



**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-24:227</b>	<b>SUBJECT PROPERTY:</b>	1160 Edgewood Rd, Flamborough
<b>ZONE:</b>	Rural (A2)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200

**APPLICANTS:** Owner: Hong Zheng  
Agent: Acadia Design Consultants - Maxim Merchasin

The following variances are requested:

1. A minimum northerly side yard of 14.6 metres shall be permitted instead of 15.2 metres required for a Mushroom Operation and 15.0 metres required for a side yard setback.
2. A maximum lot coverage of 25.5% shall be permitted instead of required 23.5% love coverage required.

**PURPOSE & EFFECT:** To construct an addition to an existing mushroom growing and packaging operation.

**Notes:**

- i) The purpose of variance #1 is to amend Section 12.2.3.1(c) and Section 12.2.3.1(k) as previously amended by FL/A-19:43.

**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, January 21, 2025</b>
<b>TIME:</b>	<b>3:30 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 January 17, 2025

**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 January 20, 2025

## **FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:227, 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: January 2, 2025

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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.



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)

### 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.

KEY PLAN: 1160 Edgewood Rd, Millgrove, ON L0R 1V0

KEY PLAN

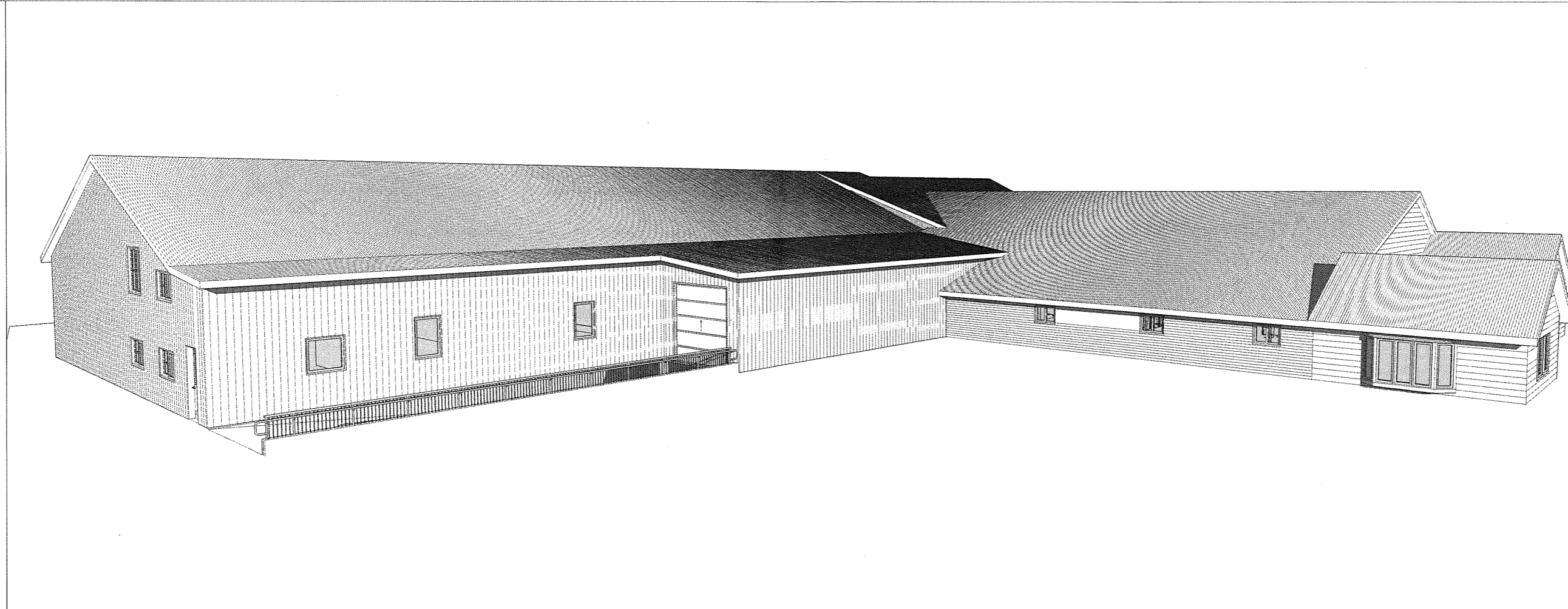


**SCOPE :LEGALIZING EXISTING BUILDING EXTENSION**

INDEX SHEET

- A0.01 Cover Sheet
- A1.01 Site Plan
- A2.01 Existing Floor Plans
- A2.02 Proposed Floor Plans
- A2.03 Existing Mezzanine Floor
- A2.04 Proposed Mezzanine Floor
- A3.01 Elevations
- A3.02 Elevations Cont.

PROJECT IMAGE



**DO NOT SCALE**  
 CONTRACTOR MUST VERIFY ALL DIMENSIONS PRIOR TO COMMENCEMENT OF THE WORK. ALL DRAWINGS & SPECIFICATIONS ARE PROPERTY OF ACADIA DESIGN CONSULTANTS INC. AND MUST BE RETURNED UPON COMPLETION OF THE WORK. DRAWINGS ARE NOT TO BE USED FOR OTHER PROJECTS WITHOUT THE WRITTEN CONSENT OF THE DESIGNER.

REVISIONS & ISSUES:		
#	DATE	DESCRIPTION
1	2023-09-01	ISSUED FOR ZONING REVIEW

DRAWN BY: AB  
 CHECKED BY: MM

**Cover Sheet**  
**A0.01**

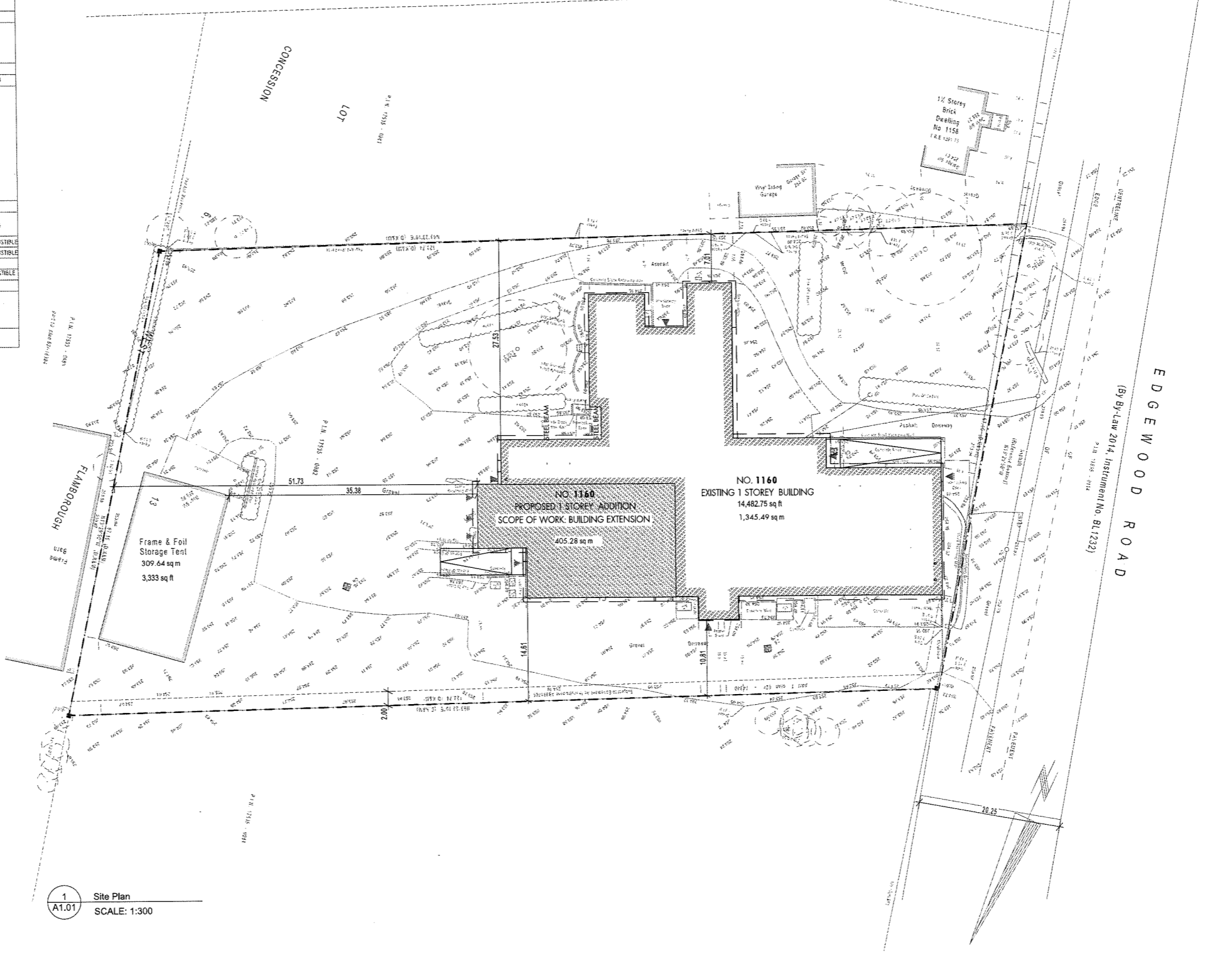
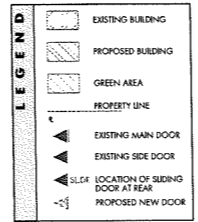
Scale: 1/2" = 1'-0", 1" = 5'

Date: 2023-09-07

Project: Legalizing Existing Building Extension  
 1160 Edgewood Rd, Millgrove, ON L0R 1V0

ONTARIO BUILDING CODE DATA MATRIX										
ITEM	OBC REFERENCE									
	NEW	PART 11	PART 3	PART 9	N/A					
1 PROJECT DESCRIPTION: LEGALIZATION OF BEAN PRODUCTION BUILDING ADDITION 1160 Edgewood Rd, Millgrove, ON L0R 1V0	<input type="checkbox"/> NEW <input checked="" type="checkbox"/> ADDITION <input type="checkbox"/> CHANGE OF USE/ ALTERATION				2.1.1 9.10.1.3					
2 MAJOR OCCUPANCY - GROUP F-2			3.2.2.62		9.10.2					
3 BUILDING AREA (m <sup>2</sup> ) EXISTING 1,660.14 TOTAL NEW - 2,055.23			1.1.3.2		9.10.2					
4 GROSS AREA (m <sup>2</sup> ) EXISTING 1,404.01 TOTAL NEW 2,431.23			1.1.3.2		1.1.3.2					
5 NUMBER OF STOREYS ABOVE GRADE 1 BELOW GRADE 0			3.2.1.1 & 1.1.3.2		1.1.3.2					
6 HEIGHT OF BUILDING (m) 7.85 m					2.1.1.3					
7 NUMBER OF STREETS/ACCESS ROUTES 1			3.2.2.10A, 3.2.5.5							
8 BUILDING CLASSIFICATION 3.2.2.56, Group F, Division 2, up to 6 stories			3.2.2.20-83		9.10.4					
9 SPRINKLER SYSTEM PROPOSED	<input type="checkbox"/> ENTIRE BUILDING <input type="checkbox"/> BASEMENT ONLY <input type="checkbox"/> IN LIEU OF POOF RATING <input checked="" type="checkbox"/> NOT REQUIRED <input type="checkbox"/> NEW ADDITION		3.2.2.20-83 3.2.1.5 3.2.2.17		9.10.8					
10 STAIRS REQUIRED	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		3.2.9							
11 FIRE ALARMS REQUIRED	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		3.2.4		9.10.7.2					
12 WATER SERVICE/SUPPLY IS ADEQUATE	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO									
13 HIGH BUILDING	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		3.2.6							
14 PERMITTED CONSTRUCTION	<input type="checkbox"/> COMBUSTIBLE <input type="checkbox"/> NONCOMBUSTIBLE <input checked="" type="checkbox"/> BOTH		3.2.2.20-83		9.10.6					
15 ACTUAL CONSTRUCTION	<input type="checkbox"/> COMBUSTIBLE <input type="checkbox"/> NONCOMBUSTIBLE <input checked="" type="checkbox"/> BOTH									
16 MEZZANINE (S) AREA (m <sup>2</sup> ) 53.51			3.2.1.1-(2)-(8)		9.10.4.1					
17 OCCUPANT LOAD BASED ON (m <sup>2</sup> /PERSON) DESIGN OF BUILDING TOTAL IN BUILDING: 80 PERSON			3.1.1.6		9.9.1.3					
18 BARRIER - FREE DESIGN	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		3.8		9.5.2					
19 HAZARDOUS SUBSTANCES	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		3.3.1.2.(1) & 3.3.1.19(1)		9.10.1.3					
20 EQUIPPED FIRE RESISTANCE RATING (FR)	HORIZONTAL ASSEMBLIES FR (HOURS)	LISTED DESIGN NO. OR DESCRIPTION (SG-2)	3.2.2.20-83 & 3.2.1.4		9.10.6 9.10.9					
	FLOOR: N/A	-								
	ROOF: DIMS.	-								
	MEZZANINE: 1 HR	UL Des L501								
	FR OF SUPPORTING MEMBERS	LISTED DESIGN NO. OR DESCRIPTION (SG-2)								
	FLOOR: N/A	-								
	ROOF: DIMS.	-								
	MEZZANINE: 1 HR	UL Des K526								
21 SPATIAL SEPARATION	3.2.3.1 TABLE C									
	WALL AREA OF EMB (m <sup>2</sup> )	L.D. (m)	L.N. OF HUL	PERMITTED AREA (% OF OPENING)	PROP. % OF OPENING	FR (HRS)	LISTED DESIGN OR DESCRIPTION	TYPE OF CONSTRUCTION	TYPE OF CLADDING	
	HORSH	337.83	10.81	113.1	39	37.06	1.5h		BOTH	NONCOMBUSTIBLE
	VERSH	74.64	7.01	3.1	33	N/A	N/A		BOTH	NONCOMBUSTIBLE
	WASH	100.74	51.73	3.1	100	26.19	24.12	1.5h	BOTH	BOTH
	WASH	116.91	1.75	2.1	4	N/A	N/A	2.5h	NONCOMBUSTIBLE	NONCOMBUSTIBLE
22 FLAMING ENTUPED: PROVIDED, 2 MALE + 2 FEMALE									Table 3.7.4.9.	
23 OTHER - DESCRIBE										

ZONING INFORMATION & SITE STATISTICS-A2			
	EXISTING	PROPOSED	ZONING BYLAW (ALLOWANCE)
LOT AREA:	8,096.57 m <sup>2</sup> (87,150.75 ft <sup>2</sup> )	8,096.57 m <sup>2</sup> (87,150.75 ft <sup>2</sup> )	40.4 Hectares
TOTAL LOT COVERAGE	1,660.14 m <sup>2</sup> (17,869.6 ft <sup>2</sup> )	2,055.23 m <sup>2</sup> (22,122.31 ft <sup>2</sup> )	25.41%
MAIN BUILDING COVERAGE	1,350.50 m <sup>2</sup> (14,536.75 ft <sup>2</sup> )	1,748.59 m <sup>2</sup> (18,821.75 ft <sup>2</sup> )	21.59%
FRAME & FOIL STORAGE TENT	309.64 m <sup>2</sup> (3,333 ft <sup>2</sup> )	309.64 m <sup>2</sup> (3,333 ft <sup>2</sup> )	3.82%
BUILDING HEIGHT	7.82m	7.82m	
BUILDING GFA	1,350.50 m <sup>2</sup>	1,748.59 m <sup>2</sup>	
BUILDING LENGTH	62.61 m	66.06 m	
MAX. BUILDING DEPTH	47.67 m	47.67 m	
FRONT YARD SETBACK	1.73 m	EXISTING TO REMAIN	15m
SIDE YARD "A" SETBACK	6.75 m	34.54m	15m
SIDE YARD "B" SETBACK	10.53 m	14.63m	15m
REAR YARD SETBACK	53.98 m	51.73 m	15m
MIN. AMOUNT OF PARKING			



1 Site Plan  
SCALE: 1:300

Phone: +1 (647) 475-2002  
Fax: +1 (677) 317-1170  
www.AcadiaDesign.com

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CONTRACTOR MUST VERIFY ALL DIMENSIONS PRIOR TO COMMENCEMENT OF THE WORK. ALL DRAWINGS & SPECIFICATIONS ARE PROPERTY OF ACADIA DESIGN CONSULTANTS INC. AND MUST BE RETURNED UPON COMPLETION OF THE WORK. DRAWINGS ARE NOT TO BE USED FOR OTHER PROJECTS WITHOUT THE WRITTEN CONSENT OF THE DESIGNER.

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**REVISIONS & ISSUES:**

#	DATE	DESCRIPTION
1	2024-01-08	ISSUED FOR ZONING REVIEW
2	2024-01-08	ISSUED FOR ZONING REVIEW COMMENT
3	2024-01-08	ISSUED FOR 2ND ARCHITECTURAL REVIEW

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DRAWN BY: AB      CHECKED BY: MM

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**Site Plan**

**A1.01**

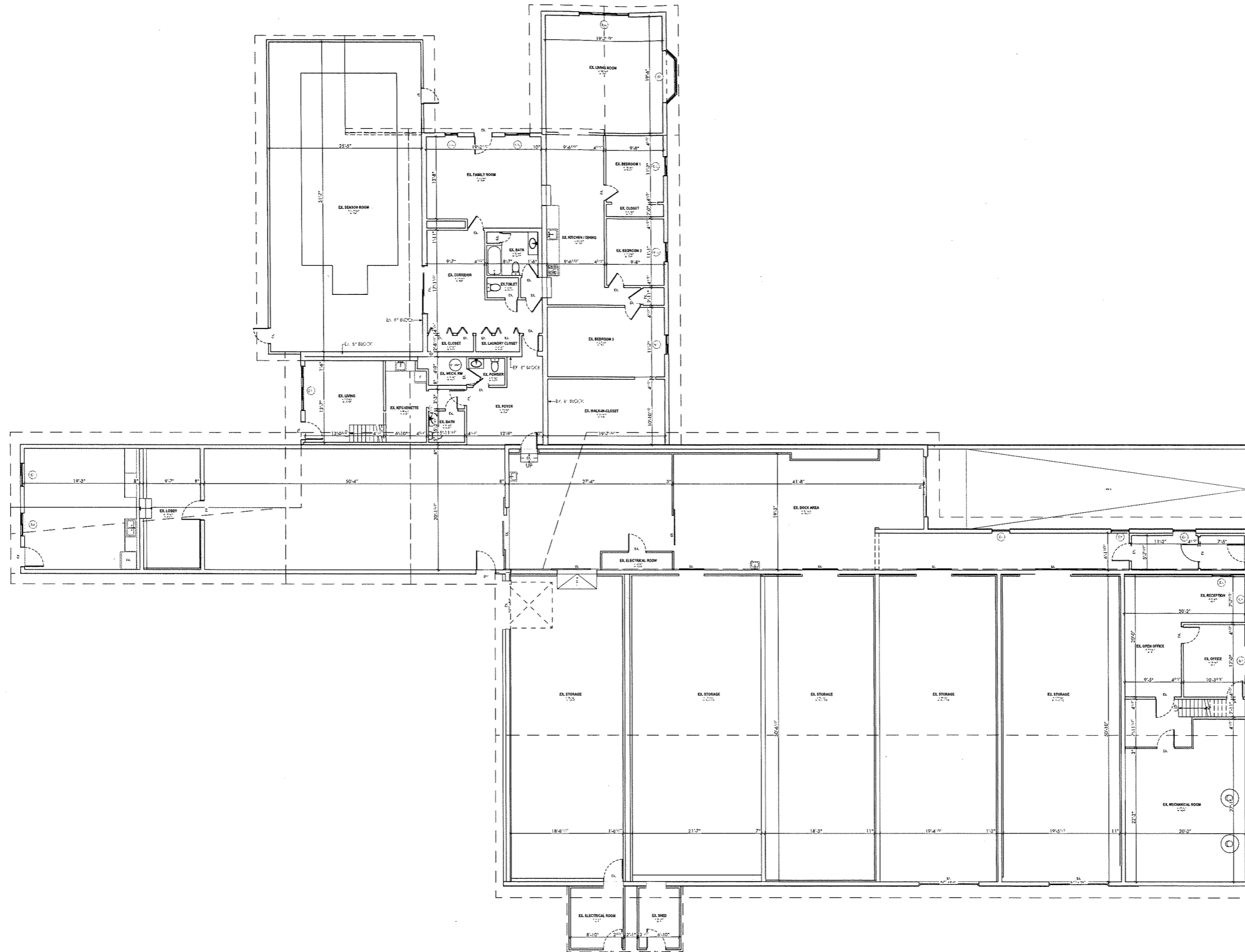
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Scale: 1:300, 1:67, 1:30, 3/32" = 1'-0"

Date: 2024-01-08

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Project: Legalizing Existing Building Extension  
1160 Edgewood Rd, Millgrove, ON L0R 1V0



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**REVISIONS & ISSUES:**

#	DATE	DESCRIPTION
1	2023-09-07	ISSUED FOR ZONING REVIEW

DRAWN BY: AB  
 CHECKED BY: MM

**Existing Floor Plans**

**A2.01**

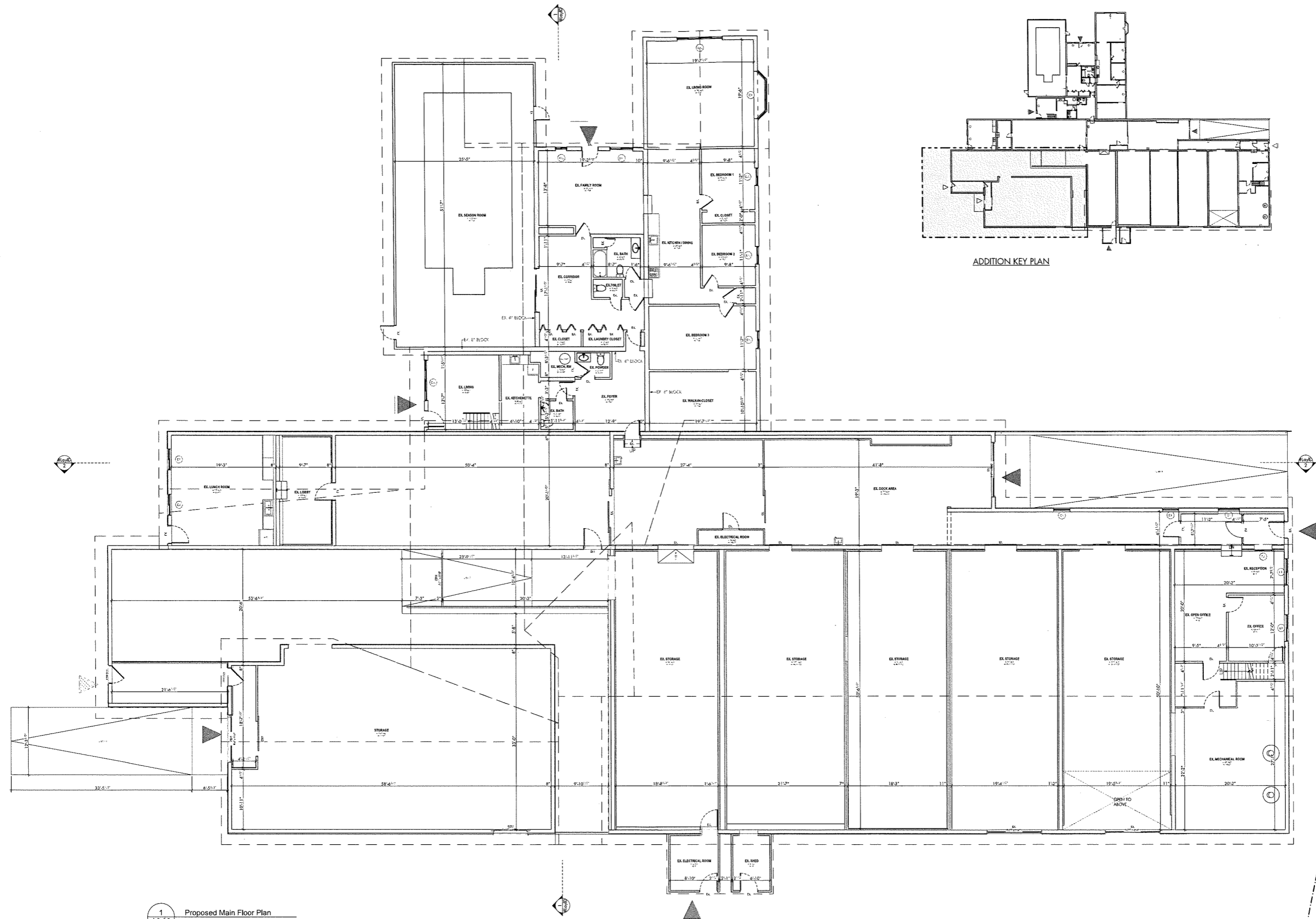
Scale: 1/8" = 1'-0"

Date: 2023-09-07

Project: Legalizing Existing Building Extension

1160 Edgewood Rd, Millgrove, ON L0R 1V0

1 Existing Main Floor Plan  
 A2.01 SCALE: 1/8" = 1'-0"



1  
A2.02 Proposed Main Floor Plan  
SCALE: 1/8" = 1'-0"

ADDITION KEY PLAN

ACADIA  
design consultants

Phone: 416(477) 273-9202  
Fax: 416(77) 347-1177  
www.acadiad.ca

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**REVISIONS & ISSUES:**

#	DATE	DESCRIPTION
1	2023-09-01	ISSUED FOR TOWN-HALL REVIEW

DRAWN BY: AB  
CHECKED BY: MM

**Proposed Floor Plans**

**A2.02**

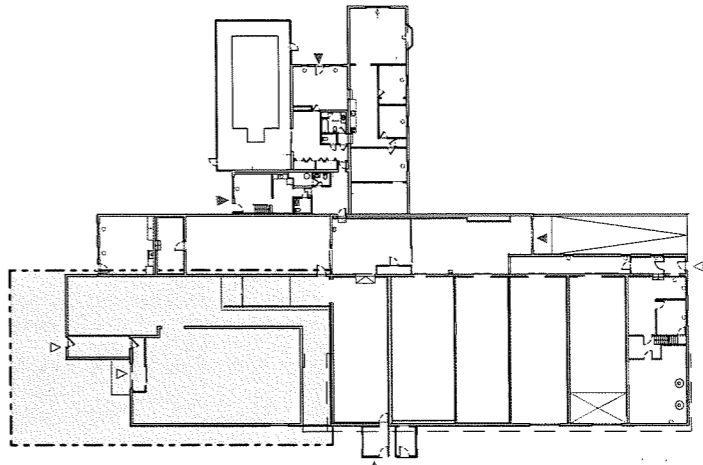
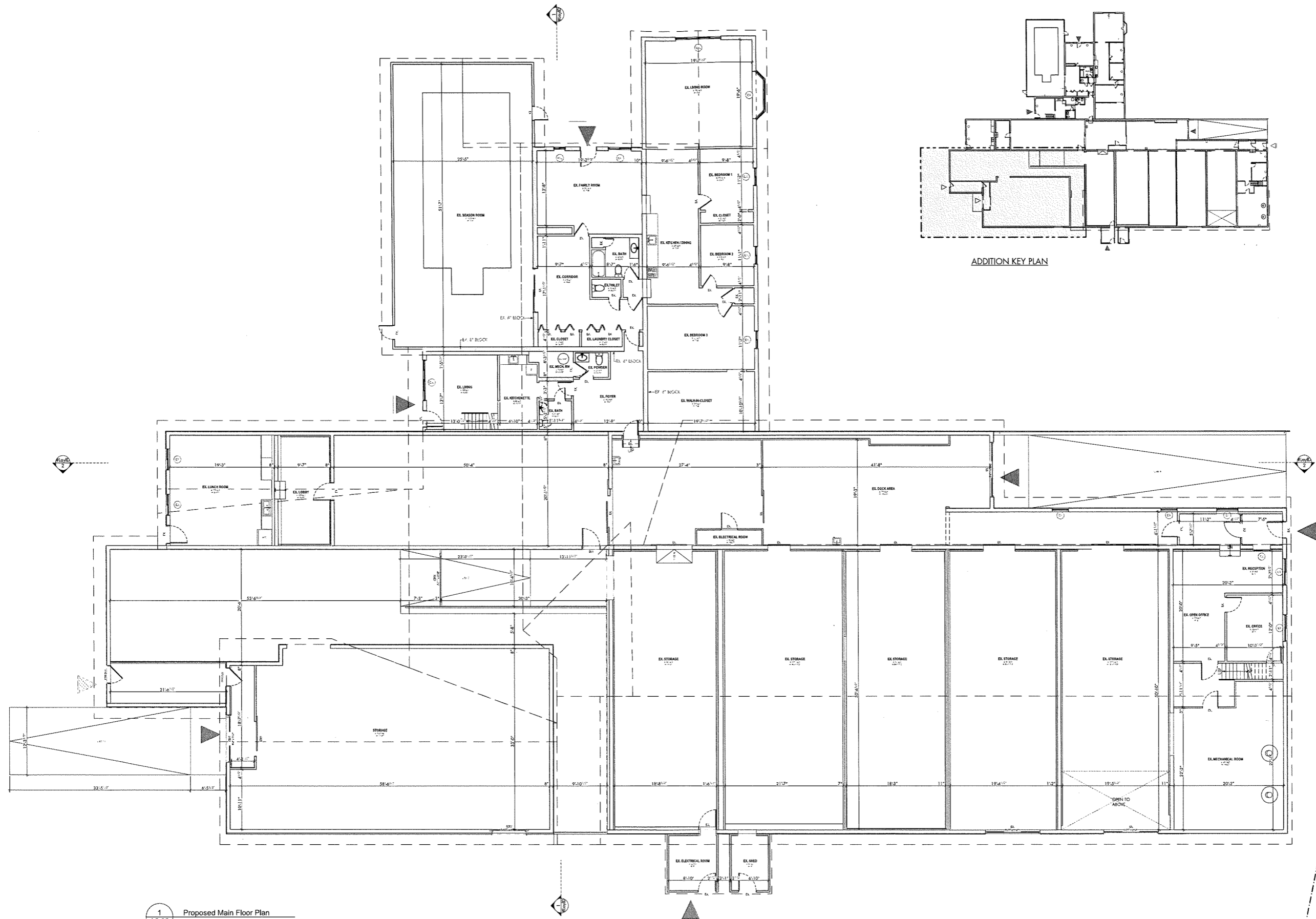
Scale: 1/8" = 1'-0"

Date: 2023-09-07

Legalizing Existing  
Building Extension

Project: 1160 Edgewood Rd, Millgrove, ON  
L0R 1V0





1 Proposed Main Floor Plan  
 A2.02 SCALE: 1/8" = 1'-0"

**ACADIA**  
 design consultants  
 Phone: 416.777.4750  
 Fax: 416.777.1477  
 www.acadia.ca

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**REVISIONS & ISSUES:**

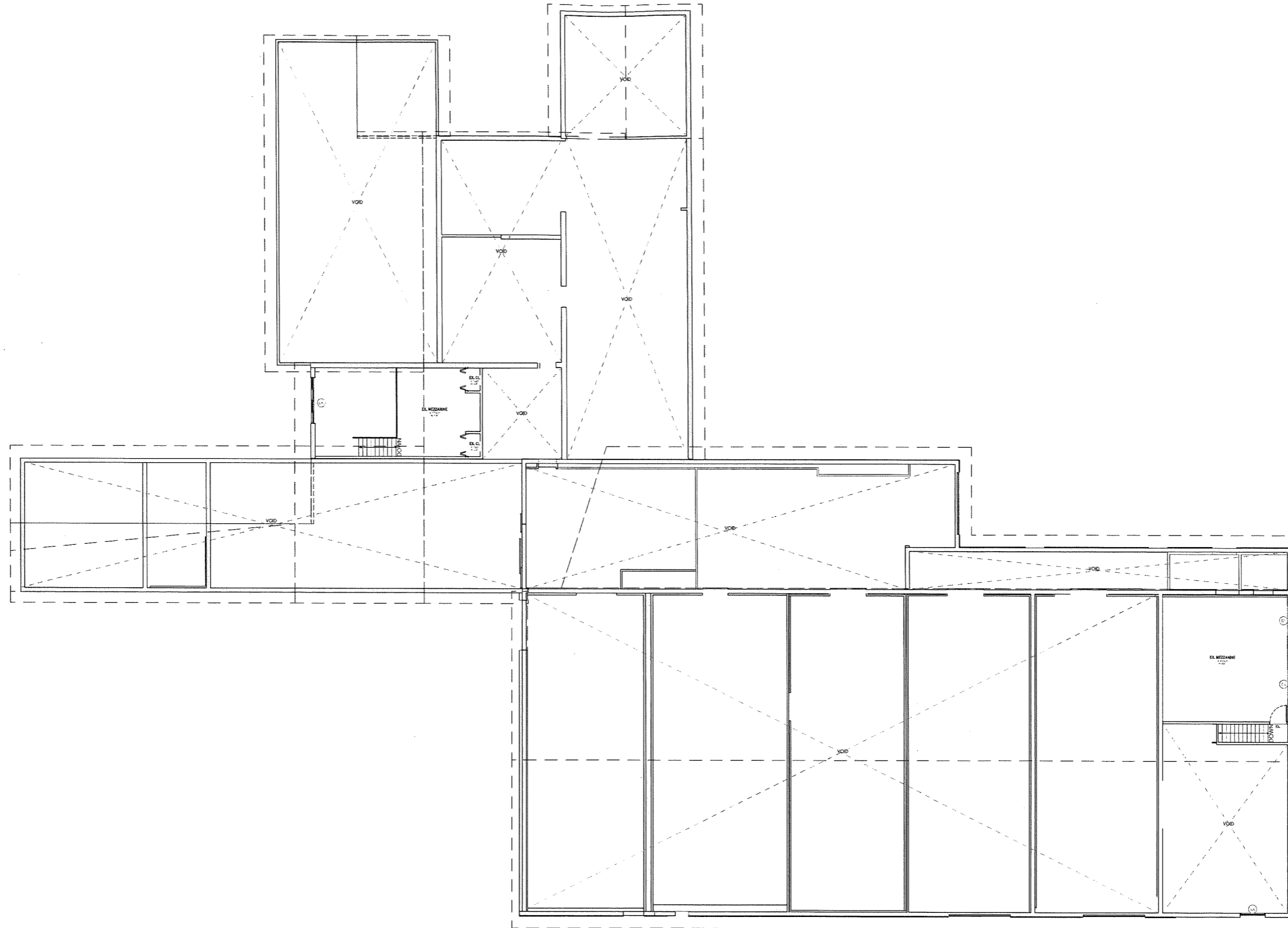
#	DATE	DESCRIPTION
1	2023-09-07	ISSUED FOR FORKING REVIEW

DRAWN BY: AB  
 CHECKED BY: MM

**Proposed Floor Plans**  
**A2.02**

Scale: 1/8" = 1'-0"  
 Date: 2023-09-07

**Legalizing Existing Building Extension**  
 Project: 1160 Edgewood Rd, Millgrove, ON L0R 1V0



**ACADIA**  
 design consultants  
 Phone: 1 (416) 475-0202  
 Fax: 416 773-3170  
 www.AcadiaCL.ca

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**REVISIONS & ISSUES:**

#	DATE	DESCRIPTION
1	2023-06-01	ISSUED FOR ZONING REVIEW

DRAWN BY: AB  
 CHECKED BY: MM

**Existing Mezzanine Floor**

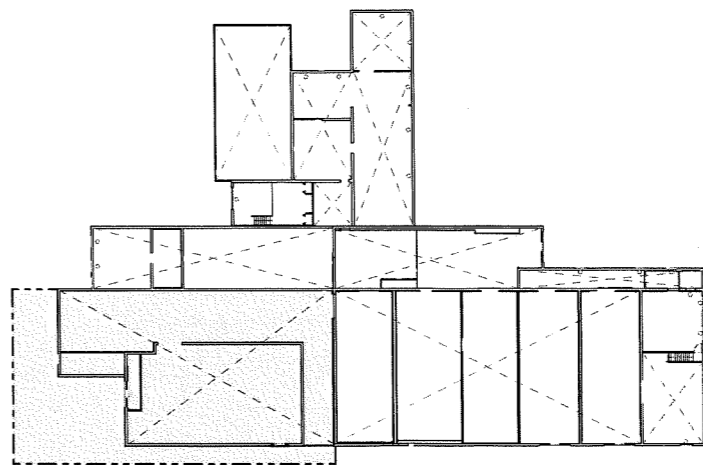
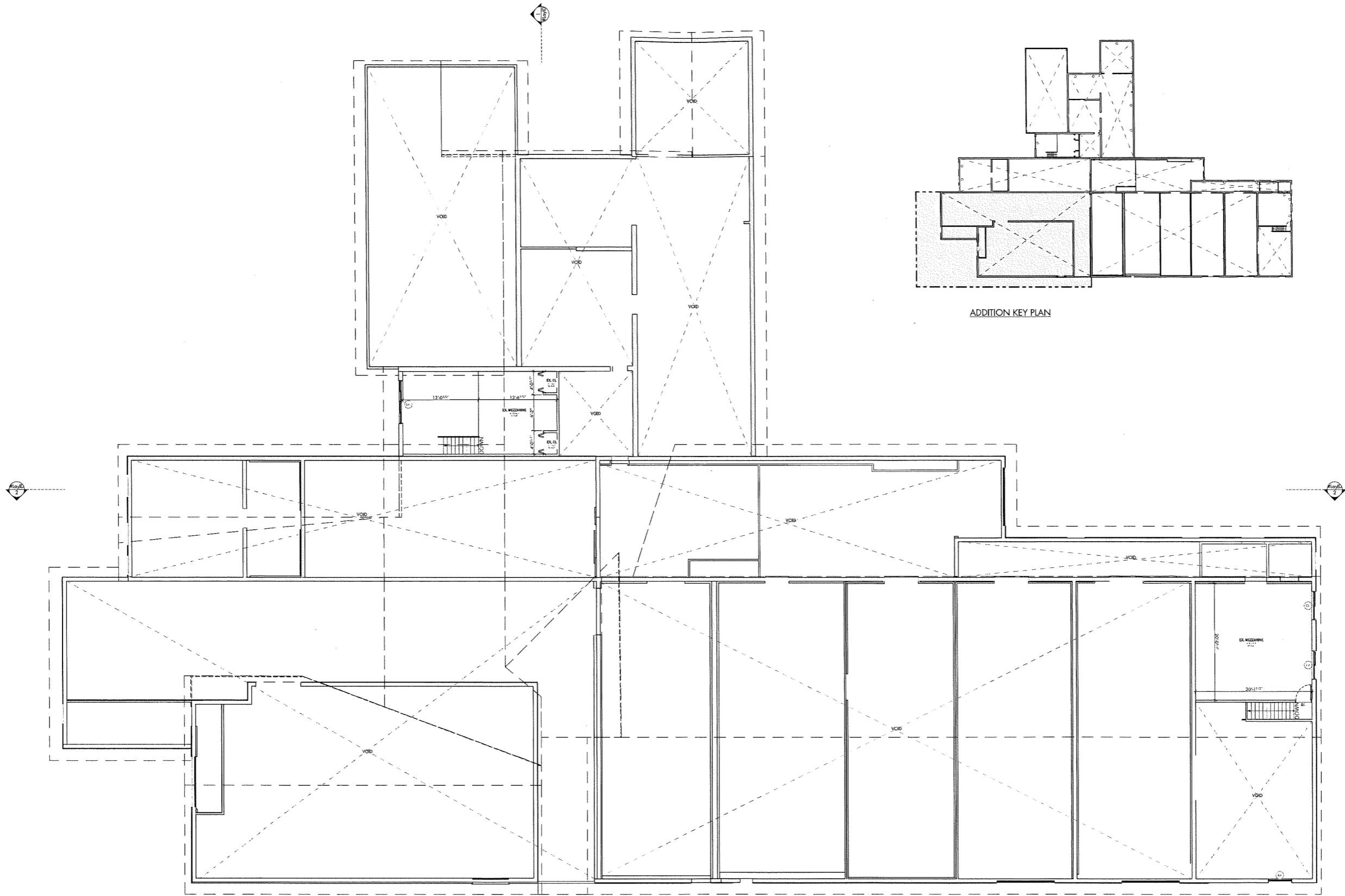
Drawing: **A2.03**

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

Date: 2023-09-07

Project: **Legalizing Existing Building Extension**  
 1160 Edgewood Rd, Millgrove, ON  
 L0R 1V0

1 Proposed Rear Elevation  
 A2.03 SCALE: 1/8" = 1'-0"



ADDITION KEY PLAN



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REVISIONS & ISSUES:		
#	DATE	DESCRIPTION
1	2023-09-07	ISSUED FOR PERMITS REVIEW

DRAWN BY: AB      CHECKED BY: MM

**Proposed Mezzanine Floor**

**A2.04**

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

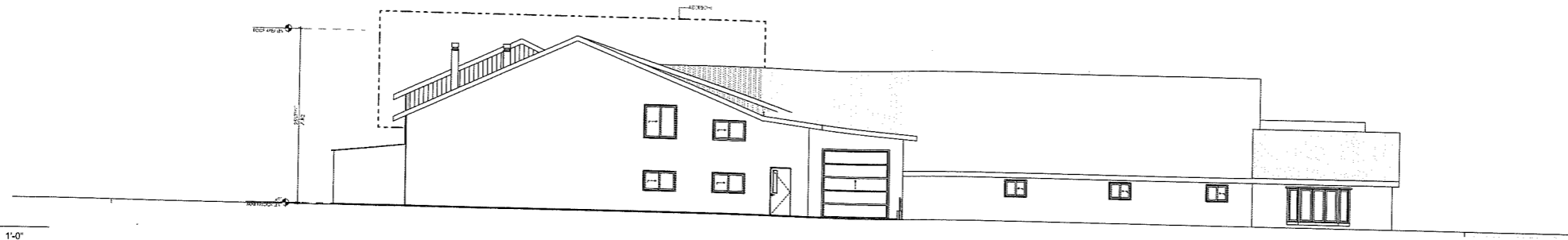
Date: 2023-09-07

Project: Legalizing Existing Building Extension

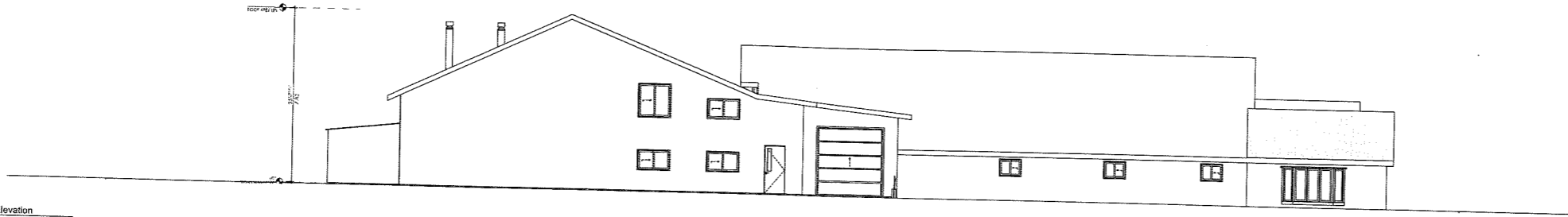
1160 Edgewood Rd, Millgrove, ON L0R 1V0

1 Proposed Mezzanine Floor  
 A2.04 SCALE: 1/8" = 1'-0"

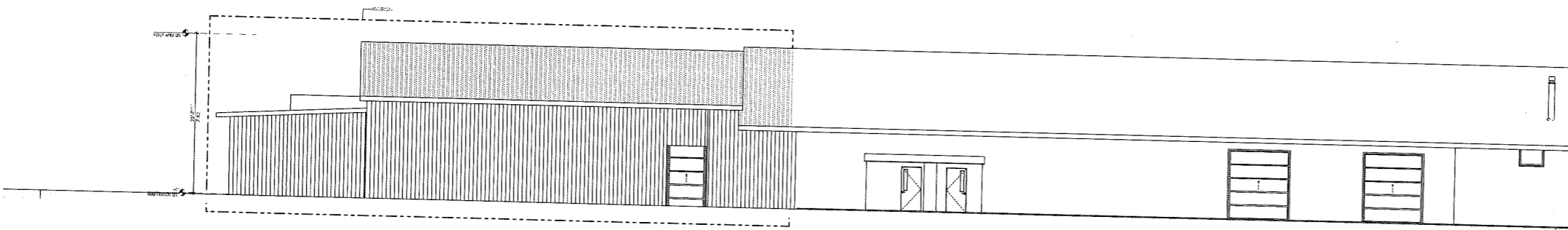
1 Front Elevation  
A3.01 SCALE: 1/8" = 1'-0"



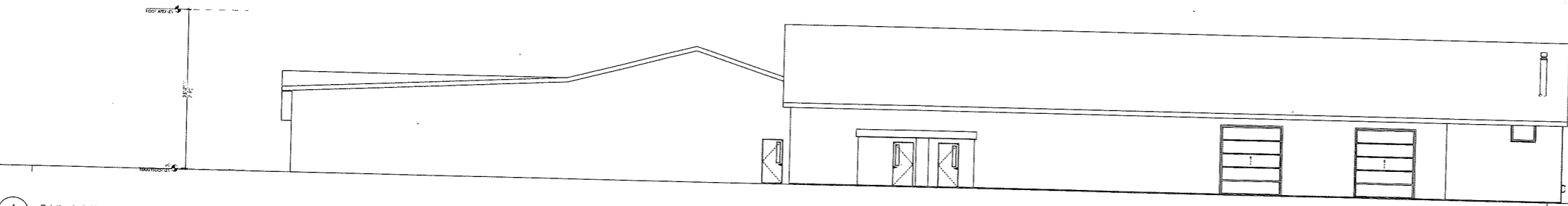
3 Existing Front Elevation  
A3.01 SCALE: 1/8" = 1'-0"



2 Left Side Elevation  
A3.01 SCALE: 1/8" = 1'-0"



4 Existing Left Side Elevation  
A3.01 SCALE: 1/8" = 1'-0"



**ACADIA**  
design consultants  
Phone: +1 (647) 478-9292  
Fax: +1 (877) 347-3479  
www.AcadiaDC.ca

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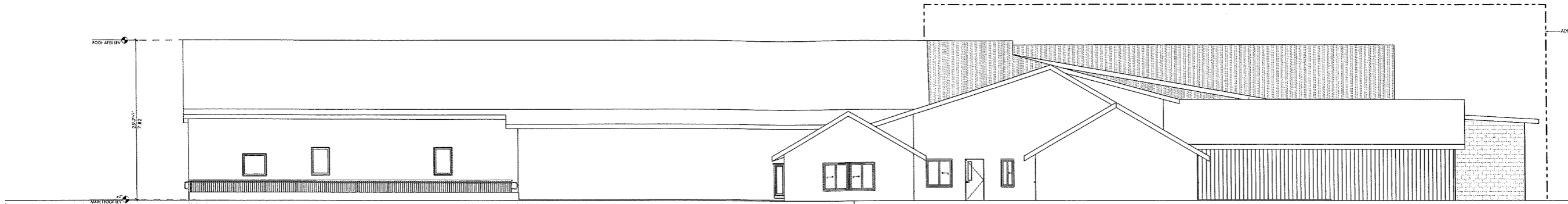
**REVISIONS & ISSUES:**

#	DATE	DESCRIPTION
1	2023-05-18	ISSUED FOR INTERNAL REVIEW
2	2023-05-24	ISSUED FOR INTERNAL REVIEW
3	2023-05-25	ISSUED FOR STRUCTURE REVIEW
4	2023-06-01	ISSUED FOR ARCHITECTURE REVIEW
5	2023-07-10	ISSUED FOR CITY'S COMMENTS

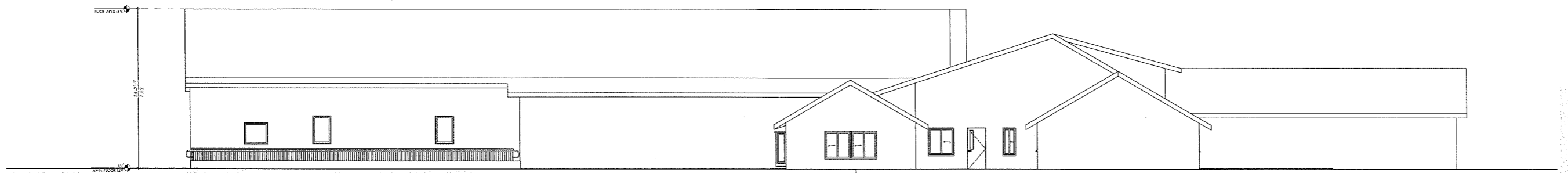
DRAWN BY: AB CHECKED BY: MM

**Elevations**  
**A3.01**

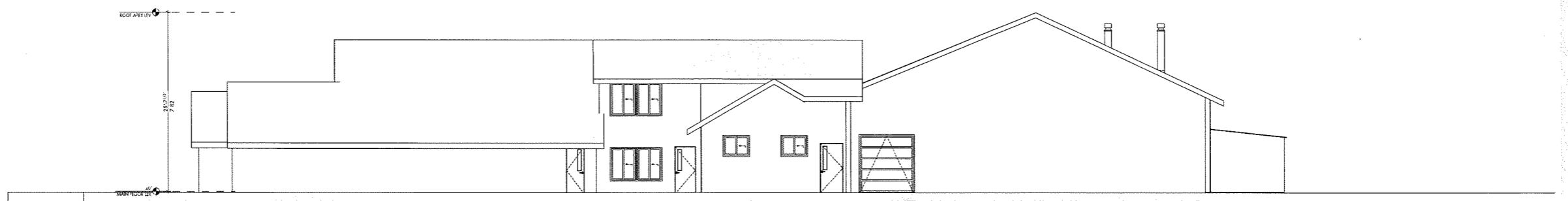
Scale: 1/8" = 1'-0"  
Date: 2023-09-07  
Project: Interior Alteration  
1605 McEwen Dr,  
Whitby, ON  
L1N 7L4



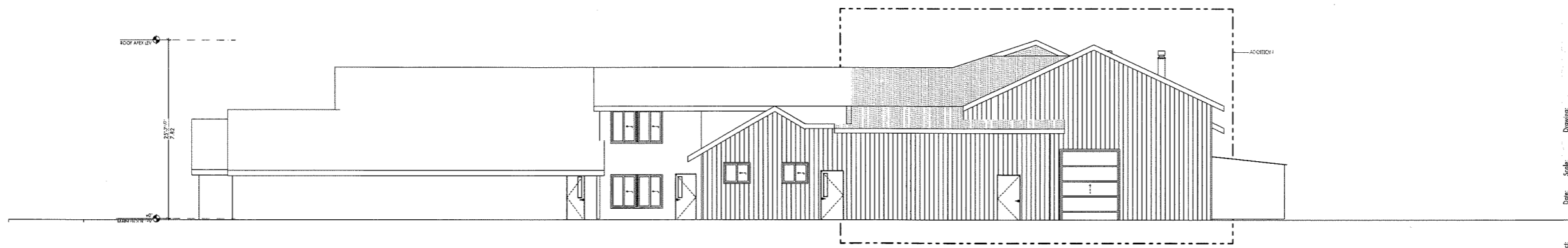
2 Proposed Right Side Elevation  
A3.02 SCALE: 1/8" = 1'-0"



3 Existing Right Side Elevation  
A3.02 SCALE: 1/8" = 1'-0"



4 Existing Rear Elevation  
A3.02 SCALE: 1/8" = 1'-0"



1 Proposed Rear Elevation  
A3.02 SCALE: 1/8" = 1'-0"



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**REVISIONS & ISSUES:**

#	DATE	DESCRIPTION
1	2023-09-07	ISSUED FOR PERMITS REVIEW

DRAWN BY: AB  
CHECKED BY: MM

**Elevations Cont.**

**A3.02**

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

Date: 2023-09-07

Project: Legalizing Existing Building Extension

1160 Edgewood Rd, Millgrove, ON L0R 1V0



# Hamilton

September 28, 2023

FILE: ALR  
FOLDER: 23-138933-00 ALR  
ATTENTION OF: William Campbell  
TELEPHONE NO: (905) 546-2424  
EXTENSION: 6754-

Karen Melocotones  
364 SUPERTEST RD  
NORTH YORK, ON M3J 2M2

**Attention:**

Re: **APPLICABLE LAW REVIEW – ZONING BYLAW**  
**Present Zoning: A2**  
**Address: 1160 EDGEWOOD RD FLAMBOROUGH, ON**

An Applicable Law Review respecting zoning bylaw compliance has been completed and the following comments are provided.

**COMMENTS:**

1. The applicant is proposing to construct an addition to an existing building
2. The property in question is zoned A2 Rural pursuant to Hamilton Zoning By-law 05-200
3. Building division records indicate the recognized use of the property is a mushroom growing and packaging operation. As such the proposed addition has been reviewed against the regulations of section 12.2.3.1 (Agriculture)
4. Committee of adjustment decision FL/A-19:43 relating to a proposed addition on the lands in question was approved March 21<sup>st</sup> 2019 and granted the following variances;
  - A setback of 15.2 metres from the northerly lot line shall be provided whereas the by-law requires a minimum 30.0m from any lot line to be provided for a mushroom operation
  - A maximum lot coverage of 23.5% shall be permitted instead of the 20% maximum lot coverage permitted
5. The proposed addition has been reviewed and compared to the regulations of the A2 zone in the following chart:

	Required By The By-Law	Provided	Conforming/ Non-Conforming
<b>SECTION 12.2– A2 REQUIREMENTS</b>			
<b>Section 12.2.3.1: AGRICULTURE AND VETERINARY SERVICE – FARM ANIMAL REGULATIONS</b>			
<b>Minimum Lot Area</b> [as per section 12.2.3.1(a) of Hamilton Zoning By-law 05-200]	i) 40.4 hectares;	8,096.57m <sup>2</sup> existing	deemed to comply pursuant to section 4.12 d)
<b>Minimum Front Yard</b> [as per section 12.2.3.1(b) of Hamilton Zoning By-law 05-200]	15.0m	existing front yard to remain	existing
<b>Minimum Side Yard</b> [as per section 12.2.3.1(c) of Hamilton Zoning By-law 05-200]	15.0m	existing southerly side yard to remain  southerly side yard of 14.63m provided	non-conforming
<b>Minimum Rear Yard</b> [as per section 12.2.3.1(d) of Hamilton Zoning By-law 05-200]	15.0m	51.73m rear yard setback provided	Conforms
<b>Maximum Lot Coverage</b> [as per section 12.2.3.1(e) of Hamilton Zoning By-law 05-200]  Committee of adjustment decision FL/A-19:43	i) 20%  a maximum lot coverage of 23.5% shall be permitted instead of 20% maximum lot coverage permitted	total lot coverage of 25.41% provided as per site statistics	Non-Conforming
	ii) Notwithstanding i) above, the maximum lot coverage for greenhouse operations shall be 70%.	no greenhouse operation proposed	N/A
<b>Outdoor Storage</b> [as per section 12.2.3.1(f) of Hamilton Zoning By-law 05-200]	i) Shall not be permitted in any minimum Front Yard or minimum Flankage Yard;	outdoor storage does not appear to be provided	N/A
	ii) Shall be located a minimum of 10m from any lot line, and screened by a visual barrier in accordance with Section 4.19 of this By-law;		
	iii) Sections i) and ii) above do not apply to the storage or parking of Agricultural vehicles or		

	Required By The By-Law	Provided	Conforming/ Non-Conforming
	equipment.		
<b>Small Scale Retailing of Agricultural Products</b> [as per section 12.2.3.1(i) of Hamilton Zoning By-law 05-200]	i) The total maximum gross floor area of all buildings and structures devoted to retailing or agricultural products grown primarily as part of the farm operation, exclusive of Farm Produce/Product Stand, shall be 200.0m <sup>2</sup> .	it does not appear that retailing space is being provided	N/A
	ii) Shall not be permitted within a Dwelling or a Farm Labour Residence.		
	iii) In addition to Section 12.2.3.1 i) i), the total maximum gross floor area of a Farm Produce/Product Stand shall be 18.5m <sup>2</sup> .		
	iv) Notwithstanding Sections 12.2.3.1 b), c) and d) and Section 4.8.2 a), a Farm Produce/Product Stand shall be permitted in any yard.		
<b>Farm Labour Residence</b> [as per section 12.2.3.1(j) of Hamilton Zoning By-law 05-200]	i) A maximum of one Farm Labour Residence shall be permitted on a lot;	use does not appear to be proposed	N/A
	ii) <i>Where a Farm Labour Residence in the form of a Temporary Detached Dwelling or Temporary Bunk House, the following regulations shall apply;</i>		
	1. Shall be located within 30m of the farm dwelling;		
	2. Shall have a maximum building height of 10.5m;		
3. Shall utilize the existing driveway access to the farm dwelling;			
4. Any temporary detached dwelling shall have a minimum floor area of 65.06m <sup>2</sup> and a maximum floor area of 116.2m <sup>2</sup> .			



	Required By The By-Law	Provided	Conforming/ Non-Conforming
	<p>5. Any temporary bunk house shall have a minimum gross floor area of 65.06m<sup>2</sup> or 8.36m<sup>2</sup> per resident, whichever is greater.</p> <p>iii) Where a Farm Labour Residence is in the form of an accessory apartment attached to and forming part of the principal farm dwelling, the accessory apartment shall not exceed 25% of the gross floor area of the principal farm dwelling.</p>		
<p><b>Mushroom Operations</b> [as per section 12.2.3.1(k) of Hamilton Zoning By-law 05-200]</p> <p>Committee of adjustment decision FL/A-19:43</p>	<p>i) <del>Notwithstanding Sections 12.2.3.1 b), c), and d) above, any buildings or structures used for a Mushroom Operation shall be set back a minimum of 30.0m from any lot line;</del></p> <p>a setback of 15.2m from the northerly lot line shall be provided whereas the by-law requires a minimum 30.0m from any lot line to be provided for a mushroom operation</p>	<p>14.63m setback provided to the northerly lot line</p> <p>34.54m setback provided to southerly lot line</p> <p>35m setback provided to the rear lot line</p>	<b>Non-Conforming</b>
	<p>ii) No stockpiles of waste, manure, fertilizers or compost shall be permitted within 30.0m of any lot line.</p>	<p>none appear to be provided</p>	<b>N/A</b>
<p><b>Nursery</b> [as per section 12.2.3.1(l) of Hamilton Zoning By-law 05-200]</p>	<p>i) Retailing of horticultural products and bulk material shall be in accordance with Section 12.2.3.1 i);</p> <p>ii) The outdoor storage of unenclosed piles of bulk product for retail purposes shall not exceed an aggregate area of 100.0m<sup>2</sup></p>	<p>use note proposed</p>	<b>N/A</b>
<p><b>Cannabis Growing and Harvesting Facility</b> [as per section 12.2.3.1(m) of</p>	<p>i) The maximum gross floor area of all new buildings and structures devoted to a Cannabis Growing and Harvesting Facility shall not exceed 2,000.0m<sup>2</sup>.</p>	<p>use note proposed</p>	<b>N/A</b>

	Required By The By-Law	Provided	Conforming/ Non-Conforming
Hamilton Zoning By-law 05-200]	ii) Notwithstanding Section 12.2.3.1 m) i) above, existing buildings may be used for a Cannabis Growing and Harvesting Facility		
	iii) The testing, packaging and shipping shall be accessory to the Cannabis Growing and Harvesting Facility		
	iv) <i>Notwithstanding Section 4.12 d), any building, structure used for a Cannabis Growing and Harvesting Facility shall be setback a minimum of 150.0m from:</i>  1, Any portion of a lot line abutting Residential, Institutional, Commercial and Mixed Use Zones, Settlement Residential (S1), Settlement Commercial (S2), or Settlement Institutional (S3) zone; or  2. Any residential dwelling unit existing on the date of passing of the by-law, any building used for farm labour residence, mobile home, educational establishment, residential care facility, place of worship, daycare or park.		
	v) Notwithstanding Section 12.2.3.1. b), c), and d) above, all buildings or structures associated with the use shall be setback a minimum of 30.0m from any lot line;		
	vi) Notwithstanding Sections 12.2.3.1 f) i), ii), iii) above, outdoor storage shall not be permitted;		
	vii) Notwithstanding Sections 12.2.3.1(i) i), ii), iii) and iv) above, retail sales shall not be permitted.		

6. Sign details have not been provided; all signage shall conform to Hamilton Sign By-law 10-197. A building permit(s) is required for all signage

7. Fencing details have not been provided; all fencing shall conform to Hamilton Fence By-law 10-142.
8. Construction of the proposed addition is subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setback and construction types.
9. The designer shall ensure the fire access route conforms to the Ontario Building Code
10. This review is based on the plans submitted with the application

Yours truly

*William Campbell*

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for the Manager of Zoning and Committee of Adjustment



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)	HONG ZHENG	
Applicant(s)	MAXIM MERCHASIN OF ACADIA DESIGN CONSULTANTS	
Agent or Solicitor		
		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	1160 Edgewood RD.		
Assessment Roll Number	19-04-01-4-310-00759-0000-0-4		
Former Municipality	Town of Flamborough		
Lot	13	Concession	6 West Flamborough
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:

To permit a maximum Lot coverage of 25.41%

Second Dwelling Unit  Reconstruction of Existing Dwelling

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

Maximum lot coverage of 20% permitted

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
67.16m	123.74m	8,096.57m <sup>2</sup>	20.25m

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
Agriculture Building	1.73m	51.73m	14.63m, 34.53m	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Agriculture Building	1.73m	53.98m	10.87m	

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
Agriculture	1,350.50m	1,350.50m	1	7.82m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Agriculture Building	1,748.59m <sup>2</sup>	1,748.59m <sup>2</sup>	1	7.82m

- 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.):
- Growing and Packaging bean sprouts
- 4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):
- Processing mushrooms

## 7 HISTORY OF THE SUBJECT LAND

- 7.1 Date of acquisition of subject lands:
- March 31, 2022
- 7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
- Processing Mushrooms
- 7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
- Growing and packaging bean sprouts
- 7.4 Length of time the existing uses of the subject property have continued:
- Since 2022
- 7.5 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): \_\_\_\_\_

Rural Settlement Area: Yes

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? A2

- 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: A2

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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: \_\_\_\_\_

8.2 Number of Dwelling Units Proposed: \_\_\_\_\_

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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