

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.: SC/A-21:171

APPLICANTS: Agent Steve Prongraz
Owner DWB Properties Inc.

SUBJECT PROPERTY: Municipal address **1255 Arvin Ave., Stoney Creek**

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

ZONING: "M2" (General Business Park) district

PROPOSAL: To permit the construction of a one (1) storey 680.76 m² addition to an existing manufacturing facility notwithstanding that;

1. A hydro transformer shall be located within the required landscaped area and required planting strip abutting Arvin Avenue whereas the By-Law does not permit the location of transformers within in a required landscaped area or planting strip.

Notes:

This variance is necessary to facilitate Site Plan Control Application SPA-19-030.

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

DATE: Thursday, June 3rd, 2021
TIME: 3:05 p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at
www.hamilton.ca/committeeofadjustment
for viewing purposes only

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
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: May 18th, 2021.

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

 FH	FIRE HYDRANT	CLF	CHAIN LINK FENCE
	PROPOSED MAN DOOR ENTRANCE	CONC.	CONCRETE
	PROPOSED OVERHEAD DOOR ENTRANCE	EX.	EXISTING
	EXISTING OVERHEAD DOOR ENTRANCE	FH	FIRE HYDRANT
	EXISTING MAN DOOR ENTRANCE	HP	HYDRO POLE
		HT	HYDRO TRANSFORMER
		HV	HYDRO VAULT
		LS	LIGHT STANDARD
		PROP.	PROPOSED

Site Statistics

Site Area 161,713 s.f. 15,023.59 s.m.

Building Coverage

Existing 19,232 s.f. 1,786.73 s.m.
Proposed Addition 7,328 s.f. 680.76 s.m.
Total 26,560 s.f. 2,467.49 s.m.

Gross Floor Area

Existing Office Space (Ground + 2nd) 4,922 s.f. 457.23 s.m.
Existing Manufacturing (Ground + 2nd) 21,464 s.f. 1,994.11 s.m.
Proposed Manufacturing 7,328 s.f. 680.76 s.m.
Proposed Manufacturing Mezzanine 3,664 s.f. 340.38 s.m.
Total 37,377 s.f. 3,472.48 s.m.

Parking Requirements
(Zoning By-Law 2020)

	Area (s.m.)	Required	Provided
Office - 1 Space/30 s.m.	457.23	15.24 Spaces	25.0 Spaces
Manufacturing - 1 Space/200 s.m.	3,015.25	15.08 Spaces	24.0 Spaces
Total Parking Spaces (Inc. Barrier Free)		30.32 Spaces	49 Spaces
Barrier Free Spaces		1 Spaces	2 Spaces

Development Details

Legal Description

Lot 6 - Concession 1 Township of Saltfleet
City of Hamilton

Address

1255 Arvin Avenue
Hamilton, Ontario

Zone

M2

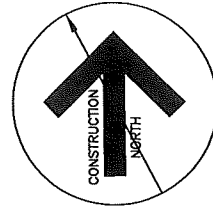
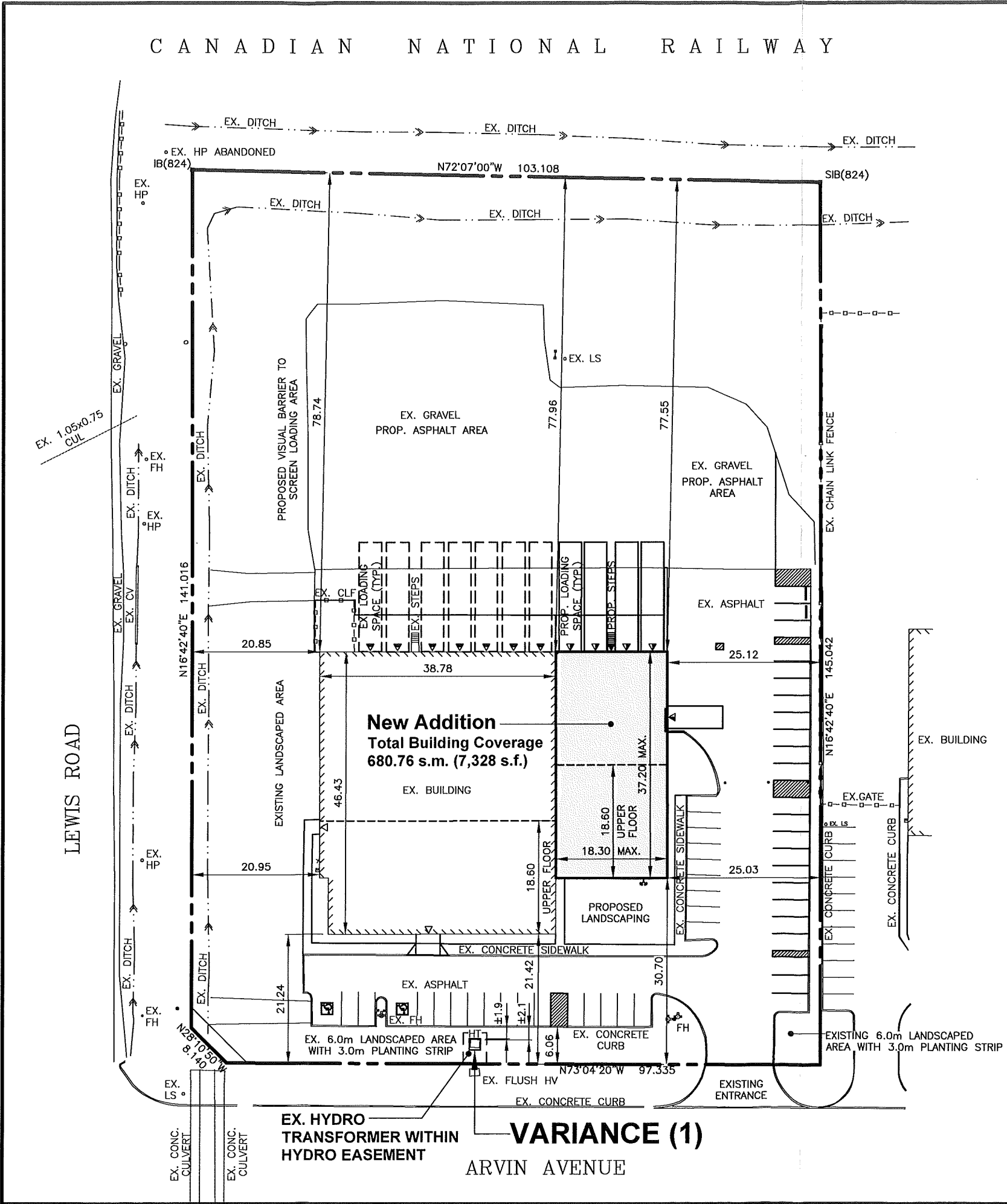
Use

Manufacturing with Accessory Office

	Required	Provided
Min. Lot Area	4,000 s.m.	15,023 s.m.
Min. Yard Abutting a Street	3.00 m	19.37 m
Min. Side Yard	n/a	25.03 m
Min. Rear Yard	n/a	77.55 m
Min. Planting Strip Abutting a Street	3.00 m	3.00 m
Min. Landscape Area Abutting a Street	3.00 m	3.00 m
Building Height	n/a	8.08 m

VARIANCE (1)

TO PERMIT A HYDRO TRANSFORMER TO BE LOCATED WITHIN A 3.0m PLANTING STRIP WHERE AS BY-LAW 05-200 DOES NOT PERMIT HYDRO TRANSFORMERS TO BE WITHIN THE 3.0m PLANTING STRIP



Contractor must verify all dimensions on the Project Site and report any discrepancies before proceeding with the Work.
This drawing is a part of the Contract Documents and is to be read in conjunction with all other Contract Documents.
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Issue Record

No.	Description	Date

LANHACK Consultants Inc.
Consulting Engineers
1700 Upper James Street
Hamilton, ON L8S 1K7
Tel: (905) 777-1454
Fax: (905) 336-8142

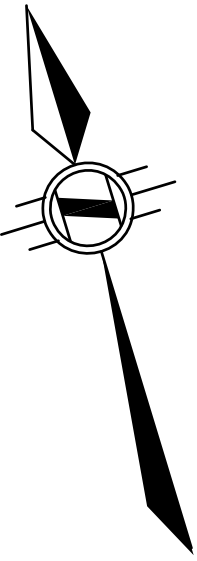
Staalduinen
Floral Inc.
Addition
SPA-19-30

1255 Arvin Avenue
Hamilton (Stoney Creek), ON

Date: April, 2021
Drawn By: GRW
Checked By: SMP
Scale: 1 : 750

Minor Variance
Sketch

Project No.: 19041
Drawing No.: MYSK1-1
Plot Date: 04/06/21
Plot Scale: 1:750
Plot Size: 11x17 inches
Plot Title: Minor Variance Sketch



TOPOGRAPHIC SURVEY
OF PART OF
LOT 6
CONCESSION 1
GEOGRAPHIC
TOWNSHIP OF SALT FLEET
IN THE
CITY OF HAMILTON
SCALE 1:400 METRIC
8 4 0 8 16 24 metres
S.D. McLAREN, O.L.S. - 2015

LEWIS ROAD

ORIGINAL ROAD ALLENANCE BETWEEN LOTS 6 AND 7

PIN 17368-0001(LT)

CANADIAN NATIONAL RAILWAY

PIN 17368-0139(LT)

PART 1, PLAN 62R-11621

PART 2, PLAN 62R-11621

103.108

PART 2

PIN 17368-0637 (LT)

PART 12

PART 3

PART 4

PART 5

PART 6

PART 7

PART 8

PART 10

LOT 6, CONCESSION 1

PIN 17368-0635 (LT)

PIN 17368-0636 (LT)

PIN 17368-0637 (LT)

PIN 17368-0638 (LT)

PIN 17368-0639 (LT)

PIN 17368-0640 (LT)

PIN 17368-0641 (LT)

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PIN 17368-0684 (LT)

PIN 17368-0685 (LT)

PIN 17368-0686 (LT)

PIN 17368-0687 (LT)

PIN 17368-0688 (LT)

PIN 17368-0689 (LT)

PIN 17368-0690 (LT)

LEGEND:

- MONUMENT FOUND
- IRON BAR
- STANDARD IRON BAR
- A.T. McLAREN, O.L.S.
- MACKAY MACKAY & PETERS
- MEASURED
- PLAN 62R-19275
- PLAN 62R-19668
- CL. CENTRELINE
- W.V. WATER VALVE
- C.V. CATCH BASIN
- INVERT
- CULVERT
- LIGHT STANDARD
- HYDRO POLE
- GUY WIRE
- FIRE HYDRANT
- TOP OF BANK
- BOTTOM OF BANK
- BOLLARD
- CENTRELINE
- SAPLING
- ELECTRICAL BOX
- CONCRETE RETAINING WALL
- GARAGE FLOOR
- DOOR SILL
- GAS METER
- HYDRO METER
- HYDRO VALVE
- ELECTRICAL HOOK UP
- CHAIN LINK FENCE

BENCHMARK:

MONUMENT 3503

E. D. Smith Pure Foods Products building on the south side of Hwy. 8, 2.1 km west of the post office 1.6 km east of Glover Road, tablet set in the north concrete foundation, directly below the centre of the sixth set of windows east of the most westerly entrance, 32.3 m east of northwest corner, 2.52 m west of a small outward jut in wall and 30 cm below red brick siding.

ELEVATION: 96.504 metres

NOTE:

UNDERGROUND SERVICE AND UTILITY LOCATIONS WERE DERIVED FROM DRAWING BY S. LLEWELLYN & ASSOCIATES LIMITED PROJECT 05046 (SHEETS 2 AND 15)

UNDERGROUND SERVICE AND UTILITY LOCATIONS MUST BE VERIFIED PRIOR TO CONSTRUCTION

INVERTS MUST BE VERIFIED PRIOR TO CONSTRUCTION

METRIC NOTE

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

BEARING NOTE:

BEARINGS ARE GRID AND ARE REFERRED TO THE NORTHERLY LIMIT OF PART 2 AS SHOWN ON PLAN 62R-19275, HAVING A BEARING OF N72°07'00"W.

DECEMBER 15, 2015
DATE

S. DAN McLAREN, O.L.S.

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A.T. McLaren Limited
LEGAL AND ENGINEERING SURVEYS
69 JOHN STREET SOUTH, SUITE 230
HAMILTON, ONTARIO, L8N 2B9
PHONE (905) 527-8559 FAX (905) 527-0032

Drawn: JB Checked: DW Over: DW Scale: 1:400 Dwg. No.: 34847



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	ADDRESS
Registered Owners(s)	DWB Properties Inc. (Brian van Staaluijn)	
Applicant(s)*	same as above	
Agent or Solicitor	Lanhack Consultants Inc. c/o Steve Pongracz	

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:
NA

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 hydro transformer was located within the required 3.0m planting strip by the hydro contractor. The transformer base encroaches into the planting strip by +/- 0.8m and the transformer encroaches into the planting strip by +/- 0.4m.

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

The hydro transformer has been installed and is active.
The hydro transformer is within an easement in favor of others.

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**):

1255 Arvin Ave. (Stoney Creek) Hamilton
Lot 6, Concession 1
Plan 62R-19275, Parts 2, 11, 12
Plan 62R-19668 Part 1

7. PREVIOUS USE OF PROPERTY

Residential ☐ Industrial ☒ Commercial ☐
Agricultural ☐ Vacant ☐

Other _____

- 8.1 If Industrial or Commercial, specify use industrial
- 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?

Knowledge of the area

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 ☒

9. ACKNOWLEDGEMENT CLAUSE

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

12/03/2021
Date

Signature Property Owner

Brian van Staaldin

Print Name of Owner

10. Dimensions of lands affected:

Frontage	+/-97.3m
Depth	+/-145m
Area	+/-15,023m ²
Width of street	both +/- 26m

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: _

See attached Development Details

Proposed

See attached Development Details

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

Existing:

See attached Development Details

Proposed:

See attached Development Details

13. Date of acquisition of subject lands:
Approx. 2013
14. Date of construction of all buildings and structures on subject lands:
Approx. 2013
15. Existing uses of the subject property:
Warehousing of Flowers
16. Existing uses of abutting properties:
Contractors Establishment
17. Length of time the existing uses of the subject property have continued:
Approx. 2013
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:
Employment Area, Business Park
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
By-law 05-200, M2
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
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.