

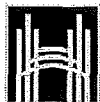


City of Hamilton
PLANNING COMMITTEE ADDENDUM

Meeting #: 19-016
Date: October 15, 2019
Time: 9:30 a.m.
Location: Council Chambers, Hamilton City Hall
71 Main Street West


Lisa Chamberlain, Legislative Coordinator (905) 546-2424 ext. 4605

	Pages
7. CONSENT ITEMS	
7.2 Hamilton Municipal Heritage Committee Report 19-007	
*7.2.a Report PED19200 (regarding Item 1)	2
8. PUBLIC HEARINGS / DELEGATIONS	
8.3 Applications for an Official Plan Amendment and Zoning By-law Amendment for the Lands Located at 1190 Main Street West, 43, 47, 51 and 55 Forsyth Avenue North, 75, 77, 81, 83, 99, 103, 107, 111 and 115 Traymore Avenue, and	
*8.3.b Staff Presentation	4
8.4 Application to Amend the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 6266 and 6330 Chippewa Road East, Glanbrook (PED19196) (Ward 11)	
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10. DISCUSSION ITEMS	
*10.2 Sign Variance Appeal SV-19-002 for the Property Known as 1147 Garner Road West, Ancaster, Denied by the Director of Planning and Chief Planner and Appealed by the Owner (PED19195) (Ward 12) (Deferred from the October 9th Council meeting)	39



Hamilton

INFORMATION REPORT

TO:	Chair and Committee Members Hamilton Municipal Heritage Committee
COMMITTEE DATE:	September 19, 2019
SUBJECT/REPORT NO:	Notice of Intention to Demolish the Building known as the Former Rebecca Street Bus Terminal, located at 71 Rebecca Street, Hamilton, Being a Non-designated Property Included in the Register of Property of Cultural Heritage Value or Interest (PED19200) (Ward 2)
WARD(S) AFFECTED:	Ward 2
PREPARED BY:	David Addington (905) 546-2424 Ext. 1214
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

Notice of Intention to Demolish under Section 27 (3) of the Ontario Heritage Act

On September 12, 2019, the owner of 71 Rebecca Street, Hamilton, Sonoma Development Group Inc., submitted written notice of the intention to demolish the existing building and attached canopy located on the subject property.

The subject property was included as a non-designated property in the City's Register of Property of Cultural Heritage Value or Interest by Council in 2014 as part of the Downtown Built Heritage Inventory project. Section 27(3) of the *Ontario Heritage Act* provides that the owner of a non-designated property on the Register shall not demolish a building or structure on the property unless Council is provided at least 60 days notice in writing of the owner's intention to demolish the building or structure. This provision of the *Ontario Heritage Act* is intended to provide Council with the opportunity to prevent demolition or removal through designation of the property under Part IV of the *Ontario Heritage Act* or to discuss other options with the proponent.

The subject property is comprised of the former Rebecca Street Bus Terminal which was constructed in 1955 to serve as the regional bus terminal. This terminal operated until

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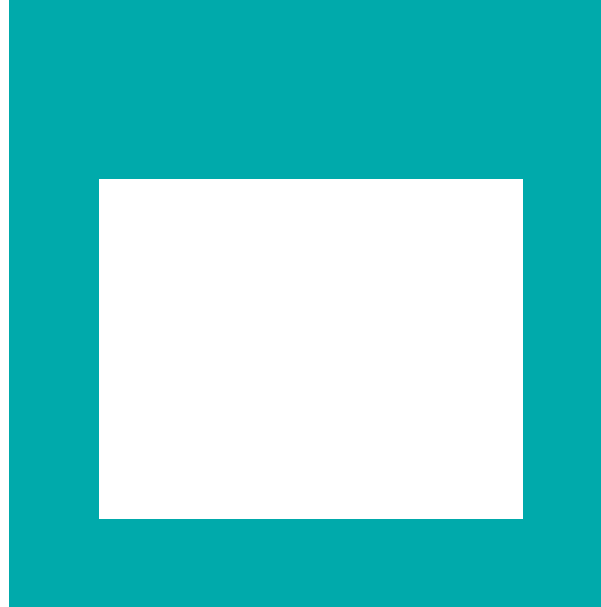
SUBJECT: Notice of Intention to Demolish the Building known as the Former Rebecca Street Bus Terminal, located at 71 Rebecca Street, Hamilton, Being a Non-designated Property Included in the Register of Property of Cultural Heritage Value or Interest (PED19200) (Ward 2) - Page 2 of 2

1996. The building consists of a two-storey brick, concrete block and steel structure with a single storey annex and attached L-shaped covered loading canopy.

On September 26, 2018, Council passed Official Plan and Zoning By-law Amendments to permit the redevelopment of the subject property with a mixed use building with a maximum height of 30 storeys. The proposal included the demolition of the existing building and L-shaped canopy. In the review of the redevelopment applications, Council did not recommend the preservation or reuse of the building through designation under Part IV of the *Ontario Heritage Act* or through any other means.

As part of the submission for the Official Plan and Rezoning Amendment applications, Cultural Heritage Planning staff requested and received a Documentation and Salvage Report by Detritus Consulting (April 2017). The report concluded that the existing building does not contain cultural heritage value or interest and did not recommend the salvage or reuse of any portion of the building. The report was reviewed and accepted by the Policy and Design Working Group of the Hamilton Municipal Heritage Committee (HMHC) on August 21, 2017 and the HMHC was made aware of the proposed demolition on September 28, 2017. Cultural Heritage Planning staff indicated satisfaction with the Documentation and Salvage Report which was noted in the staff report (PED18195) recommending the approval of the Official Plan and Zoning By-law Amendment applications.

Sonoma Development Group Inc. has indicated that the L-shaped canopy on the eastern section of the subject property will be demolished imminently while the main building is intended for demolition within approximately the next two years.



WELCOME TO THE CITY OF HAMILTON

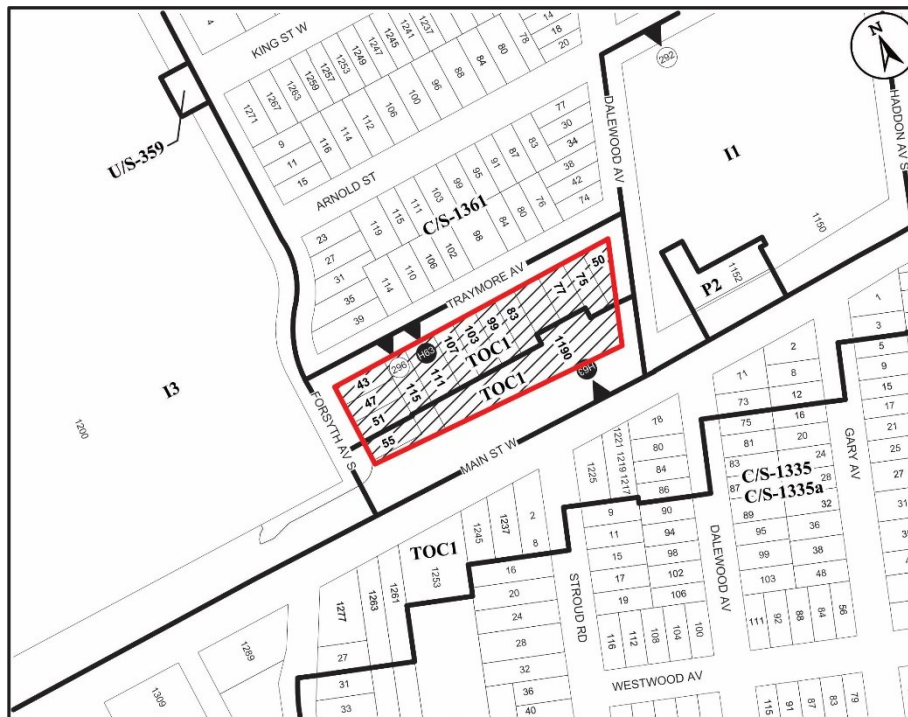
PLANNING COMMITTEE

October 15, 2019

PED19186 – (UHOPA-17-028)

Application for an Official Plan Amendment for the lands located at 1190 Main Street West, 43, 47, 51 and 55 Forsyth Avenue North, 75, 77, 81, 83, 99, 103, 107, 111 and 115 Traymore Avenue, and 50 Dalewood Avenue, Hamilton.

Presented by: Andrea Dear



● Site Location



Key Map - Ward 1

N.T.S. 

Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
 ZAC-17-065 & UHOPA-17-28


Date:
 Oct. 4, 2017

Appendix "A"

Scale:
 N.T.S.

Planner/Technician:
 TS/AL

Subject Property

 1190 Main Street West,
 43, 47, 51 & 55 Forsyth Avenue South,
 75, 77, 81, 99, 103, 107, 111 & 115 Traymore Avenue,
 50 Dalewood Avenue



SUBJECT PROPERTY



1190 Main Street West, 43, 47, 51 and 55 Forsyth Avenue North, 75, 77, 81, 83, 99, 103, 107, 111 and 115 Traymore Avenue, and 50 Dalewood Avenue, Hamilton



Diamond Schmitt Architects

SITE/ GROUND FLOOR PLAN **101.**
 McMaster Residences
 Revision 2019-03-28 1:500



Diamond Schmitt Architects

2019-03-28 REVISED PROPOSAL - TRAYMORE AVENUE LOOKING SOUTHWEST

McMaster Residences 2019-03-28



Diamond Schmitt Architects

2019-03-28 REVISED PROPOSAL - MAIN STREET LOOKING NORTHWEST

McMaster Residences 2019-03-28



Diamond Schmitt Architects

2019-03-28 REVISED PROPOSAL - MAIN STREET LOOKING NORTHEAST

McMaster Residences 2019-03-28



Diamond Schmitt Architects

2019-03-28 REVISED PROPOSAL - FORSYTH AVENUE LOOKING SOUTH

McMaster Residences 2019-03-28



Subject Lands from the south side of Main Street West (looking northwest)



Homes on the south side of Traymore Avenue to be demolished



Homes on the south side of Traymore Avenue to be demolished



Homes on the southside of Traymore Avenue to be demolished



North side of Traymore Avenue looking east



North side of Traymore looking west



Commercial Uses south of the Subject Site



Dalewood Recreation Centre and School to the east



McMaster Hospital to the west

Legislative Planning Process for UHOPA-17-028 and ZAC-17-065

Application	Appeal to OMB 120 Days	Appeal to LPAT 180 Days	Resubmission	Planning Committee	Decision
Zoning By-Law Amendment	March 29, 2018 Accepted	-	-	-	LPAT
Official Plan Amendment	-	May 28, 2018 Rejected	March 29, 2019	October 15, 2019	Planning Committee /Council



April 3rd, 2018, the Local Planning Appeal Tribunal (LPAT) replaced the Ontario Municipal Board (OMB)

Urban Hamilton Official Plan:

Mixed Use –
Medium Density



Institutional



Ainslie Wood Westdale Secondary Plan:

Mixed Use –
Medium Density

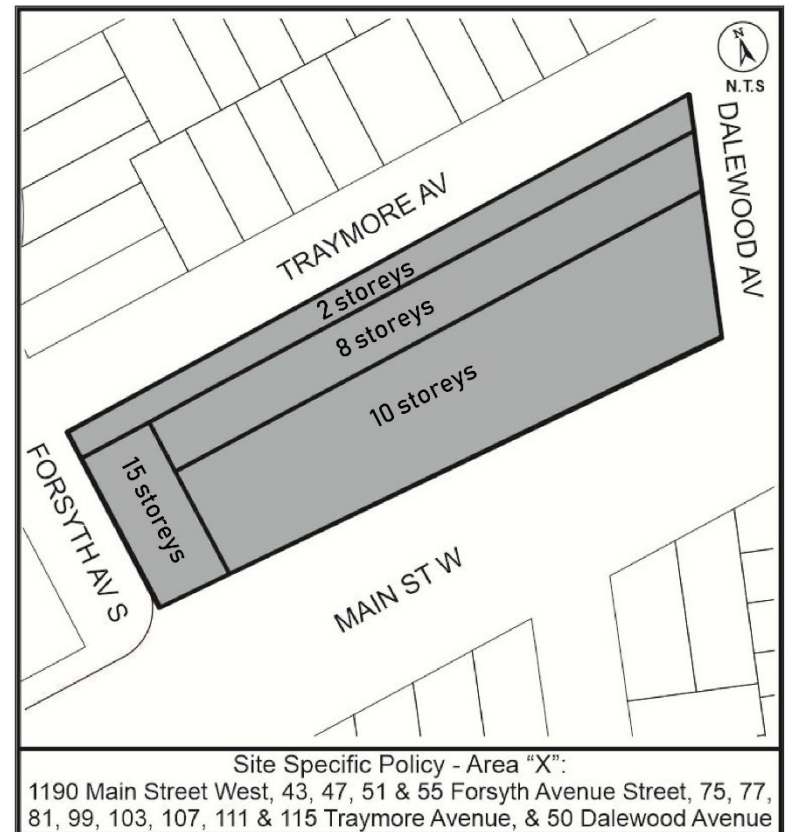


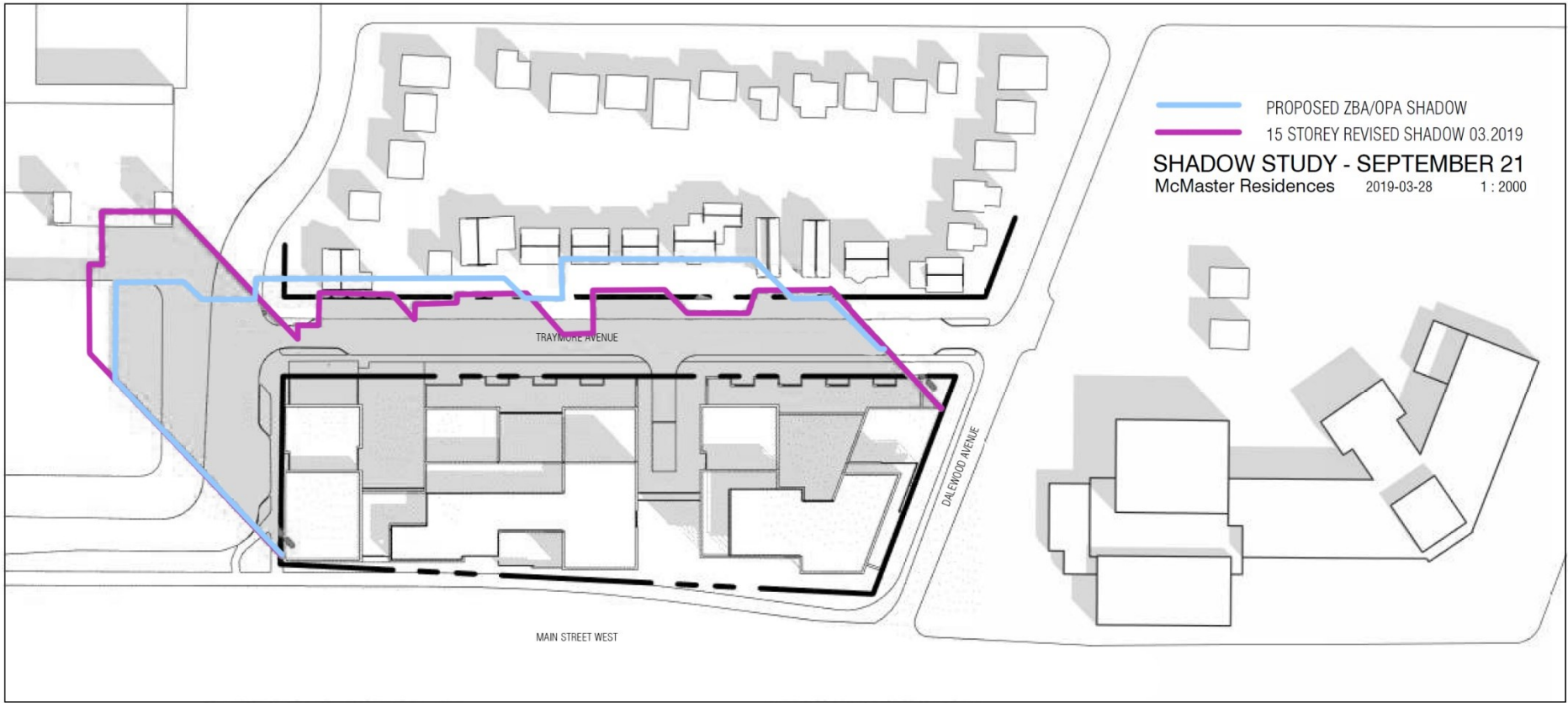
Institutional

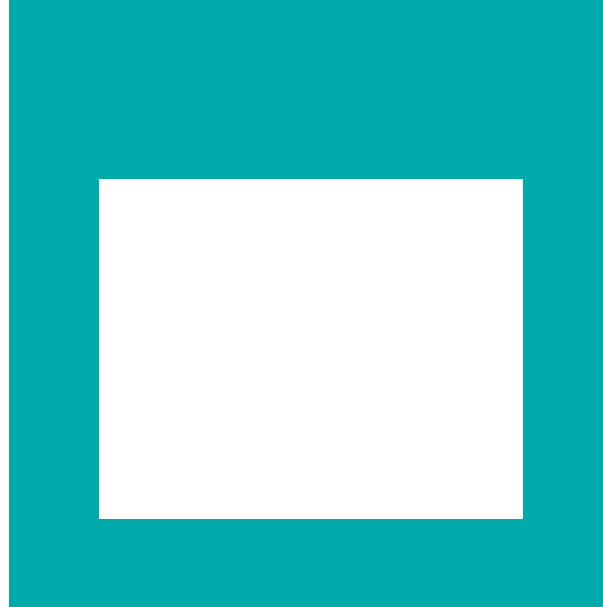


Considerations for Planning Committee

1. Change in designation to Institutional
2. Permit heights of up to 15 storeys with the restrictions shown

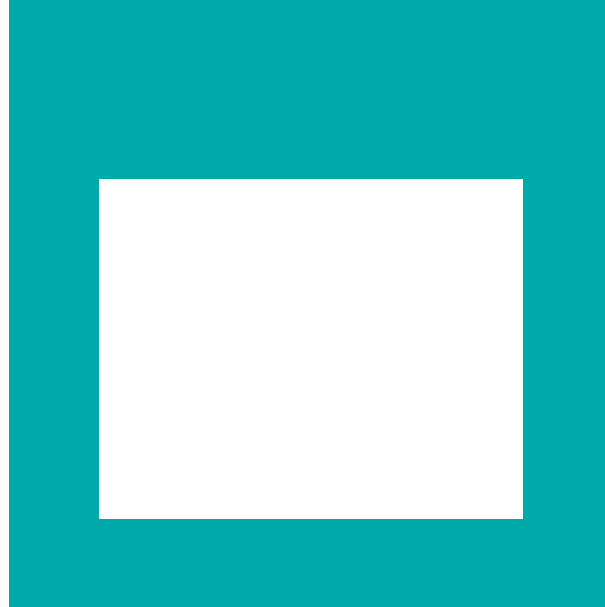






THANK YOU FOR ATTENDING

THE CITY OF HAMILTON PLANNING COMMITTEE



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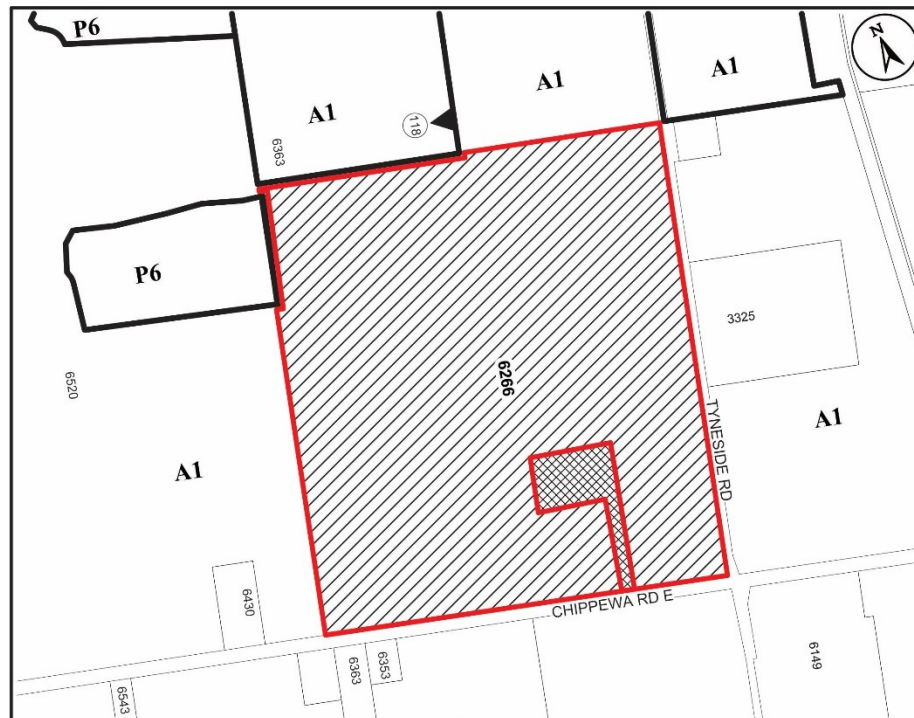
PLANNING COMMITTEE

October 15, 2019

PED19196 – (ZAA-19-042)

Application to Amend the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 6266 and 6330 Chippewa Road East, Glanbrook.

Presented by: Alaina Baldassarra



● Site Location



Key Map - Ward 11

N.T.S.

Location Map



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
ZAA-19-042

Date:
July 17, 2019

Appendix "A"

Scale:
N.T.S.

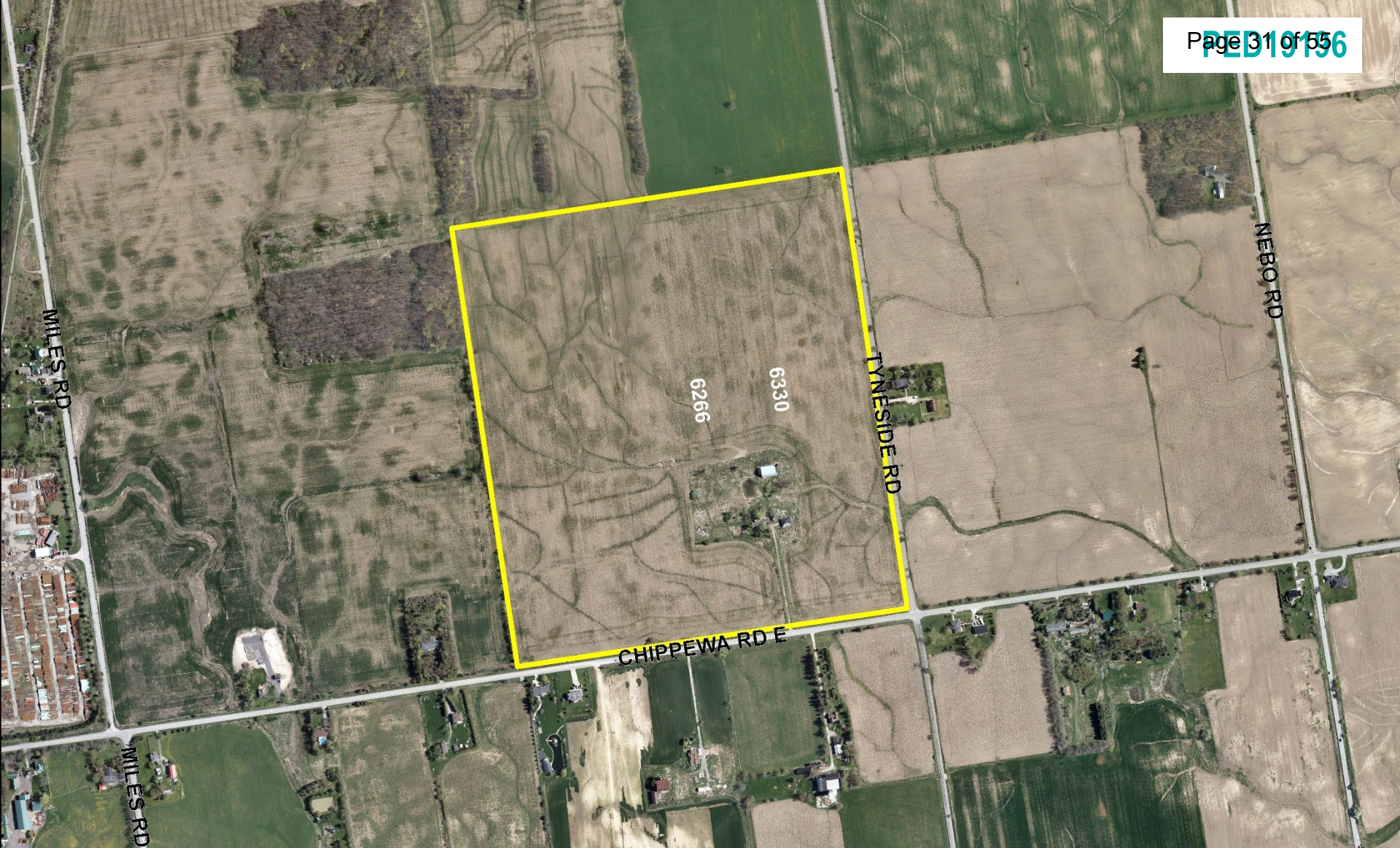
Planner/Technician:
RF/VS

Subject Property

6266 Chippewa Road

Block 1 - Change in Zoning from Agriculture (A1) Zone to Agriculture (A1, 642) Zone

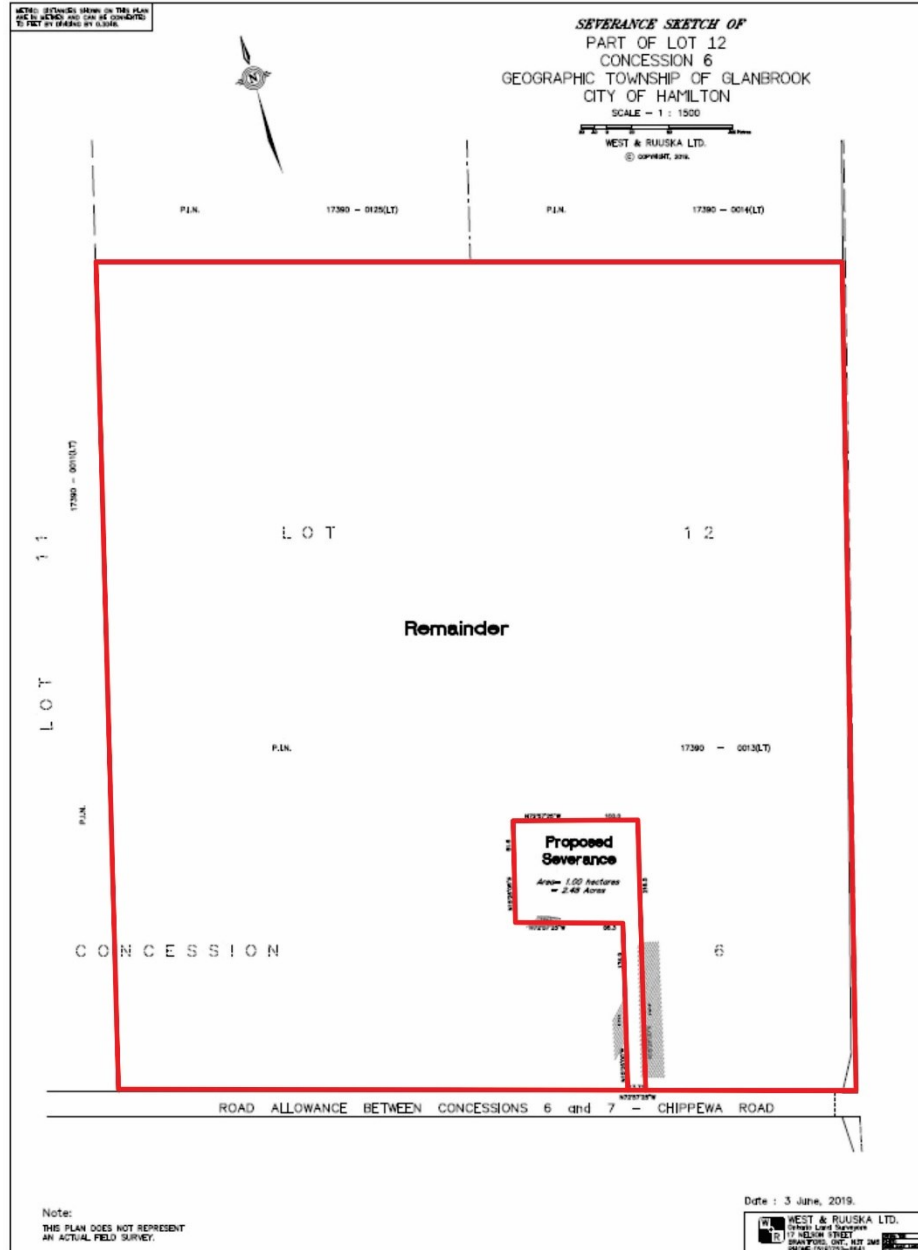
Block 2 - Change in Zoning from Agriculture (A1) Zone to Agriculture (A1, 464) Zone



SUBJECT PROPERTY



6266 & 6330 Chippewa Road East, Glanbrook





Driveway to severed residential lot



House to be severed from Farmland



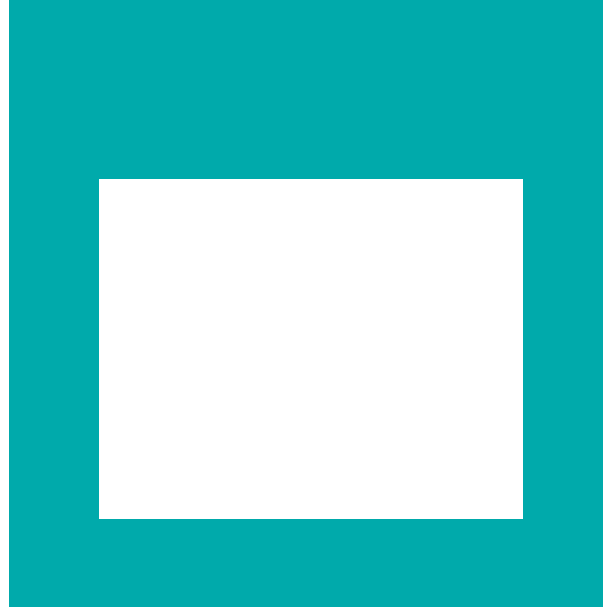
Farm land to be retained



Farm on the other side of Chippewa Road



Farmland located on the property, located on the other side of Chippewa road



THANK YOU FOR ATTENDING

THE CITY OF HAMILTON PLANNING COMMITTEE



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
 Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	October 1, 2019
SUBJECT/REPORT NO:	Sign Variance Appeal SV-19-002 for the property known as 1147 Garner Road West, Ancaster, Denied by the Director of Planning and Chief Planner and Appealed by the Owner (PED19195) (Ward 12)
WARD(S) AFFECTED:	Ward 12
PREPARED BY:	Sara Rogers (905) 546-2424 Ext. 2694
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

That the **Appeal of Sign Variance Application SV-19-002, by Ancaster Self Storage Inc., Owner**, to permit a proposed electronic message display Ground Sign proposing a 100% electronic message display and third party advertising, increased height, decreased setback from a property line, and no display of the municipal address to be included, for the property located at 1147 Garner Road West, Ancaster, as shown on Appendix "A" to Report PED19195, be **Denied**, on the following basis:

- (a) That the requested variances are not in keeping with the general intent and purpose of Sign By-law No. 10-197; and,
- (b) That the requested variances do not meet the tests of Sign By-law No. 10-197.

EXECUTIVE SUMMARY

The owner submitted Sign Variance Application SV-19-002 on December 21, 2018. The application was amended by the owner on May 7, 2019. The amended application proposed to erect a Ground Sign 0.0 metres from the property line abutting Garner Road West, with a maximum height of 8.14 metres, upon which the municipal address of the property would not be displayed, and would allocate 100% of the sign face to an electronic message display, for the purposes of advertising for Ancaster Self Storage,

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SUBJECT: Sign Variance Appeal SV-19-002 for the property known as 1147 Garner Road West, Ancaster, Denied by the Director of Planning and Chief Planner and Appealed by the Owner (PED19195) (Ward 12) - Page 2 of 10

located on the subject property (see Appendices “B”, “C” and “D” to Report PED19195), as well as for third party advertising (i.e. other self-storage facilities owned by the applicant).

The variances were denied by the Director of Planning and Chief Planner, on July 15, 2019. Staff were generally supportive of the one variance to permit a Ground Sign to be located 0.0 m from the property line abutting Garner Road West, whereas Sign By-law 10-197 requires the proposed Ground Sign to be located a minimum of 6.1 m from any property line; however, staff were unable to support the overall massing, height, third party advertising, and extent of the electronic component of the proposed Ground Sign. As a result, staff could not support the proposed Ground Sign to be located at a distance of 0.0 m from the property line as the Ground Sign variances overall could not be supported.

The owner appealed the decision to deny the variances on July 26, 2019, and requested the proposed Sign Variance Application be considered by the Planning Committee.

Alternatives for Consideration – See Page 8

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: None

Staffing: None

Legal: The application is subject to the *Municipal Act*, and there are no requirements for a Public Meeting. By-law No. 10-197 requires the City Clerk to notify the owner once a hearing date before the Planning Committee has been fixed to consider an appeal of the decision by the Director of Planning and Chief Planner to deny a sign variance application.

HISTORICAL BACKGROUND

On August 12, 2010, Council approved Sign By-law No. 10-197. Part 6.0 of By-law No. 10-197 provides the regulations in dealing with variances, including the delegated approval authority, what the City of Hamilton shall have regard for when reviewing Sign Variance Applications (section 6.5), and the process of appealing the Sign Variance Application decision (section 6.6) (see Appendix “E” to Report PED19195).

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On December 21, 2018, staff received an application for a Sign Variance to permit the establishment of a new electronic message display Ground Sign which did not conform to the applicable provisions of Sign By-law No. 10-197. The application was amended subsequently by the owner on May 7, 2019.

The following variances were requested:

- 1) To permit a Ground Sign with a maximum height of 8.14 metres whereas the Sign By-law required 7.5 metres;
- 2) To permit a Ground Sign that does not display the municipal address of the property on which the Ground Sign is displayed;
- 3) To permit a Ground Sign to allocate 100% of the sign face to an electronic message display whereas the Sign By-law permits a maximum of 50% of the sign face for electronic display;
- 4) To permit a Ground Sign for the purposes of 'third party' advertising whereas the Sign By-law permits Ground Signs to only advertise a business, activity, product, or service that is available on the property;
- 5) To permit a Ground Sign not within a Business Improvement Area or the Ancaster Village Core Area to allocate 100% of an electronic message display for the purposes of third party advertising; and,
- 6) To permit a Ground Sign to be located at a distance of 0.0 metres from a property line whereas the Sign By-law requires a setback of 6.1 metres from the Garner Road property line.

On July 15, 2019, the variances were denied by the Director of Planning and Chief Planner, and notice was sent to the applicant advising of the decision. On July 26, 2019, the owner appealed the decision by the Director of Planning and Chief Planner to deny the variances, and requested that the matter be considered by the Planning Committee (see Appendix "F" to Report PED19195).

Details of Submitted Application

Location: 1147 Garner Road West, Ancaster

Owner Ancaster Self Storage Inc.

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SUBJECT: Sign Variance Appeal SV-19-002 for the property known as 1147 Garner Road West, Ancaster, Denied by the Director of Planning and Chief Planner and Appealed by the Owner (PED19195) (Ward 12) - Page 4 of 10

Applicant: Urbancore Developments

Property Description:

Frontage: ±86 metres

Lot Depth: ±87 metres

Area: ±8,779 square metres

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

City of Hamilton Sign By-law No. 10-197

By-law No. 10-197 provides regulations for signs and other advertising devices within the City of Hamilton.

Section 5.1.1 of By-law 10-197 specifies which signs shall be prohibited. Section 5.1.1 (a) prohibits “any sign with a video screen or any flashing, kinetic, or illusionary motion, except an electronic message display as permitted under this By-law”. The proposed Ground Sign is a full colour LED display with no illusionary motion. Therefore, the proposed Ground Sign does conform to the Sign By-law 10-197.

The proposed Ground Sign was reviewed against Sign By-law 10-197 and the following deviations were identified:

Section 5.2.2 (f) of the Sign By-law 10-197 restricts the height to a maximum of 7.5 metres. Therefore, the proposed Ground Sign at a height of 8.14 metres does not conform to the Sign By-law 10-197.

Section 5.2.2 (g) (i) of the Sign By-law 10-197 requires the content of a Ground Sign to include the “municipal address number of the property on which the Ground Sign is displayed”. Therefore, the proposed Ground Sign which does not display the municipal address does not conform to the Sign By-law 10-197.

Section 5.2.2 (g) (iii) of the Sign By-law 10-197 restricts the extent of an electronic message display to “a maximum of 50% of the sign face area...provided that no copy...shall be displayed for less than three seconds, during which there shall be no movement or change in colour or intensity of illumination”. Therefore, the proposed Ground Sign which is allocating 100% of the sign face area to a full colour LED display with no illusionary motion does not conform to the Sign By-law 10-197.

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Section 5.2.2 (g) (v) of the Sign By-law 10-197 restricts advertising to “a business on the property on which the Ground Sign is displayed, or an activity, product or service available on that property, or a charity’s or community organization’s activities”. Therefore, the proposed Ground Sign which is advertising a business, activity, product or service which is not available on the subject site does not conform to the Sign By-law 10-197.

Section 5.2.2 (g) (vi) of the Sign By-law 10-197 permits third party advertising on a portion of the sign face area for Ground Signs not within the “Downtown Community Improvement Project Area, a Business Improvement Area, the Ancaster Village Core Area or within the Glanbrook Village Core Area”. A maximum 25% of the sign area or 1.2 sq. m, whichever is lesser, except for an electronic message display, may be allocated to third party advertising. Therefore, the proposed Ground Sign which is not within one of the areas noted above and which is allocating 100% of the sign area or 11.29 sq. m, all of which is electronic message display, does not conform to the Sign By-law 10-197.

Section 5.2.2 (i) of the Sign By-law 10-197 restricts the location of a Ground Sign to a minimum of “1.5 m or a distance equal to 75% of the height of the Ground Sign, whichever is greater, [from] any property line”. Based on a height of 8.14 m, a setback of 6.1 m from any property line is required. Therefore, the proposed Ground Sign which is located 0.0 m from the property line abutting Garner Road West does not conform to the Sign By-law 10-197.

City of Hamilton Zoning By-law No. 05-200

The subject property is zoned Arterial Commercial (C7, 650) Zone in the City of Hamilton Zoning By-law No. 05-200, which permits a range of commercial uses including the self-storage use currently developed on the site.

As the proposed Ground Sign is not located within any required parking or landscaped areas, the proposed Ground Sign conforms to the City of Hamilton Zoning By-law No. 05-200.

RELEVANT CONSULTATION

Departments/Agencies having no comments or concerns:

- Growth Management (Development Engineering) Section;
- Corridor Management Section; and
- Building, Engineering and Zoning Section.

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Building Services Division (Building Construction Section)

Comments received from the Building Services Division identified which provisions of the Sign By-law were applicable to the proposed Ground Sign, and identified whether the proposed Ground Sign complied or did not comply with the requirements of the By-law. The comments from the Building Services Division identified that the proposed Ground Sign did not conform to a total of six (6) provisions of the By-law as outlined in the Policy Implications and Legislated Requirements Section of this Report.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The applicant is proposing to erect an electronic Ground Sign at the subject site to provide a promotional opportunity for the existing 300 unit Self Storage Facility as well as other self storage facilities located elsewhere and owned by the applicant. In particular, the third party advertising proposed and the overall massing, height and extent of the electronic component of the Ground Sign does not conform to the intent of the City of Hamilton Sign By-law 10-197 and does not have regard for the four tests against which the variances are evaluated against.

On August 12, 2010, Council approved Sign By-law No. 10-197. Part 6.0 of By-law No. 10-197 provides the regulations in dealing with variances, pursuant to section 6.5 of the City of Hamilton Sign By-law No.10-197, in considering applications for sign variance, the following shall be considered:

- Special circumstances or conditions applying to the land, building or use referred to in the application;
- Whether strict application of the provisions of this By-law in the context of the special circumstances applying to the land, building or use, would result in practical difficulties or unnecessary and unusual hardship for the applicant, inconsistent with the general intent and purpose of this By-law;
- Whether such special circumstances or conditions are pre-existing and not created by the Sign Owner or applicant; and,
- Whether the Sign that is the subject of the variance will alter the essential character of the area in which the Sign will be located.

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The City of Hamilton may approve a Sign Variance Application if the general intent and purpose of the By-law is maintained, and the proposal has regard for the four tests, as set out in Section 6.5 of By-law No. 10-197 (see Appendix “E” to Report PED19195).

The four tests are evaluated in the following comments:

- a) Special circumstances or conditions applying to the lands, building or use referred to in the application;

The subject lands are currently developed with a self-storage facility. Site Plan Control Application DA-05-185 was approved on November 2, 2006, prior to the Sign By-law coming into force and effect. As a result, the applicant is unable to conform to the location requirements of the Sign By-law (as in Variance 6, Section 5.2.2 (i)) without impacting the vehicular circulation and fire routes that are part of the approved site plan. This situation is considered to be a special condition applying to the land, however this special condition does not require the Ground Sign to be constructed at a height of 8.14 m with 100% electronic message display and third party advertising, without displaying the municipal address. Therefore, while there is a special condition applying to the lands; with respect to sign location, it does not impact Variances 1 to 5.

- b) Whether strict application of the provisions of this By-law in the context of the special circumstances applying to the land, building or use, would result in practical difficulties or unnecessary and unusual hardship for the applicant, inconsistent with the general intent and purpose of this By-law;

Strict application of the provisions of the By-law with respect to maintaining a 6.1 m setback from Garner Road West (Variance 6), would cause the proposed Ground Sign to be located within a drive aisle and fire route, resulting in practical difficulties for the applicant. However, staff are of the opinion that there would be no practical difficulties or unnecessary and unusual hardships as a result of the proposed Ground Sign conforming to the remainder of the Sign By-law.

- c) Whether such special circumstances or conditions are pre-existing and not created by the Sign Owner or applicant;

The site design is pre-existing, and signage was not contemplated prior to Site Plan Approval or prior to the Sign By-law coming into force and effect. Staff are satisfied that the conditions for this site are pre-existing and that the applicant did not create the special condition applying to the land with respect to the required setback of the Ground Sign from any property line.

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While the layout of the site is pre-existing, there are no special circumstances or conditions that apply to the lands that require the Ground Sign to be constructed at a height of 8.14 m with 100% electronic message display and third party advertising, without displaying the municipal address. Therefore, the special condition is pre-existing; however, it does not impact Variances 1 to 5.

- d) Whether the Sign that is the subject of the variance will alter the essential character of the area in which the Sign will be located.

Garner Road West in this location is zoned Commercial and Mixed Use on the north side and Industrial on the south side, with the lands to the south being largely underdeveloped as the uses transition from agriculture to industrial. There is a Ground Sign on the abutting property to the west, being 1151 Garner Road West, located at the property line, and another Ground Sign approximately 400 m to the west at 1242 Garner Road West. However, these sign faces contain no readograph or electronic message display.

Staff are generally satisfied that a Ground Sign could be located 0.0 m from the property line abutting Garner Road West without negatively impacting the character of the area as the area is vehicle rather than pedestrian-oriented, with no sidewalks currently provided and a speed limit of 70 km/hr in both directions along Garner Road West. Notwithstanding the foregoing, staff are unable to support this location for the proposed Ground Sign that is the subject of this application. Staff are of the opinion that the proposed height, third party advertising, and the allocation of 100% of the sign face to an electronic message display would alter the essential character of the area and set a precedent for Ground Signs proposed in the future as this underdeveloped area transitions to more urban uses. Therefore, the Ground Sign that is the subject of these variances would alter the essential character of the area.

The Sign Variance Application was denied by the Director of Planning and Chief Planner, on July 15, 2019. The reasons for the refusal are that the proposed sign variances do not maintain the general intent and purpose of the Sign By-law and do not meet the four tests for sign variances provided in Section 6.5 of By-law No. 10-197 (see Appendix "E" to Report PED19195).

ALTERNATIVES FOR CONSIDERATION

Option 1

Council may uphold the recommendation of the Director of Planning and Chief Planner, Planning Division, to refuse the proposed variances as they do not maintain the general

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OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

SUBJECT: Sign Variance Appeal SV-19-002 for the property known as 1147 Garner Road West, Ancaster, Denied by the Director of Planning and Chief Planner and Appealed by the Owner (PED19195) (Ward 12) - Page 9 of 10

intent and purpose of the Sign By-law. The owner would be permitted to erect a Ground Sign in accordance with the City of Hamilton Sign By-law No. 10-197.

Option 2

Council may deny the recommendation of the Director of Planning and Chief Planner, Planning Division, and support the proposed variances, as submitted. However, it is staff's opinion that this option does not maintain the general intent and purpose of the City of Hamilton Sign By-law No. 10-197.

Option 3

Council may support Variance 6 to permit the Ground Sign to be located within 0.0 m of the property line abutting Garner Road West, and refuse Variances 1 to 5. The owner would be permitted to erect a Ground Sign at a distance of 0.0 m from the property line abutting Garner Road West provided that the Ground Sign is in conformity with all other applicable provisions of the City of Hamilton Sign By-law No. 10-197.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement & Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Built Environment and Infrastructure

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

- Appendix "A": Location Map
- Appendix "B": Site Plan
- Appendix "C": Site Plan – Detail
- Appendix "D": Elevations and Renderings of proposed Ground Sign

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Chief Planner and Appealed by the Owner (PED19195) (Ward 12) -
Page 10 of 10**

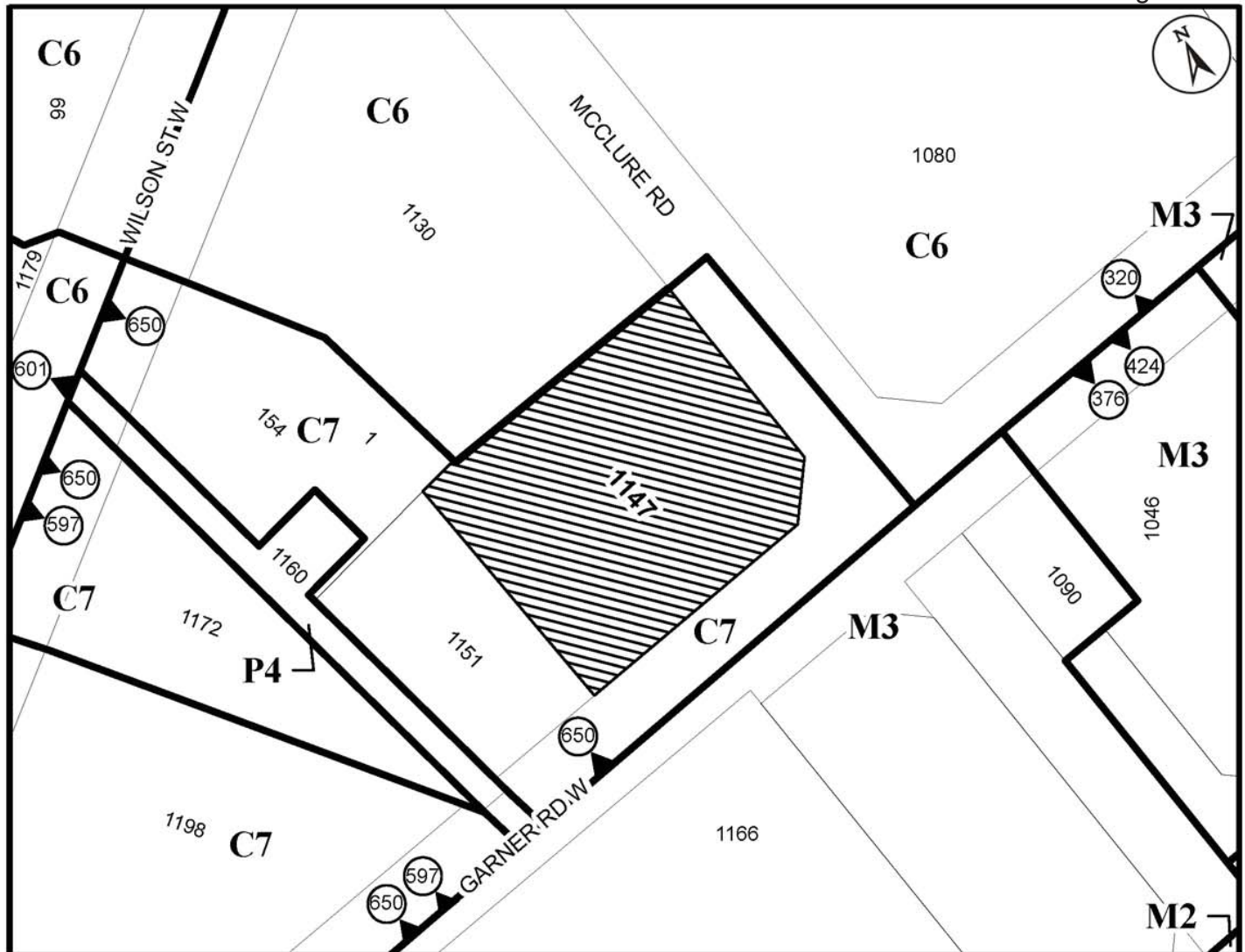
Appendix "E": Section 6.0 of Sign By-law No. 10-197

Appendix "F": Appeal Letter

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● Site Location



Key Map - Ward 12

Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
SV-19-002

Date:
April 23, 2019

Appendix "A"

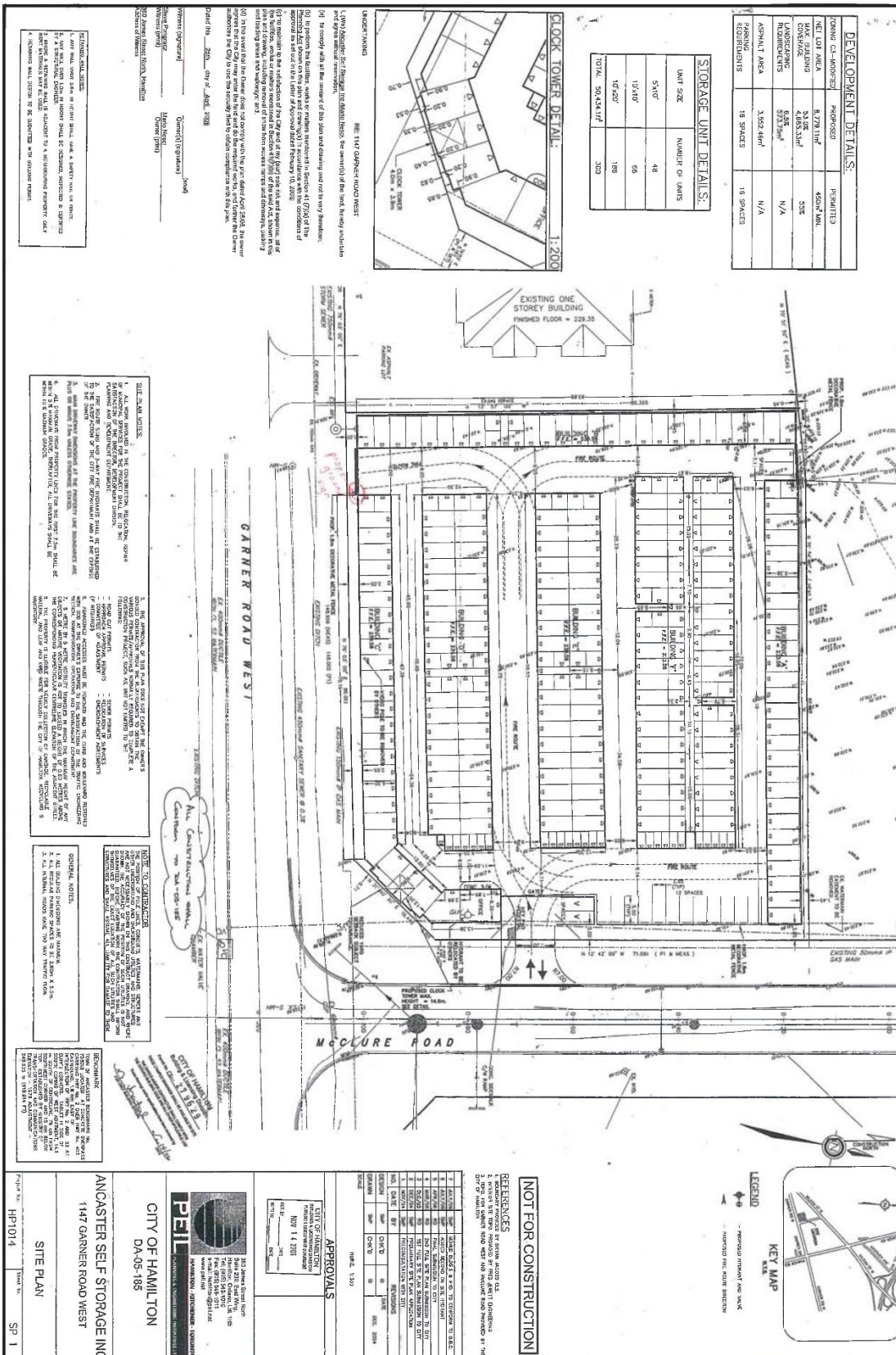
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Planner/Technician:
SR/VS

Subject Property



1147 Garner Road West, Ancaster

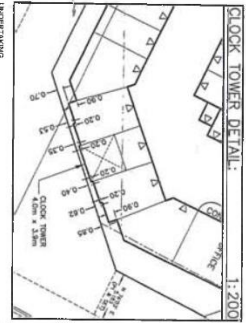


DEVELOPMENT DETAILS:

ITEM	PROPOSED	PERMITTED
NET LOT AREA	8,729.11M ²	4520.00M ²
GROSS BUILDING COVERAGES	4,882.35M ²	552
LANDSCAPING	6.8%	N/A
LANDSCAPING ELEMENTS	27.00M ²	N/A
ASPHALT AREA	3,852.46M ²	N/A
PARKING SPACES	18 SPACES	15 SPACES

STORAGE UNIT DETAILS:

UNIT SIZE	NUMBER OF UNITS
3x10'	48
10x10'	58
10x20'	198
TOTAL	504.44M²



UNDER-TAKINGS

1. (ENV) Applicant shall engage in the following activities in accordance with the terms of the permit and the conditions of the permit:

(a) To comply with the terms of the permit and the conditions of the permit.

(b) To provide the following information to the City of Hamilton in accordance with the conditions of the permit:

(c) To provide the following information to the City of Hamilton in accordance with the conditions of the permit:

(d) To provide the following information to the City of Hamilton in accordance with the conditions of the permit:

(e) To provide the following information to the City of Hamilton in accordance with the conditions of the permit:

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(y) To provide the following information to the City of Hamilton in accordance with the conditions of the permit:

(z) To provide the following information to the City of Hamilton in accordance with the conditions of the permit:

NOT FOR CONSTRUCTION

REFERENCES

1. Ancaster Zoning By-law, 2012

2. City of Hamilton Planning Department, 2012

3. City of Hamilton Planning Department, 2012

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APPROVALS

CITY OF HAMILTON
DA-05-185

ANCASTER SELF STORAGE INC
1147 GARNER ROAD WEST

SITE PLAN

HP-1014 SP 1

PEIL
Professional Engineer
110 James Street East
Hamilton, Ontario L8N 2K5
Tel: 905.571.2222
Fax: 905.571.2223
www.peil.ca

LEGEND

1. PROPOSED IMPROVEMENTS AND WORK

2. EXISTING IMPROVEMENTS AND WORK

3. EXISTING UTILITIES

4. EXISTING ROADWAY

5. EXISTING CURB

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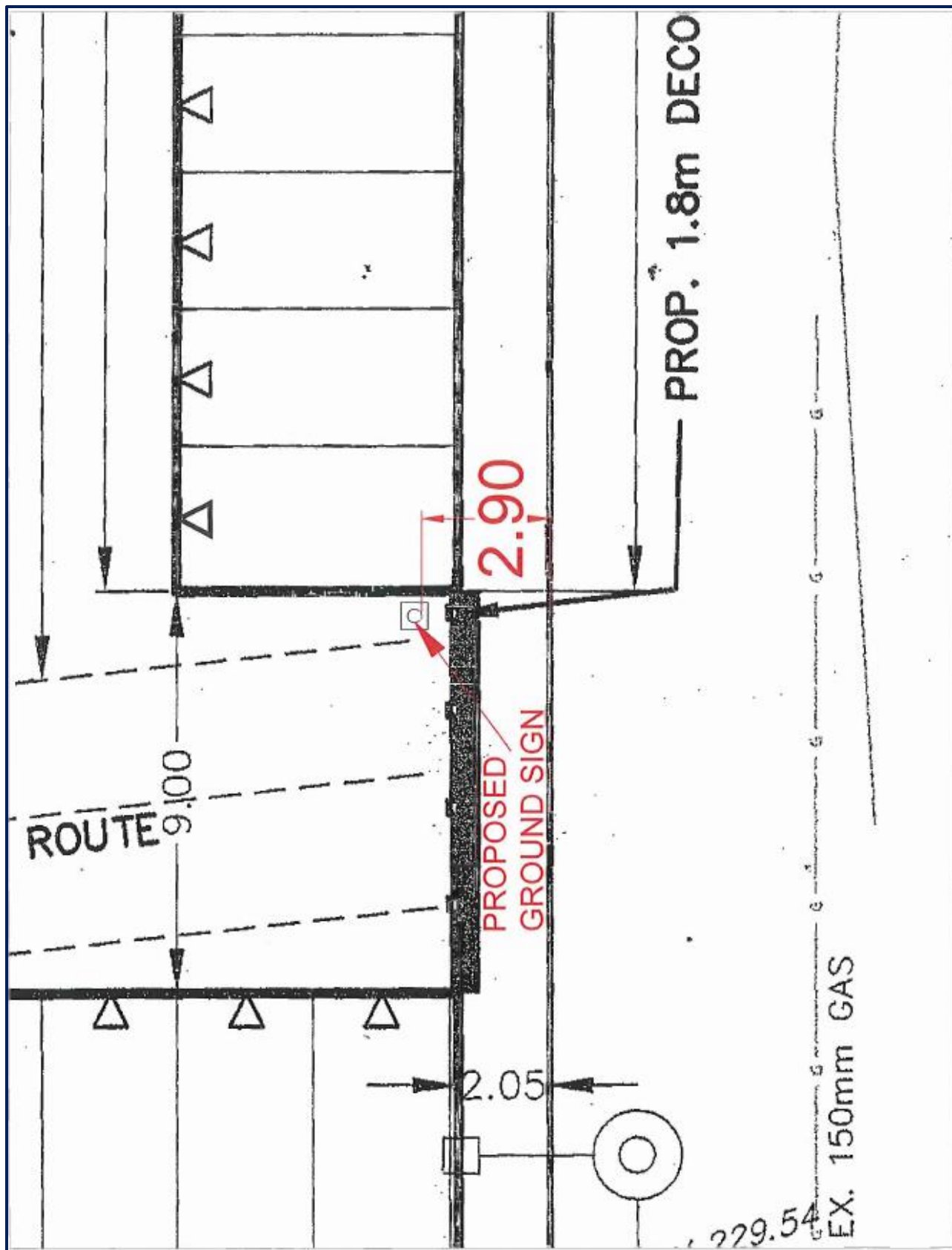
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brooks sign 500 Brent County Rd. #14, Brentwood, Ontario, L6S 0H4
 Phone: (905) 723-0306 - Fax: (905) 723-0444
 Email: gpross@brooksdesign.com

CLIENT: ANCASTER SELF-STORAGE SKETCH: AncaasterStorage@EP-NOV2018 SALES: F. TAVARES
LOCATION: 1147 GARNER RD. W. DATE: revised Feb 21, 2019 ARTIST: K. MCKELVEY

APPROVED BY: **DATE:**

THIS DESIGN IS THE PROPERTY OF BROOKS SIGNS (1985) LTD. AND IS NOT TO BE COPIED WITHOUT WRITTEN PERMISSION OF THE OWNERS



PART 6.0 VARIANCES

6.1 Any person may apply for a variance from this By-law or any provision thereof.

6.2 An application for variance shall be made on the form prescribed by the City and shall be accompanied by the applicable fee, as set out in the City's User Fees and Charges By-law.

A By-Law repealing and replacing By-law No. 06-243 respecting Signs within the City of Hamilton

6.3 Variances may be authorized by the Director.

6.4 The General Manager may authorize a variance if in his or her opinion the general intent and purpose of the By-law are maintained.

6.5 In considering an application for a variance, the Director shall have regard for:

(a) special circumstances or conditions applying to the land, building or use referred to in the application;

(b) whether strict application of the provisions of this By-law in the context of the special circumstances applying to the land, building or use, would result in practical difficulties or unnecessary and unusual hardship for the applicant, inconsistent with the general intent and purpose of this By-law;

(c) whether such special circumstances or conditions are pre-existing and not created by the sign owner or applicant; and

(d) whether the sign that is the subject of the variance will alter the essential character of the area in which the sign will be located.

6.6 An applicant may appeal the variance application decision of the Director within 21 days of the decision is made to the Economic Development and

Planning Committee or any successor Committee.

6.7 The City Clerk shall notify the applicant once a hearing date before the Economic Development and Planning Committee or any successor Committee has been fixed and if the applicant does not attend at the appointed time and place, the Committee may proceed in the absence of the applicant and the applicant shall not be entitled to further notice in the proceeding.

6.8 Council may uphold or vary the recommendations of the Economic Development and Planning Committee or any successor Committee or do any act or make any decision that it might have done had it conducted the hearing itself and the applicant shall not be entitled to a further hearing on the matter before Council and the decision of Council shall be final.

6.9 A variance from this By-law shall expire 6 months from the date of issuance unless the sign is displayed for its intended purpose and a variance shall expire upon the removal of the sign.



July 25, 2019

Via Email & Delivered

Mayor Fred Eisenberger
City of Hamilton

RECEIVED

JUL 26 2019

And

Ms. Janet Pilon
City Clerk

City of Hamilton
71 Main Street West, 2nd Floor
Hamilton, ON L8P 4Y5

Dear Mr. Mayor Eisenberger and Ms. Pilon,

Re: Ancastrer Self Storage - Sign Variance Application - SV-19-002 - 1147 Garner Road West, Ancaster

By way of this letter, We are formally requesting that the matter pertaining to our sign variance application at 1147 Garner Road West, Ancaster be referred to the next available Planning Committee meeting for reconsideration of the final decision. I will also be making a request to be a delegation through the City Clerk's office as it is my intention to attend the Planning Committee meeting and make a deputation.

Should any additional information or clarification be required prior to this meeting, please do not hesitate to contact me.

Regards,
Ancastrer Self Storage Inc.

A handwritten signature in blue ink, appearing to read "Sergio Manchia", is written over the typed name below.

Sergio Manchia

Cc: Councillor Lloyd Ferguson, Ward 12, City of Hamilton
Mr. Steve Robichaud, Chief Planner, City of Hamilton
Ms. Anita Fabac, Manager of Development Planning, City of Hamilton