

## **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.:** GL/A-21:402

**APPLICANTS:** Agent IBI Group c/o T. Tucker  
Owner Landlink Rymal Inc.

**SUBJECT PROPERTY:** Municipal address **51 Swayze Rd., Glanbrook**

**ZONING BY-LAW:** Zoning By-law 464, as Amended

**ZONING:** "M6-088" (Rural Industrial Business Park) district

**PROPOSAL:** To permit the construction of a self-storage facility consisting of four (4) buildings including twenty-eight (28) associated parking spaces as per PSR-20-121, notwithstanding that;

1. A maximum lot coverage of 46.0% shall be permitted instead of the maximum 40.0% lot coverage permitted.
2. A maximum height of 12.0m shall be permitted instead of the maximum 10.7m height permitted.
3. A minimum of twenty-eight parking spaces shall be permitted instead of the minimum one-hundred and twelve (112) parking spaces required.
4. A minimum of (2) loading spaces shall be permitted for this development whereas the zoning By-law requires a minimum of five (5) loading spaces for this development.

Notes: This development is subject to Site Plan Control, file #PSR-20-121.

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

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**DATE:** Thursday, December 9th, 2021  
**TIME:** 1:35 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 23rd, 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.***



[illegible]

4. (WE) LANDLIUK RYLL INC., THE OWNER(S) OF THE LAND, HEREBY UNDERTAKE AND AGREE WITHOUT RESERVATION,

A) TO COMPLY WITH ALL THE CONTENT OF THIS PLAN AND DRAWING AND NOT TO VARY THEREFROM;

B) TO PERFORM THE FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 41(7)(A) OF THE PLANNING ACT SHOWN ON THIS PLAN AND DRAWING(S) WITH THE CONDITIONS OF APPROVAL AS SET OUT IN THE LETTER OF APPROVAL  
DATED \_\_\_\_\_.

C) TO MAINTAIN TO THE SATISFACTION OF THE CITY AND AT MY(OUR) SOLE RISK AND EXPENSE, ALL OF THE FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 41(7)(B) OF THE SAID ACT, SHOWN ON THIS PLAN AND DRAWING, INCLUDING REMOVAL OF SNOW AND ACCESS RAMPS AND DRIVEWAYS, PARKING AND LOADING AREAS AND WALKWAYS; AND,

D) IN THE EVENT THAT THE OWNER DOES NOT COMPLY WITH THE PLAN  
DATED \_\_\_\_\_, THE OWNER AGREES THE CITY MAY ENTER THE LAND AND DO THE REQUIRED WORKS, AND FURTHER THE OWNER AUTHORIZES THE CITY TO USE THE SECURITY FIDEL TO OBTAIN COMPLIANCE WITH THIS PLAN.

E). THE OWNER AGREES TO AFFIX THE PHYSICAL NUMBER (51) TO THE BUILDING IN A MANNER THAT IS VISIBLE FROM THE STREET, OR A SIGN NEAR THE ENTRANCE WITH EITHER THE MUNICIPAL NUMBER (51) OR FULL ADDRESS (51 SWAYZE ROAD).

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
WITNESS (SIGNATURE)                      OWNER(S) (SIGNATURE) \_\_\_\_\_ (SEAL)

\_\_\_\_\_  
WITNESS (PRINT)                              OWNER(S) (PRINT)

\_\_\_\_\_  
ADDRESS OF WITNESS

TOPOGRAPHIC SURVEY OF  
PART OF LOT 5  
BLOCK 3  
CONCESSION 1  
IN THE  
GEOGRAPHIC TOWNSHIP OF BINBROOK  
CITY OF HAMILTON  
TAKEN FROM SURVEY BY: ASHENHURST NOUWENS & ASSOCIATES INC.

ZONING – M6	REQUIRED:	PROVIDED:
MINIMUM FRONT YARD	15M	28.1M
MINIMUM SIDE YARD (NORTH)	7.5M	39.6M
MINIMUM SIDE YARD (SOUTH)	7.5M	21.7M
MINIMUM REAR YARD	9M	36.7M

ITEM	No. SPACES
SURFACE PARKING SPACES (PROVIDED):	28
SURFACE PARKING SPACES (REQUIRED): (1 SPACE/15SM)	—
No. LOADING SPACES REQUIRED:	5
No. LOADING SPACES PROVIDED:	2

1. ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR OF PLANNING AND CHIEF PLANNER, PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT.
2. FIRE ROUTE SIGNS AND 3-WAY FIRE HYDRANTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENSE OF THE OWNER. FURTHER, FIRE ACCESS ROUTES SHALL CONFORM TO THE ONTARIO BUILDING CODE.
3. MAIN DRIVEWAY DIMENSIONS AT THE PROPERTY LINE BOUNDARIES ARE PLUS OR MINUS 7.5 M UNLESS OTHERWISE STATED.
4. ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5 M SHALL BE WITHIN 5% MAXIMUM GRADE, THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADES.
5. THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER'S BONDED CONTRACTOR FROM THE REQUIREMENTS TO OBTAIN THE VARIOUS PERMITS/APPROVALS NORMALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING:

- DESIMONE ARCHITECT**  
**I N C O R P O R A T E D**
- 
- Phone: 905.520.6417  
Email: [john@desimonearchitect.com](mailto:john@desimonearchitect.com)

ONTARIO ASSOCIATION  
OF  
ARCHITECTS  
JOHN DE SIMONE  
LICENCE  
6065

THIS DRAWING MUST NOT BE SCALED.

THE GENERAL CONTRACTOR SHALL  
VERIFY ALL DIMENSIONS, DATUMS AND  
LEVELS PRIOR TO COMMENCEMENT OF  
ANY OF THE WORK.

ALL ERRORS AND OMISSIONS ARE TO  
BE REPORTED IMMEDIATELY TO  
DeSIMONE ARCHITECT INC.

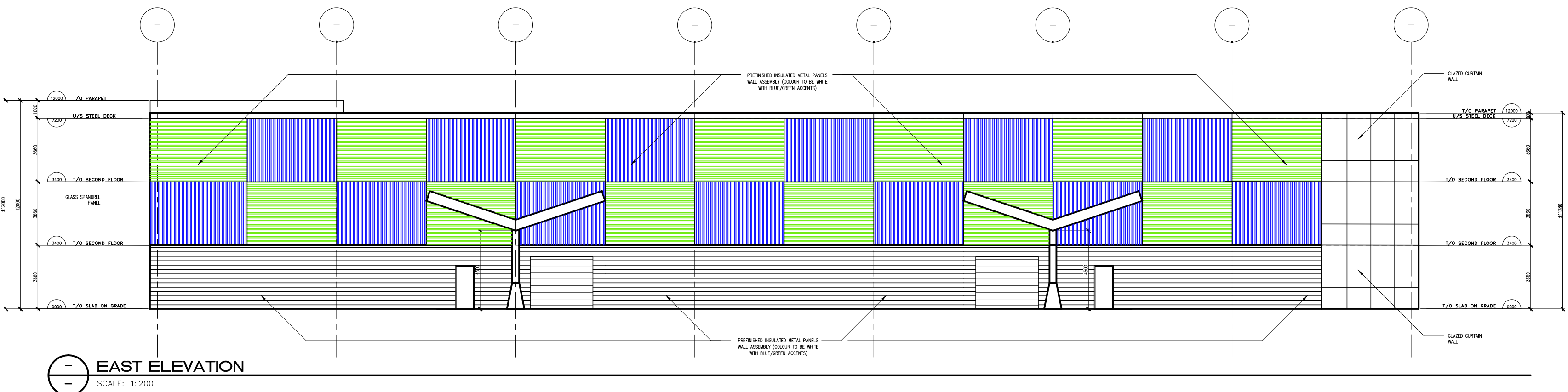
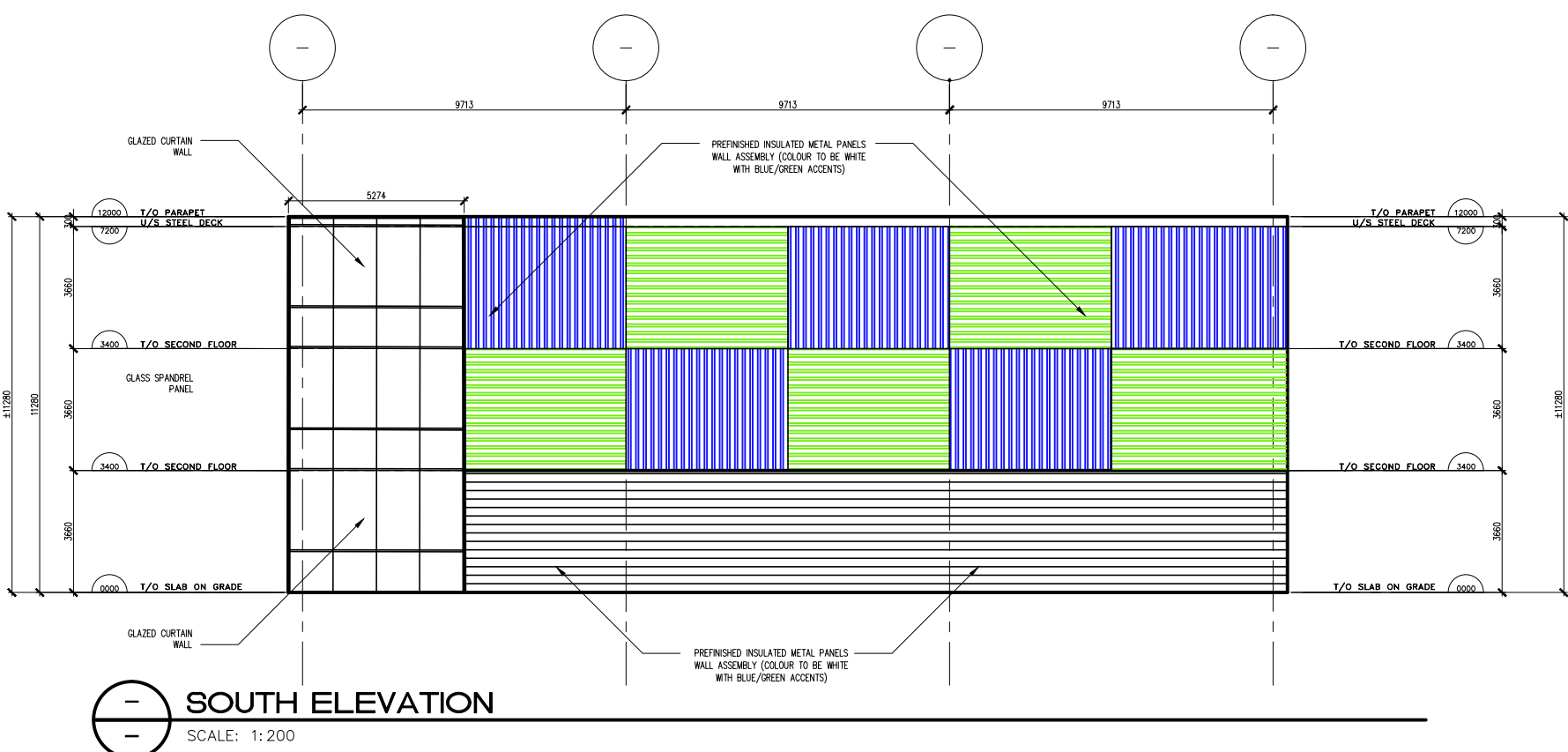
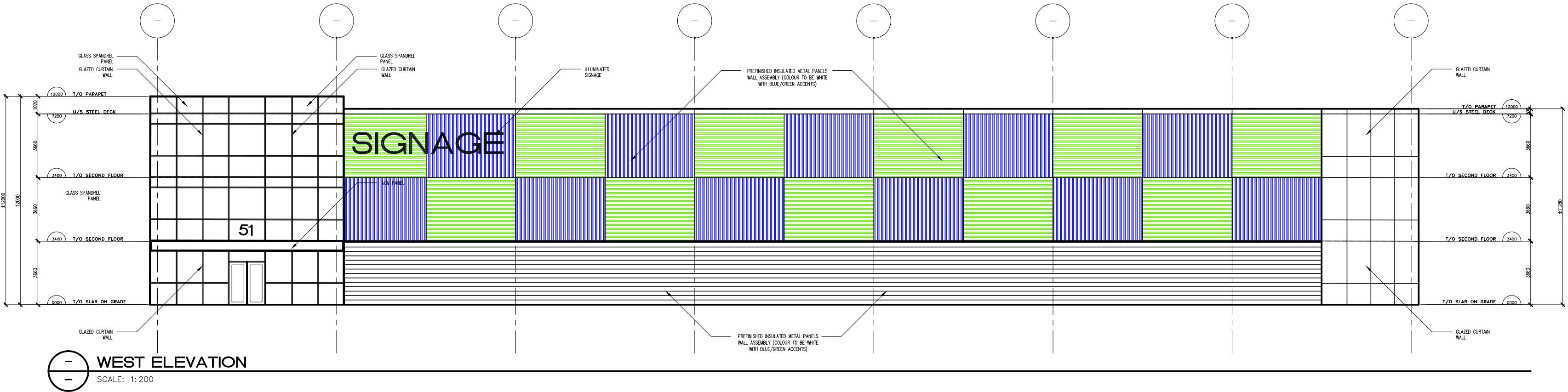
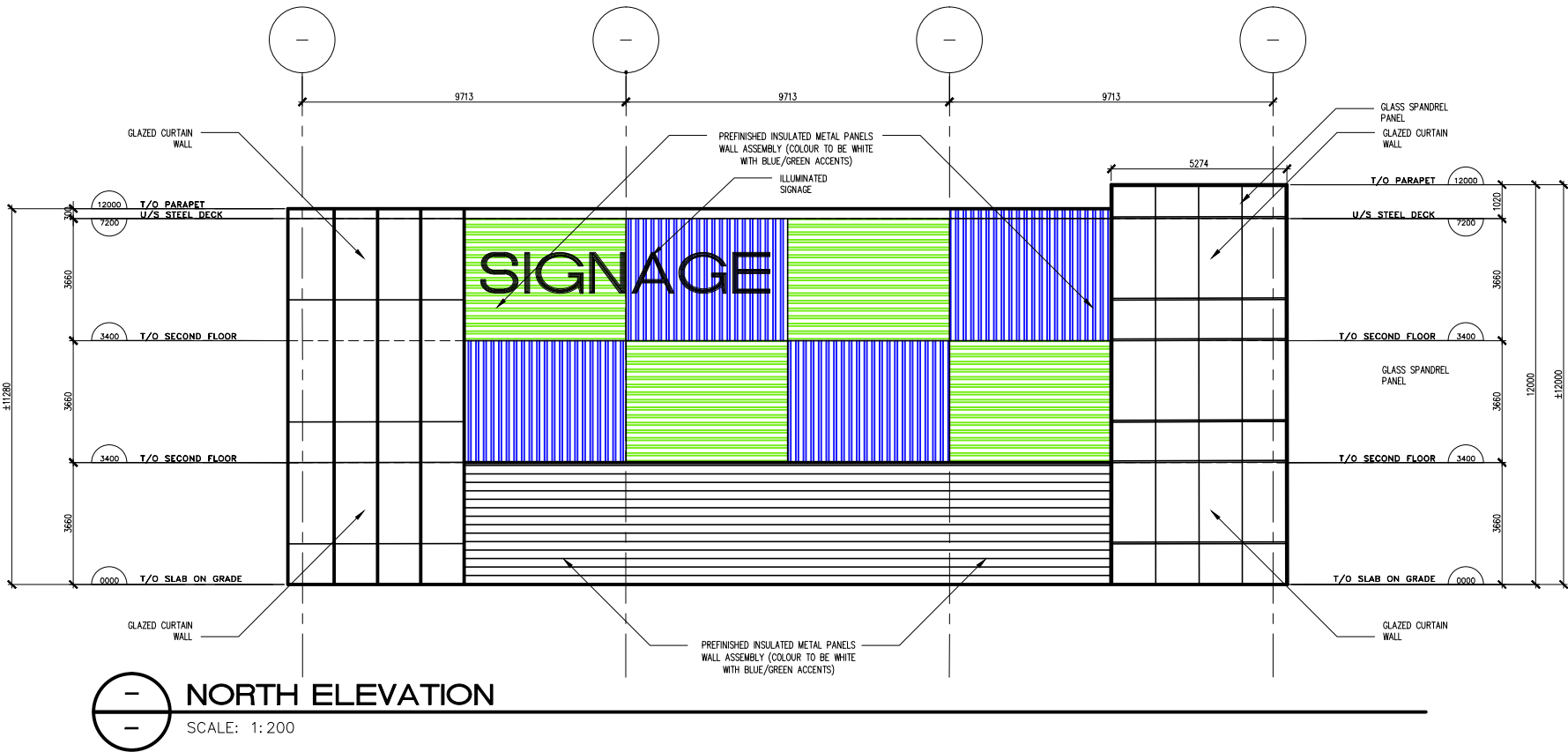
No.	Revisions	Date
1.0	FIRST RESUBMISSION	09.01.21

PROPOSED COMMERCIAL DEVELOPMENT:  
SELF STORAGE FACILITY  
Landlink Rymal Inc.  
51 SWAYZE ROAD  
HAMILTON, ONTARIO

job no.	20.XXX
dwg. file	51SWAYZE
dwn. by	JD
scale	AS NOTED
date	SEPT. 2020
dwg. title	
SITE PLAN	
FILE# DA-21-084	
dwg.	A1

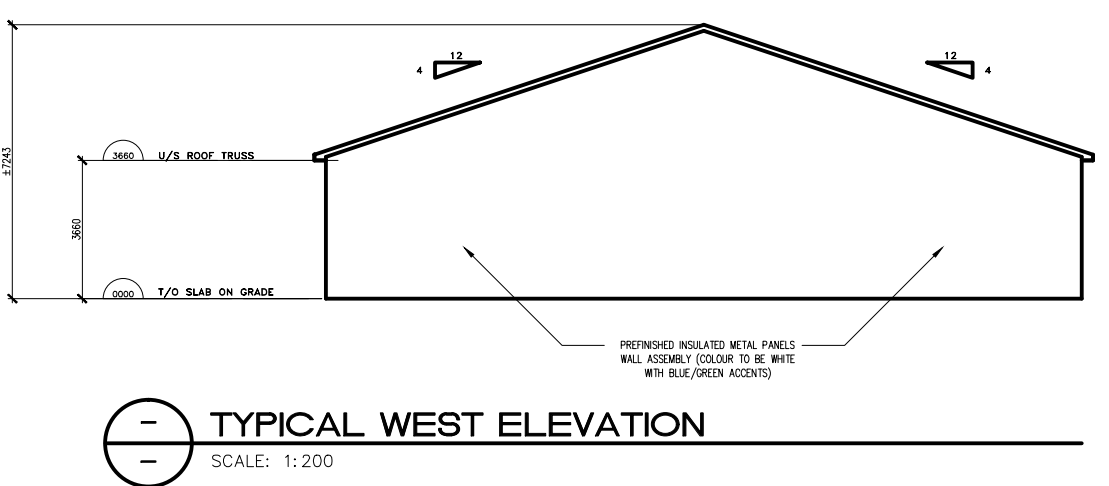
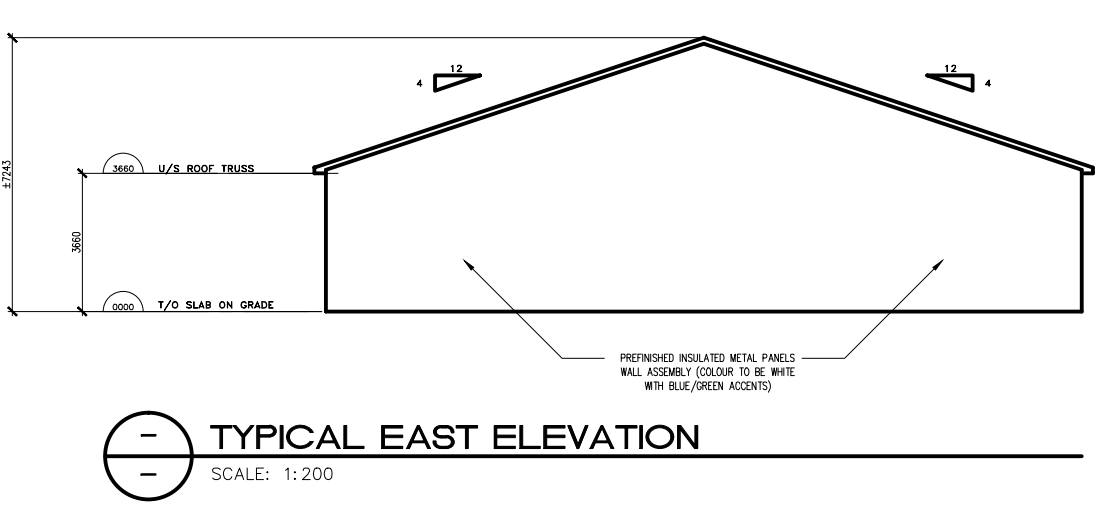
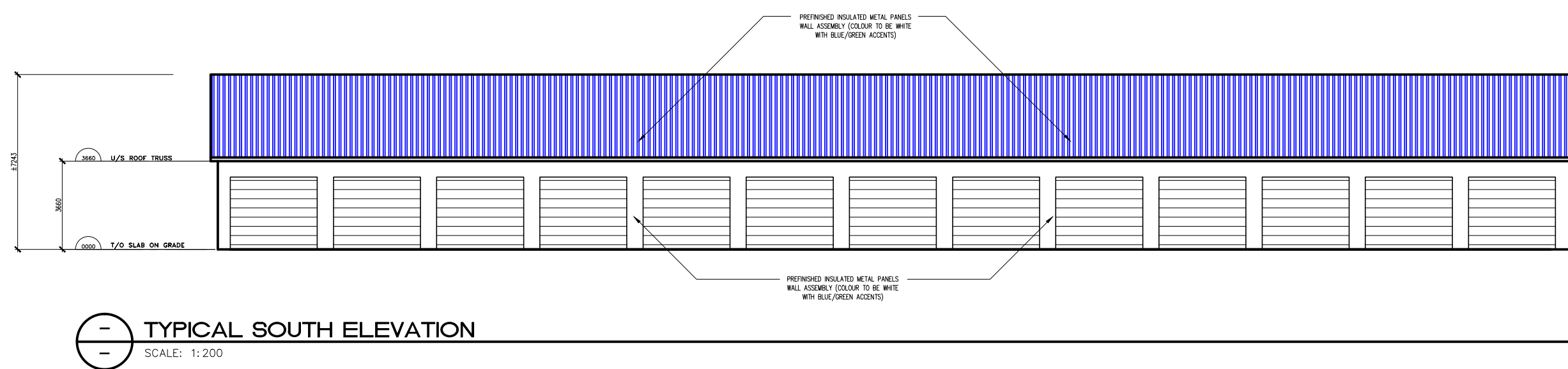
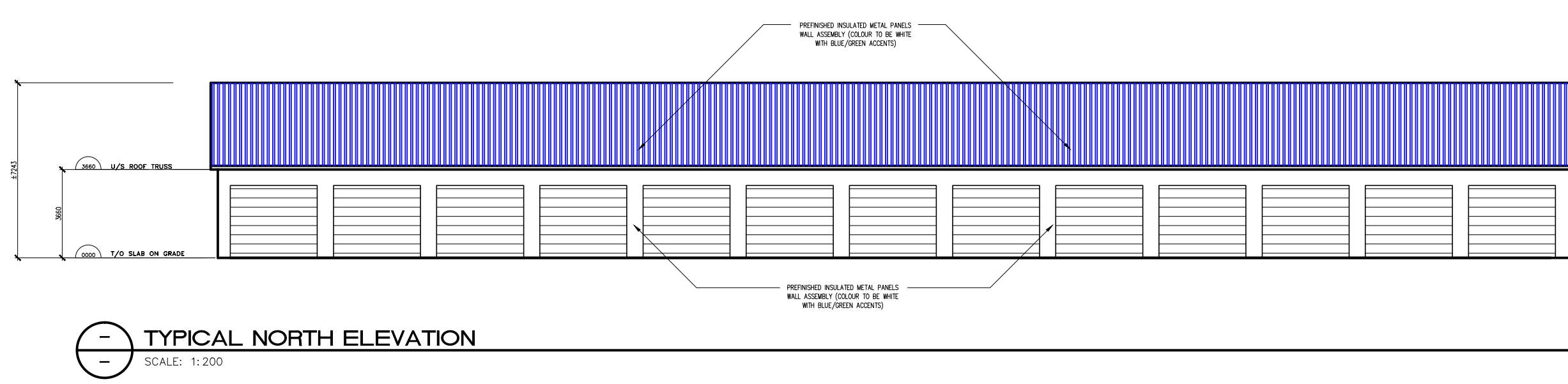


BUILDING No.1



EXTERIOR FINISH SCHEDULE:

	ARCHITECTURAL METAL SIDING COLOUR TO BE WHITE SUBJECT TO AVAILABILITY
	ARCHITECTURAL METAL SIDING COLOUR TO BE BLUE SUBJECT TO AVAILABILITY
	ARCHITECTURAL METAL SIDING COLOUR TO BE GREEN SUBJECT TO AVAILABILITY



PRELIMINARY - FOR SITE PLAN APPROVAL ONLY

NOTES ON A ELEVATION PLAN:  
1. DOOR AND WINDOW LOCATIONS, DIMENSIONS, DETAILS AND BUILDING MATERIALS MAY VARY DEPENDING ON FINAL BUILDING LAYOUT, AND ARE SHOWN FOR INFORMATION PURPOSES ONLY.

DESIMONE ARCHITECT  
INCORPORATED  
Phone: 905.520.4417 Email: john@desimonearchitect.com

FOR SITE PLAN  
APPROVAL  
ONTARIO ASSOCIATION  
OF ARCHITECTS  
JOHN DE SIMONE  
LICENCE  
6065

THIS DRAWING MUST NOT BE SCALED.  
THE GENERAL CONTRACTOR SHALL  
VERIFY ALL DIMENSIONS, DATUMS AND  
LEVELS PRIOR TO COMMENCEMENT OF  
ANY OF THE WORK.  
ALL ERRORS AND OMISSIONS ARE TO  
BE REPORTED IMMEDIATELY TO  
DESIMONE ARCHITECT INC.

No.	Revisions	Date
1.0	FIRST RESUBMISSION	09.01.21
No.	Issue	Done

PROPOSED COMMERCIAL DEVELOPMENT:  
SELF STORAGE FACILITY  
Landlink Rymal Inc.  
51 SWAYZE ROAD  
HAMILTON, ONTARIO

job no.	-
dwg. file	51SWAYZE
dwn. by	JD
scale	AS NOTED
date	SEPT 2020
dwg. title	ELEVATIONS FILE# DA-21-084
dwg.	A2

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	MAILING ADDRESS	
Registered Owners(s)			
Applicant(s)*			
Agent or Solicitor			

**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:

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:

Max. Building Height increase to 12.0m whereas 10.7m is permitted.  
Max lot coverage increase to 46% whereas 40% is permitted.  
Min. Parking spaces decreased to 28, whereas 112 are required  
Min. Loading Spaces decreased to 2, whereas 5 are required

☐ Secondary Dwelling Unit      ☐ Reconstruction of Existing Dwelling

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

The proposed development is for a self storage facility, as such, the proposed building height, and lot coverage increases are required for the development to function properly. The proposed reduction to the minimum parking and loading requirements is a based on the nature of the use. The proposed uses requires informal parking and loading rather than formalized parking and loading. Please see cover letter for more details

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**):

Part of Lot 5, Block 3 Concession 1 in the geographic Township of Binbrook  
51 Swayze Road

7. PREVIOUS USE OF PROPERTY

Residential	<input type="checkbox"/>	Industrial	<input type="checkbox"/>	Commercial	<input checked="" type="checkbox"/>
Agricultural	<input type="checkbox"/>	Vacant	<input checked="" type="checkbox"/>	Other	<input type="checkbox"/>
Other _____					

8.1 If Industrial or Commercial, specify use \_\_\_\_\_

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 8.1 to 8.10 above?

Aerial photos, and discussions with the owner of the subject lands

- 8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, 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 ☒

**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.

July 22, 2021  
Date

[Signature]  
Signature Property Owner(s)

Landlink Rymal Inc.

Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>91.4m</u>
Depth	<u>134.7m</u>
Area	<u>12,341m<sup>2</sup></u>
Width of street	<u>±30m</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: \_

N/A

Proposed

1 x 3 storey self storage building 2,230m<sup>2</sup>/floor = 6,690m<sup>2</sup> total  
3 x 1 storey ground oriented self storage buildings 1,120m<sup>2</sup> floor are per building

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

Existing:

N/A

Proposed:

Please see attached Site Plan

13. Date of acquisition of subject lands:  
June 15, 2017
- 
14. Date of construction of all buildings and structures on subject lands:  
n/a
- 
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
Vacant
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
Commercial & Rural industrial
17. Length of time the existing uses of the subject property have continued:
18. Municipal services available: (check the appropriate space or spaces)
- |                |                                     |           |                          |
|----------------|-------------------------------------|-----------|--------------------------|
| Water          | <input checked="" type="checkbox"/> | Connected | <input type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input type="checkbox"/> |
| Storm Sewers   | <input type="checkbox"/>            |           |                          |
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 Business Park M6-138, Glanbrook Zoning By-law No. 464
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  
The lands are currently subject to a Site Plan Control Application DA-21-084
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.