



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, 3935 Fax (905) 546-4202  
E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**NOTICE OF PUBLIC HEARING**  
**Minor Variance**

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**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.:** FL/A-20:222

**APPLICANTS:** Owner 2708796 Ontario Inc.

**SUBJECT PROPERTY:** Municipal address **1064 Hwy 6, Flamborough**

**ZONING BY-LAW:** Zoning By-law 05-200, as Amended by By-law 15-173 & 19-062

**ZONING:** "E2 & 249" (Existing Rural Industrial) (E2) Zone

**PROPOSAL:** To permit an accessory retail sales area, including an associated showroom and offices, within a building containing manufacturing and warehousing notwithstanding that:

1. A maximum of 20% of the gross floor area of the building shall be permitted to be used for accessory retail sales including an associated showroom and offices of the instead of the requirement a maximum area permitted for accessory retail sales shall not exceed 10% of the gross floor area of the permitted use.

This application will be heard by the Committee as shown below:

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**DATE:** Thursday, November 19th, 2020  
**TIME:** 1:50 p.m.  
**PLACE:** Via video link or call in (see attached sheet for details)  
**To be streamed at [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment) for viewing purposes only**

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**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, including deadlines for submitting to be seen by the Committee.

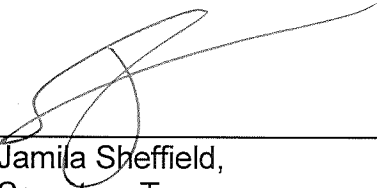
**Orally:** If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

**MORE INFORMATION**

For more information on this matter, including access to drawings illustrating this request:

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

DATED: November 3rd, 2020.



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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.***



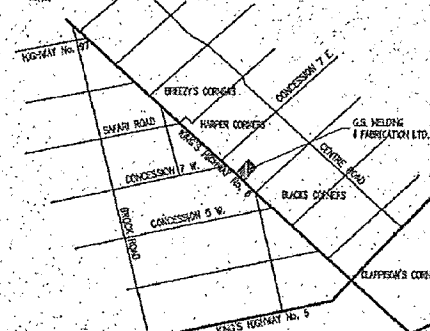
LEGEND:

- ENTRANCE / EXIT DOOR
- EX. DOOR / DOOR DOOR
- FIRE ROUTE
- EXISTING ASPHALT PAVING
- EXISTING PAVING
- EXISTING GRAVEL
- CONCRETE FENCE
- TR. TREE OF BANK
- BB. BOTTOM OF BANK
- EXISTING GRASSES
- PROPOSED GRASSES
- SLT. FENCE LOCATIONS

SITE DATA:

GITE AREA	17,38.15 sq.m.	= 100.0%
EX. BUILDING AREA	3,713.32 sq.m.	
EX. POLE BARN BUILDING TO BE DEMOLISHED	- 555.01 sq.m.	
EX. STORAGE BUILDING TO BE DEMOLISHED	- 204.10 sq.m.	
EX. BUILDING AREA REMAINING	2,953.21 sq.m.	= 17.0%
NEW BUILDING ADDITION	409.89 sq.m.	= 2.3%
20% TOTAL BUILDING AREA	3,363.10 sq.m.	= 19.3%
EX. ASPHALT AREA	- 55.72 sq.m.	= 0.3%
EX. CONCRETE AREA	14.57 sq.m.	= 0.0%
EX. GRAVEL AREA	4,477.33 sq.m.	= 25.5%
EX. GRASS & LANDSCAPING AREA	8,552.84 sq.m.	= 49.2%
NEW GRAVEL	50.59 sq.m.	= 0.3%

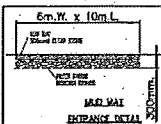
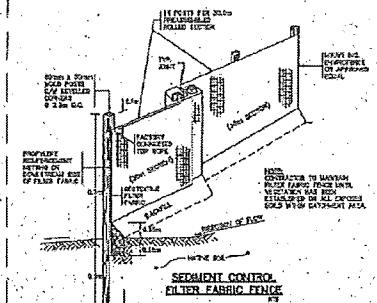
KEY PLAN:



SCALE: 1:500

PLIA 201200

N 44°57'30" E 142.098m



**GENERAL NOTES:**

1. ALL WORK TO BE DONE IN ACCORDANCE WITH THE REQUIREMENTS OF THE ZONING BY-LAW AND THE CITY OF HAMILTON ACT, 2001.

2. THE PROPOSED BUILDING SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF HAMILTON ACT, 2001 AND THE ZONING BY-LAW AND THE CITY OF HAMILTON ACT, 2001.

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8. THE PROPOSED BUILDING SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF HAMILTON ACT, 2001 AND THE ZONING BY-LAW AND THE CITY OF HAMILTON ACT, 2001.

9. THE PROPOSED BUILDING SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF HAMILTON ACT, 2001 AND THE ZONING BY-LAW AND THE CITY OF HAMILTON ACT, 2001.

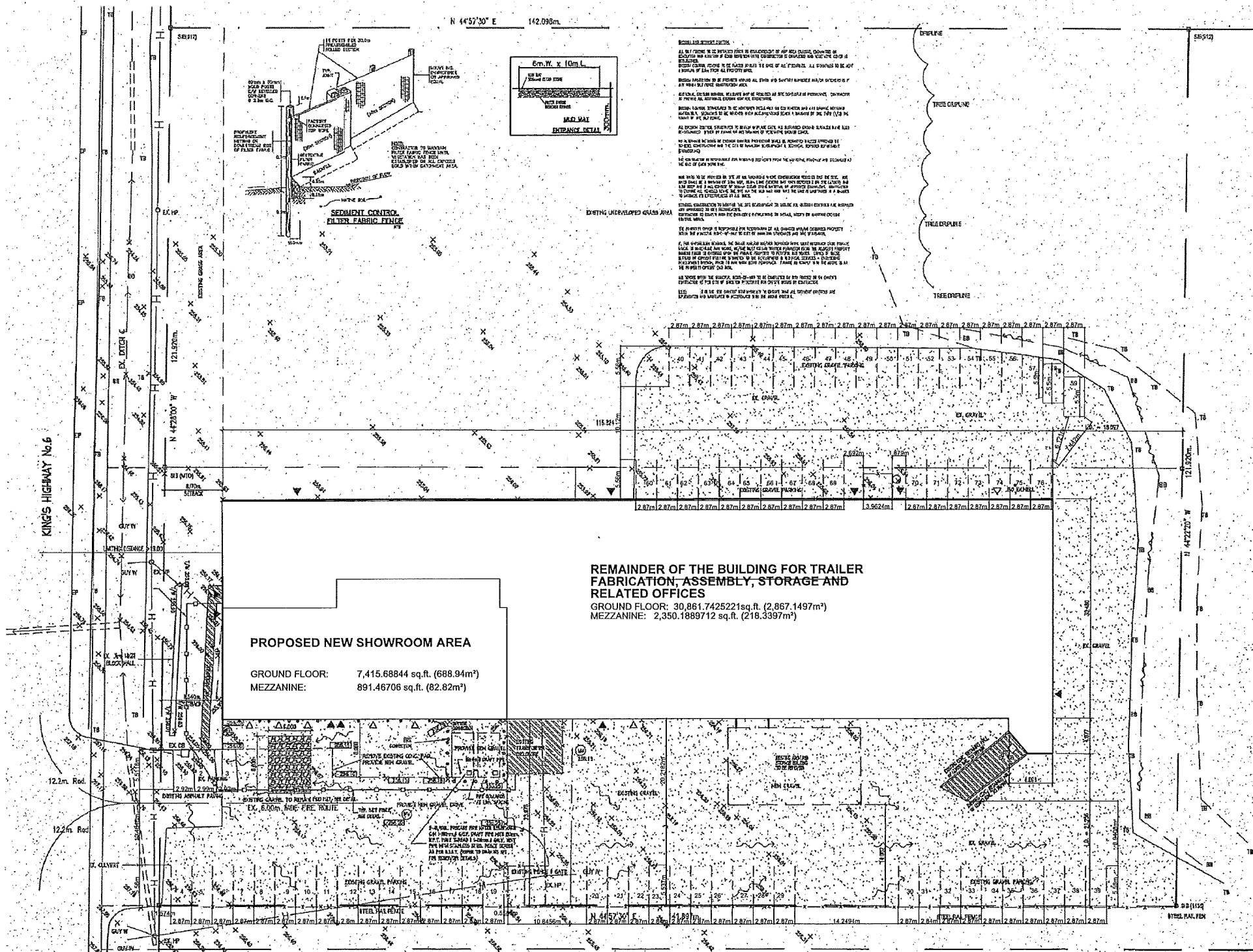
10. THE PROPOSED BUILDING SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF HAMILTON ACT, 2001 AND THE ZONING BY-LAW AND THE CITY OF HAMILTON ACT, 2001.

**REMAINDER OF THE BUILDING FOR TRAILER FABRICATION, ASSEMBLY, STORAGE AND RELATED OFFICES**

GROUND FLOOR: 30,861.7425221sq.ft. (2,867,1497m<sup>2</sup>)  
MEZZANINE: 2,350.1889712 sq.ft. (218,3397m<sup>2</sup>)

**PROPOSED NEW SHOWROOM AREA**

GROUND FLOOR: 7,415.68844 sq.ft. (688.94m<sup>2</sup>)  
MEZZANINE: 891.46706 sq.ft. (82.82m<sup>2</sup>)



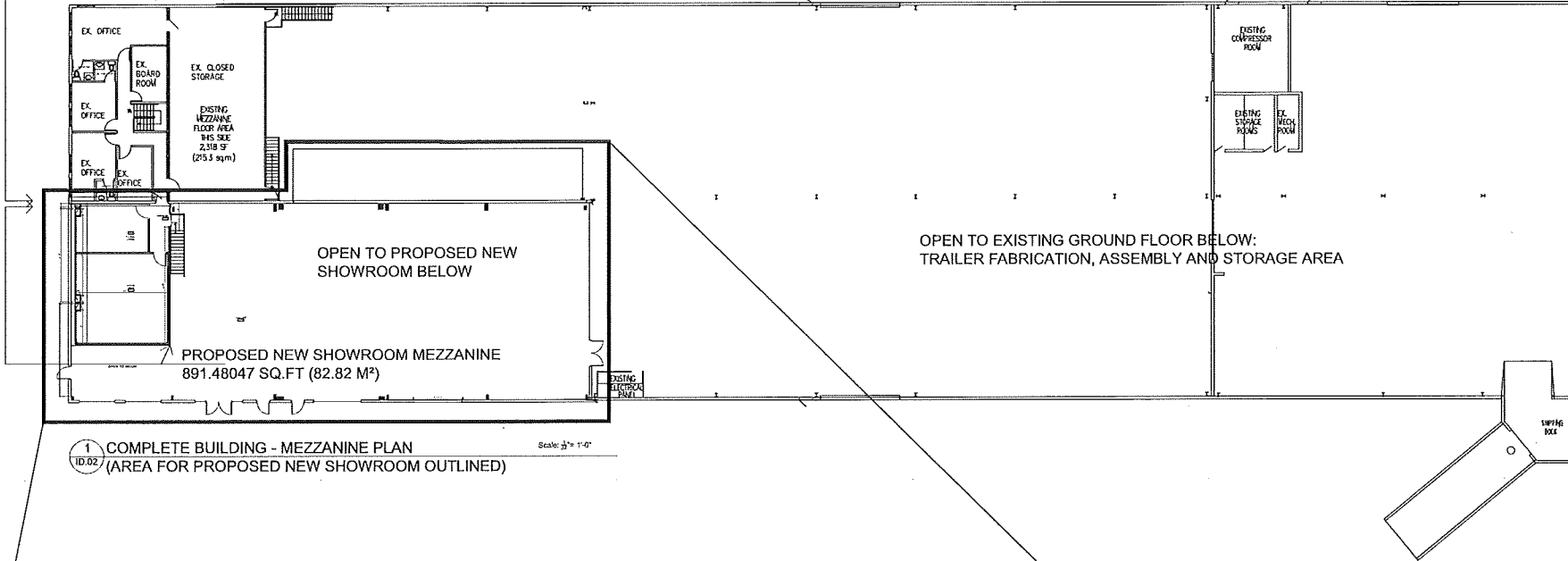


Proposed Showroom  
@ 1064 Hwy 6 N.  
Hamilton

Existing Parts Department  
& offices  
@ 1056 Hwy 6 N.  
Hamilton

FC/A 20:222

EXISTING MEZZANINE WAREHOUSE  
RELATED OFFICES:  
2,421.6255 SQ.FT. (224.97M<sup>2</sup>)



1 COMPLETE BUILDING - MEZZANINE PLAN  
(AREA FOR PROPOSED NEW SHOWROOM OUTLINED)

Scale: 1/4" = 1'-0"

FILE NO: 117



designated space incorporated  
2245 horsey road, Burlington, Ontario, L7R 2B7  
P: 905-639-8800 F: 905-639-4212 designatedspace@cspace.ca

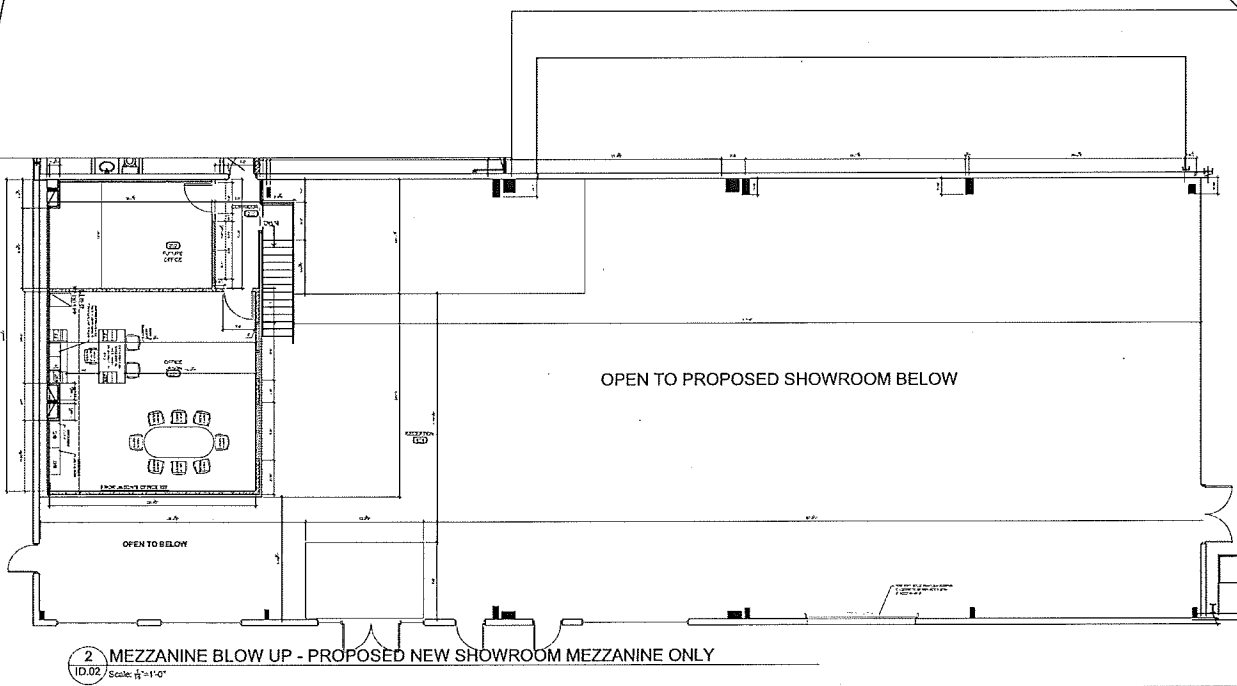
REVISIONS	
NO.	REVISION
1	ISSUED FOR PERMIT
2	REVISED FOR PERMIT
3	REVISED FOR PERMIT
4	REVISED FOR PERMIT
5	REVISED FOR PERMIT
6	REVISED FOR PERMIT
7	REVISED FOR PERMIT
8	REVISED FOR PERMIT
9	REVISED FOR PERMIT
10	REVISED FOR PERMIT

PROJECT TITLE  
**MISKA TRAILERS**

LOCATION:  
1064 ON-6  
FLAMBOROUGH (HAMILTON), ON

SHEET TITLE  
**1. MEZZANINE - PROPOSED NEW SHOWROOM PARTITION PLAN CW FURNITURE**

DESIGNER: AVP  
DRAWN: AVP / BS  
APPROVED:  
SCALE: AS NOTED  
DATE: JULY 2019  
CADD PLOT: OCTOBER 27th, 2020  
ISSUED FOR PERMIT: OCTOBER 27th, 2020  
DATE: OCTOBER 27th, 2020  
DRAWING NUMBER: 1D.02



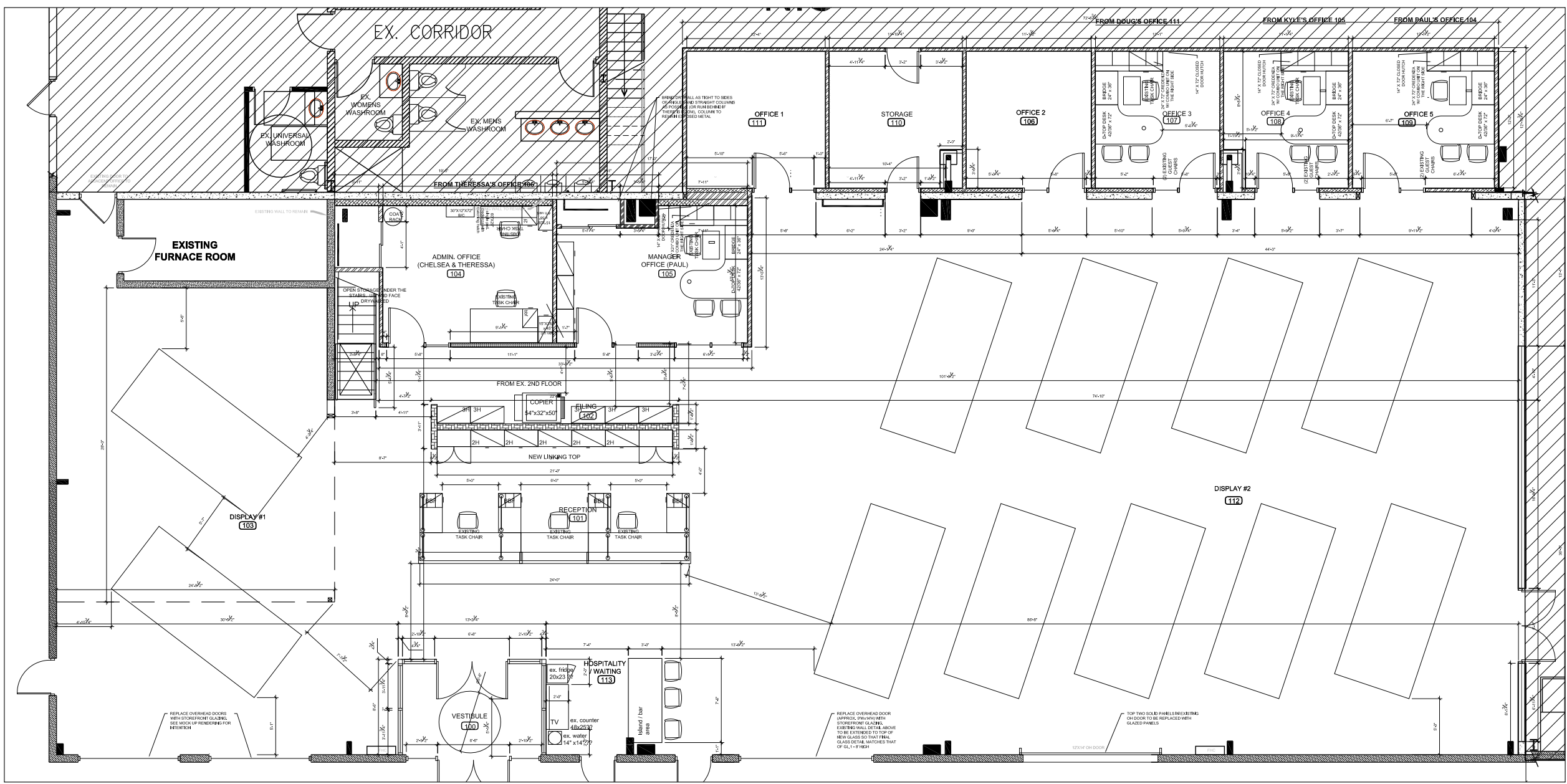
2 MEZZANINE BLOW UP - PROPOSED NEW SHOWROOM MEZZANINE ONLY

Scale: 1/4" = 1'-0"





**designated space incorporated**  
 2345 barclay road, Burlington, Ontario, L7R 2B7  
 p: 905-639-6600 f: 905-639-6212 designatedspace@cogeco.ca



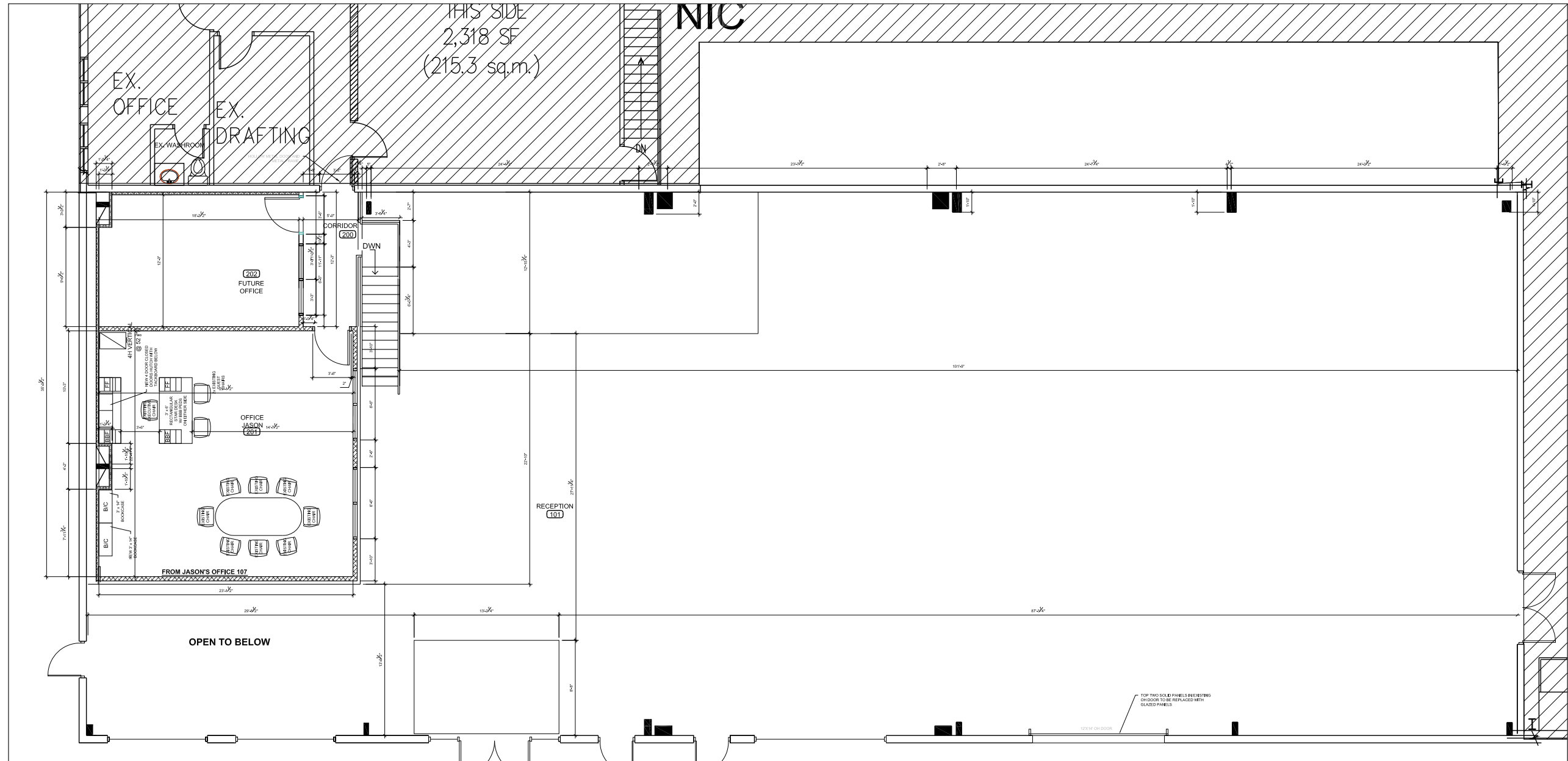
**1 GROUND FLOOR - PARTITION PLAN C/W PROPOSED FURNITURE LAYOUT**  
 ID.01 Scale: 3/32" = 1'-0"

REVISIONS		
No.	DATE	REVISION
1.	APR 13 2020	ISSUED FOR PERMIT
2.	JUN 29 2020	RE-ISSUED FOR PERMIT
3.	AUG 17 2020	REVISIONS DUE TO OCCUPANCY CHANGE
1. DO NOT SCALE DRAWINGS		
2. VERIFY CONFIGURATIONS AND DIMENSIONS ON SITE BEFORE BEGINNING WORK. NOTIFY THE DESIGNER IMMEDIATELY OF ANY ERRORS OMISSIONS OR DISCREPANCIES.		

**PROJECT TITLE**  
 MISKA TRAILERS  
 LOCATION  
 1064 ON-6  
 FLAMBOROUGH (HAMILTON), ON

**SHEET TITLE**  
 1. GROUND FLOOR - PROPOSED NEW SHOWROOM PARTITION PLAN C/W FURNITURE

DESIGNER	AMP
DRAWN	AMP / BS
APPROVED	
SCALE	AS NOTED
DATE	JULY 2019
CAD PLOT	OCTOBER 13TH, 2020
ISSUED FOR C.O.A.	
REVIEW	OCTOBER 13TH, 2020
DRAWING NUMBER	ID.01



1 MEZZANINE - PARTITION PLAN C/W PROPOSED FURNITURE LAYOUT  
ID.02 Scale: 3/32" = 1'-0"



**designated space Incorporated**  
 2345 Barclay Road, Burlington, Ontario, L7R 2B7  
 p: 905-639-6600 f: 905-639-6212 designatedspace@cogeco.ca

REVISIONS

No	DATE	REVISION
1.	APR 13 2020	ISSUED FOR PERMIT
2.	JUN 29 2020	RE-ISSUED FOR PERMIT
3.	AUG 17 2020	REVISIONS DUE TO OCCUPANCY CHANGE
1.		DO NOT SCALE DRAWINGS
2.		VERIFY CONFIGURATIONS AND DIMENSIONS ON SITE BEFORE BEGINNING WORK. NOTIFY THE DESIGNER IMMEDIATELY OF ANY ERRORS OMISSIONS OR DISCREPANCIES.

PROJECT TITLE  
**MISKA TRAILERS**  
 LOCATION  
1064 ON-6  
FLAMBOROUGH (HAMILTON), ON

SHEET TITLE  
**1. MEZZANINE - PROPOSED NEW SHOWROOM PARTITION PLAN C/W FURNITURE**

DESIGNER	AMP
DRAWN	AMP / BS
APPROVED	
SCALE	AS NOTED
DATE	JULY 2019
CAD PLOT	OCTOBER 13TH, 2020
ISSUED FOR C.O.A. REVIEW	OCTOBER 13TH, 2020
DRAWING NUMBER	1D.02









Hamilton

Planning and Economic Development Department  
Planning Division

Committee of Adjustment  
City Hall  
6<sup>th</sup> floor 71 Main Street West  
Hamilton, Ontario L8P 4Y5

Phone (905) 546-2424 ext.4221  
Fax (905) 546-4202

PLEASE FILL OUT THE FOLLOWING PAGES AND  
RETURN TO THE CITY OF HAMILTON PLANNING  
DEPARTMENT.

FOR OFFICE USE ONLY.	
APPLICATION NO. _____	DATE APPLICATION RECEIVED _____
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

CITY OF HAMILTON  
COMMITTEE OF ADJUSTMENT  
HAMILTON, ONTARIO

*The Planning Act*

*Application for Minor Variance or for Permission*

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

- Name of Owner 2709196 ONTARIO INC Telephone No. [REDACTED]  
FAX NO. [REDACTED] E-mail address. [REDACTED]
- Address [REDACTED] Postal Code [REDACTED]
- Name of Agent \_\_\_\_\_ Telephone No. \_\_\_\_\_  
FAX NO. \_\_\_\_\_ E-mail address. \_\_\_\_\_
- Address \_\_\_\_\_  
Postal Code \_\_\_\_\_

Note: Unless otherwise requested all communications will be sent to the agent, if any.

- Names and addresses of any mortgagees, holders of charges or other encumbrances:  
RBC ROYAL BANK, 95 LYNDEN RD  
BRANTFORD, ON Postal Code N3R 7J9  
\_\_\_\_\_  
Postal Code \_\_\_\_\_

6. Nature and extent of relief applied for:

Property is zoned for E2, Exception 249 in Hamilton by law 05-200. Section 12.7.3 allows for a max. 10% of the gross floor area of the principal use to be for accessory retail purposes. Total building area is 3,857.2487 m<sup>2</sup>. Area in question is 771.76 m<sup>2</sup> = 20%.

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

Miska trailers is to use this space as a showroom for their trailers, sales people and parts sales. Due to the size of the items on display & the number of people working in the space 10% is not adequate.

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):

Lot 13, Concession 6 East Flamborough in the City of Hamilton IC: 1064 Hwy 6 N.  
Hamilton

9. PREVIOUS USE OF PROPERTY

Residential  Industrial  Commercial

Agricultural  Vacant

Other \_\_\_\_\_

9.1 If Industrial or Commercial, specify use

sales / manufacturing

9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes  No  Unknown

9.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes  No  Unknown

9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes  No  Unknown

9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes  No  Unknown

9.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?

Yes  No  Unknown

9.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes  No  Unknown

9.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?

Yes  No  Unknown

9.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?

Yes  No  Unknown

9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?  
 Yes \_\_\_ No X Unknown \_\_\_


9.11 What information did you use to determine the answers to 9.1 to 9.10 above?  
- knowledge of previous owners

9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.  
 Is the previous use inventory attached? Yes \_\_\_ No X

**ACKNOWLEDGEMENT CLAUSE**

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application - by reason of its approval to this Application.

Date Sept 17/20

  
 Signature Property Owner  
J. VanDenHunk  
 Print Name of Owner

10. Dimensions of lands affected:  
 Frontage 400ft (121.92m)  
 Depth 466.2 ft (142.098m)  
 Area 186,339.4352 sq.ft (1.73115m<sup>2</sup>)  
 Width of street Hwy 6 N. } N/A

11. Particulars of all buildings and structures on or proposed for the subject lands:  
 (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)  
 Existing: gross bld. garea = 41,519.08 sq.ft. (3,857.2487m<sup>2</sup>)  
ground floor area = 38,277.43 sq.ft (3,556.089m<sup>2</sup>)  
width = 100' (30.48m)  
length = 380' (115.824m) 1 story + mezzanine  
 Proposed: Same - not changing

12. Location of all buildings and structures on or proposed for the subject lands:  
 (Specify distance from side, rear and front lot lines)  
 Existing: North Property Line to N. Side of Bldg.  
South Property Line to S. Side of Bldg. 85.23' (25.978m)  
Rear Property Line to back of Bldg. 59.37' (18.097-17.47m)  
Front Property Line to face of Bldg. 26.90' (7.64-8.20m)  
 Proposed: Same - not changing

13. Date of acquisition of subject lands: Aug 2019
14. Date of construction of all buildings and structures on subject lands: \_\_\_\_\_
15. Existing uses of the subject property: Manufacturing
16. Existing uses of abutting properties: Manufacturing
17. Length of time the existing uses of the subject property have continued: + 20 years plus.
18. Municipal services available: (check the appropriate space or spaces)  
 Water — Connected \_\_\_\_\_  
 Sanitary Sewer — Connected \_\_\_\_\_  
 Storm Sewers — \_\_\_\_\_
19. Present Official Plan/Secondary Plan provisions applying to the land: rural
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land: rural industrial E2
21. Has the owner previously applied for relief in respect of the subject property?  
 Yes  No   
 If the answer is yes, describe briefly.  
 \_\_\_\_\_  
 \_\_\_\_\_
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?  
 Yes  No
23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

NOTE: It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.