	MEZZANINE(S) AREA: (m ²) N/A	3.2.1.1(5) <8> 9.10.4.1																																																												
15	OCCUPANT LOAD: 1 st Floor: <input type="checkbox"/> m ² person <input checked="" type="checkbox"/> design of building Occupancy: F3 Load: 0 persons 2 nd Floor: <input type="checkbox"/> m ² person <input checked="" type="checkbox"/> design of building Occupancy: F3 Load: 0 persons	3.1.7 9.9.1.3																																																												
16	BARRIER-FREE DESIGN: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Explain) STOR. GARAGE	3.8 9.9.2																																																												
17	HAZARDOUS SUBSTANCES: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	3.3.1.2 & 3.3.1.19 9.10.1.3(4)																																																												
18	REQUIRED FIRE RESISTANCE RATING (FRR): Horizontal Assemblies 2nd 45 MIN Roof 0 HR PPR of Supporting Members 2nd 45 MIN Roof 0 HR Listed Design No. of Description (SG-2) SB-3 N/A Listed Design No. of Description (SG-2) SB-3 N/A	3.2.2.20-B5 & 3.2.1.4 9.10.8 9.10.9																																																												
19	SPATIAL SEPARATION - CONSTRUCTION OF EXTERIOR WALLS:	3.2.3 9.10.14																																																												
<table border="1"> <thead> <tr> <th>FACING HOUSE</th> <th>Wall</th> <th>Area of EPP (m²)</th> <th>L/D (m)</th> <th>L/H or H/L</th> <th>Permitted Max. % of Openings</th> <th>Proposed % of Openings</th> <th>FRR (Hours)</th> <th>Listed Design or Description</th> <th>Combustible Construction</th> <th>Comb. Construction Non-Cladding</th> <th>Non-combustible Construction</th> </tr> </thead> <tbody> <tr> <td>North</td> <td>N/A</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>East</td> <td>97</td> <td>11.3</td> <td>N/A</td> <td>84%</td> <td>4%</td> <td>-</td> <td>-</td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>South</td> <td>64</td> <td>185.0</td> <td>N/A</td> <td>100%</td> <td>41%</td> <td>-</td> <td>-</td> <td>X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>West</td> <td>97</td> <td>24.1</td> <td>N/A</td> <td>100%</td> <td>19%</td> <td>-</td> <td>-</td> <td>X</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>			FACING HOUSE	Wall	Area of EPP (m ²)	L/D (m)	L/H or H/L	Permitted Max. % of Openings	Proposed % of Openings	FRR (Hours)	Listed Design or Description	Combustible Construction	Comb. Construction Non-Cladding	Non-combustible Construction	North	N/A											East	97	11.3	N/A	84%	4%	-	-	X				South	64	185.0	N/A	100%	41%	-	-	X				West	97	24.1	N/A	100%	19%	-	-	X			
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THIS DRAWING MUST NOT BE SCALED.
THE GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS, DATINGS & LEVELS PRIOR TO THE COMMENCEMENT OF WORK.
ALL ERRORS & OMISSIONS ARE TO BE REPORTED IMMEDIATELY TO THE DESIGNER.

ISSUED:

NO.	ISSUED FOR	DATE
1.0	ISSUED FOR CO-ORDINATION	SEP 12 2024
2.0	ISSUED FOR VARIANCE	SEP 18 2024

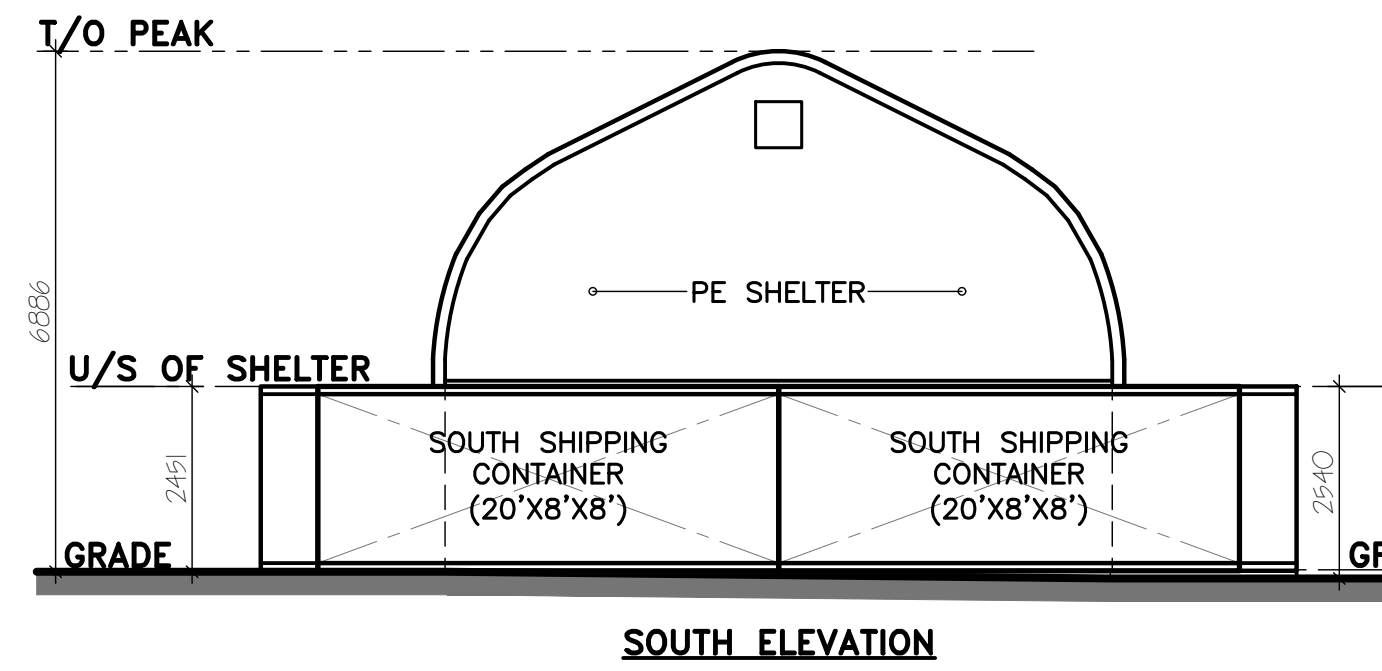
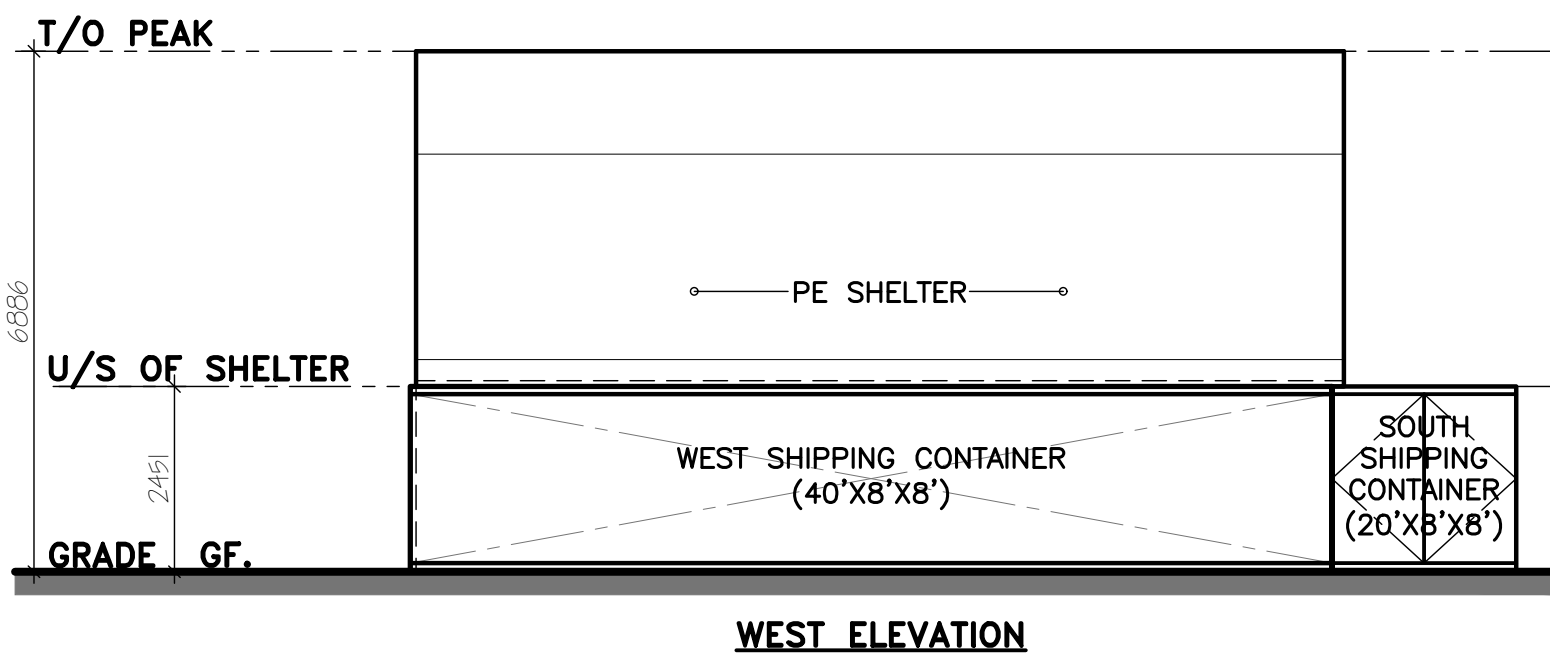
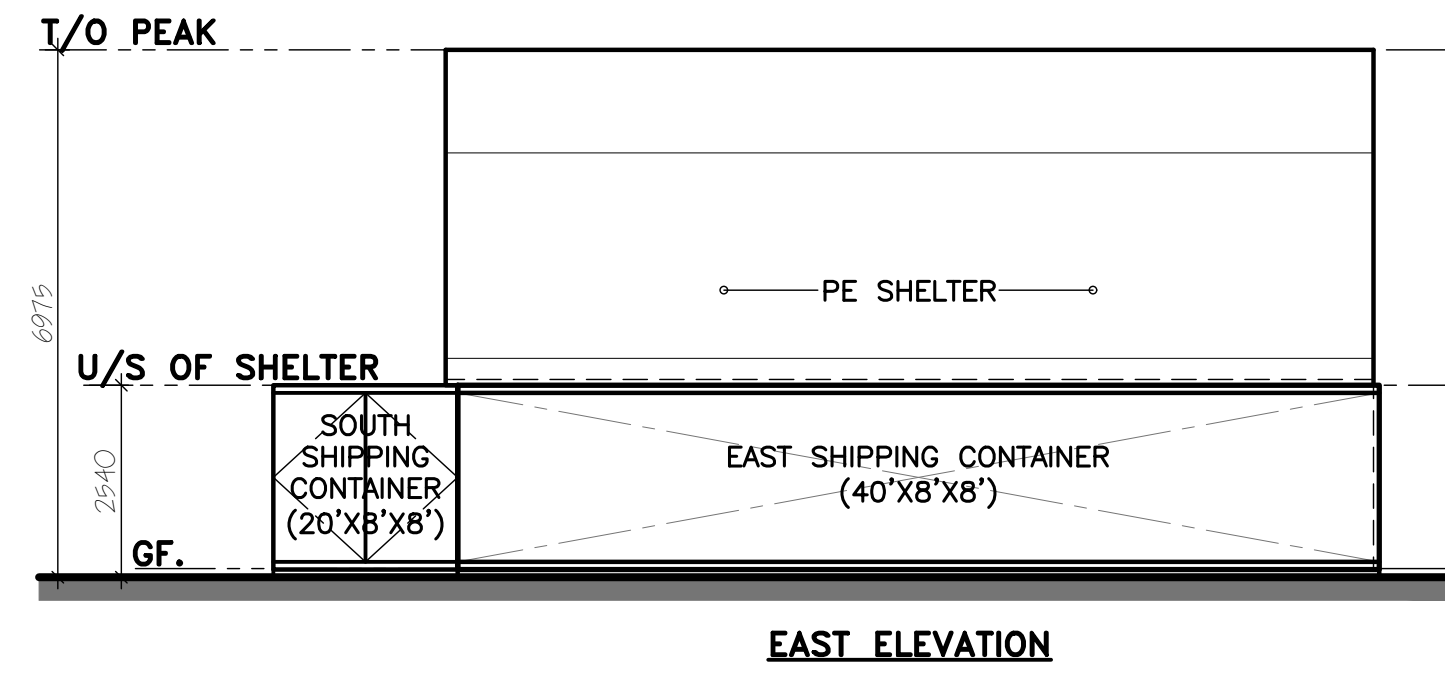
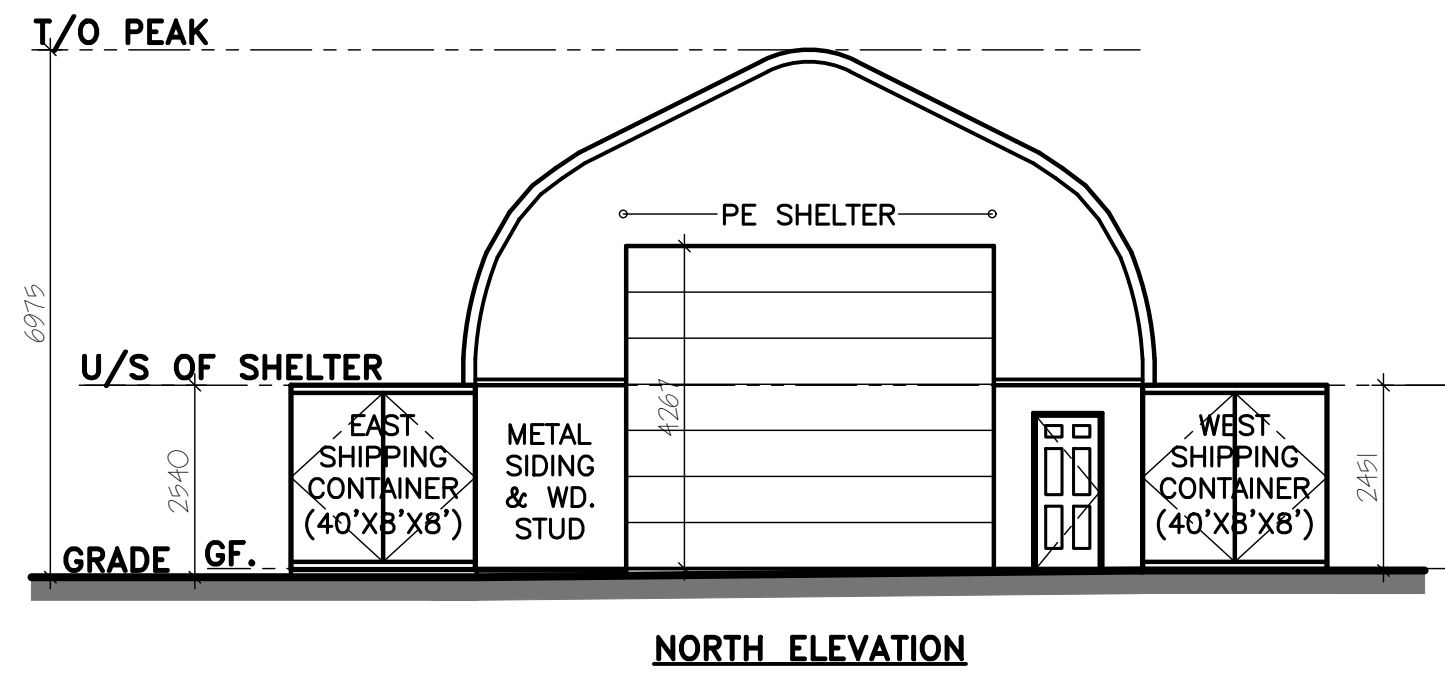
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SCALE: AS NOTED
DWN. BY: JB

1 OVERALL SITE PLAN
SCALE 1:500

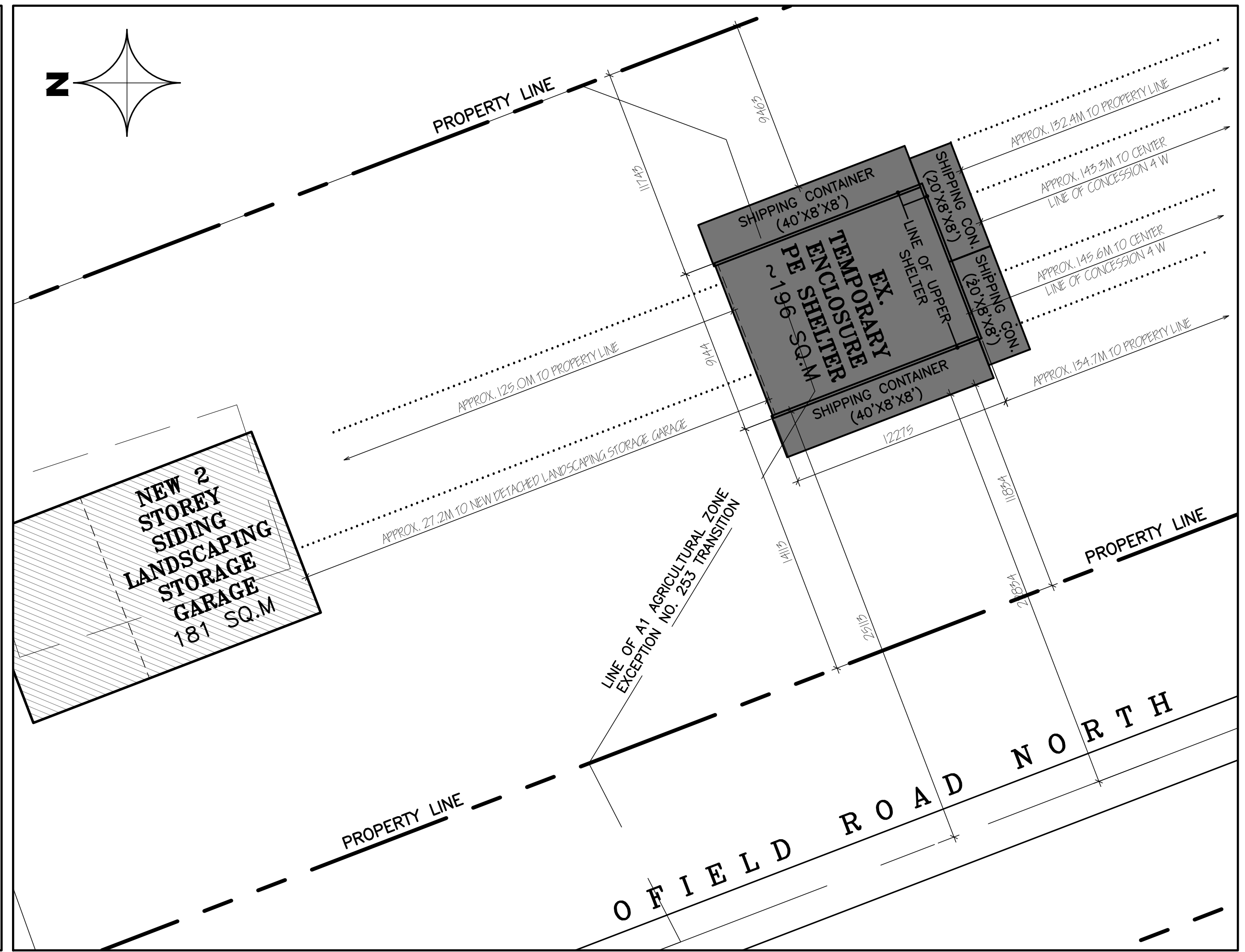
NEW CONSTRUCTION:
DETACHED LANDSCAPING STORAGE GARAGE
CLIENT: BRAD & TRACEY PATON
682 OFIELD ROAD NORTH
HAMILTON, ONTARIO

TITLE:
COVER PAGE
SITE PLAN &
ELEVATIONS

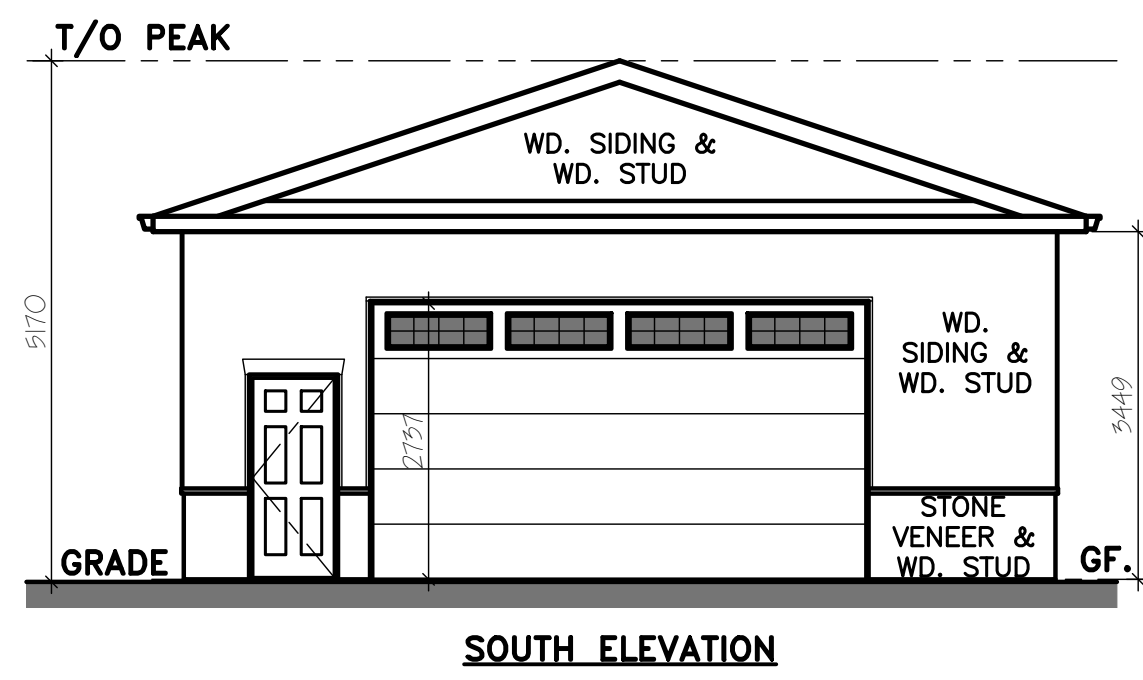
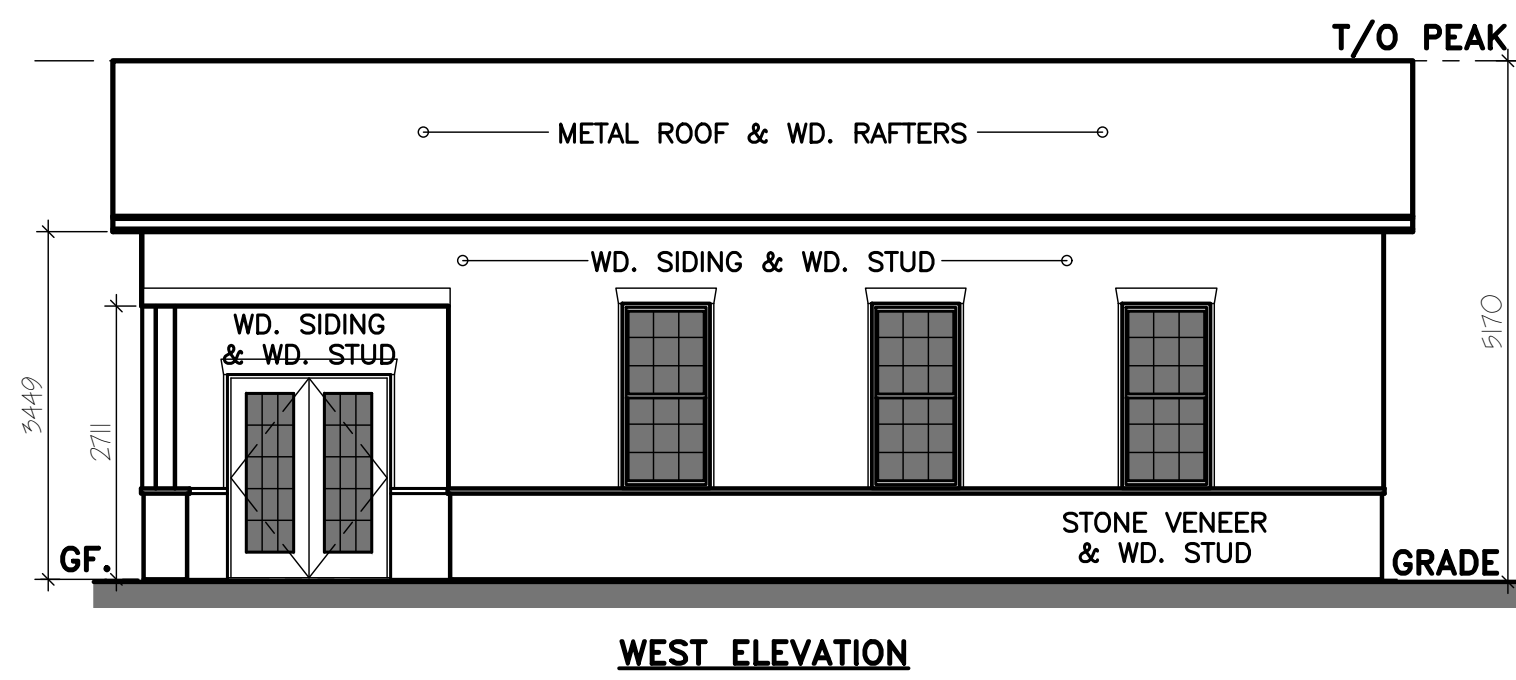
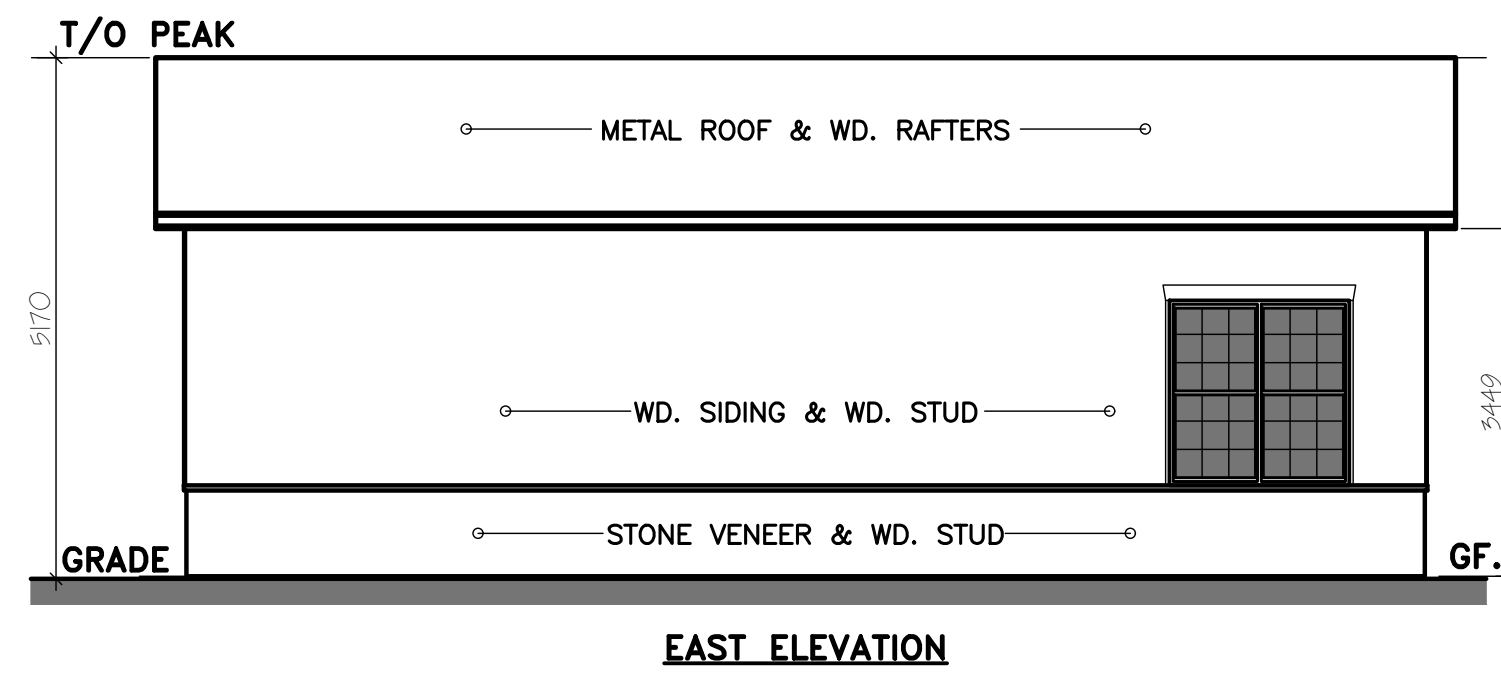
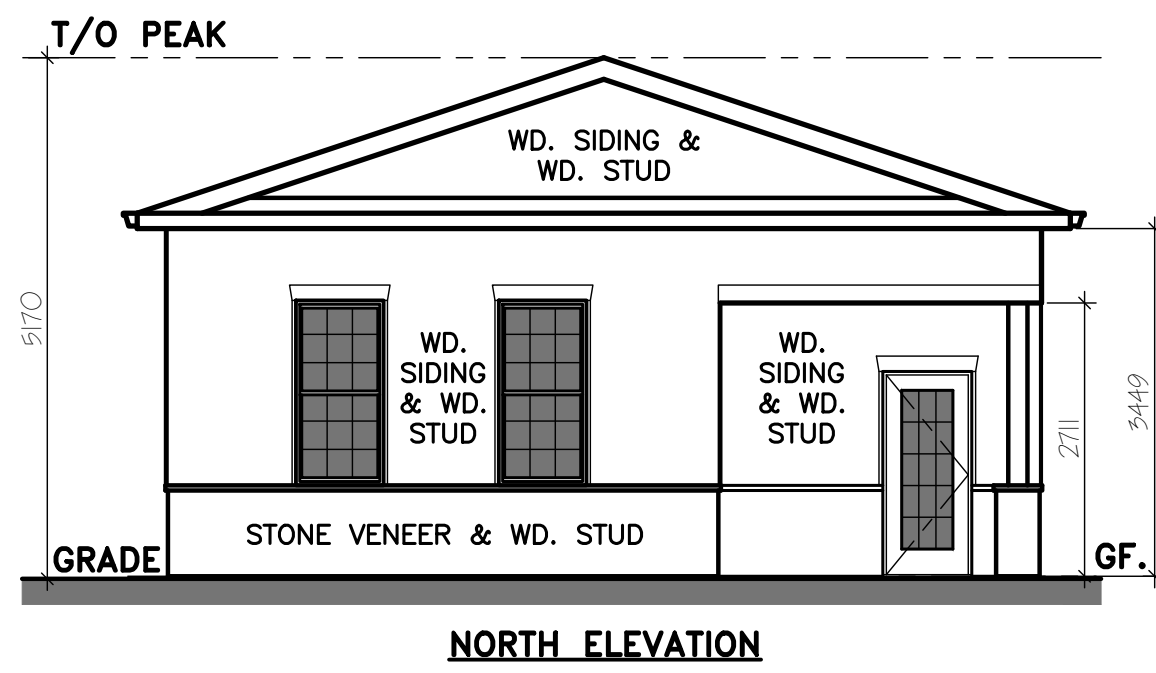
SHEET NO.: AO.01



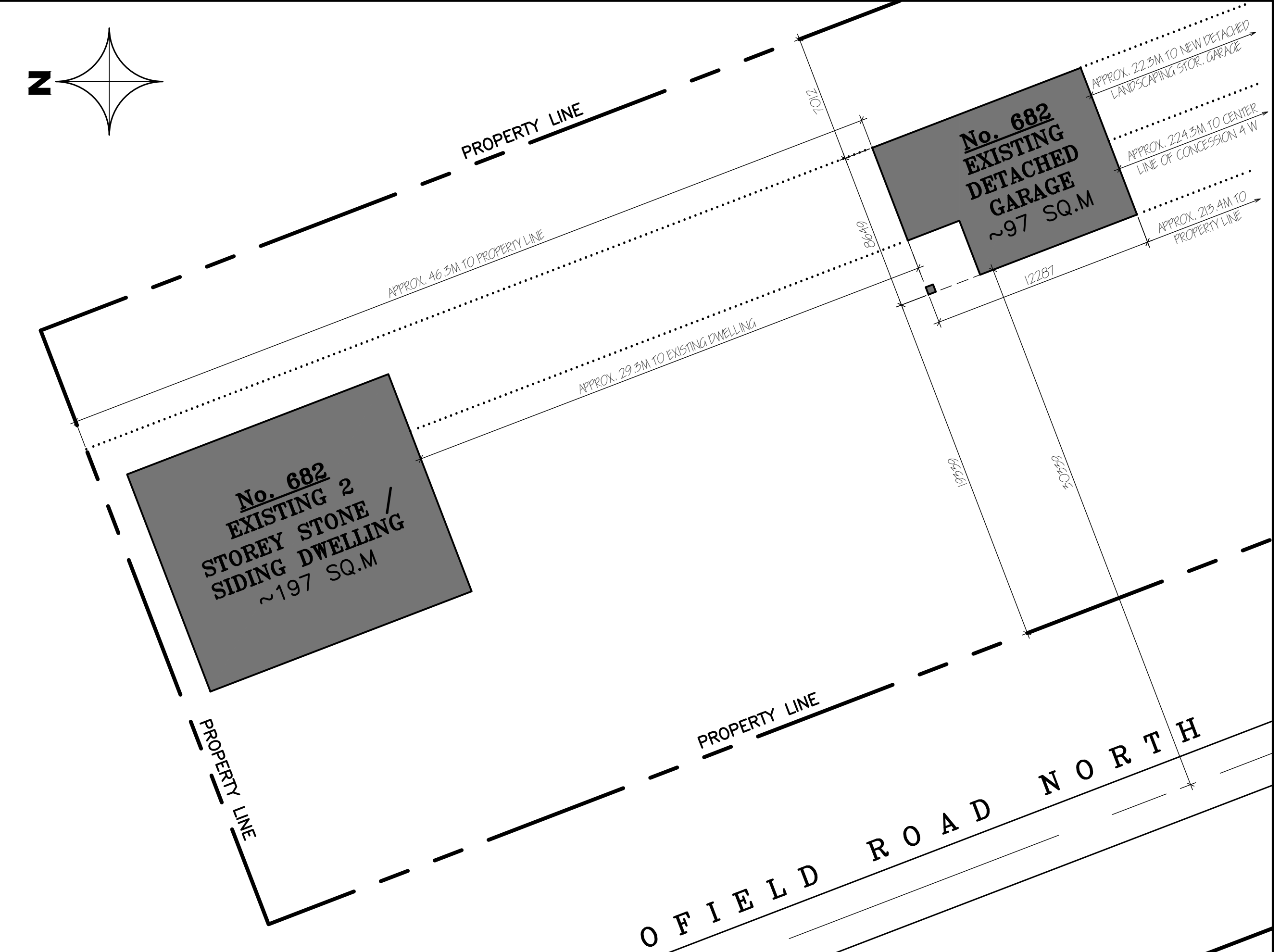
4 ELEVATIONS - EXISTING TEMPORARY ENCLOSURE
NO.02 SCALE 1:100



3 PARTIAL SITE PLAN - EXISTING TEMPORARY ENCLOSURE
NO.02 SCALE 1:200



2 ELEVATIONS - EXISTING DETACHED GARAGE (USE OF PRINCIPLE DWELLING)
NO.02 SCALE 1:75



1 PARTIAL SITE PLAN - EXISTING DETACHED GARAGE (USE OF PRINCIPLE DWELLING)
NO.02 SCALE 1:200

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ISSUED:	
1.0	ISSUED FOR CO-ORDINATION SEP 12 2024
2.0	ISSUED FOR VARIANCE SEP 18 2024

FILE NO.:	N/A
SCALE:	AS NOTED
DWN. BY:	JB

NEW CONSTRUCTION:
DETACHED LANDSCAPING STORAGE GARAGE
CLIENT: BRAD & TRACEY PATON
682 OFIELD ROAD NORTH
HAMILTON, ONTARIO

TITLE:
PARTIAL SITE PLANS & ELEVATIONS
SHEET NO.: AO.02



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	
Registered Owners(s)	Brad Paton & Tracey Urbasik
Applicant(s)	Fortino Bros. Inc.
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 _____

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	682 Ofield Rd. N, Flamborough, ON L0R 2H2		
Assessment Roll Number	25-18-302-430-246-00		
Former Municipality	Flamborough		
Lot	13	Concession	4
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:

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:

Replacement of existing Landscape Storage Structure. Existing structure is not within setbacks to property line. Replacement structure is also not within setbacks to property line.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

The area of the property specially designated for landscape structures would only allow for approx. 5.0 m deep structure. This would not be suitable for the business' needs.

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
270.0 m	35.0 m	9,450.0 m	7.25 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
House	13.0 m	9.0 m	1.0 m, 253.0 m	1850
Existing Storage	16.5 m	9.2 m (avg.)	81.0 m, 174.0 m	2002

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
New Storage	13.0 m	11.2 m	81.0 m, 174.0 m	August, 2024

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
House	163 sq. m	243 sq. m	2	10 m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
New Storage	181.0 m	279.0 m	2	8.3 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

right of way

municipal road, seasonally maintained

other public road

municipal road, maintained all year _____

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

Residential and Business (Special Area Zoning for Landscape Use A1 - Exception 253)
- Schedule "C": Special Exceptions under A1

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

Agricultural (A1), Single Family Home, Landscape Storage

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

2011

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

Single Family Residential

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

Single Family Residential, Landscape Business Storage

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

9 years

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

Rural Hamilton Official Plan designation (if applicable): Agricultural (to remain)

Rural Settlement Area: Flamborough

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: A1

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):

See attachments to application on subsequent pages.

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
-
-