

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.: GL/A-21:164

APPLICANTS: Agent Urban Solutions
Owner 5025019 Ontario Inc.

SUBJECT PROPERTY: Municipal address **2411 Upper James St., Glanbrook**

ZONING BY-LAW: Zoning By-law 05-200, as Amended 10-288 & 15-173

ZONING: "M11, Exception 74, H37; and A2" (Airport Prestige Business (M11) Zone and Rural (A2) Zone

PROPOSAL: To facilitate the construction of the proposed development consisting of a Motor Vehicle Dealership, notwithstanding,

1. Vehicular access to the proposed Motor Vehicle Dealership shall be permitted to traverse the portion of the lands subject to the A2 zone notwithstanding the use of a Motor Vehicle Dealership is not permitted within the A2 zone; and,

2. A maximum 60.0 metre yard shall be permitted abutting Dickenson Road East instead of the maximum permitted 25.0 metre yard abutting a street.

NOTES:

1. The variances have been written as requested by the applicant. This property is subject to Site Plan Control; to date, a full zoning review has not been conducted on the revised site plan submitted for site plan application DA-18-012. Further variances may be required at such time that a formal zoning review is conducted on the proposed development.

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

DATE: Thursday, June 3rd, 2021
TIME: 3:10 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

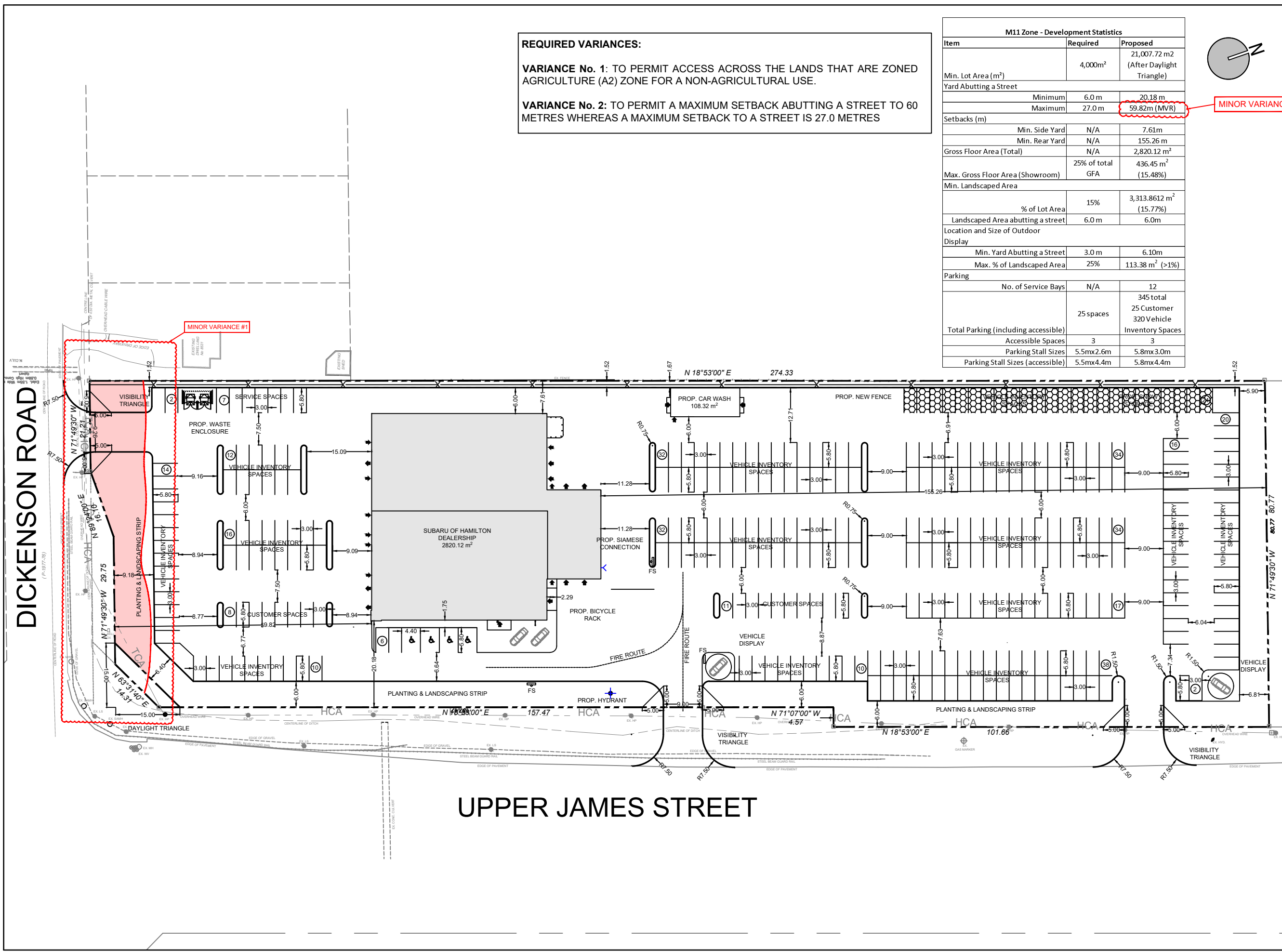
For more information on this matter, including access to drawings illustrating this request:

- 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.

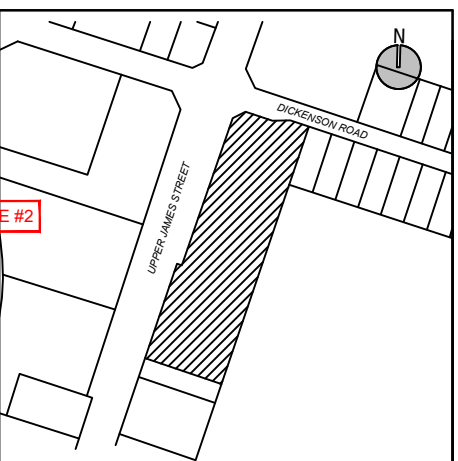


REQUIRED VARIANCES:

VARIANCE No. 1: TO PERMIT ACCESS ACROSS THE LANDS THAT ARE ZONED AGRICULTURE (A2) ZONE FOR A NON-AGRICULTURAL USE.

VARIANCE No. 2: TO PERMIT A MAXIMUM SETBACK ABUTTING A STREET TO 60 METRES WHEREAS A MAXIMUM SETBACK TO A STREET IS 27.0 METRES

M11 Zone - Development Statistics		
Item	Required	Proposed
Min. Lot Area (m²)	4,000m²	21,007.72 m² (After Daylight Triangle)
Yard Abutting a Street		
Minimum	6.0 m	20.18 m
Maximum	27.0 m	59.82m (MVR)
Setbacks (m)		
Min. Side Yard	N/A	7.61m
Min. Rear Yard	N/A	155.26 m
Gross Floor Area (Total)	N/A	2,820.12 m²
Max. Gross Floor Area (Showroom)	25% of total GFA	436.45 m² (15.48%)
Min. Landscaped Area		
% of Lot Area	15%	3,313.8612 m² (15.77%)
Landscaped Area abutting a street	6.0 m	6.0m
Location and Size of Outdoor Display		
Min. Yard Abutting a Street	3.0 m	6.10m
Max. % of Landscaped Area	25%	113.38 m² (>1%)
Parking		
No. of Service Bays	N/A	12
Total Parking (including accessible)	25 spaces	345 total 25 Customer 320 Vehicle Inventory Spaces
	Accessible Spaces	3
	Parking Stall Sizes	5.5mx2.6m
Parking Stall Sizes (accessible)	5.5mx4.4m	5.8mx4.4m



KEY MAP - N.T.S.

SCALE: 1:150 METRES

0 10 20 30 40m

LEGEND:

- SUBJECT LANDS
- PROPERTY BOUNDARIES
- EXTENT OF (A2) AGRICULTURE ZONE IN CITY OF HAMILTON BY-LAW NO. 05-200

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

NOTES:
ALL DIMENSIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DESIGN BY: L. DRENNAN	CHECKED BY: M. JOHNSTON
DRAWN BY: L. DRENNAN	DATE: MARCH 24, 2021

URBAN SOLUTIONS
PLANNING & LAND DEVELOPMENT

3 STUDEBAKER PLACE, UNIT 1
HAMILTON, ON L8L 0C8
905-546-1087 - urbansolutions.info

PROJECT:
2411 & 2455 UPPER JAMES STREET
CITY OF HAMILTON

CLIENT:
PLAZA IMPORTS LIMITED

TITLE:
MINOR VARIANCE SKETCH

U/S FILE NUMBER: 162-16	SHEET NUMBER: 1
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April 15, 2021

162-16

Via Delivered & Email

Jamila Sheffield
Secretary Treasurer, Committee of Adjustment

City of Hamilton
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

Dear Ms. Sheffield:

**RE: 2411 Upper James Street, Hamilton
Minor Variance Application - DA-18-012**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the agent acting on behalf of 5025019 Ontario Inc. (owner), and we are pleased to submit the enclosed Minor Variance Application to facilitate the development of Conditionally Approved Site Plan DA-18-012.

The subject property is designated as Airport Employment Growth District in the Urban Hamilton Official Plan and is designated Airport Prestige Business within Site Specific Policy – Area G in the Airport Employment Growth District Secondary Plan. The lands are currently zoned Airport Prestige Business (M11,47,H37) Zone in the City of Hamilton Zoning By-law No. 05-200. The lands are currently vacant.

The variances are required to facilitate the development of Conditionally Approved Site Plan DA-18-012 and clear special condition 3. a., are listed below and are outlined on the attached Minor Variance Sketch:

1. To permit access across the lands that are zoned Agriculture (A2) Zone for a non-agriculture use; and,
2. To permit a maximum setback abutting a street to 60 metres whereas a maximum setback to a street is 27 metres.

Section 45(1) of the *Planning Act*, R.S.O. 1990, as amended, requires a Minor Variance to satisfy four tests. As noted earlier, the subject property has received conditional site plan approval and require these variances to execute the Conditionally Approved Site Plan DA-18-012. As such, the proposed variances satisfy the four test contained Section 45(1) of the Planning Act and represent good land use planning.

In support of this application, please find enclosed the following:

- One (1) copy of the completed Minor Variance application form;
- One (1) copy of the Minor Variance Sketch prepared by UrbanSolutions; and,
- One (1) cheque in the amount of **\$3,320.00** payable to the City of Hamilton for the Minor Variance Application fee.

We trust this is satisfactory and thank you in advance for your co-operation. If you need additional information or clarification regarding the above, please do not hesitate to contact the undersigned.

Regards,
UrbanSolutions



Matt Johnston, MCIP, RPP
Principal



Brandon Petter, MPlan
Planner

Cc: 5025019 Ontario Inc.
Mr. John Lecluse, Plaza Imports Limited



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)	5025019 Ontario Inc.	
Applicant(s)* Same as Owner		
Agent or Solicitor	UrbanSolutions Planning & Land Development 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:

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:
To permit access across the lands that are zoned Agriculture (A2) Zone for a non-agriculture use, and to permit a maximum setback abutting a street to 60 metres whereas a maximum setback to a street is 27 meters. The variances are required to execute conditionally approved Site Plan DA-18-012.
5. Why it is not possible to comply with the provisions of the By-law?
Please refer to the attached cover letter.
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**):
Lot 11 to 18, Registrars Complied Plan No. 1485.
2411 Upper James Street, Hamilton
7. PREVIOUS USE OF PROPERTY
- | | | | | | |
|--------------|--------------------------|------------|-------------------------------------|------------|--------------------------|
| Residential | <input type="checkbox"/> | Industrial | <input type="checkbox"/> | Commercial | <input type="checkbox"/> |
| Agricultural | <input type="checkbox"/> | Vacant | <input checked="" 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 9.1 to 9.10 above?

Consultation with the owner.

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 which is the subject of this Application – by reason of its approval to this Application

APRIL 12/21
Date


Signature Property Owner

P. C. Jounsen
Print Name of Owner

10. Dimensions of lands affected: Please refer to DA-18-012 and the attached sketch.

Frontage _____
Depth _____
Area _____
Width of street _____

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: _

The site is vacant.

Proposed

Please refer to DA-18-012.

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

Existing:

The site is vacant.

Proposed:

Please refer to DA-18-012.

13. Date of acquisition of subject lands:
[Please refer to DA-18-012.](#)
-
14. Date of construction of all buildings and structures on subject lands:
[Awaiting final Site Plan Approval.](#)
-
15. Existing uses of the subject property:
[The site is vacant.](#)
16. Existing uses of abutting properties:
[Properties are vacant to the North, South, and West. Residential to East.](#)
17. Length of time the existing uses of the subject property have continued:
[N/A](#)
18. Municipal services available: (check the appropriate space or spaces) [Please refer to DA-18-012.](#)
Water _____ Connected _____
Sanitary Sewer _____ Connected _____
Storm Sewers _____
19. Present Official Plan/Secondary Plan provisions applying to the land:
[Please refer to DA-18-012.](#)
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
[Please refer to DA-18-012 & By-Law No. 17-145.](#)
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
[Please refer to conditionally approved DA-18-012.](#)
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.