

## **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
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**APPLICATION NO.:** SC/A-21:179

**APPLICANTS:** Agent A.J. Clarke & Associates (S. Fraser)  
Owner Canada Post Corp.

**SUBJECT PROPERTY:** Municipal address **393 Millen Rd., Stoney Creek**

**ZONING BY-LAW:** Zoning By-law 05-200, as Amended 10-128

**ZONING:** "M2" (General Business Park) district

**PROPOSAL:** To facilitate an increase to the loading dock capacity of the existing Canada Post facility, including twenty (20) new loading docks, twenty (20) addition loading spaces (trailer parking spaces) and a reconfiguration of the existing employee parking area, notwithstanding:

1. No landscaped area shall be provided where the parking area for more than four vehicles abuts a street, instead of the minimum required 3.0 metre wide landscaped area where a parking area containing more than four vehicles abuts a street.
2. No landscaped area or planting strip shall be provided where the parking area for more than four vehicles is located in a yard abutting a street, instead of the minimum required 6.0 metre wide landscaped area, which includes a 3.0 metre wide planting strip, where a parking area containing more than four vehicles is located in a yard abutting a street.
3. Parking spaces and aisles giving direct access to abutting parking spaces shall be permitted to be located 0 metres from the street line, instead of the requirement that parking spaces and aisles giving direct access to abutting parking spaces, shall not be located within 3.0 metres of a street line.

**NOTE:**

1. The proposed development is subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setbacks and construction types.

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

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**DATE:** Thursday, June 17th, 2021  
**TIME:** 1:45 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)

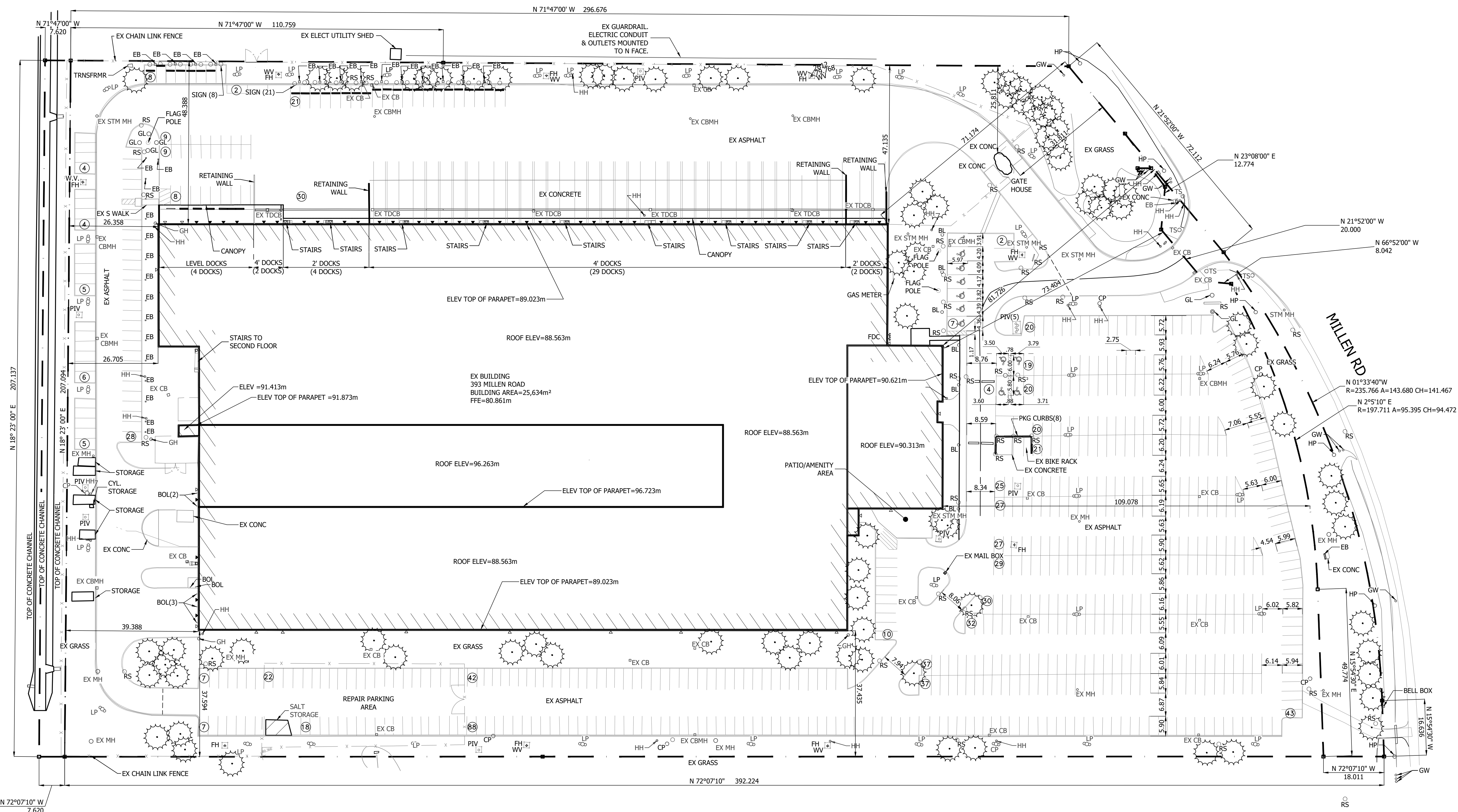
DATED: June 1st, 2021.

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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.***





SITE PLAN LEGEND

- EXISTING GRADES
- FINISH GRADES (M.E.G. DENOTES: MATCH EXISTING GRADE)
- BH BOREHOLE LOCATIONS
- TP TEST PIT LOCATIONS
- RS ROAD SIGN
- ⊙ PARKING COUNT
- TS TRAFFIC SIGNAL
- FH FIRE HYDRANT
- DH DRY HYDRANT
- BB BELL BOX
- LP LIGHT POLE
- CP CAMERA POLE
- GL GROUND LIGHT
- BL BOLLARD LIGHT
- GH GROUND ROD HOLE
- EB ELECTRICAL BOX
- HH HAND HOLE
- HP HYDRO POLE
- HP ○ HYDRO POLE WITH GUY WIRE
- HLP HYDRO POLE WITH LIGHT
- MH ○ SANITARY SEWER MANHOLE
- MH ○ STORM SEWER MANHOLE
- CB □ STORM SEWER CATCHBASIN
- CBMH ○ STORM SEWER CATCHBASIN MANHOLE
- SWALE
- W.V. WATER SHUT OFF VALVE
- SURFACE DRAINAGE FLOW
- FDC FIRE DEPARTMENT CONNECTION
- WALL MOUNTED LIGHT
- △ MAN DOOR LOCATION
- ▲ OVERHEAD DOOR LOCATION
- EXISTING TREES
- NEW BUILDING AREA
- EXISTING BUILDING AREA
- NEW CONCRETE SURFACES
- NEW ASPHALT SURFACES
- NEW GRAVEL SURFACES
- NEW GRASS SURFACES
- SEWER INSULATION
- SAN SANITARY
- STM STORM
- WM WATERMAIN
- G GAS LINE
- H HYDRO
- ELEC SITE ELECTRICAL
- T BELL
- X CHAIN LINK FENCE LINE
- PROPERTY LINE
- TRAIN TRACKS
- FIRE ROUTE
- SILT FENCE
- ASPHALT COMPOSITION A 35mm HL3, 35mm HL8 REF: EXISTING DRAWING 89131-DWG-03-CE-003
- ASPHALT COMPOSITION B 35mm HL3, 65mm HL8 REF: EXISTING DRAWING 89131-DWG-03-CE-003

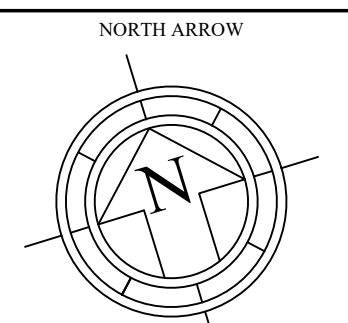
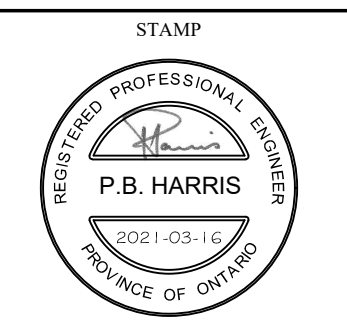
PARKING CAPACITY	
EMPLOYEE	529
BARBER FREE	11
REPAIR AREA	40
W OF REPAIR AREA	14
2' DOCK	4
4' DOCK	31
LEVEL DOCK	4
LARGE MAIL TRUCK	21
SMALL MAIL TRUCK	80

EXISTING SITE CONDITONS

SCALE: 1:600

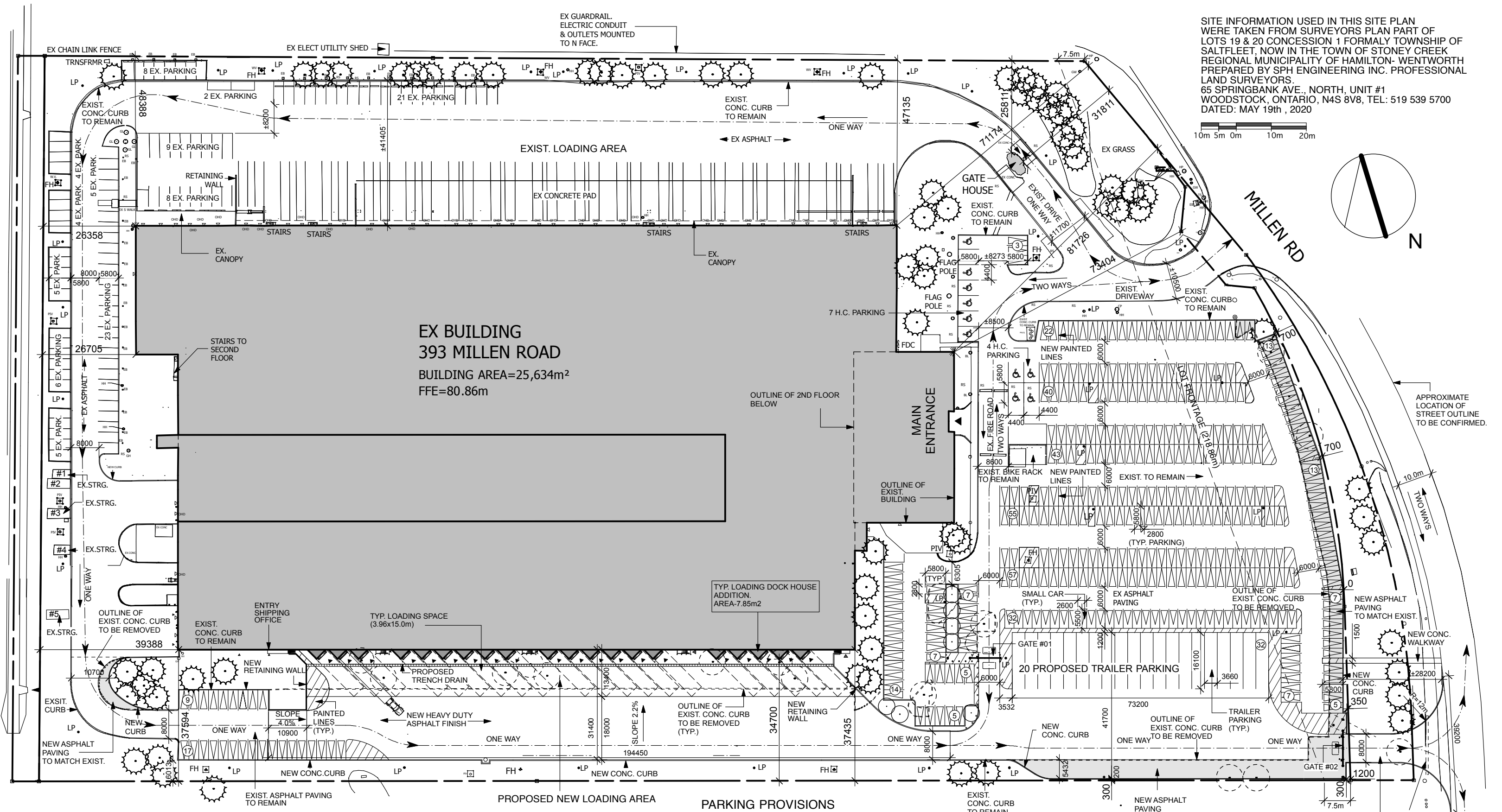
NOTE: ROOF PARAPET ELEVATIONS PROVIDED ARE DERIVED FROM ORIGINAL BUILDING DRAWINGS PROVIDED BY CANADA POST.  
ROOF ELEVATIONS SHOWN REPRESENT THE ROOF HIGH POINTS

ISSUED FOR	
<input type="checkbox"/> PRELIMINARY	
<input checked="" type="checkbox"/> CLIENT USE	
<input type="checkbox"/> SITE PLAN APPROVAL	
<input type="checkbox"/> BUILDING PERMIT	
<input type="checkbox"/> TENDER	
<input type="checkbox"/> CONSTRUCTION	
DATE	2021-03-16

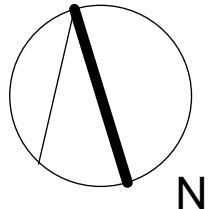


REV.	BY	DESCRIPTION	DATE





SITE INFORMATION USED IN THIS SITE PLAN  
WERE TAKEN FROM SURVEYORS PLAN PART OF  
LOTS 19 & 20 CONCESSION 1 FORMALLY TOWNSHIP OF  
SALTFLEET, NOW IN THE TOWN OF STONEY CREEK  
REGIONAL MUNICIPALITY OF HAMILTON- WENTWORTH  
PREPARED BY SPH ENGINEERING INC. PROFESSIONAL  
LAND SURVEYORS.  
65 SPRINGBANK AVE., NORTH, UNIT #1  
WOODSTOCK, ONTARIO, N4S 8V8, TEL: 519 539 5700  
DATED: MAY 19th, 2020



LEGEND

- EXIT/MANDOOK
- EXIST. PARKING TO REMAIN
- PROPOSED PARKING
- EXIST. TREE TO REMAIN
- EXIST. TREE TO BE REMOVED
- NEW TREE
- NEW ASPHALT PAVING TO MATCH EXIST.
- EXIST. BUILDING TO REMAIN
- BUILDING ADDITION

SITE PLAN  
SCALE 1:1000

PARKING #	BARRIER FREE PARKING ( 2+ 2% TOTAL REQ. PARKING)
6	TOTAL REQUIRED B.F. PARKING
12	TOTAL PROVIDED EXIST. B.F. PARKING

PROPOSED NEW LOADING SPACE- 20  
PROPOSED TRAILER PARKING- 20

PARKING REQUIRED- Industrial Use- Manufacturing			
	RATIO	GFA	PARKING SPACES
OFFICE AREA	1for 30m <sup>2</sup> of GFA	2,776m <sup>2</sup>	92
REMINDER OF THE USE	1for 200m <sup>2</sup> of GFA	28,006.2m <sup>2</sup>	140
TOTAL			232

Total Parking Stalls				
	Total	Handicap Parking	Small Car Parking	Corporate
Existing	656	11	0	446
Proposal	474	11	32	303
Reduction	182	0	-32	143

LANDSCAPE OPEN SPACE

BUILDING AREA- ±25,891.4m<sup>2</sup> (34.98%)  
DRIVEWAYS AREA- ±34,820.8m<sup>2</sup> (47.04%)  
EX. LANDSCAPE OPEN SPACE- ±13,304.8m<sup>2</sup> (17.98%)  
TOTAL - 100%

BUILDING GFA (EXCLUD. ACCESS. STRG.)

- 1. EXIST.GR.FLOOR MANUF.- ±24,246.0m<sup>2</sup>
- 2. EXIST. GATE HOUSE- ±22.2m<sup>2</sup>
- 3. GR. FLOOR OFFICE- ±1,388.0
- 4. PROPOSED DOCK ADDITION- 157.0m<sup>2</sup>
- 5. 2nd FLOOR EXIST. OFFICE- ±1,388.0m<sup>2</sup>
- 6. EXIST. PENTHOUSE- ±3,854.0m<sup>2</sup>

TOTAL GFA: ± 31,055.2m<sup>2</sup>  
TOTAL COVERAGE- 34.98% SITE AREA

SITE CHARACTERISTICS

ZONING - M2, By-law 05-200  
SITE AREA - 74,017.0m<sup>2</sup> (796,711.60 s.f.)  
BUILDING AREA  
1. EXIST. BUILDING AREA- ±25,634.0m<sup>2</sup>  
2. EXIST. GATE HOUSE- ±22.2m<sup>2</sup>  
3. EXIST. ACCESSORY STRG. #1. ± 12.8m<sup>2</sup>  
4. EXIST. ACCESSORY STRG. #2. ± 17.8m<sup>2</sup>  
5. EXIST. ACCESSORY STRG. #3. ± 17.8m<sup>2</sup>  
6. EXIST. ACCESSORY STRG. #4. ± 12.6m<sup>2</sup>  
7. EXIST. ACCESSORY STRG. #5. ± 17.2m<sup>2</sup>  
8. PROPOSED DOCK ADDITION- 157.0m<sup>2</sup>  
TOTAL: ±25,891.4m<sup>2</sup>

PROJECT NAME:  
**HAMILTON MPP  
SOUTH  
DOCK DESIGN**  
393 Millen Rd.  
Stoney Creek, Ontario, L8L 2P7

JOB NO:  
20-11

DRAWING NO:  
**SK-01**

SCALE:  
1:1000

Plotting Date: 2021 May 17

**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****FOR OFFICE USE ONLY.**

APPLICATION NO. \_\_\_\_\_ DATE APPLICATION RECEIVED \_\_\_\_\_

PAID \_\_\_\_\_ DATE APPLICATION DEEMED COMPLETE \_\_\_\_\_

SECRETARY'S  
SIGNATURE \_\_\_\_\_

**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.

1, 2	NAME	ADDRESS
Registered Owners(s)	Carlos Simoes	
Applicant(s)*	Wojtek Holownia	
Agent or Solicitor	Wojtek Holownia	

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

3. Names and addresses of any mortgagees, holders of charges or other encumbrances:  
N/A

**Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled**

4. Nature and extent of relief applied for:

The mail sorting facility is owned by CPC and provides an essential service to the general public and GTHA residents. The facility is planning to increase its operational capacity by installing 20 additional trailer docks and 20 trailer parking. The proposed design requires a reduction of the existing employee parking area which impacts the staffing to provide the increased operational capability.

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

The residual employee parking cannot satisfy the operational requirements. Maximizing the employee parking minimizes the staffing impacts to provide increased essential service capacity to the public.

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

PT LT 19, CON1 SALT FLEET PART 1&2, Plan 62R-10228, EXCEPT PT 1  
62R11309; S/T CD476686, VM63373

393 Millen Rd, Stoney Creek, ON L8E 5A8 PIN 17331-0031

7. PREVIOUS USE OF PROPERTY

Residential ☐ Industrial ☒ Commercial ☐

Agricultural ☐ Vacant ☐

Other \_\_\_\_\_

8.1 If Industrial or Commercial, specify use CPC Mail Sorting Facility

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

Yes ☐ No ☒ Unknown ☐

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

Yes ☒ No ☐ Unknown ☐

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

Yes ☒ No ☐ Unknown ☐

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

Yes ☒ No ☐ Unknown ☐

8.6 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 ☒

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

Yes ☐ No ☐ Unknown ☒

8.8 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 ☐

8.9 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 ☒

- 8.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes ☐ No ☒ Unknown ☐

- 8.11 What information did you use to determine the answers to 9.1 to 9.10 above?

Phase 1 ESA report prepared by McIntosh Perry dated on March 31, 2021.

- 8.12 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 ☐

See Phase 1 ESA Report Attached

**9. 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.

April 20 2021  
Date

  
Signature Property Owner

Carlos Simoes  
Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>218.86m</u>
Depth	<u>327.72m</u>
Area	<u>74,017m<sup>2</sup></u>
Width of street	<u>10.0m</u>

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: \_

- |  |   |
|--|---|
| 1) Ground Floor Area (manufacture): 24,246m <sup>2</sup> | 2) Ground Floor office: 1,388.0m <sup>2</sup> |
| 3) Gate House: 22.2m <sup>2</sup>                        | 4) 2nd Floor Office: 1,388.0m <sup>2</sup>    |
| 5) 2nd Floor Mechanical Penthouse: 3,854.0m <sup>2</sup> |   |
| Total Area: 30,898.2m <sup>2</sup>                       |   |

Proposed

Proposed Loading Dock Addition: 20 x 7.85m<sup>2</sup>/per dock = 157.0m<sup>2</sup>  
The height of new dock structure is 4.5m

12. Location of all buildings and structures on or proposed for the subject lands; (Specify distance from side, rear and front lot lines)

Existing:

- |  |   |
|--|---|
| 1) Ground Floor Area (manufacture): 24,246m <sup>2</sup> | 2) Ground Floor office: 1,388.0m <sup>2</sup> |
| 3) Gate House: 22.2m <sup>2</sup>                        | 4) 2nd Floor Office: 1,388.0m <sup>2</sup>    |
| 5) 2nd Floor Mechanical Penthouse: 3,854.0m <sup>2</sup> |   |
| Total Area: 30,898.2m <sup>2</sup>                       |   |

Proposed:

Proposed Loading Dock Addition: 20 x 7.85m<sup>2</sup>/per dock = 157.0m<sup>2</sup>  
The height of new dock structure is 4.5m

13. Date of acquisition of subject lands:  
March 30, 1989
14. Date of construction of all buildings and structures on subject lands:  
November 1990 for main building
15. Existing uses of the subject property:  
Industrial
16. Existing uses of abutting properties:  
Industrial
17. Length of time the existing uses of the subject property have continued:  
31 years.
18. Municipal services available: (check the appropriate space or spaces)  
Water Yes Connected Yes  
Sanitary Sewer Yes Connected Yes  
Storm Sewers Yes
19. Present Official Plan/Secondary Plan provisions applying to the land:  
Part of Lot 19 , Concession 1, In the Former Township of Saltfleet, now in City of Stoney Creek
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
Hamilton Zoning By-law No.05-200  
Stoney Creek Zoning By-law No. 3863-92/3
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. Additional Information  
Two attachments: 1) The drawing SK-01- Sketch identifying the proposal  
2) A copy of original property survey drawing P1
24. 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.



393 Millen Rd., Stoney Creek, Ontario

**List of requested Variances.**

Part of Lots 19 & 20 Concession 1, Town of Stoney Creek.

1. Hamilton Zoning By-law No.05-200, Section 5.1.a.(v)(a)- Unless otherwise regulated in this By-law, parking spaces and aisles, giving direct access to abutting parking spaces, excluding driveways extending directly from the street, shall be subject to the following:  
a) Shall not be located within 3.0 meters of the street line.  
**Proposed parking is located 0.0m from the street line.**
2. Hamilton Zoning By-law No.05-200, Section 5.1.a.(v)(a)- Unless otherwise regulated in this By-law, parking spaces and aisles, giving direct access to abutting parking spaces, excluding driveways extending directly from the street, shall be subject to the following:  
b) Shall provide a 3.0-meter-wide planting strip being required and permanently maintained between the street line and the said parking spaces or aisle, except for that portion of a lot line abutting the Red Hill Valley Parkway and the Lincoln Alexander Parkway.  
**Proposed parking is located 0.0m from the street line. No planting strip is proposed.**
3. Hamilton Zoning By-law No.05-200, Section 9.2.3.(c)(i)- Minimum 3.0 meter wide Landscape Area shall be provided and maintained abutting a street, except for points of ingress and egress.  
**Proposed parking is located 0.0m from the street line. No planting strip is proposed.**
4. Hamilton Zoning By-law No.05-200, Section 9.2.3.(c)(ii)- Notwithstanding i) above, where a parking space, aisle or driveway is located in a Yard abutting a Street, a minimum 6.0 meter wide Landscape Area, which includes a 3.0 meter wide Planting Strip, shall be required and maintained between the said parking space, aisle, or driveway and a street, except for points of ingress and egress.  
**Proposed parking is located 0.0m from the street line. No planting strip is proposed.**
5. Stoney Creek Zoning By-law 3863-92/3- 9.2.3.(h)- A landscaped strip having a min. width of 7.5 meters shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a street, except for points of ingress and egress.  
**Proposed parking is located 0.0m from the street line. No planting strip is proposed.**