



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

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

APPLICATION NO.:	FL/A-22:250	SUBJECT PROPERTY:	585 SKINNER ROAD, FLAMBOROUGH
ZONE:	UC-14 (Urban Commercial)	ZONING BY-LAW:	Zoning By-law former Town of Flamborough 90-145-Z, as Amended by By-law No. 14-099, 21-129, 21-138

APPLICANTS: Owner – Balpal Holdings Corp.
Agent – WEBB Planning Consultants

The following variances are requested:

1. A maximum front yard of 16.0m shall be permitted instead of the maximum 3.0m setback permitted.
2. A parking area including the drive thru aisle providing stacking spaces shall be permitted in a yard abutting street whereas the zoning By-law does not permit a parking area on a lot in any yard abutting a street.
3. Access driveways with one-way vehicular movement shall be permitted to have a minimum unobstructed width of 4.0m whereas the zoning By-law requires a minimum width of 4.6m.

PURPOSE & EFFECT: To facilitate the construction of a gas bar and car wash including an accessory retail store and convenience restaurant on a vacant lot.

Notes:

The variances are required to facilitate Site Plan Application DA-21-011.

The applicant shall ensure that required planting strips are unobstructed; otherwise, further variances shall be required.

The applicant shall ensure that Maximum allowable Gross leasable Floor area for this development is

FL/A-22:250

not exceeded; otherwise, further variances shall be required.

The zoning By-law requires that a loading space shall not be located in the front yard or exterior side yard. The submitted plan shows that the loading space is located within the front yard. The applicant shall ensure that the loading space is relocated to a permitted location; otherwise, further variances shall be required.

The zoning By-law requires a minimum setback of 15.0m from the Conservation Management Zone. The submitted plan shows a setback of 9.23m from the proposed building to the CM zone boundary. The applicant shall ensure that the location of the proposed buildings maintain the required 15.0m setback from the CM zone boundary; otherwise, further variances shall be required.

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:

DATE:	Thursday, August 25, 2022
TIME:	2:00 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

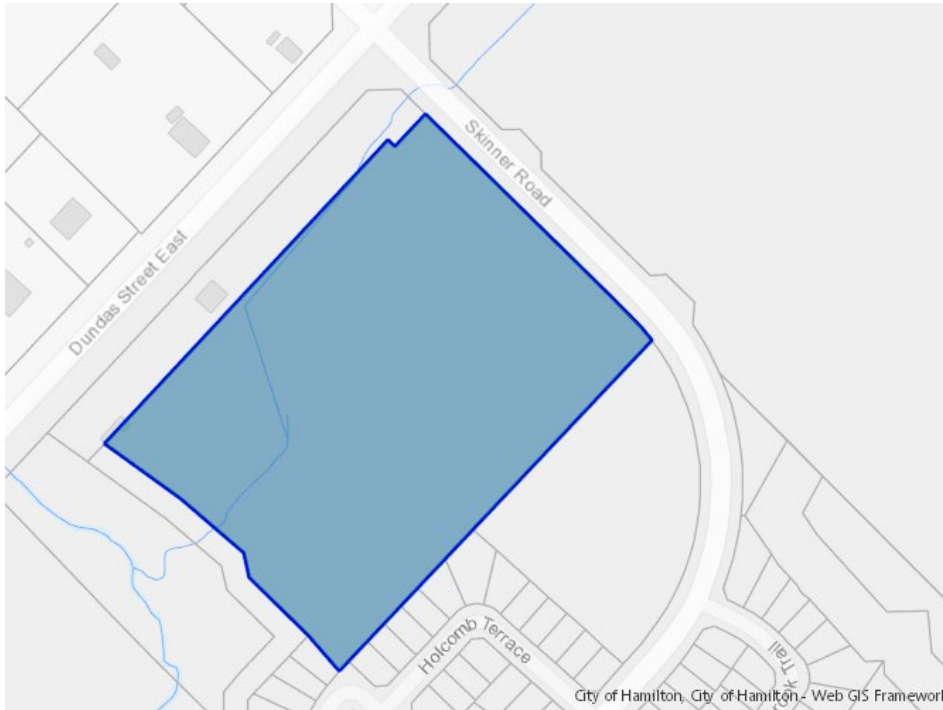
For more information on this matter, including access to drawings illustrating this request and other information submitted:

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

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, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually and instructions for check in to participate in person.

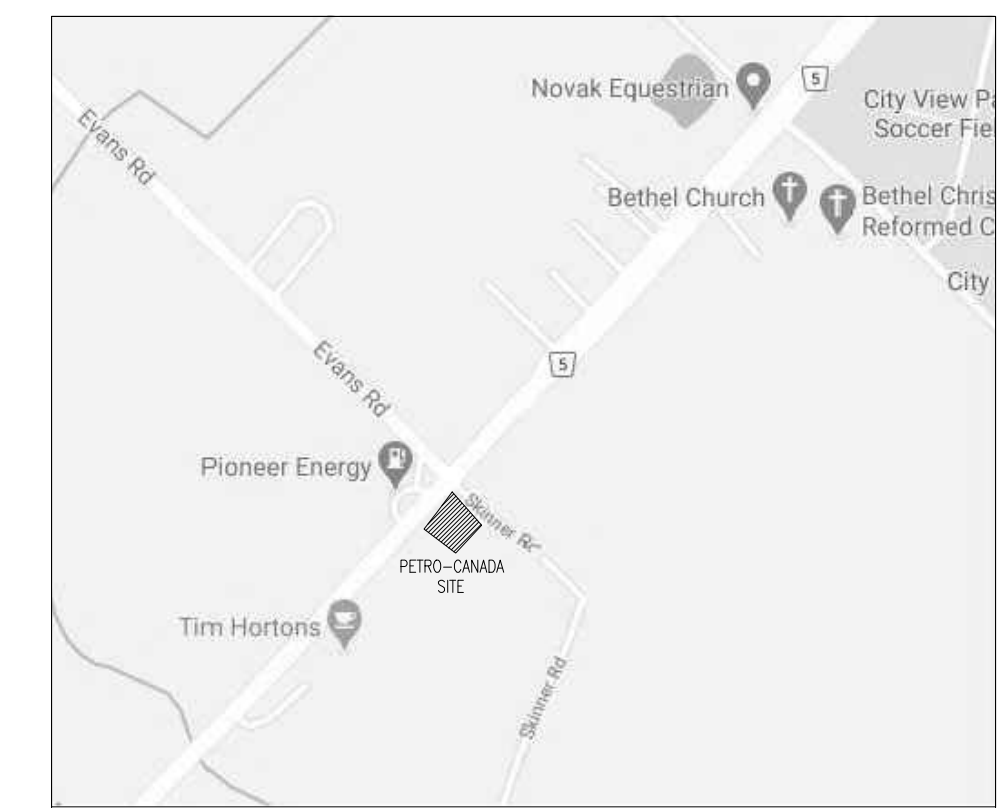
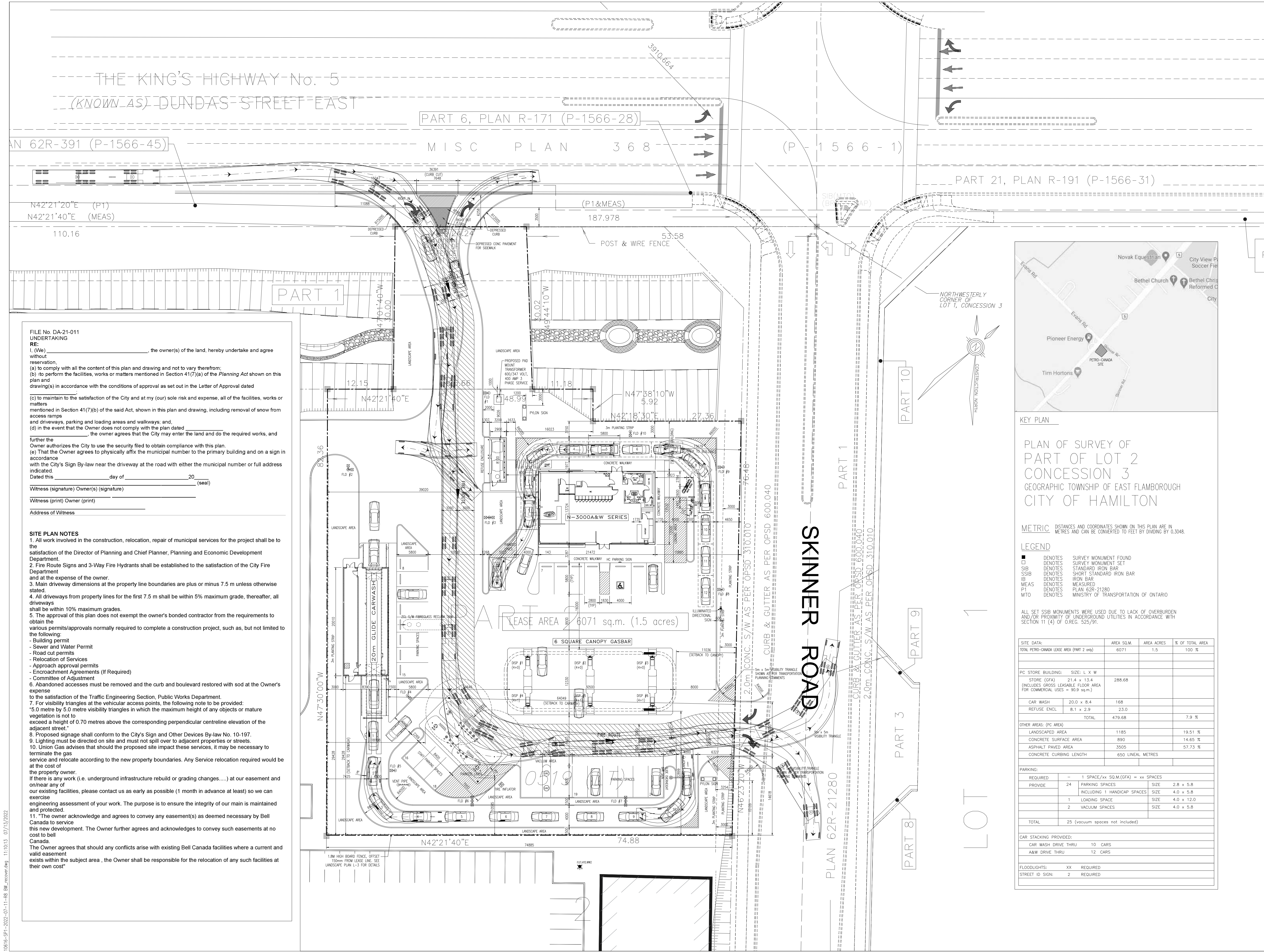


 Subject Lands

DATED: August 9, 2022

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.



METRIC: DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

LEGEND

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT SET
- SIB DENOTES STANDARD IRON BAR
- SSIB DENOTES SHORT STANDARD IRON BAR
- IB DENOTES IRON BAR
- MEAS DENOTES MEASURED
- P1 DENOTES PLAN 62R-21280
- MT0 DENOTES MINISTRY OF TRANSPORTATION OF ONTARIO

ALL SET SSIB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11 (4) OF OREG. 525/91.

SITE DATA:	AREA SQ.M.	AREA ACRES	% OF TOTAL AREA
TOTAL PETRO-CANADA LEASE AREA (PART 2 only)	6071	1.5	100 %
PC STORE BUILDING: SIZE: L X W			
STORE (GFA)	21.4 x 13.4	288.68	
(INCLUDES GROSS LEASABLE FLOOR AREA FOR COMMERCIAL USES = 90.9 sq.m.)			
CAR WASH	20.0 x 8.4	168	
REFUSE ENCL.	8.1 x 2.9	23.0	7.9 %
OTHER AREAS: (PC AREA)			
LANDSCAPED AREA	1185	19.51 %	
CONCRETE SURFACE AREA	890	14.65 %	
ASPHALT PAVED AREA	3505	57.73 %	
CONCRETE CURBING LENGTH	650 LINEAL METRES		

REQUIRED	PROVIDE	SIZE	SPACES
1 SPACE/xx SQ.M.(GFA) = xx SPACES	24	2.8 x 5.8	
INCLUDING 1 HANDICAP SPACES		4.0 x 5.8	
1 LOADING SPACE		4.0 x 12.0	
2 VACUUM SPACES		4.0 x 5.8	
TOTAL	25 (vacuum spaces not included)		

CAR STACKING PROVIDED:	REQUIRED
CAR WASH DRIVE THRU	10 CARS
A&W DRIVE THRU	12 CARS
FLOODLIGHTS:	XX REQUIRED
STREET ID SIGN:	2 REQUIRED

ISSUED

NO.	DATE	DESCRIPTION
01	MMM DD/YY	ISSUE DESCRIPTION

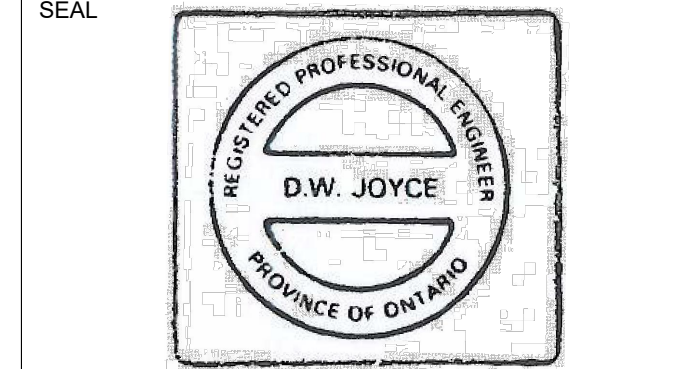
REVISION

NO.	DATE	DESCRIPTION
1	2021-04-18	REVISE SITE PLAN AS PER CITY'S COMMENTS DATED APRIL 18, 2021 AND UPDATE SITE PLAN
2	2021-06-07	NOTES ADDED AS PER CITY'S COMMENTS DATED JUNE 2, 2021 AND UPDATE SITE PLAN
3	2021-06-25	INDICATE 8' TRAIL TRUCK MOVEMENT AND RIGHT IN RIGHT OUT FROM CHOP DESIGN AT DUNDAS STREET AND UPDATE SITE PLAN
4	2021-07-12	FLOODLIGHT FIXTURES ADDED AND UPDATE SITE PLAN
5	2021-11-01	REVISIONS TO INCLUDE 3" IN URBAN TRAIL ALONG DUNDAS ST. FENCE ADDED AT REAR DRIVE-THRU MENU/SIDE LOCATION REVISED
6	2022-03-29	ADDED PAD MOUNT TRANSFORMER REMOVED YARD LIGHT & SKINNER RD. ENTRANCE
7	2022-05-10	SMALL SHIFT OF GARBAGE ENCLOSURE AWAY FROM MAIN STORE BUILDING
8	2022-07-11	ADDED TIRE INFLATOR

NOTES

The contractor will check and verify dimensions and report errors and omissions to the designer and the design professional whose seal is affixed to this drawing. Do not scale the drawings.

This drawing will not be used for construction purposes until issued for construction by the design professional whose seal is affixed to this drawing and whose signature is below.



ISSUED FOR CONSTRUCTION _____ DATE _____

DIMENSIONS AND CONDITIONS TO BE VERIFIED ON THE PREMISES

PAUL ARCHITECT INC.
TORONTO • VANCOUVER • DELANEO

2660 Sherwood Heights Dr. Suite 200, Oakville, Ontario, L6J 7Y8
www.paularchitect.com
(905)337-9800 fax (905)337-1986

CLIENT

PETRO-CANADA
A Suncor Energy Business

DRAWING TITLE

PROPOSED SITE LAYOUT
(File # DA-21-011)

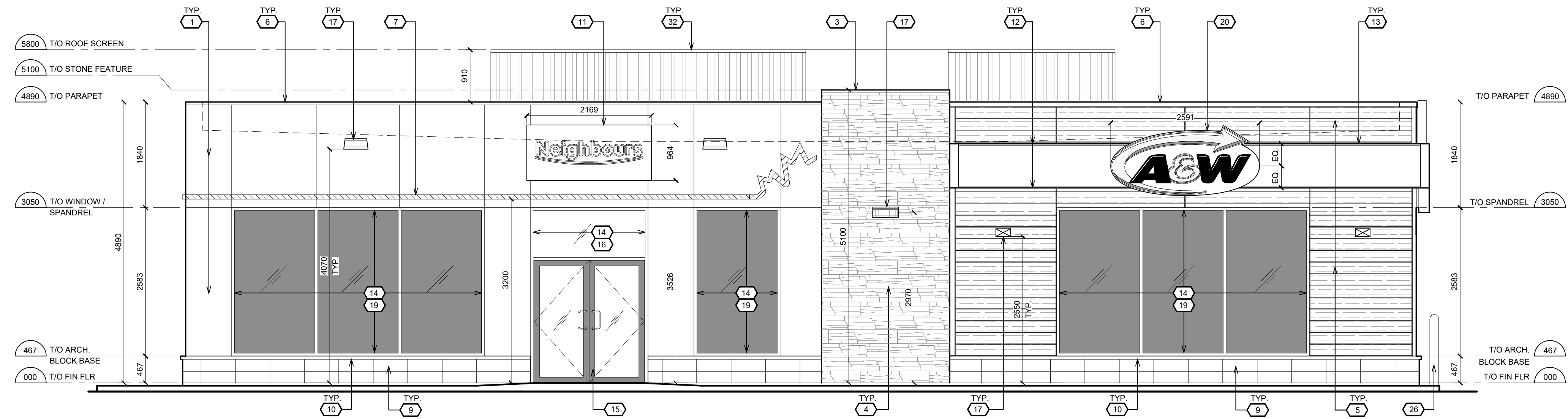
PROJECT

COMMERCIAL DISTRICT
585 SKINNER ROAD
WATERDOWN, ONTARIO

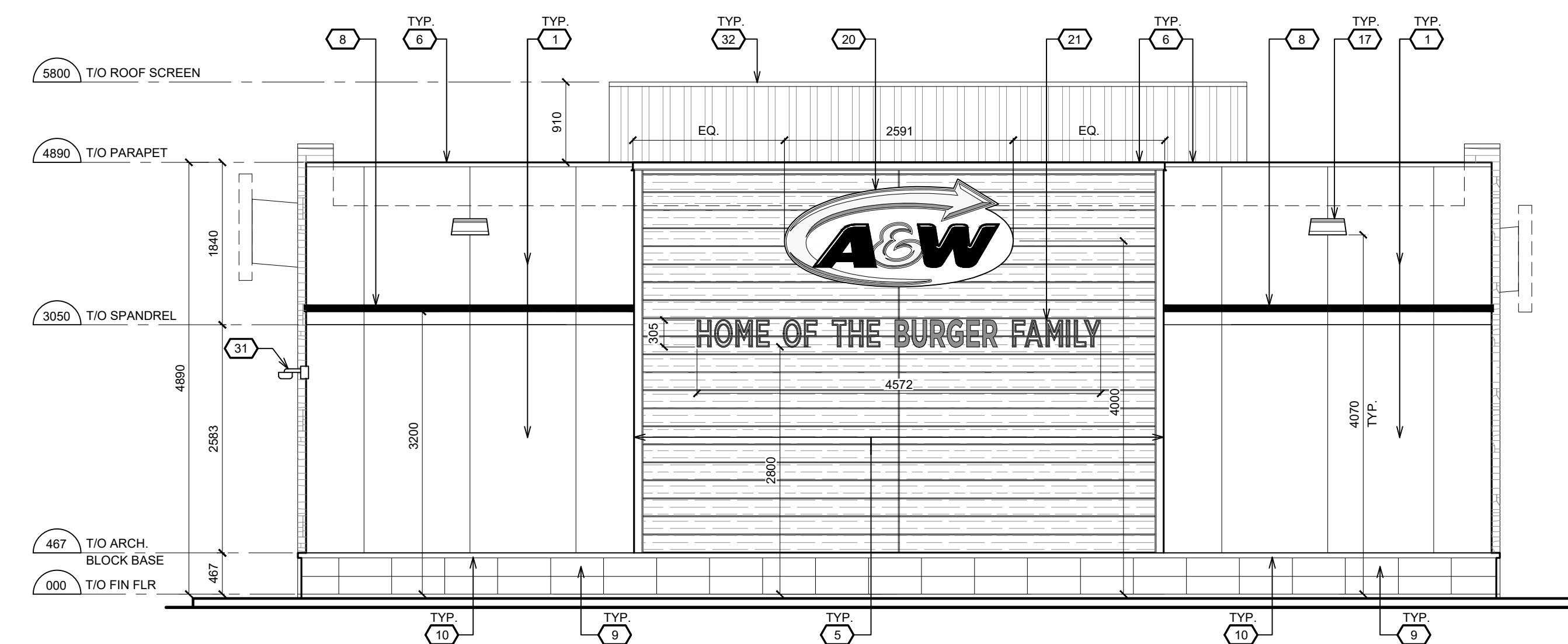
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DG	
SCALE	DATE
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PROJECT NO.	DRAWING NO.
10616	SP1



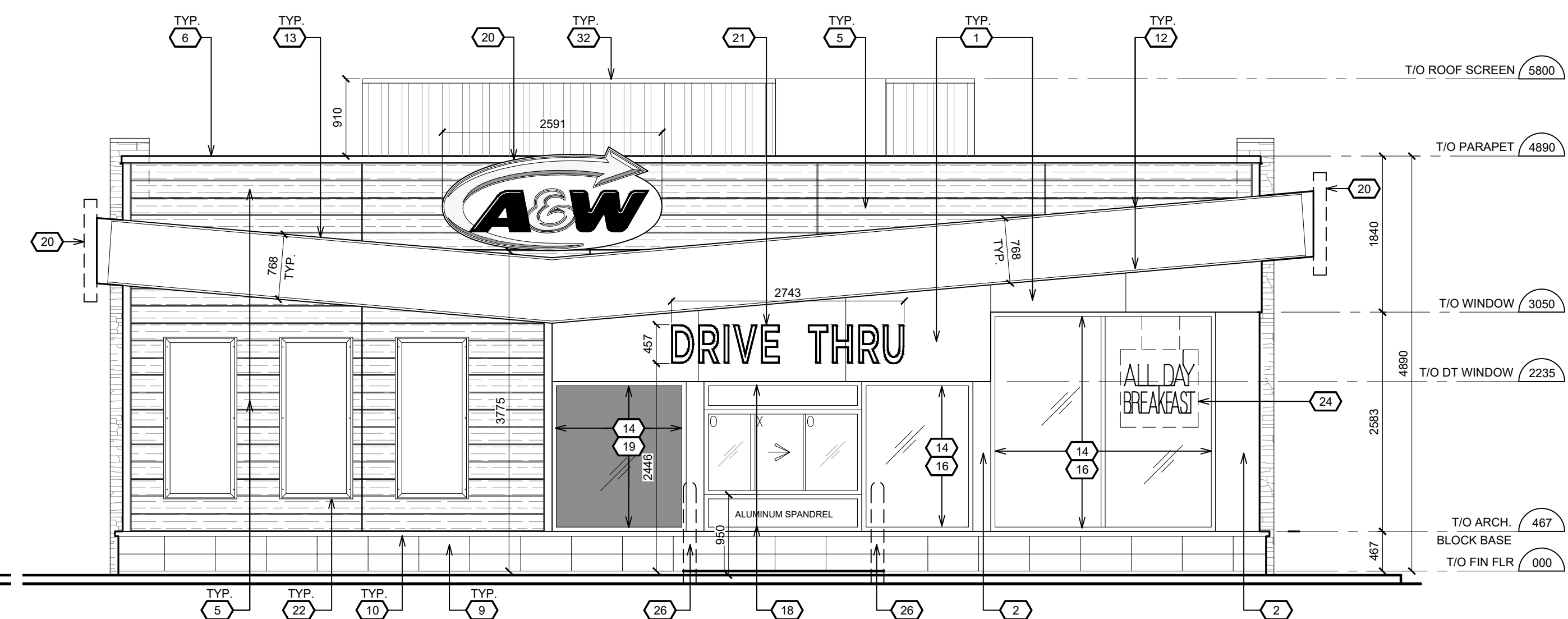
1 SOUTH ELEVATION



2 NORTH ELEVATION



3 EAST ELEVATION



4 WEST ELEVATION

NO.	PRODUCT	SPECIFICATION & COLOUR
1	ACM WALL PANEL SYSTEM	COLOUR : PCP WHITE
2	ALUMINUM COVER	COLOUR : CLEAR ANODIZED
3	METAL FLASHING (STONE WALL)	PAINT COLOUR : BENJAMIN MOORE HC-85 FAIRVIEW TAUPE
4	CULTURED STONE WALL FINISH	PRO-FIT ALPINE LEDGESTONE COL. PHEASANT 420117
5	PRE-FINISHED WOOD GRAIN	KNOTWOOD - KED150 COLOUR : ATLANTIC CEDAR (6" DECKING BOARD)
6	METAL FLASHING (PARAPET)	COLOUR TO MATCH : PCP WHITE
7	ILLUMINATED LED RED LEAF BAND	75mm CONTINUOUS ILLUMINATED LED RED LEAF BAND
8	NON-ILLUMINATED RED BAND	75mm CONTINUOUS NON-ILLUMINATED RED BAND
9	ARCHITECTURAL BLOCK BASE	SHOULDRICE DESIGNER STONE TEXTURE : TEK-STONE COLOUR : GALAXY SIZE: 390mm x 90mm x 190mm H. STACKED APPLICATION
10	ARCHITECTURAL SILL CAP	SHOULDRICE DESIGNER STONE 224 SLOPED SILL COLOUR : GALAXY
11	INTERNALLY ILLUMINATED SIGN (C-STORE)	
12	ILLUMINATED BOOMERANG LIGHT BOX	COLOUR : A&W ORANGE
13	FLASHING (A&W BOOMERANG)	COLOUR TO MATCH : A&W ORANGE
14	ALUMINUM WINDOW FRAMING	COLOUR : CLEAR ANODIZED
15	ALUMINUM DOOR LEAF FRAME	COLOUR : BLACK ANODIZED
16	THERMAL PANE GLASS	DOUBLE GLAZED
17	EXTERIOR LIGHT FIXTURE	LED FIXTURE, FIXTURE COLOUR: BLACK
18	DRIVE-THRU WINDOW (A&W)	COLOUR : CLEAR ANODIZED
19	SPANDREL GLASS PANEL	PPG EXTRUSION COATINGS: DURANAR COATINGS - UC4352 COLONIAL GRAY
20	ILLUMINATED A&W LOGO SIGN	
21	NON ILLUMINATED A&W LETTER SIGN	
22	A&W POSTER SNAP FRAME	SURFACE MOUNTED
24	A&W 'DRIVE-THRU / BREAKFAST OPEN' ILLUMINATED SIGN	INTERIOR SUSPENDED
25	ILLUMINATED PETRO-POINTS SIGN	INTERIOR SUSPENDED
26	CONC. FILLED BOLLARD	COLOUR : A&W ORANGE
27	INSULATED PANEL	COLOUR : CLEAR ANODIZED
28	SECURITY DRAWER	COLOUR : SILVER ALUMINUM
31	PASS-THRU 360 CAMERA	
32	METAL CLAD ROOF SCREEN	COLOUR : WHITE TO MATCH 1

5 EXTERIOR FINISH SCHEDULE

REVISION TABLE		
REV.	DESCRIPTION	DRAWN / APP'D. DATE

ISSUE TABLE		
TO	FOR	DATE
OWNER	ISSUED FOR REVIEW	27 JUL 21
CITY	ISSUED FOR SITE PLAN APPROVAL	27 JUL 21
CITY	RE-ISSUED FOR SITE PLAN APPROVAL	16 NOV 21

METRIC
ALL DIMENSIONS ARE IN MILLIMETRES U.N.O. CONTRACTOR TO CHECK/VERIFY ALL DIMENSIONS PRIOR TO COMMENCEMENT OF WORK. ALL DISCREPANCIES TO BE REPORTED TO THE PROJECT DESIGNER. DO NOT SCALE DRAWINGS.



CONSULTANT:
K. PAUL ARCHITECT INC.
TORONTO - VANCOUVER - ORLANDO
2600 Sherwood Heights Dr. Suite 200, Oakville, Ontario, L6J 7Y8
www.kpaularchitect.com
(905)337-9800 fax (905)337-1986



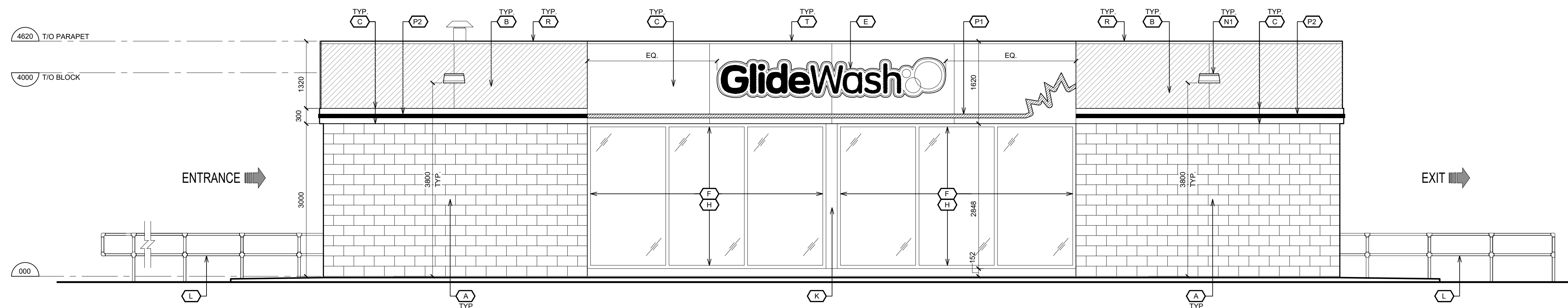
DRAWING TITLE:
C-STORE ELEVATIONS (DA-21-011)

PROJECT:
COMMERCIAL DISTRICT
585 SKINNER ROAD
WATERDOWN, ONTARIO

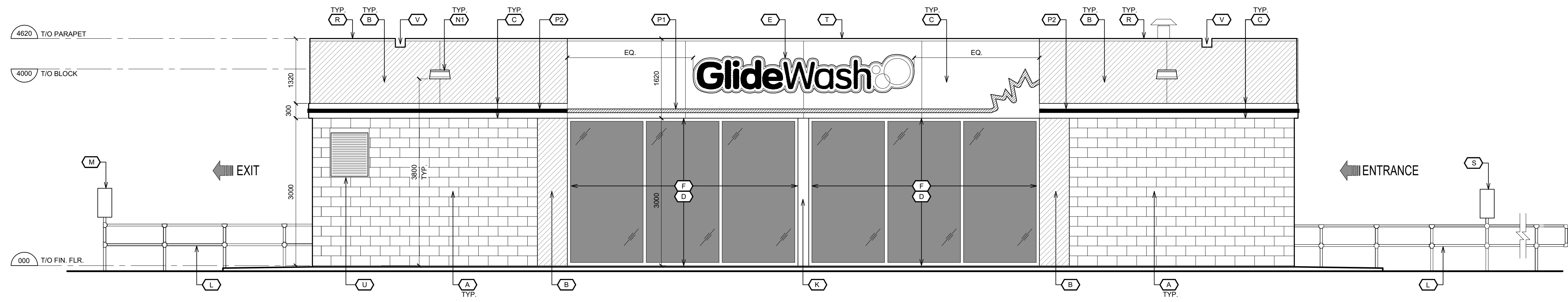
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DRAWING SCALE: AS NOTED
DATE DRAWN: JUL 2021
CHECKED BY:
APPROVED BY:

CAD INFO:
SHEET SIZE: D (559 x 864)
PETRO-CANADA
CAD FILE No.
CONSULTANT
CAD FILE No.
PLOT SCALE
PLOT DATE
PLOT CONFIGURATION

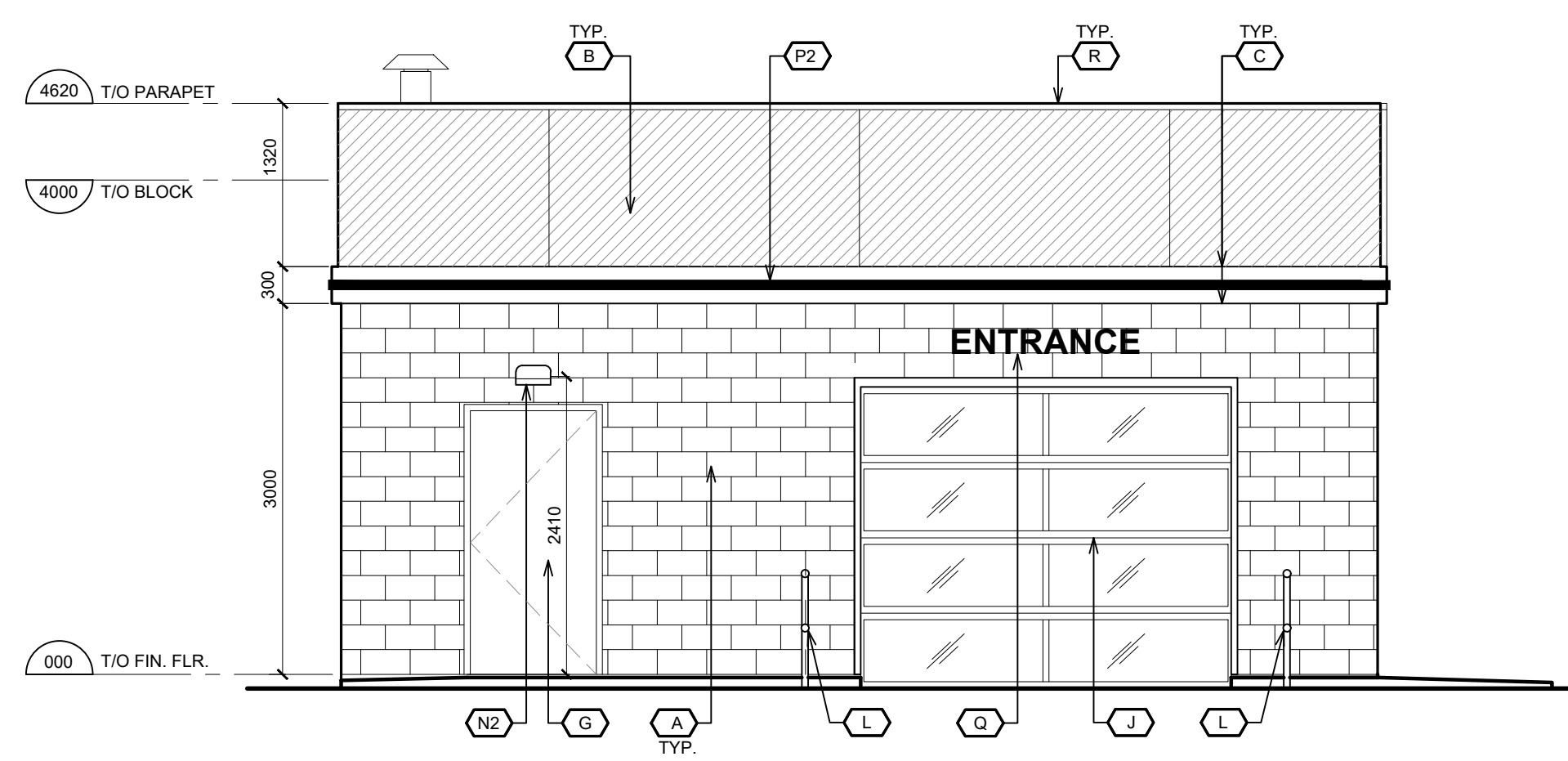
STD No./OUTLET No.
10616 ELEV



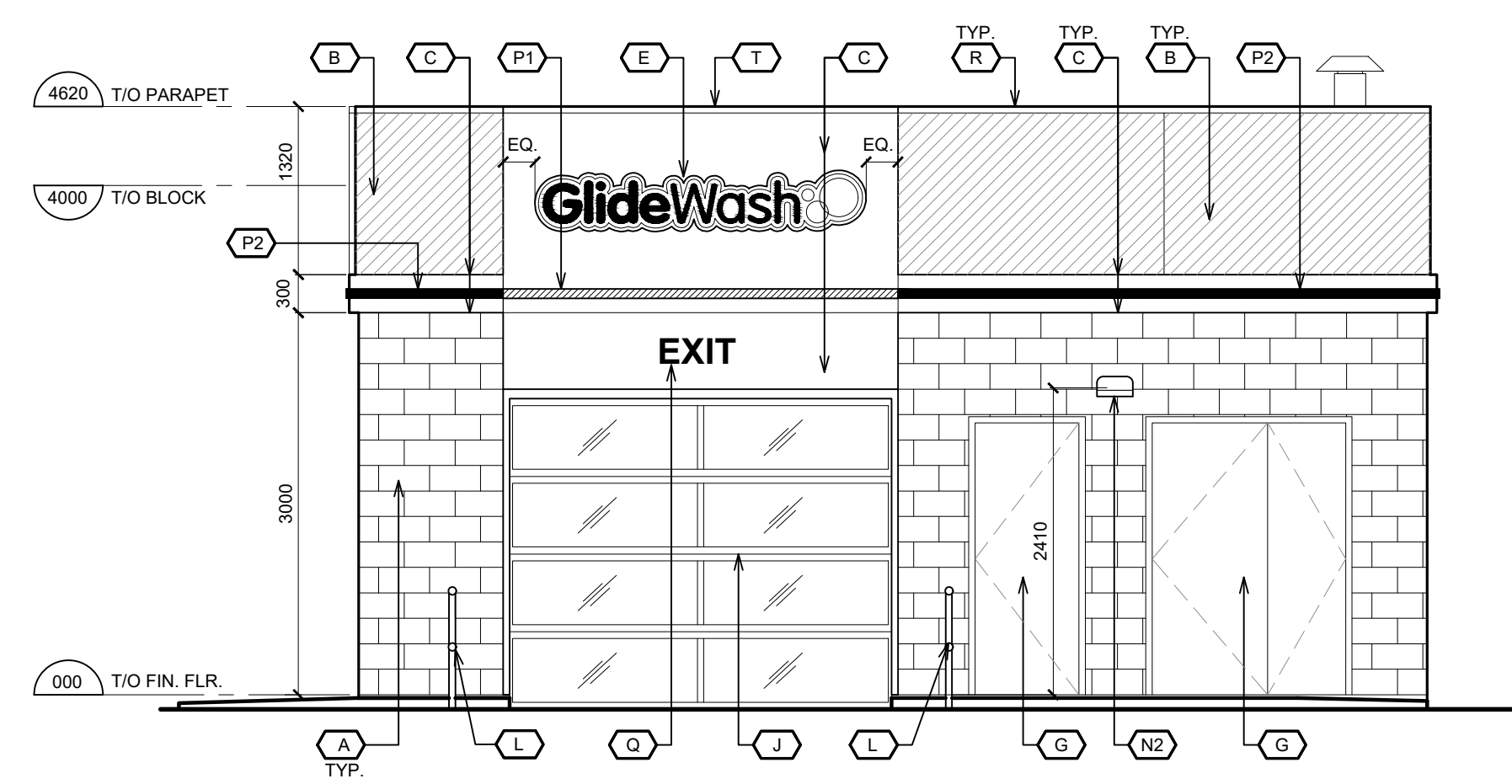
1 EAST ELEVATION



2 WEST ELEVATION



3 SOUTH ELEVATION



4 NORTH ELEVATION

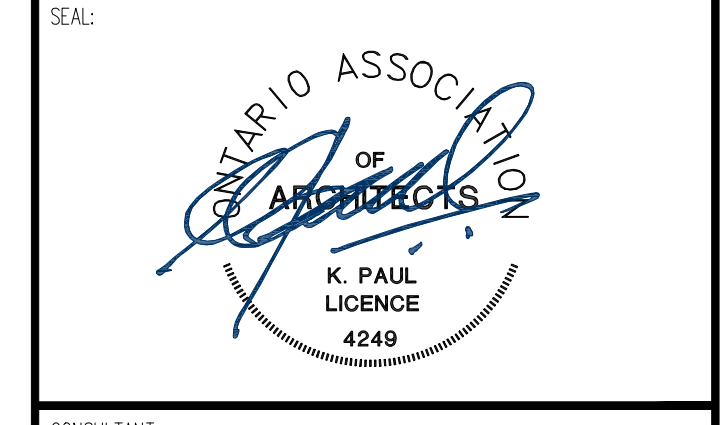
NO.	PRODUCT	SPECIFICATION & COLOUR
(A)	ARCHITECTURAL WALL BLOCK	SHOULDICE DESIGNER STONE TEXTURE: TEX STONE COLOUR: GALAXY SIZE: 395mm x 150mm x 150mm H RUNNING BOND APPLICATION
(B)	ACM SYSTEM (50mm)	COLOUR: CASTLE GRAY
(C)	ACM SYSTEM (100mm)	COLOUR: PCP WHITE
(D)	SPANDREL GLASS	PPG EXTRUSION COATINGS: DURANAR COATINGS - UC43352 COLONIAL GRAY
(E)	ILLUMINATED SIGNAGE	REFER TO SHOP DRAWINGS PROVIDED BY SIGN COMPANY
(F)	WINDOW FRAMING	COLOUR: CLEAR ANODIZED
(G)	HOLLOW DOOR & FRAME	C/W PAINT COLOUR TO MATCH (A)
(H)	CLEAR GLASS	25mm SEALED UNIT
(J)	'ALASKA' POLYCARBONATE ROLL-UP DOOR BY AIRLIFT DOORS	COLOUR: CLEAR ANODIZED
(L)	SAFETY RAILING	GALVANIZED METAL - COLOUR: SILVER TO BE SECURED AT RAILING
(M)	EXIT TRAFFIC SIGNAL	TO BE SECURED AT RAILING
(N1)	WALL WASHER LIGHT FIXTURE	ACCOLITE - DT-A032-35K-E12-PC-BL (OR APPROVED EQUAL) RED LEONARD ASSOCIATES (PROVIDE BY G.C.) JAYME LEONARD CELL 513-702-6090 OFFICE 513-574-9500
(N2)	WALL PAK LIGHT FIXTURE	CREE - XSPWA03XC-JT RED LEONARD ASSOCIATES (PROVIDE BY G.C.) JAYME LEONARD CELL 513-702-6090 OFFICE 513-574-9500
(P1)	ILLUMINATED RED LED LEAF BAND	COLOUR: PCP RED, PROVIDED BY SIGN COMPANY
(P2)	NON-ILLUMINATED RED BAND	COLOUR: PCP RED, PROVIDED BY SIGN COMPANY
(Q)	8" PIN LETTER SIGN	COLOUR: BLACK, PROVIDED BY SIGN COMPANY
(R)	PRE-FINISHED METAL FLASHING	PAINT COLOUR TO MATCH (B)
(S)	ENTRANCE TRAFFIC SIGNAL	TO BE SECURED AT RAILING
(T)	PRE-FINISHED METAL FLASHING	COLOUR: PCP WHITE
(U)	WEATHER PROOF INTAKE LOUVER	REFER TO MECH DWGS, PAINT COLOUR TO MATCH (A)
(V)	ROOF SCUPPER	PAINT COLOUR TO MATCH (B)

5 FINISH SCHEDULE
SCALE: N.T.S.

REVISION TABLE		
REV.	DESCRIPTION	DRAWN APP'D. DATE

ISSUE TABLE		
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OWNER	ISSUED FOR REVIEW	27 JUL 21
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DRAWING TITLE:
GLIDE CAR WASH ELEVATIONS (DA-21-011)

PROJECT:
**COMMERCIAL DISTRICT
585 SKINNER ROAD
WATERDOWN, ONTARIO**

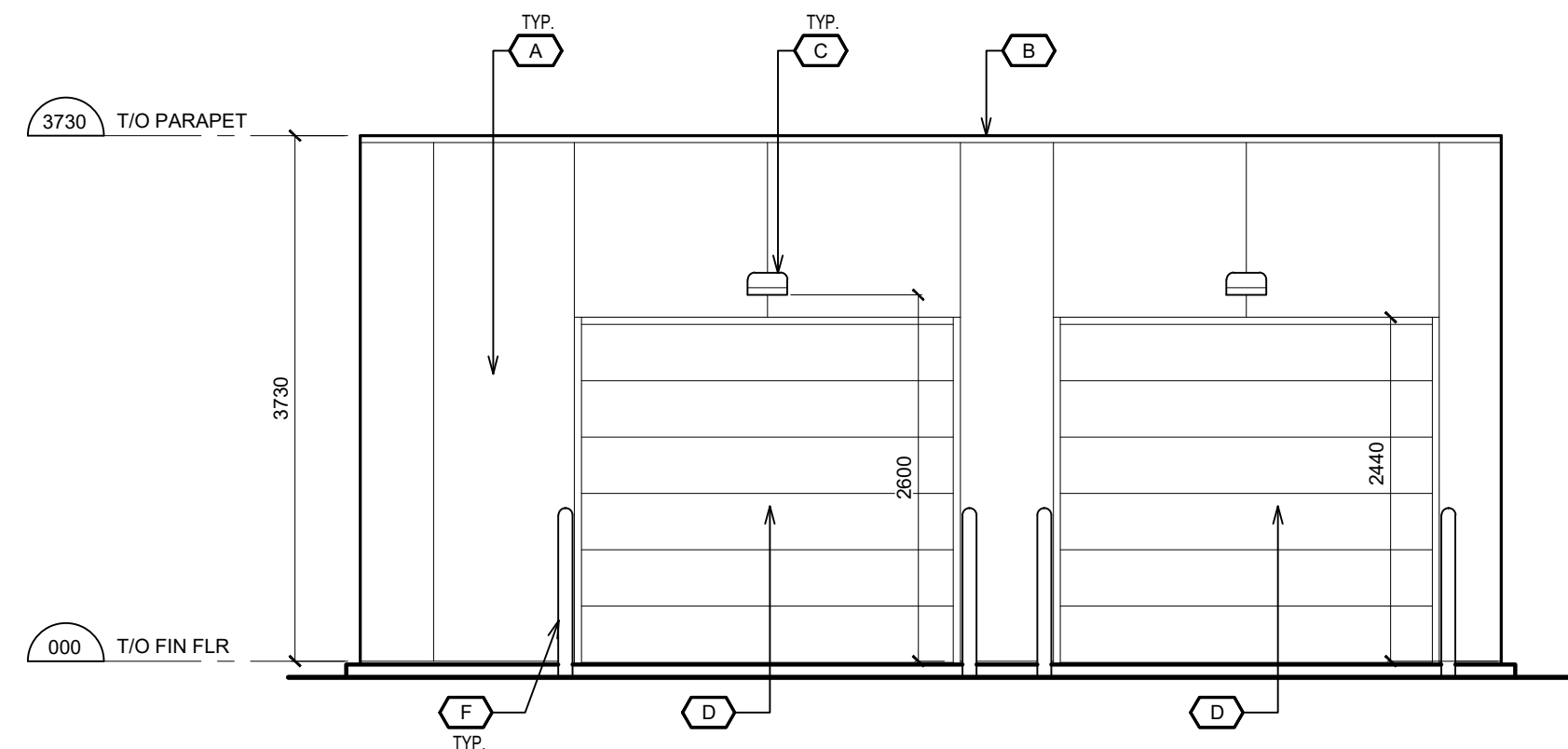
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			PLOT CONFIGURATION

STD No./OUTLET No.
10616 CW-ELEV

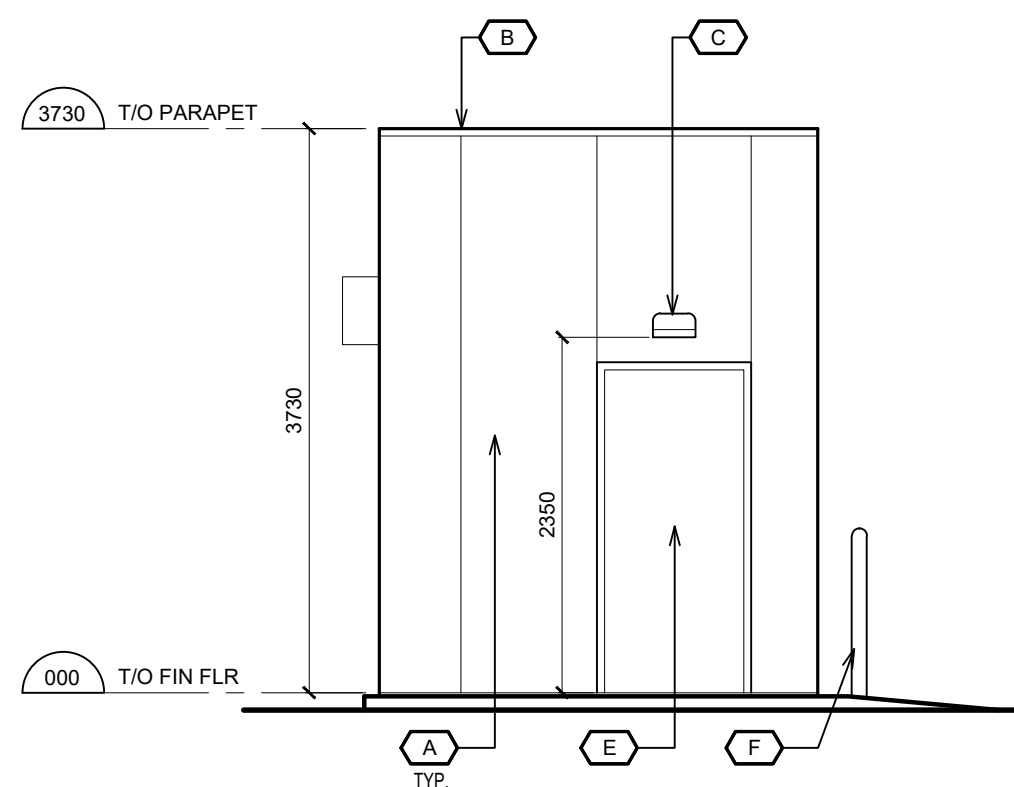
NO.	PRODUCT	SPECIFICATION & COLOUR	REMARKS
(A)	ACM WALL PANEL	COLOUR : PCP WHITE	
(B)	METAL FLASHING	PAINT COLOUR : TO MATCH (A)	
(C)	EXTERIOR LIGHT FIXTURE	LED WALL PAK FIXTURE, FIXTURE COLOUR : BLACK	G.C. TO ENSURE POWER / TIMER IS PROVIDED.
(D)	ROLL-UP DOORS	PAINT COLOUR : TO MATCH (A)	
(E)	FIRE RATED DOOR & FRAME	PAINT COLOUR : TO MATCH (A)	1.5 FIRE RATED FRAME & DOOR
(F)	CONC. FILLED METAL BOLLARD		C/W PVC SLEEVES, SAFETY YELLOW
(G)	ROOF SCUPPER	PAINT COLOUR : TO MATCH (A)	
(H)	IN WALL AC UNIT	LG : LW2516ER (OR APPROVED EQUAL)	C/W STEEL FRAMEWORK TO SUIT (PAINTED WHITE)

5 EXTERIOR FINISH SCHEDULE
SCALE: N.T.S.

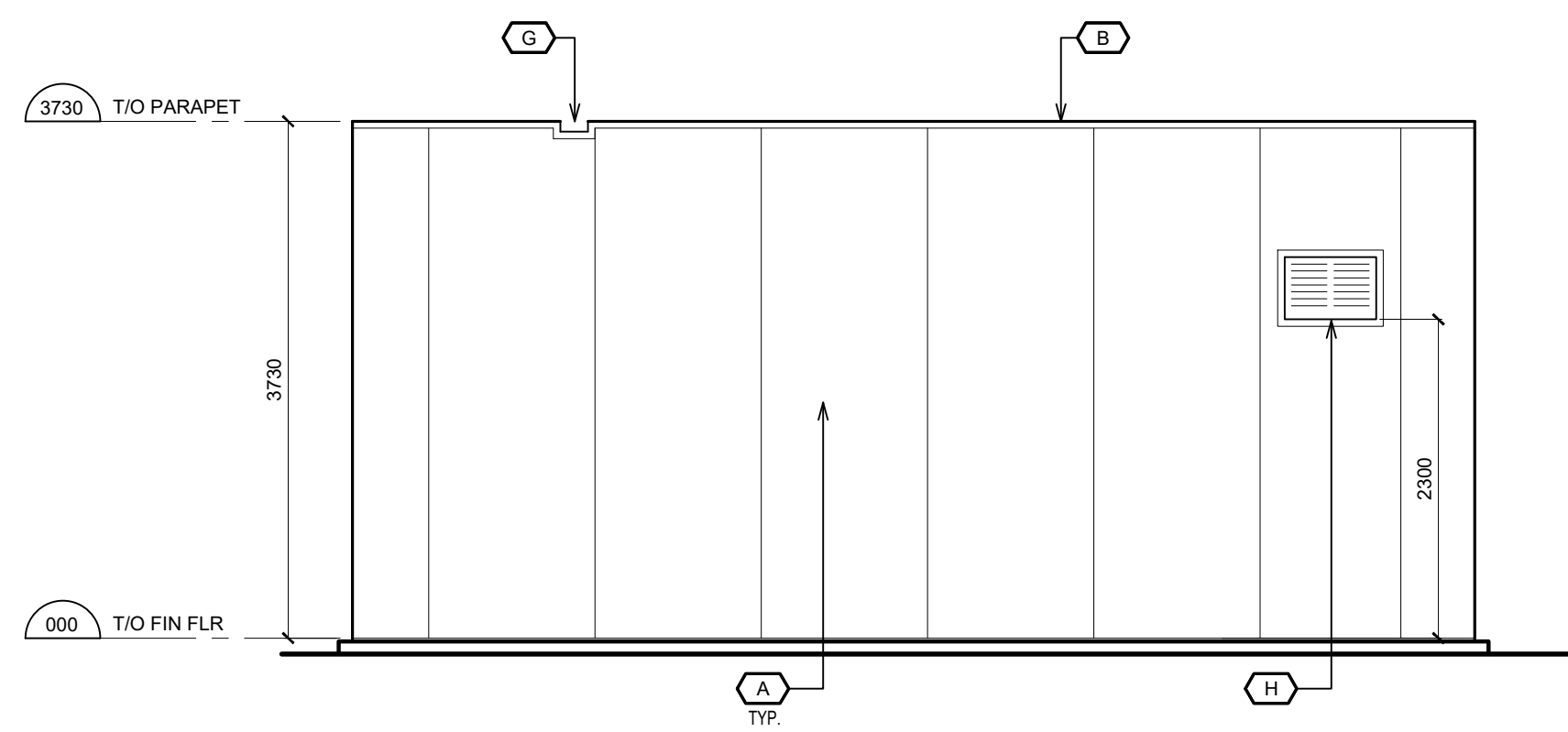
BUILDING CODE ANALYSIS								
BUILDING AREA	EXISTING	---	SQ. M.	---	SQ. FT.			
	NEW	26.56	SQ. M.	285.8	SQ. FT.			
	TOTAL	---	SQ. M.	---	SQ. FT.			
BUILDING HEIGHT	ABOVE GRADE			BELOW GRADE				
	1	STOREYS		0	STOREYS			
		4.62 (m)	15.16 (ft.)	0 (m)	0 (ft.)			
MAJOR OCCUPANCY (TABLE 9.10.2.1)	GROUP 'F' DIVISION '3'							
BUILDING CLASSIFICATION	9.10.2 (2015 ONTARIO BUILDING CODE)							
CONSTRUCTION TYPE	() COMBUSTIBLE (X) NON-COMBUSTIBLE () COMBINATION							
SPRINKLER SYSTEM	() YES (X) NO							
OCCUPANT LOAD (SECTION 3.1.17)	2 PEOPLE (MAX.)			3.1.17.1 (1) (c)				
SPATIAL SEPARATION (SECTION 9.10.14)	FACE	AREA OF EXPOSED WALL (SQ. M.)	UNPROTECTED OPENINGS		H TO L (RATIO)	SPATIAL SEPARATION LIMITING DIST		CONSTRUCTION REQUIRED (FIRE RATED-HR.) 9.10.14.5
			ACTUAL (%)	ALLOWED (%)		(ACTUAL)	(ALLOWED)	
	NORTH	26.36	1.6% (0.42 SQ.M.)	100%	3.11/0.1	71.6 m	1.2 m	
	SOUTH	26.36	50.7% (13.38 SQ.M.)	100%	3.11/0.1	60.4 m	8.0 m	
	EAST	8.37	0% (0.00 SQ.M.)	100%	3.11/0.1	21.7 m	<1.2 m	
WEST	8.37	0% (0.00 SQ.M.)	0%	3.11/0.1	0.91 m	<1.2m	2 HRS FIRE RATING NON-COMBUSTIBLE CONSTRUCTION / CLADDING	
NOTES:								



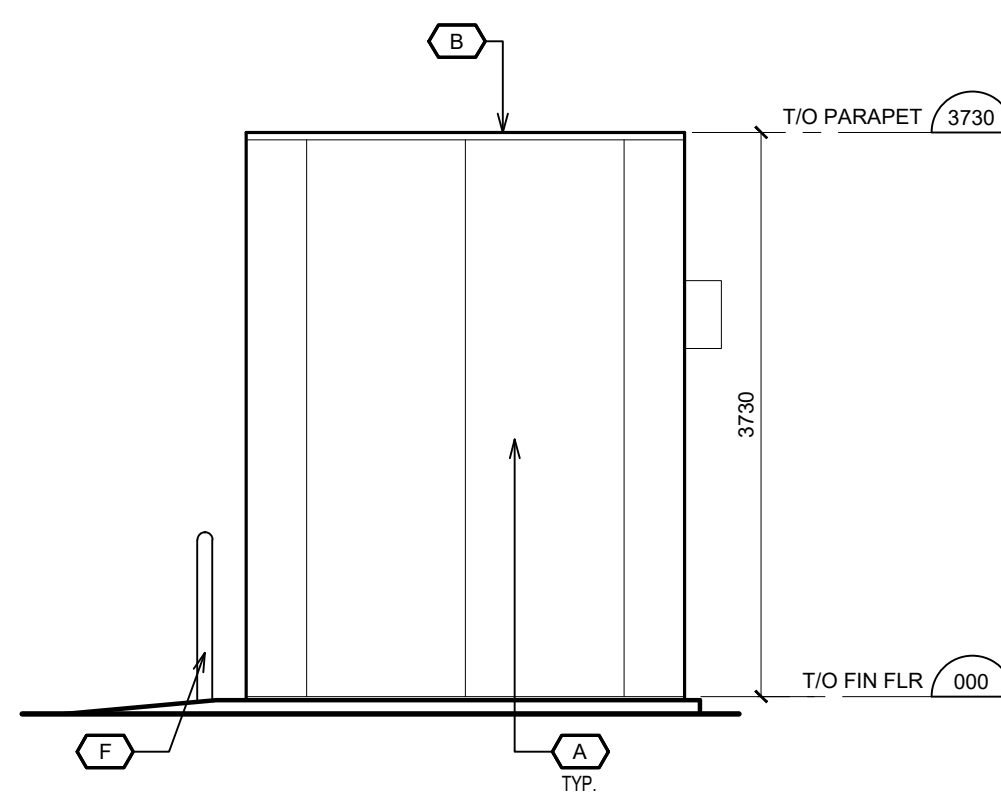
1 SOUTH ELEVATION



2 WEST ELEVATION



3 NORTH ELEVATION

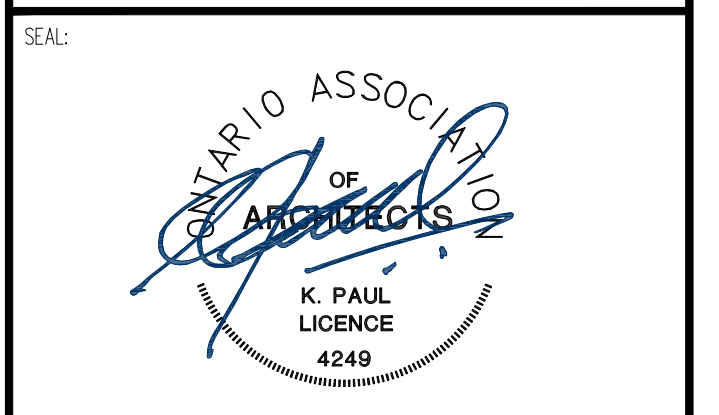


4 EAST ELEVATION

REVISION TABLE		
REV.	DESCRIPTION	DRAWN / APP'D. DATE

ISSUE TABLE		
TO	FOR	DATE
OWNER	ISSUED FOR REVIEW	27 JUL 21
CITY	ISSUED FOR SITE PLAN APPROVAL	27 JUL 21
CITY	RE-ISSUED FOR SITE PLAN APPROVAL	16 NOV 21

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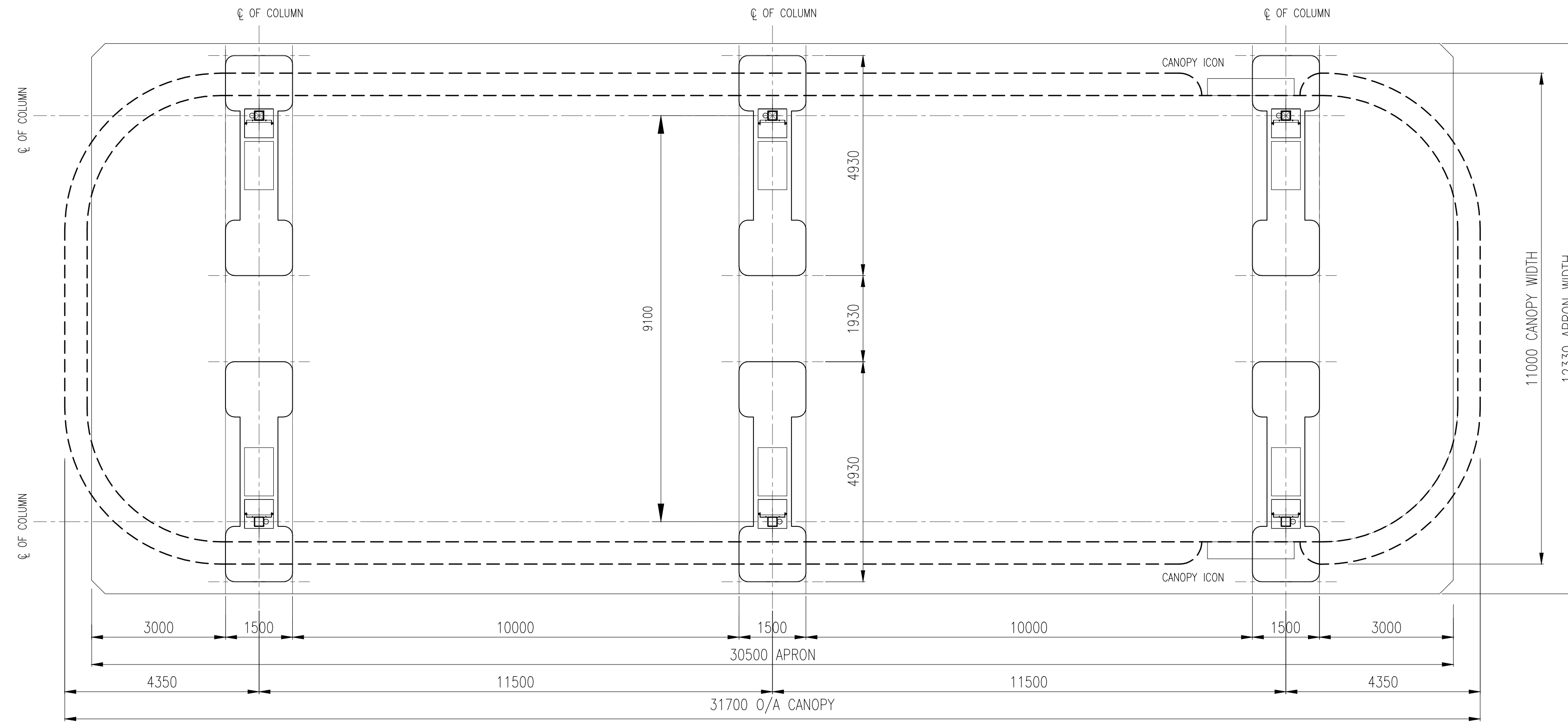


DRAWING TITLE:
REFUSE ENCLOSURE ELEVATIONS (DA-21-011)

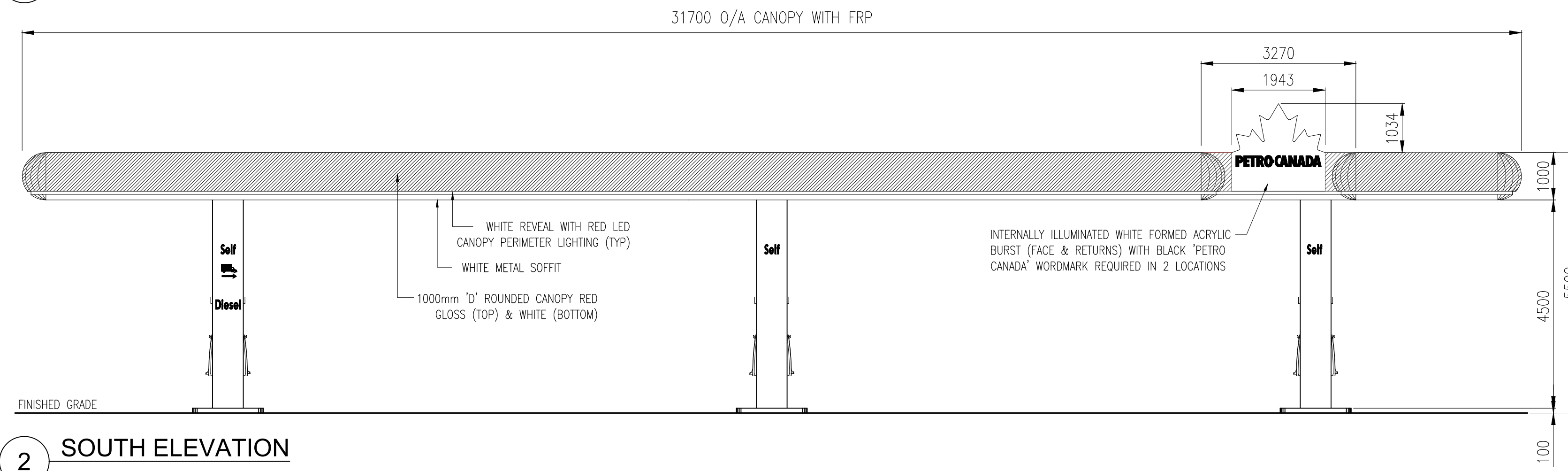
PROJECT:
**COMMERCIAL DISTRICT
585 SKINNER ROAD
WATERDOWN, ONTARIO**

DRAWN BY:	CL	CAD INFO:	SHEET SIZE
DRAWING SCALE:	1:50		D (559 x 864)
DATE DRAWN:	JUL 2021		PETRO-CANADA CAD FILE No.
CHECKED BY:			CONSULTANT CAD FILE No.
APPROVED BY:			PLOT SCALE
			PLOT DATE
			PLOT CONFIGURATION

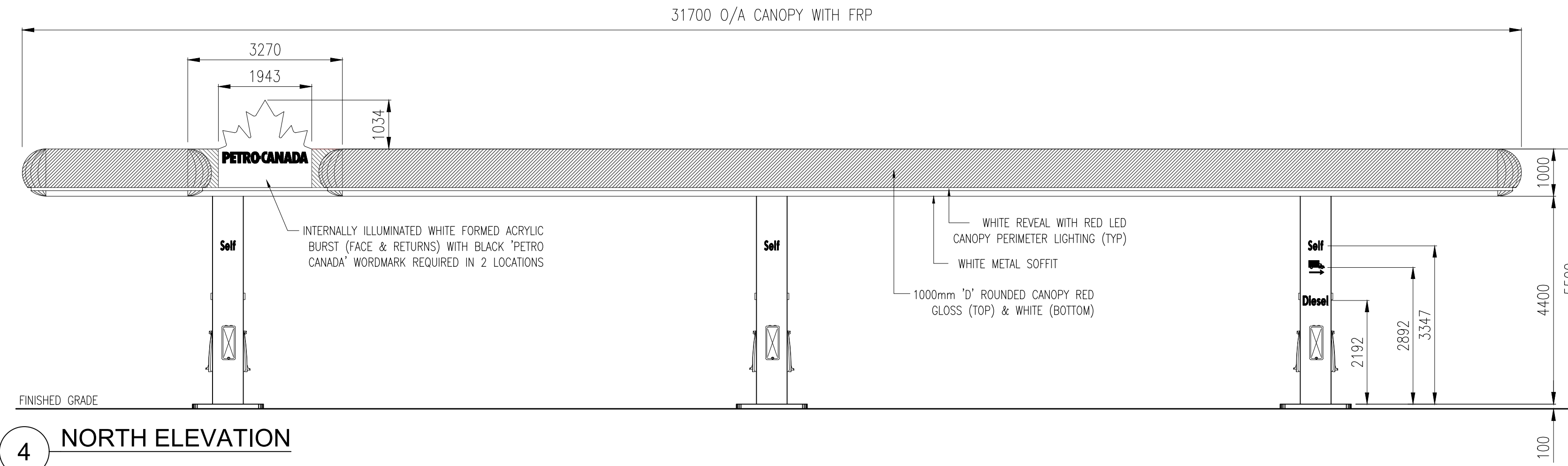
STD No./OUTLET No.
10616 REFUSE



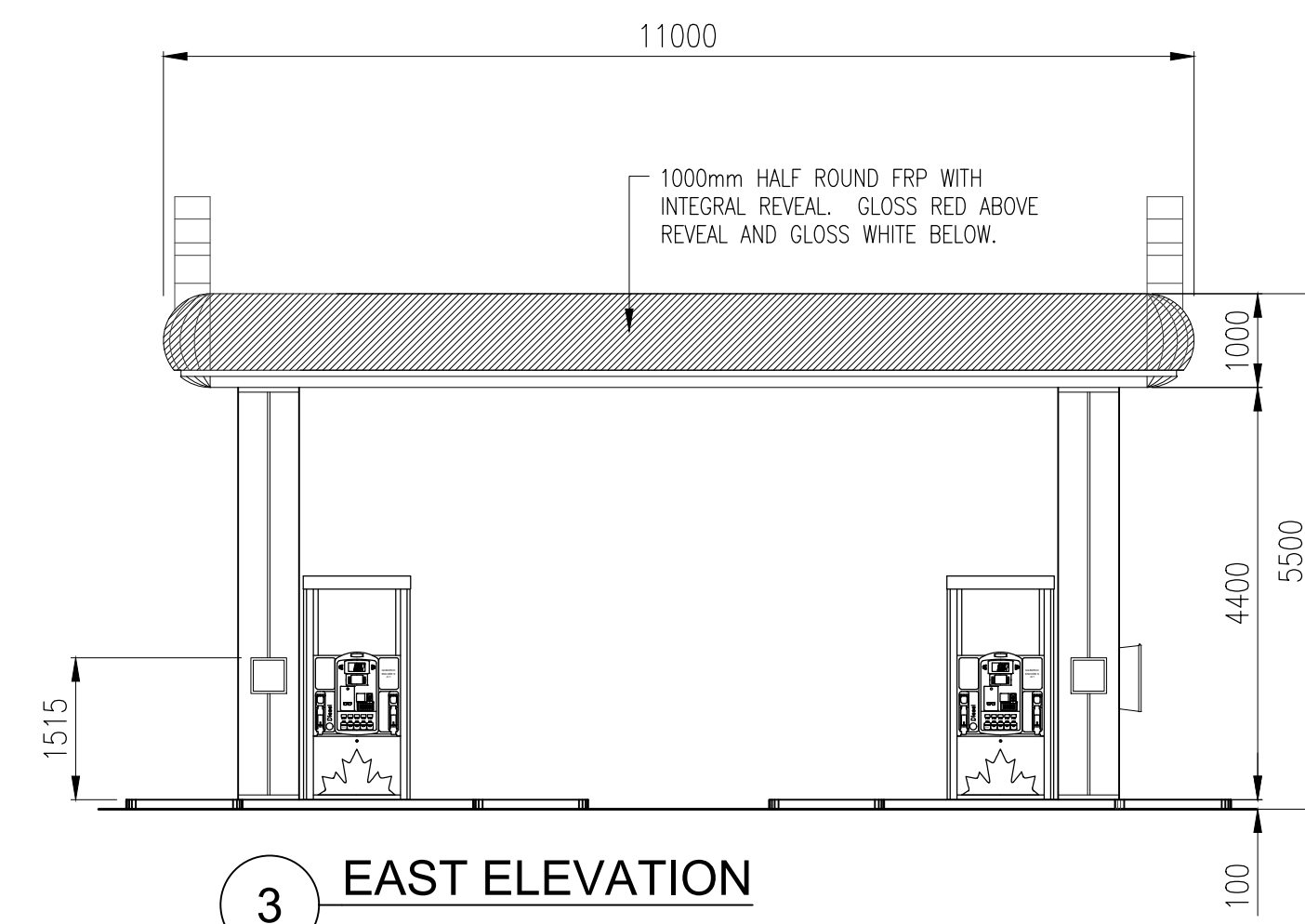
1 PLAN



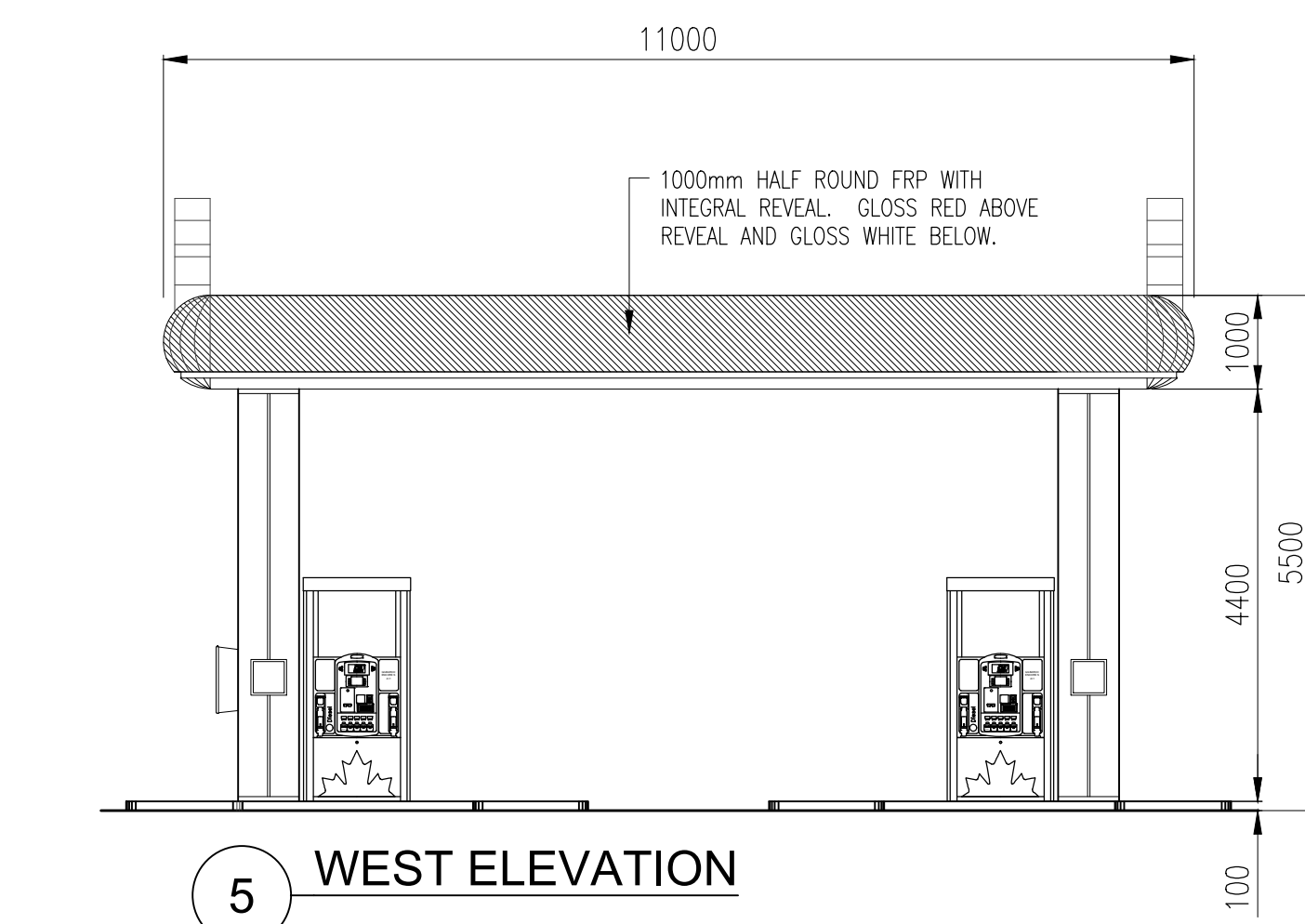
2 SOUTH ELEVATION



4 NORTH ELEVATION



3 EAST ELEVATION



5 WEST ELEVATION

REVISION TABLE		
REV.	DESCRIPTION	DRAWN APP'D. DATE

ISSUE TABLE		
TO	FOR	DATE
OWNER	ISSUED FOR REVIEW	27 JUL 21
CITY	ISSUED FOR SITE PLAN APPROVAL	27 JUL 21
CITY	RE-ISSUED FOR SITE PLAN APPROVAL	16 NOV 21

METRIC
ALL DIMENSIONS ARE IN MILLIMETRES U.N.O. CONTRACTOR TO CHECK/VERIFY ALL DIMENSIONS PRIOR TO COMMENCEMENT OF WORK. ALL DISCREPANCIES TO BE REPORTED TO THE PROJECT DESIGNER. DO NOT SCALE DRAWINGS.



CONSULTANT:
PAUL ARCHITECT INC.
TORONTO • VANCOUVER • DELAWARE
2660 Sherwood Heights Dr. Suite 200, Oakville, Ontario, L6J 7Y8
www.paularchitect.com
(905)337-8800 fax (905)337-1986

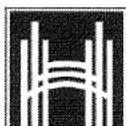


DRAWING TITLE:
6 SQ. GASBAR CANOPY (DA-21-011)

PROJECT:
**COMMERCIAL DISTRICT
585 SKINNER ROAD
WATERDOWN, ONTARIO**

DRAWN BY: CL/DG	CAD INFO: SHEET SIZE D (559 x 864)
DRAWING SCALE: 1:75	PETRO-CANADA CAD FILE No.
DATE DRAWN: JUL 2021	CONSULTANT CAD FILE No.
CHECKED BY:	PLOT SCALE
APPROVED BY:	PLOT DATE
	PLOT CONFIGURATION

STD No./OUTLET No.
10616 CANOPY



Hamilton

Committee of Adjustment

City Hall, 5th Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

APPLICATION FOR A MINOR VARIANCE

FOR OFFICE USE ONLY.

APPLICATION NO. _____ DATE APPLICATION RECEIVED _____

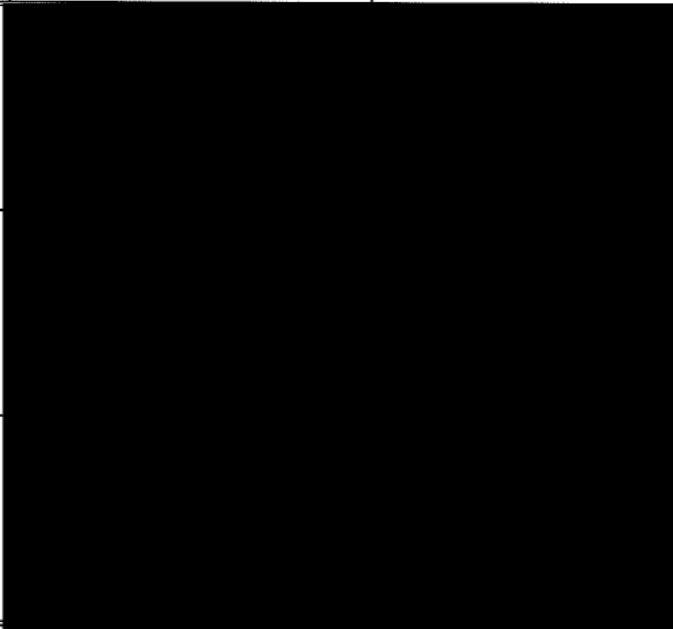
PAID _____ DATE APPLICATION DEEMED COMPLETE _____

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	MAILING ADDRESS
Registered Owners(s)	Balpal Holdings Corp.	
Applicant(s)*	Suncor Energy Inc.	
Agent or Solicitor	WEBB Planning Consultants	

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:

None

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:

to permit a front yard setback of 3.0 metres whereas a 16.0 metre setback is proposed, and to permit parking and stacking within a yard abutting a street whereas the Bylaw does not permit parking in a yard abutting a street (Skinner Road)

Second Dwelling Unit Reconstruction of Existing Dwelling

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

Layout of intended gas bar and drive through conflict with the Regulations, Variances implement Conditionally approved Site Plan,

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 2, Concession 3, Former Township of East Flamborough, Part of Block 645 of Registered Plan 62M-1266, 585 Skinner Road

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

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?

Site inspection, review of available reports, discussion with owner.

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 19, 2022
Date

M. Baldassarra
Signature Property Owner(s)

Mike Baldassarra, A.S.O.
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 76 metres (Skinner Road)
Depth 74.8 metres (irregular)
Area 6071 square metres
Width of street 26.0 metres (Skinner Road)

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: _

None, lands are vacant

Proposed

Proposed gas bar and convenience store with ancillary car wash and garbage enclosure, single storey in height with maximum measured height of 5.5 to top of canopy, floor area of store is 288.7 square metres, aggregate GFA including car wash and garbage enclosure is 479.6 sq.m

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

Existing:

None, lands are vacant

Proposed:

FY (East): 15.8m, RY: 39.0m to C. store and 3.0 to car wash, SY (South): 22.2m (to Canopy), SY (North): 9.2 to C. store.

13. Date of acquisition of subject lands:
April 2022
-
14. Date of construction of all buildings and structures on subject lands:
N/A - lands are vacant
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
lands are vacant
-
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Lands being developed as mixed use community - commercial & residential
-
17. Length of time the existing uses of the subject property have continued:
over 50 yeras
-
18. Municipal services available: (check the appropriate space or spaces)
Water yes Connected pending
Sanitary Sewer yes Connected pending
Storm Sewers yes
-
19. Present Official Plan/Secondary Plan provisions applying to the land:
District Commercial, Waterdown South Secondary Plan
-
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
UC-14 and CM-6
-
21. 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:
OMB approved Zoning By-law amendment, Mountainview Heights
- 21.1 If a site-specific zoning by-law amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?
 Yes No
- 21.2 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.
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 (please include separate sheet if needed)
Please refer to cover letter prepared by WEBB Planning Consultants
-
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.



July 20, 2022

City of Hamilton
Planning & Economic Development Department
Committee of Adjustment
71 Main Street West
Hamilton ON L8P 4Y5

Attention: Ms. Jamila Sheffield
Secretary Treasurer

Dear Ms. Sheffield,

Re: Application for Minor Variance – Suncor Energy Inc.
585 Skinner Road, Flamborough, City of Hamilton

WEBB Planning Consultants are retained by Suncor Energy Products Partnership to provide land use planning services to facilitate the proposed development of a Gas Bar with ancillary uses for the above noted property.

The proposed development site is located within the approved Mountainview Heights Plan of Subdivision in south-east Waterdown. The lands proposed for the Gas Bar are included as a portion of the larger District Commercial Block that was established for the purpose of accommodating a range of permitted commercial uses.

The subject lands are designated by the South Waterdown Secondary Plan as District Commercial, this designation intended to accommodate a range of retail and service commercial uses to serve a neighbourhood shopping function meeting the weekly and day-to-day retail and service needs of area residents. Permitted commercial uses include gas bars, car washes and motor vehicle service stations.

The Zoning applicable to the block was established through the planning approvals for the Plan of Subdivision with the block subject to Site Specific Regulations of the “UC” - Urban Commercial Zone, of the former Town of Flamborough Zoning By-law No. 90-145-Z. The block is currently Zoned as “UC-14” with permitted uses including a Gas Bar and accessory Car Wash. At some future date the City intends to update the Zoning and include these lands in the City’s new comprehensive Zoning By-law 05-200 with the Block to be zoned as “C7” Zone, District Commercial, to harmonize with the Secondary Plan Designation.

As illustrated by the enclosed Site Plan, the proposed gas bar is located in the north-east corner of the District Commercial Block, Block 645 of the Registered Plan of Subdivision. The 1.5 acre parcel is proposed to accommodate a covered fueling island with a total of six fueling stations, accessory convenience store and drive-thru restaurant (A&W Quick Service Restaurant), a stand-alone building for the car wash and a garbage enclosure. The

combined GFA for the buildings is 480 square metres. A total of 25 parking spaces are provided with one dedicated loading space.

Site access is to be provided via a single full movement driveway connection to Skinner Road and a second restricted movement driveway connection to Dundas Street across the adjoining creek block, Block 652. The location for the Dundas Street driveway was approved as part of the engineering approvals for the creek realignment (Branch 3 of GS-1).

An Application for Site Plan Approval has been processed by the City and granted Conditional Approval pursuant to a Conditional Approval Letter dated June 2nd, 2021, and accompanying red-lined Site Plan and Elevation drawings. The proponent is in the process of submitting the necessary plans and reports as required to satisfy the Conditions of Approval and has made Application for a Building Permit under the provisions of the Concurrent Site Plan/Building Permit Review Process.

The City's review and Conditional Approval of the Site Plan and Building Elevations confirmed the need to obtain variances from the Regulations of the in-force Town of Flamborough Zoning By-law. As noted in the Conditional Approval letter, the specific variances that are necessary to implement the development proposal are as identified below:

1. Notwithstanding the requirement for a maximum front yard setback of 3.0 metres abutting Skinner Road, a maximum setback of 16 metres shall be permitted;
2. To permit parking and stacking to be located within a yard abutting a street whereas the By-law does not permit parking and stacking in a yard abutting a street;
3. To permit a reduction in the minimum width of the one-way stacking lane for the drive-through and car wash from 4.6 metres to 4.0 metres.

As summarized below, the Variances have been considered in the context of the four tests outlined by Section 45 (1) of the Planning Act and in all respects comply.

The Variances have been considered in the context of the Official Plan and in our opinion maintain the general purpose and intent.

The subject lands are designated as District Commercial and subject to the Urban Design Policies of the UHOP and Downtown Secondary Plan.

The form and scale of development is permitted by the Secondary Plan Policies and represents an appropriate form of development within the larger block intended to accommodate a range and mix of retail and service commercial uses. The specific layout for the Gas Bar necessitates proper vehicular movement that caters to the permitted uses including the drive-through and the car wash. The overall site design incorporates landscape treatment in keeping with the Urban Design Policies of the UHOP with an emphasis on robust plantings along the Skinner Road street edge intended to provide an

attractive streetscape and an appropriate level of visual screening for the drive-through and limited number of on-site parking spaces.

The Variances have been considered in the context of the Zoning By-law and in our opinion maintain the general purpose and intent.

The proposed layout of the gas bar use necessitates relief from certain design standards that are intended to create a commercial precinct with buildings located close to the street edge. Parking, including stacking for the drive-throughs, should generally be located with adequate landscape screening to provide a sense of enclosure at the setback line. This is accomplished by the provision of the 3.0 metre landscape strip along the Skinner Road street edge with an emphasis on plantings that provide an attractive streetscape and screening. The site layout provides for the safe and orderly circulation of vehicles for the gas bar and ancillary restaurant and car wash drive aisles.

It is noted that the reduction in the drive-aisle width is in keeping with the performance standards of the City's new comprehensive Zoning By-law No. 05-200 wherein the minimum width of a one way drive aisle is required to be only 3.7 metres in width.

The Variances are Minor.

The appropriate test to establish that the Variances are minor is to consider if any adverse or negative impacts arise from the development. It is our opinion that the Variances do not permit an over-intensification of the site or reduction in the performance criteria that are otherwise intended to provide for the appropriate site layout and interface with the public realm of the Skinner Road streetscape. The side elevation of the proposed retail store has an enhanced building elevation facing the street intended to create an attractive and vibrant streetscape that complements the public realm and integrates with the planned development of the adjoining District Commercial Block.

The proposed development is desirable for the appropriate development of the lands.

It is our opinion that the Variances will provide for the desirable and appropriate development of the lands consistent with the City's approval of contemporary design requirements for similar automotive related uses. It is noted that the proposed design has been endorsed by the City Urban Design staff and achieved Conditional Site Plan Approval.

In summary, it is our opinion that the Variances required to implement the proposal meet the four tests of the Planning Act and will provide for the appropriate development of the site as a mixed use project that supports the commercial character of the street and adds to the supply of housing in the downtown core.

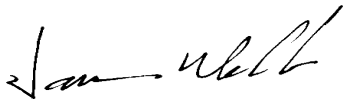
In keeping with the City's requirements for the submission of an Application for Minor Variance, the following materials are enclosed:

- Application for Minor Variance;
- Application Fee of \$3,465.00 payable to the City of Hamilton;
- Site Plan, Elevations and Floor Plans, prepared by K. Paul Architects;

We trust that you will find the enclosed materials complete and suitable for the purpose of processing this Application for Minor Variance. Please contact our office immediately should you have any questions or require additional information in support of this submission.

Yours truly,

WEBB Planning Consultants Inc.

A handwritten signature in black ink, appearing to read "James Webb". The signature is written in a cursive style with a large initial "J" and "W".

James Webb, MCIP, RPP

cc: Suncor Energy Products Partnership