



Hamilton

**COMMITTEE OF ADJUSTMENT**

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>A-24:169</b>	<b>SUBJECT PROPERTY:</b>	725 Strathearne Ave North, Hamilton
<b>ZONE:</b>	M5 (General Industrial)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended 10-128 and as Amended 24-052

**APPLICANTS:** Owner: Rain Carbon Canada Inc. Matthew Scott-Hansen  
 Agent: James Hettinger  
 Applicant: Adrii Shygaiev

The following variances are requested:

- 1 Parking spaces shall be permitted to be located partially within the Strathearne Avenue Right of Way instead of the requirement that all required parking shall be provided with adequate means of ingress and egress to and from the street or laneway without the necessity of moving any other motor vehicle and shall be arranged so as not to interfere with normal public use of the street or laneway.
- 2 Offsite maneuvering and minimum required 3.0 metre access aisle shall be permitted for parking spaces with a 60-degree angle instead of the minimum required 5.5 metre access aisle.
- 3 The existing parking spaces shall be permitted to be a minimum of 2.8 metres in width and 5.3 metres in length instead of the minimum of 2.8 metres in width and 5.8 metres in length.
- 4 No barrier-free parking spaces shall be required instead of the minimum required one (1) barrier-free parking space.

**Variances required under Zoning By-law Amendment 24-052**

- 1 No Long Term Bicycle Parking spaces shall be required instead of the minimum required 3 Long Term Bicycle Parking spaces.

**PURPOSE & EFFECT:** So as to permit the renovation of existing buildings for storage purposes and the construction of a new maintenance building.

**Notes:**

- i. Please note, these variances are required to facilitate a Zoning Compliance Review and future Site Plan Control application.
- ii. Please note, a portion of the existing parking lot is located within the Strathearne Avenue North Right of Way. Parking spaces and maneuvering spaces associated with the existing parking area that do not meet the current requirements under Section 5 shall not be considered towards the total required parking for the proposed development. As such, a full review of parking has been completed as it relates to total required parking for the existing use(s)/ buildings as well as the proposed expansion/ use(s).

Furthermore, it is noted that existing uses erected prior to the passing of Hamilton Zoning By-law 05-200, on May 26, 2010, existed within the “K” District under former Hamilton Zoning By-law 6593 and were not required to provide parking at the time of construction. Only those buildings erected after the passing date of Zoning By-law 05-200, indicated within the review chart below, have been calculated towards total required parking for the existing use.

- iii. Be advised, an Encroachment Agreement with Public Works may be required for the portion of the Parking Lot located within the Strathearne Avenue North Right of Way.

**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:

<b>DATE:</b>	<b>Tuesday, August 20, 2024</b>
<b>TIME:</b>	<b>1:15 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>City Hall Council Chambers (71 Main St. W., Hamilton)</b>
	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton

**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, written comments must be received no later than noon August 16, 2024

**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, registration to participate

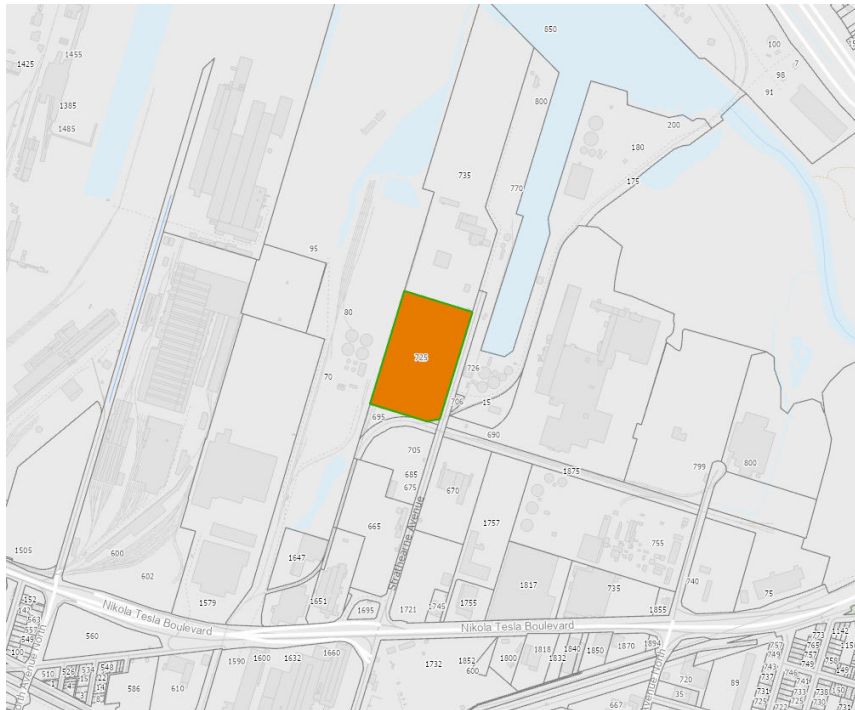
**A-24:169**

virtually must be received no later than noon August 19, 2024

**FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:169, you must submit a written request to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



DATED: August 1, 2024

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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, and may include posting electronic versions.



Hamilton

## COMMITTEE OF ADJUSTMENT

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E-mail: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

### PARTICIPATION PROCEDURES

#### Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing advance of the meeting. Comments can be submitted by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon on the date listed on the Notice of Public Hearing.**

Comments are available the Friday prior to the Hearing and are available on our website: [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)

#### Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

##### 1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing** to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email [cofa@hamilton.ca](mailto:cofa@hamilton.ca). The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

##### 2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **no less than 10 minutes** before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email [cofa@hamilton.ca](mailto:cofa@hamilton.ca).

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

### SITE STATISTICS

ITEM	PROPOSED BY DESIGNER/ARCHITECT		REQUIRED BY ZONING BY-LAW	REFERENCE FROM ZONING BY-LAW
A	ZONING CATEGORY:		M5 - GENERAL INDUSTRIAL	BY-LAW 05-200 / BY-LAW NO. 10-128
B	NET LOT AREA (m <sup>2</sup> ):		52,419	9.5.3 a)_10-128
C	GROSS FLOOR AREA (GFA) m <sup>2</sup>		MINIMUM 4,000 m <sup>2</sup>	9.5.3 a)_10-128
	EX.	NEW	SHALL NOT EXCEED 85% OF LOT AREA	9.5.3 d)_10-128
	INDUSTRIAL ADMINISTRATIVE OFFICE SPACES		LESS THAN OR EQUAL 10,000 m <sup>2</sup>	9.5.3 f)_10-128
	GROUND FLOOR			
	SECOND FLOOR			
	REPAIR SERVICE			
	EXISTING STORAGE N			
	EXISTING STORAGE N			
	TOTAL			

ITEM	PROPOSED BY DESIGNER/ARCHITECT	REQUIRED BY ZONING BY-LAW	REFERENCE FROM ZONING BY-LAW
E	TOTAL PARKING STALLS (57/21)	EXISTING 57	8 SPACES
		PHASE 1 602m <sup>2</sup>	0 SPACES
		PHASE 2 1858m <sup>2</sup>	9 SPACES
	ACCESSIBLE PARKING SPACES	1 STALL	MINIMUM 1 STALL
F	STANDARD PARKING STALL DIMENSIONS	NIC	2.8mX5.5m / 2.6x5.5m < 10%
	ACCESSIBLE PARKING STALL DIMENSIONS	NIC	4.4mX5.8m
G	SETBACKS		
	FRONT YARD ABUTTING A STREET		3.0 m
	PLANTING STRIP		3.0 m
	SIDE YARD		0 m
	REAR YARD		0 m

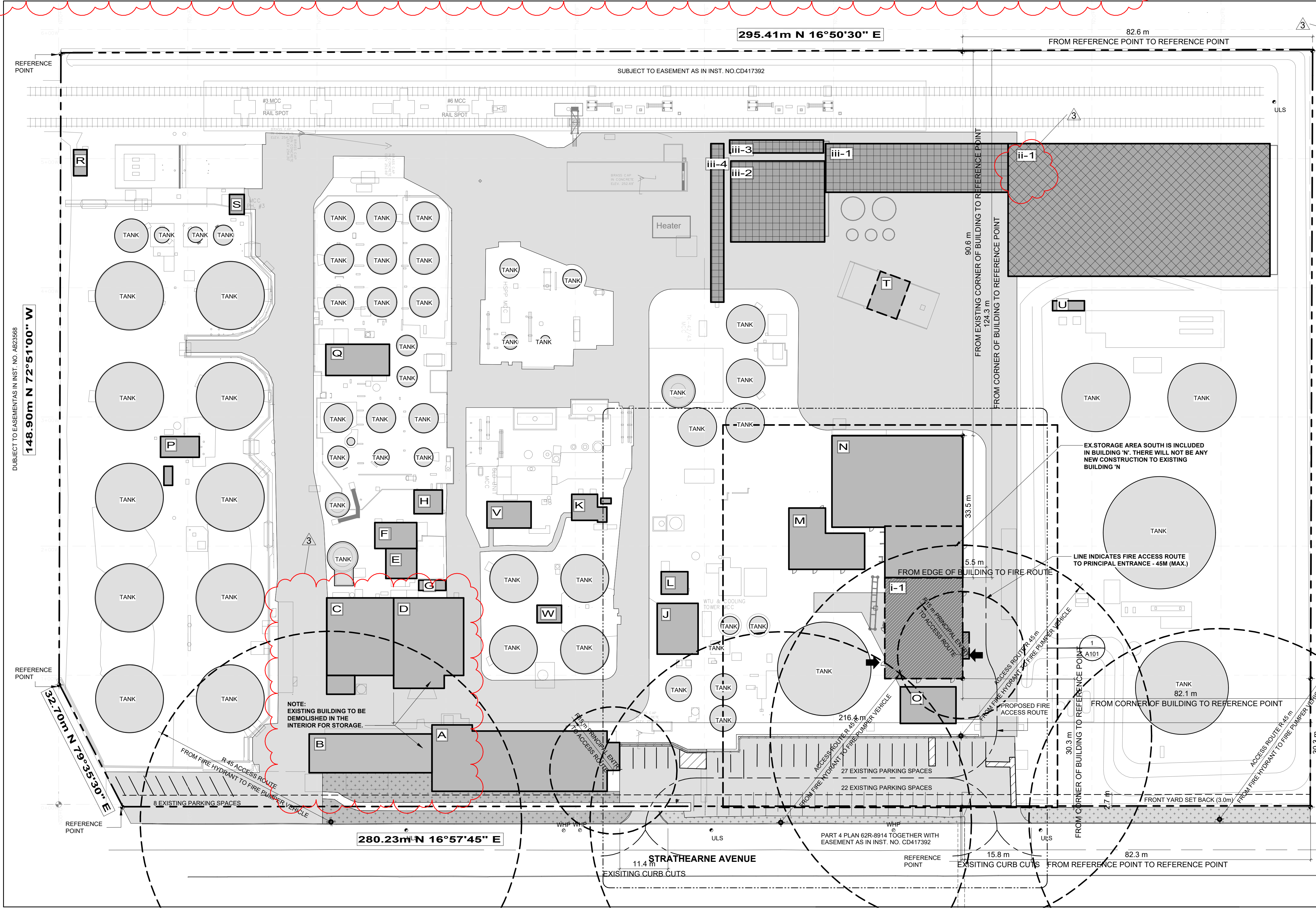
NOTE: FOR EXISTING PARKING DESCRIPTION REFER TO A101 - ENLARGED SITE PLAN

### SITE LEGEND

	BOUNDARY OF PROTECTED EXTENTS		REFERENCE POINT		EXISTING BUILDING
	PROPERTY LINE		EXISTING SITE ASPHALT		PHASE I
	FIRE ROUTE CENTERLINE		GRAVEL		PHASE II
	FENCE		SOFT LANDSCAPING		PHASE III
	MAIN BUILDING ENTRANCE		PEDESTRIAN PROMENADE		UTILITY LIGHT STANDARD (ULS)
	MAIN BUILDING EXIT		F.F.E. FINISHED FLOOR ELEVATION		WOOD HYDRO POLE (WHP)
	ACCESS TO LOADING / OVERHEAD DOOR		EXISTING FIRE HYDRANT		
	ACCESS TO PARKING				

NOTE: REFERENCE POINTS ARE LOCATED ON THE PROPERTY LINE FOR LIMITING DISTANCE MEASUREMENTS

SITE LEGEND 3 A100



### PARKING CALCULATIONS FOR EXISTING BUILDINGS TO BE DEMOLISHED ON THE INTERIOR SPACE FOR STORAGE OF PARTS.

#	BUILDING NAME	BA(m <sup>2</sup> )	GFA(m <sup>2</sup> )
B	CHANGE HOUSE (WASHROOMS, LOCKER & SHOWER AREAS)	262m <sup>2</sup>	262m <sup>2</sup>
D	MAINTENANCE SHOP	339m <sup>2</sup>	339m <sup>2</sup>
	TOTAL AREA FOR STORAGE	601m <sup>2</sup>	601m <sup>2</sup>
	OFFICE (WASHROOMS, LOCKER & SHOWER AREAS)	328m <sup>2</sup>	328m <sup>2</sup>
	REPAIR STORAGE	276m <sup>2</sup>	276m <sup>2</sup>
	TOTAL AREA FOR NEW MAINTENANCE BUILDING (GFA)	602m <sup>2</sup>	602m <sup>2</sup>

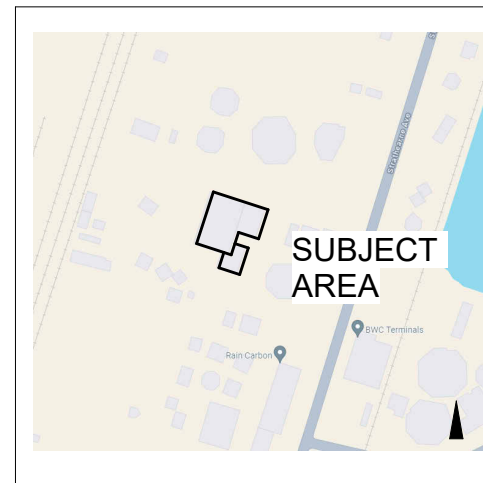
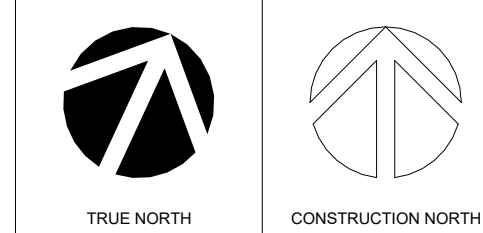
### BUILDING AREA & LOCATION LEGEND

#	BUILDING NAME	BA(m <sup>2</sup> )	GFA(m <sup>2</sup> )	N(m)	E(m)	S(m)	W(m)
A	ADMINISTRATION BUILDING	621	1242	160	166	4	88
B	CHANGE HOUSE	262	262	161	207	8	59
C	POWER HOUSE	318	318	128	216	31	63
D	MAINTENANCE SHOP	339	339	128	200	28	79
E	ELECTRICAL SUB-STATION	52	52	117	211	54	77
F	ELECTRICAL & INSTRUMENT SHOP	61	61	111	211	62	75
G	METAL STORAGE	16	16	54	204	51	211
H	ELECTRICAL & INSTRUMENT STORAGE	38	38	103	205	69	84
J	MBR BUILDING	116	116	130	145	36	141
K	NEW UNIT MCC EMERGENCY SHOWER	45	45	104	166	68	121
L	LUB STORAGE	33	33	123	147	51	142
M	CONTROL ROOM	197	197	108	106	57	173
N	STORAGE AREA	878	878	91	82	54	183
O	STORM WATER TREATMENT BUILDING	100	100	150	84	20	199
P	PUMP HOUSE #1 & MCC PH #1	45	45	90	262	83	24
Q	PUMP HOUSE #2 & MCC PH #2	111	111	69	217	102	63
R	PUMP HOUSE #3	20	20	23	289	149	3
S	MCC PH #3	16	16	33	252	140	40
T	TRUCK LOADING STATION SPOT #7	69	69	52	95	115	190
U	TK-92 MCC	18	18	59	54	118	235
V	D.C.S. ROOM	65	65	106	184	66	101
W	D.C.S. ROOM	24	24	130	177	44	113
	TOTAL	3444	4065				

#	BUILDING NAME	BA(m <sup>2</sup> )	GFA(m <sup>2</sup> )	N(m)	E(m)	S(m)	W(m)
PHASE 1							
i-1	NEW MAINTENANCE BUILDING	439	602	124	82	30	213
	TOTAL	439	602				
PHASE 2							
ii-1	STORAGE & PILOT PRODUCTION	1858	1858	22	10	125	224
	TOTAL	1858	1858				
PHASE 3 - NON-BUILDING							
iii-1	GRANULATION AND PACKING	500	500	22	73	145	180
iii-2	RETRORES PLANT	425	425	26	115	134	158
iii-3	PIPE RACK	65	65	22	115	155	158
iii-4	PIPE RACK	114	114	22	139	119	153
	TOTAL	1104	1104				



PROJECT LOGO



KEY PLAN

NO.	DESCRIPTION	DATE
5	ISSUED FOR SITE PLAN APPLICATION	240710
4	ISSUED FOR ZONING COMPLIANCE REVIEW	240628
3	ISSUED FOR MINOR VARIANCE APPLICATION	240704
2	ISSUED FOR BUILDING PERMIT	240603
1	REISSUED FOR SPA	240123
	NO. DESCRIPTION DATE	

REVISIONS:

DISCREPANCIES MUST BE REPORTED IMMEDIATELY TO THE ARCHITECT / ENGINEER BEFORE PROCEEDING.

ONLY FIGURED DIMENSIONS MUST BE USED.

THE CONTRACTOR MUST CHECK THE DIMENSIONS ON SITE.

THE DRAWING IS PROTECTED BY COPYRIGHT.

ALL DIMENSIONS ARE SHOWN IN MILLIMETERS.

DO NOT SCALE THE DRAWINGS.

**mcCallumSather**  
 Westinghouse HQ, 2nd Floor  
 286 Sanford Ave. N  
 Hamilton, ON L8L 6A1  
 905.526.6700  
 www.mccallumsather.com



SEAL

CONSULTANTS:

PROJECT:  
**Rain Carbon Inc.**

23051 | 725 STRATHEARNE AVE N,  
 HAMILTON, ON L8H 5L3 CANADA

DRAWING TITLE:  
**SITE PLAN**

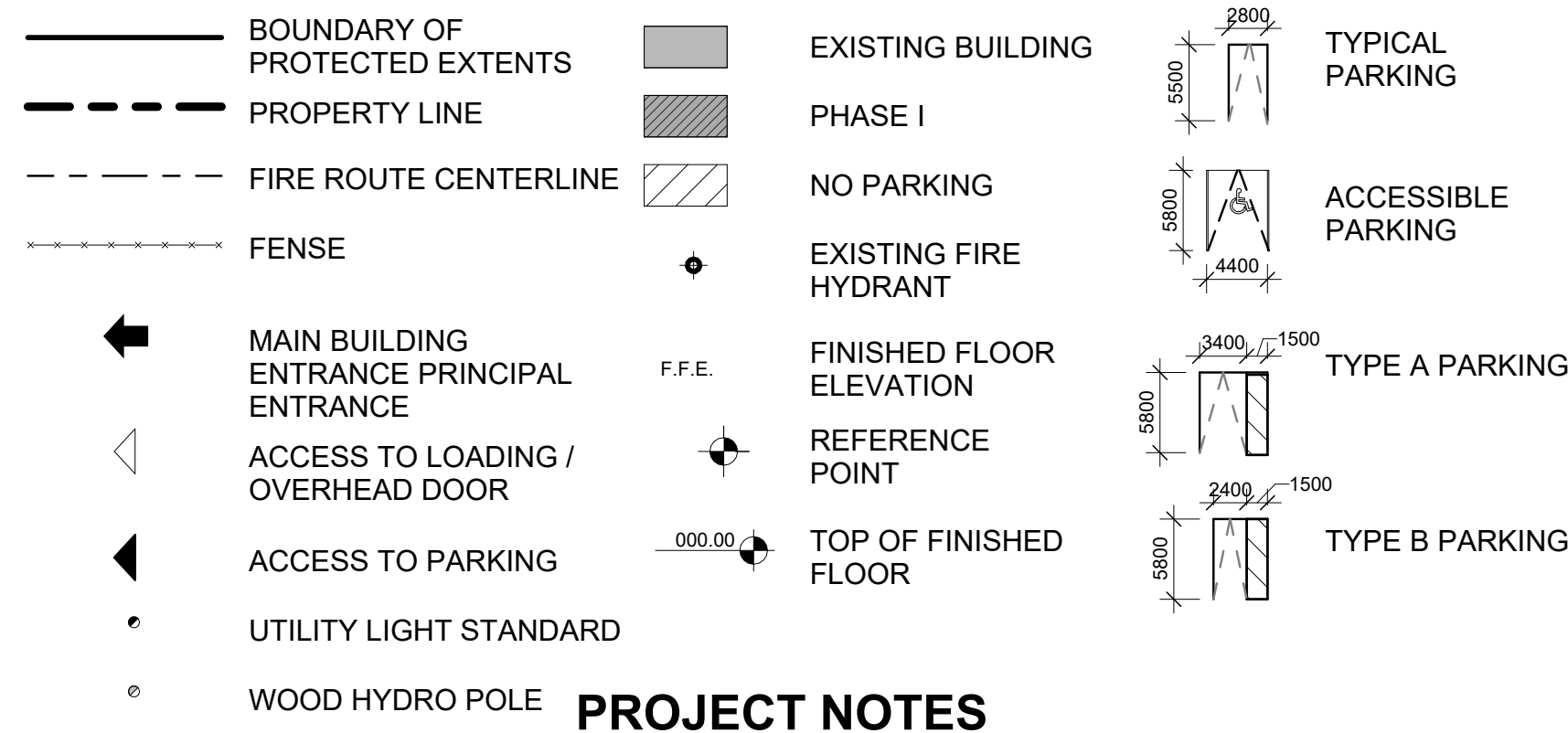
DRAWN BY: JF DATE: 240704  
 CHECKED BY: JH SCALE: As Indicated

PROJECT NO: **23051**

DRAWING NO: **A100**

SITE PLAN -CD 1  
 1:500 A100

**SITE LEGEND**



**PROJECT NOTES**

SITE INFORMATION IS TAKEN FROM SUBMITTED SURVEY PREPARED BY MMP LIMITED ONTARIO LAND SURVEYORS. FILE NUMBER 110723.

PLAN OF SURVEY OF PART 4 PLAN 62R-8914 TOGETHER WITH EASEMENT AS IN INST. No CD417392. CITY OF HAMILTON. PIN 17573-0019

1. ALL DIMENSIONS ARE IN METERS UNLESS NOTED OTHERWISE.
2. UNLESS NOTED OTHERWISE CURB RADII ARE 1.0m.
3. REFUSE PICK-UP TO BE BY PRIVATE CONTRACTORS. OUTDOOR REFUSE STORAGE IS NOT PURPOSED. ALL REFUSE WILL BE STORED INTERNALLY.
4. FIRE ACCESS ROUTES TO BE MINIMUM 6.0m WIDE WITH A CENTRELINE TURNING RADIUS OF 12.0m MINIMUM.
5. OFF STREET PARKING SPACE (MINIMUM) REQUIREMENTS AS PER SECTION 5 OF THE BY-LAW
6. 1 PARKING SPACE PER 30m<sup>2</sup> OF GROSS FLOOR AREA - ACCOMODATING OFFICE USE - SHALL BE PROVIDED  
1 PARKING SPACE PER 200m<sup>2</sup> OF GROSS FLOOR AREA - ACCOMODATING THE REMAINING USE - SHALL BE PROVIDED
7. PARKING STANDARDS DESIGNED PARKING SPACES AS PER BY-LAW TYPE A 3.4m (W) X 5.8m (L) COMBINED WITH 1.5m WIDTH PAINTED ACCESS STRIPED AREA TYPE B 2.4m (W) X 5.8m (L) COMBINED WITH 1.5m WIDTH PAINTED ACCESS STRIPED AREA  
TYPICAL PARKING STALL SIZE 2.8m (W) X 5.3m (L)  
LOADING SPACE STANDARDS: EXISTING  
SIZE OF LOADING SPACE / LOADING AREA: EXISTING
8. PRIOR TO COMMENCEMENT OF ANY WORKS ON THE SITE. SNOW FENCE IS TO BE INSTALLED ON THE PERIMETER OF THE PROPERTY LAND AT LOCATIONS AS DETERMINED BY THE MANAGER, DEVELOPMENT ENGINEERING.
9. SIL CONTROLS ARE TO BE IN PLACE PRIOR TO THE START OF SITE WORK. AND BE MAINTAINED FOR THE DURATION OF CONSTRUCTION.
10. ALL FILL SHALL BE COMPACTED TO 95% STANDARD PROCTOR DENSITY AND THAT A SUFFICIENT NUMBER OF TESTS BE UNDERTAKEN TO THE SATISFACTION OF THE DIRECTOR OF ENGINEERING SERVICES.
11. PRIOR TO COMMENCEMENT OF ANY WORKS WITHIN THE MUNICIPAL ROAD ALLOWANCE. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE ENGINEERING SERVICES DEPARTMENT, TOWN OF MILTON, FOR THE PURPOSES OF VEHICULAR ACCESS TO THE PROPERTY, (ENTRANCE PERMIT), AND FOR SERVICING EXCAVATIONS WITHIN THE MUNICIPAL ROAD ALLOWANCE, (ROAD OCCUPANCY PERMIT).
12. PARKING STALL DELINEATION SHALL BE WITH 100mm WIDE WHITE OR YELLOW MARKINGS.
13. EACH DESIGNATED ACCESSIBLE PARKING SPACE TO BE SIGNED WITH A METAL POST AND DISABLED PERSON SYMBOL (REG. 486,HTA) UPON TENANT OCCUPANCY.
14. VISITOR, STAFF, CUSTOMER AND TENANT PARKING STALLS BE SIGNED AND A DETAIL OF THE PROPOSED SIGNS INDICATING SUCH TO BE PROVIDED UPON TENANT OCCUPANCY.
15. NO PARKING SHALL BE ALLOWED IN FRONT OF SIAMENSE CONNECTION.
16. PRECAST CONCRETE CURBS TO BE IN ACCORDANCE WITH OPSD 603.020.
17. 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.
18. MAIN DRIVEWAY DIMENSIONS AT THE PROPERTY LINE BOUNDARIES ARE PLUS OR MINUS 7.5 M UNLESS OTHERWISE STATED.
19. 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.
20. 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:  
- BUILDING PERMITS  
- SEWER AND WATER PERMITS  
- ROAD CUT PERMITS  
- RELOCATION OF SERVICES  
- APPROACH APPROVAL PERMITS  
- COMMITTEE OF ADJUSTMENT  
- SIGN PERMITS
21. ABANDONED ACCESSES MUST BE REMOVED AND THE CURBS AND BOULEVARD RESTORED WITH SOD AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE CORRIDOR MANAGEMENT SECTION, PUBLIC WORKS DEPARTMENT.
22. SIGNAGE IS NOT APPROVED THROUGH THE SITE PLAN PROCESS. ALL SIGNS MUST COMPLY WITH HAMILTON SIGN-BY-LAW NO. 10-197.
23. LIGHTING MUST BE DIRECTED ON SITE AND MUST NOT SPILL OVER TO ADJACENT PROPERTIES OR STREET.
24. CALL BEFORE YOU DIG. ARRANGE FOR UNDERGROUND HYDRO CABLES LOCATE(S) AND GAS PIPELINES BEFORE BEGINNING CONSTRUCTION BY CONTACTING ONTARIO ONE CALL AT 1-800-400-2255.
25. 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

FOR INFORMATION PERTAINING TO BOREHOLES INDICATED HEREIN THIS DRAWING REFER TO: GEOTECHNICAL INVESTIGATION DTD. SEPTEMBER 22, 2023  
PREPARED BY TERRAPROBE CONSULTING GEOTECHNICAL & ENVIRONMENTAL ENGINEERING  
11 INDELL LANE  
BRAMPTON, ON L6T 3Y3

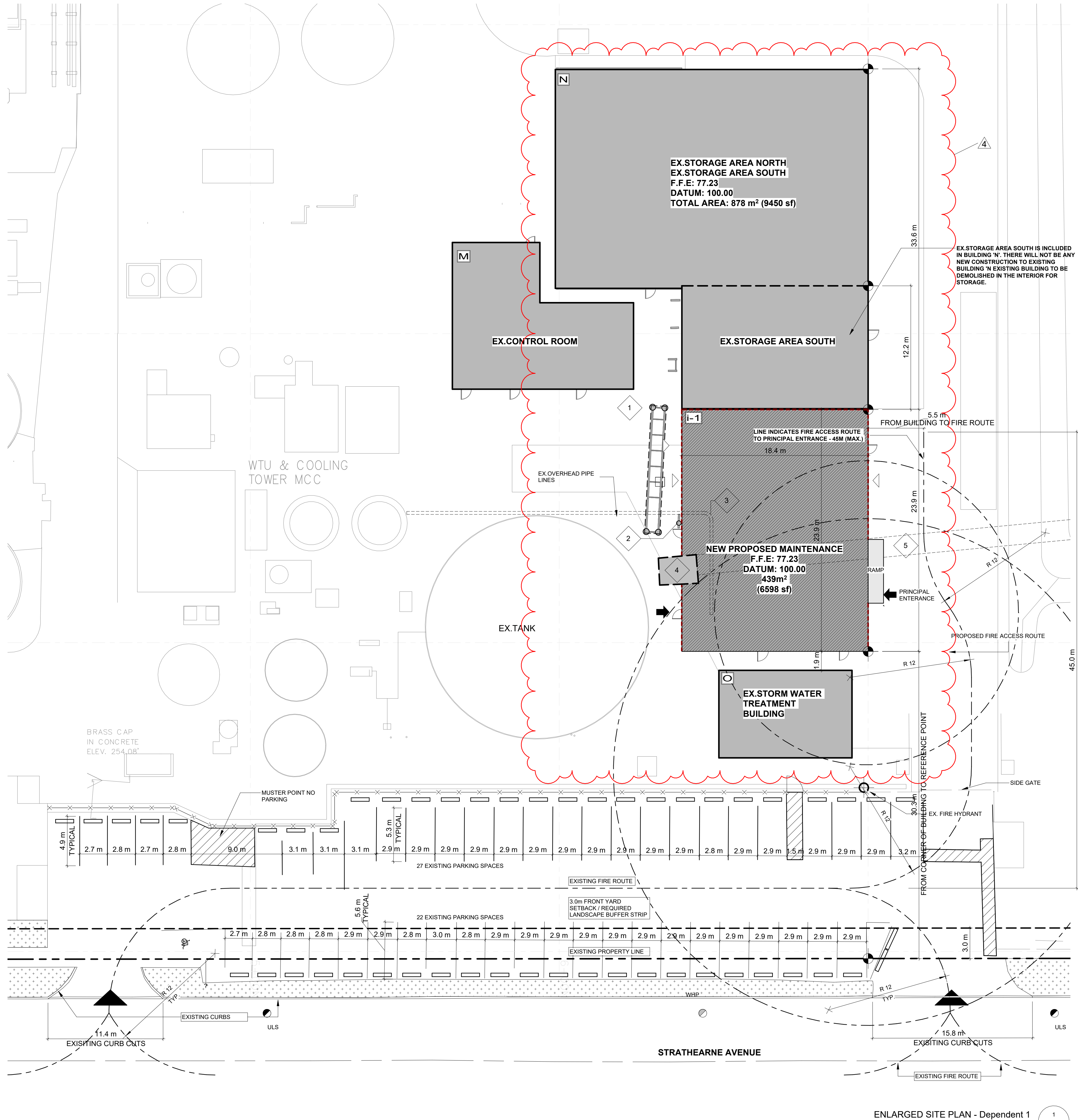
CAUTION: NOTWITHSTANDING CURRENT SURFACE CONDITIONS, THE PROPERTY HAS BEEN DETERMINED TO BE AN AREA OF ARCHAEOLOGICAL POTENTIAL. ALTHOUGH AN ARCHAEOLOGICAL ASSESSMENT IS NOT REQUIRED BY THE CITY OF HAMILTON, THE PROPONENT IS CAUTIONED THAT DURING DEVELOPMENT ACTIVITIES, SHOULD DEEPLY BURIED ARCHAEOLOGICAL MATERIALS BE FOUND ON THE PROPERTY THE ONTARIO MINISTRY OF CITIZENSHIP AND MULTICULTURALISM (MCM) SHOULD BE NOTIFIED IMMEDIATELY (416-212-0036). IN THE EVENT THAT HUMAN REMAINS ARE ENCOUNTERED DURING CONSTRUCTION, THE PROPONENT SHOULD IMMEDIATELY CONTACT BOTH MCM AND THE REGISTRAR OR DEPUTY REGISTRAR OF THE CEMETERIES REGULATION UNIT OF THE MINISTRY OF GOVERNMENT AND CONSUMER SERVICES (416-212-7499).

EXISTING PARKING DESCRIPTION  
FOUR OF THE BUILDINGS (O, T, M AND A PORTION OF THE PROPOSED I-1 BUILDING) WERE EXISTING AFTER THE DATE OF PASSING OF ZONING BY-LAW AMENDMENT 10-128 WHICH AMENDED THE PROPERTY FROM THE "K" DISTRICT UNDER HAMILTON ZONING BY-LAW 6593 TO THE CURRENT "M5" ZONE UNDER HAMILTON ZONING BY-LAW 05-200. UNDER THE PREVIOUS ZONING BY-LAW, NO PARKING SPACES WERE REQUIRED FOR THE EXISTING INDUSTRIAL USE AND AS SUCH, ONLY PARKING REQUIREMENTS FOR THE BUILDINGS ESTABLISHED AFTER ZONING BY-LAW AMENDMENT 10-128 WOULD BE SUBJECT TO CURRENT PARKING REGULATIONS. THE PARKING REQUIREMENTS ARE AS FOLLOWS:

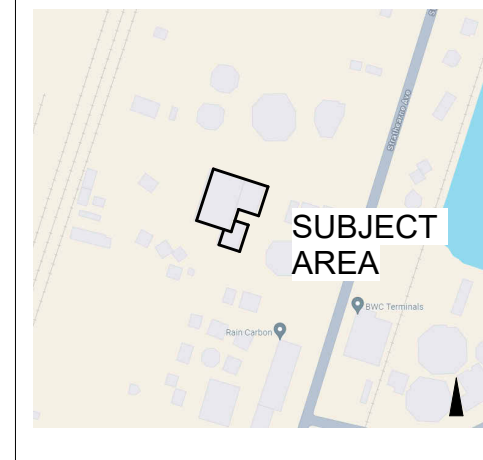
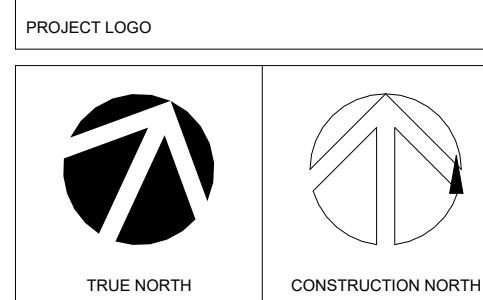
EXISTING - 8 SPACES  
PHASE 1 - 0 SPACES  
PHASE 2 - 9 SPACES  
PHASE 3 - 0 SPACES  
TOTAL - 14 SPACES

**KEYNOTE LEGEND**

1	EX. HIGH PRESSURE STEAM BRIDGE TO REMAIN
2	EX. COLUMNS SUPPORTING PRESSURE PIPES TO BE REMOVED BY RAIN CARBON
3	EX. PRESSURE PIPES TO BE RELOCATED BY RAIN CARBON
4	EX. STEEL TRUSS ARCH BASE TO BE REMOVED BY RAIN CARBON
5	EX. STEEL TRUSS ARCH TO BE REMOVED BY RAIN CARBON



EX. STORAGE AREA SOUTH IS INCLUDED IN BUILDING 'N'. THERE WILL NOT BE ANY NEW CONSTRUCTION TO EXISTING BUILDING 'N' EXISTING BUILDING TO BE DEMOLISHED IN THE INTERIOR FOR STORAGE.



KEY PLAN

NO.	DESCRIPTION	DATE
5	ISSUED FOR ZONING COMPLIANCE REVIEW	24/06/28
4	ISSUED FOR MINOR VARIANCE APPLICATION	24/07/24
3	ISSUED FOR BUILDING PERMIT	24/06/23
2	ISSUED FOR SPA	24/01/23
1	ISSUED FOR SPA	23/12/21

DISCREPANCIES MUST BE REPORTED IMMEDIATELY TO THE ARCHITECT / ENGINEER BEFORE PROCEEDING. ONLY FIGURED DIMENSIONS MUST BE USED. THE CONTRACTOR MUST CHECK THE DIMENSIONS ON SITE. THE DRAWING IS PROTECTED BY COPYRIGHT. ALL DIMENSIONS ARE SHOWN IN MILLIMETERS. DO NOT SCALE THE DRAWINGS.

**mcCallumSather**  
Westinghouse HQ, 2nd Floor  
286 Sanford Ave. N  
Hamilton, ON L8L 6A1  
905.526.6700  
www.mccallumsather.com



SEAL  
CONSULTANTS:

PROJECT:  
**Rain Carbon Inc.**  
23051 | 725 STRATHEARNE AVE N,  
HAMILTON, ON L8H 5L3 CANADA

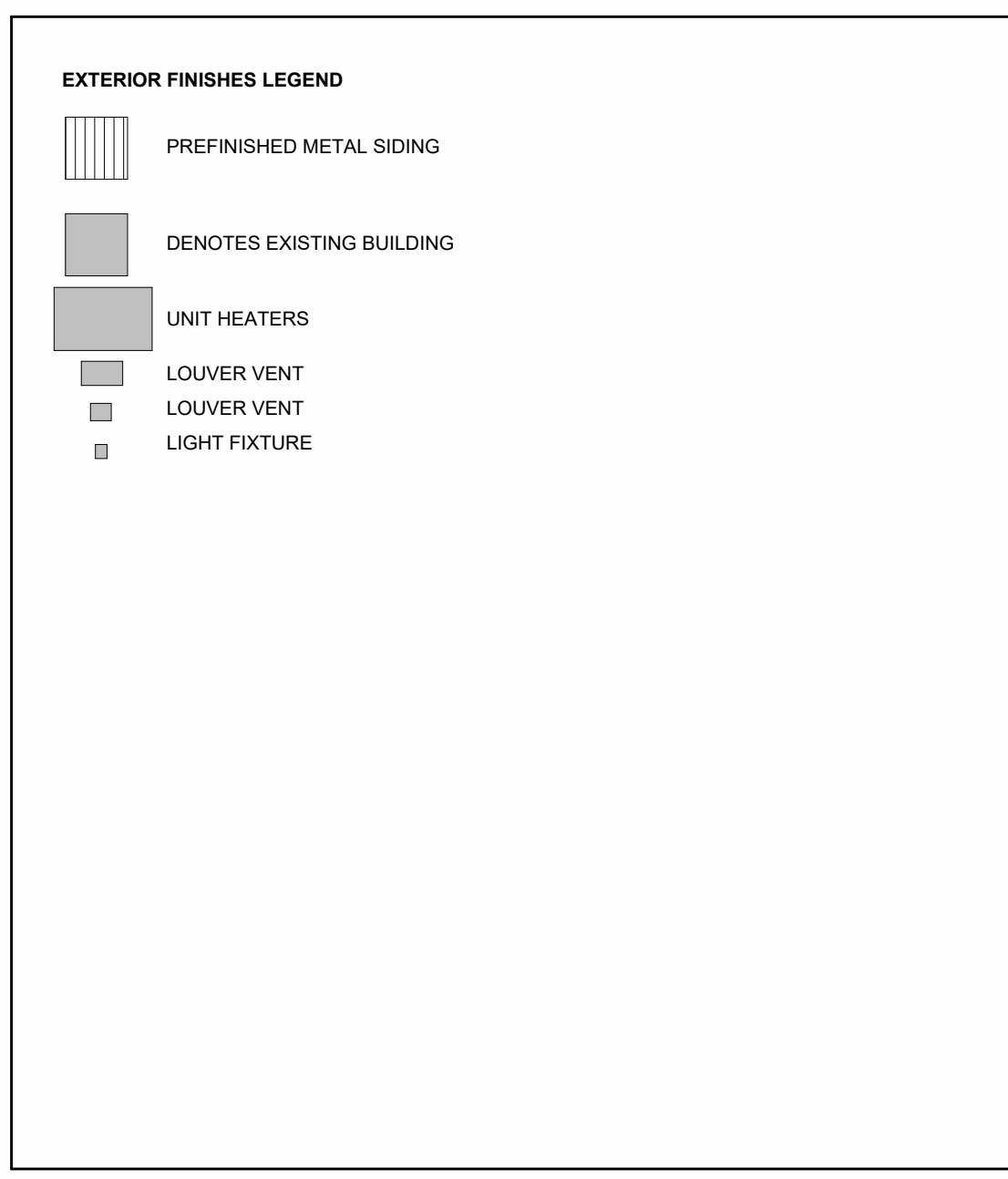
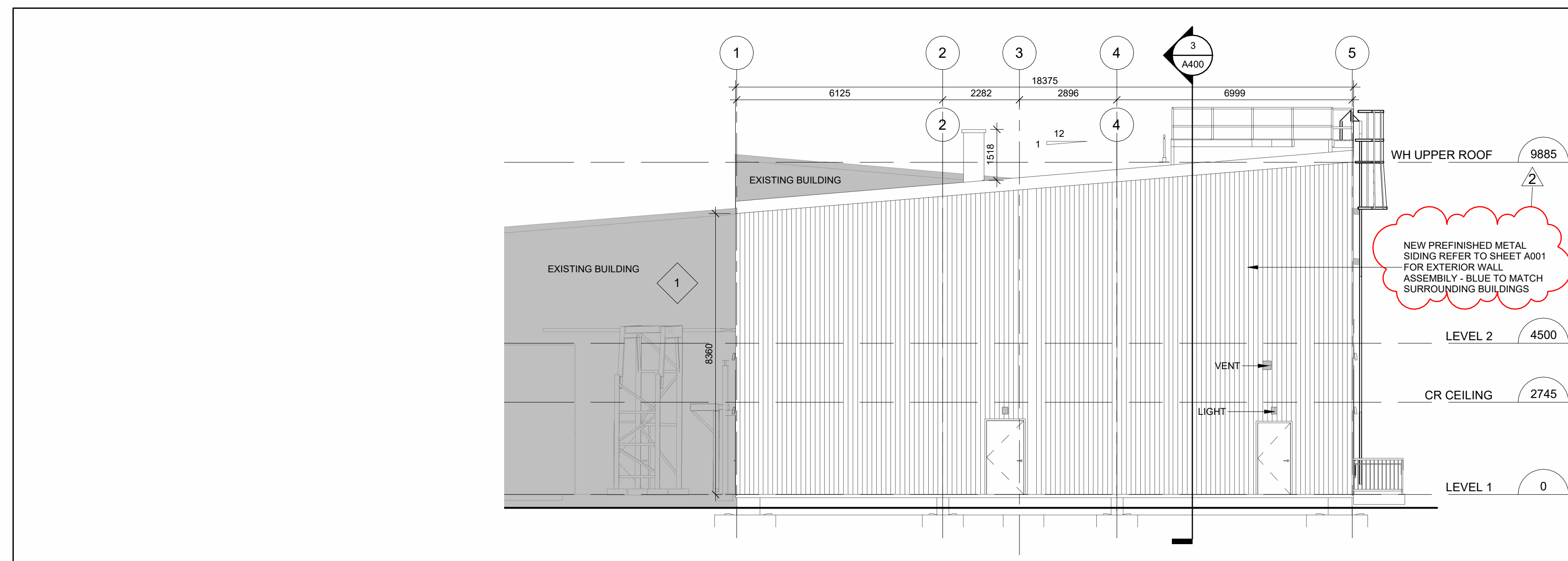
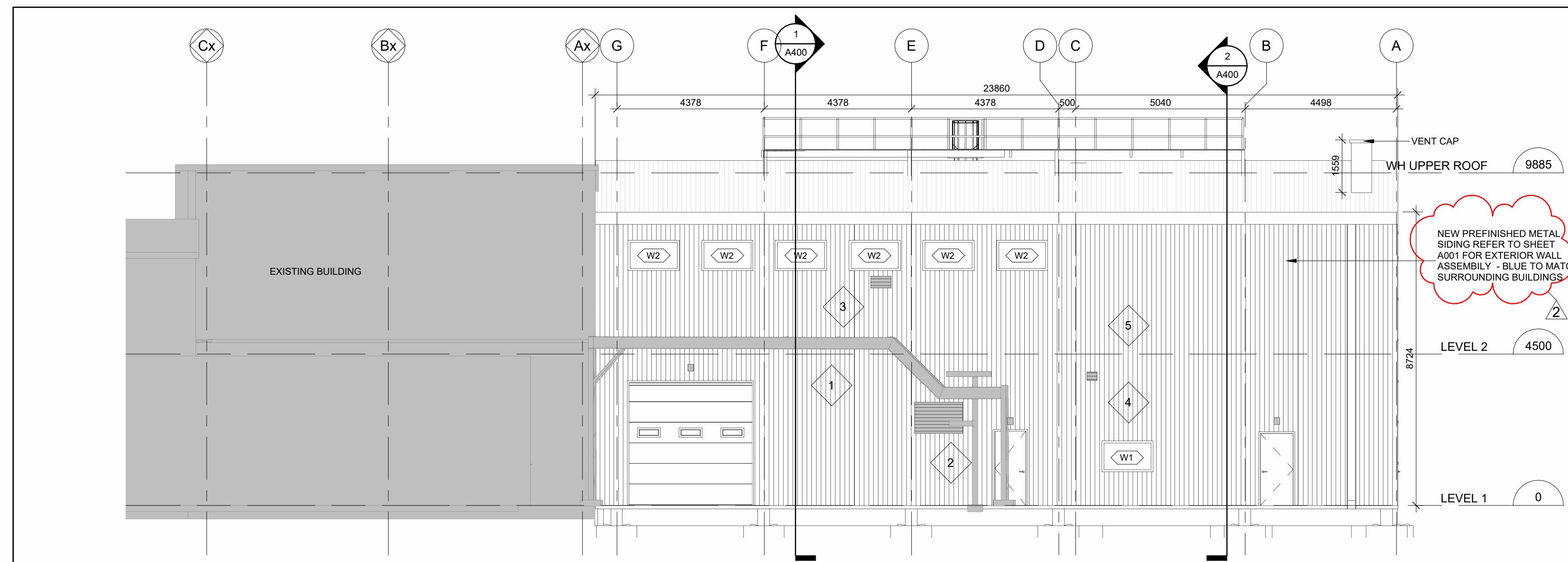
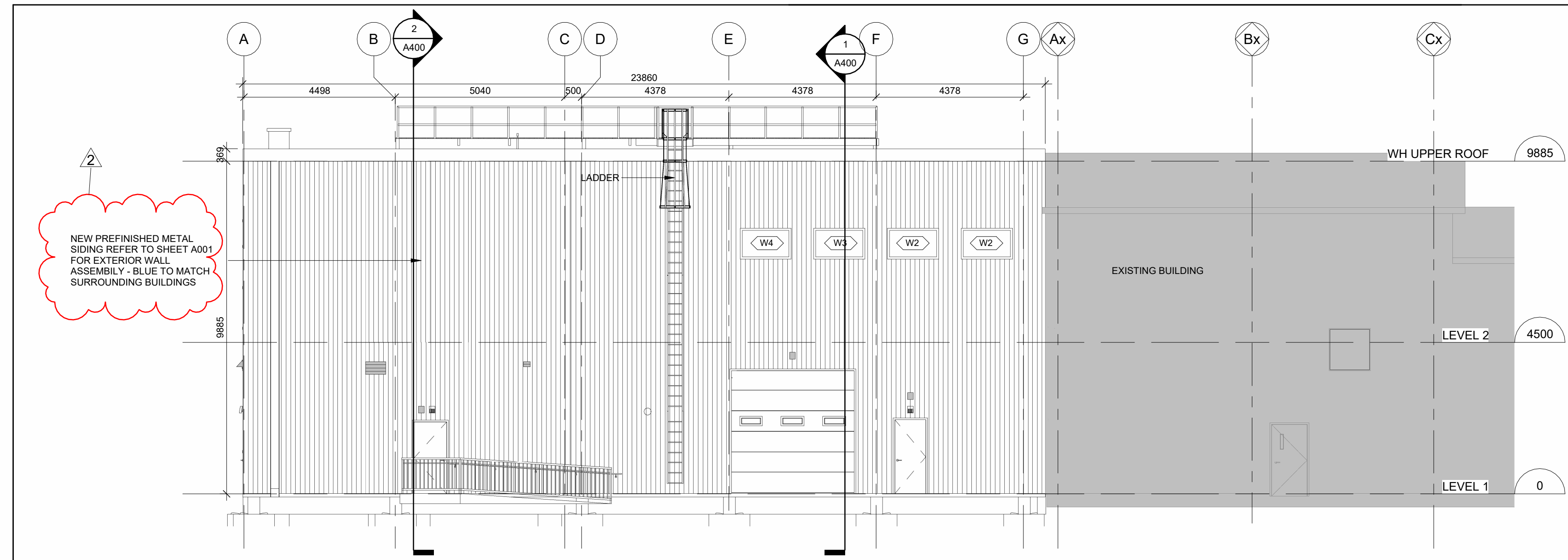
**DRAWING TITLE: ENLARGED SITE PLAN**

DRAWN BY: JF DATE: 24/07/24  
CHECKED BY: JH SCALE: As Indicated

PROJECT NO: **23051**  
DRAWING NO:

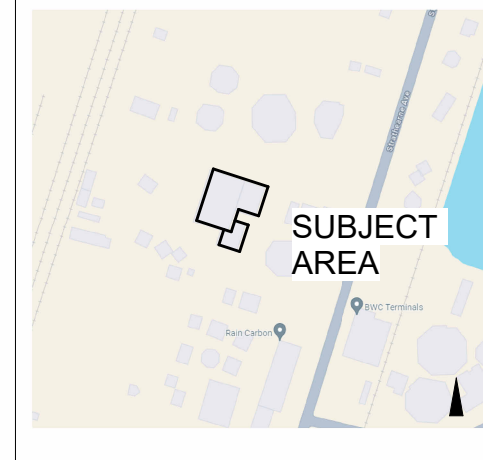
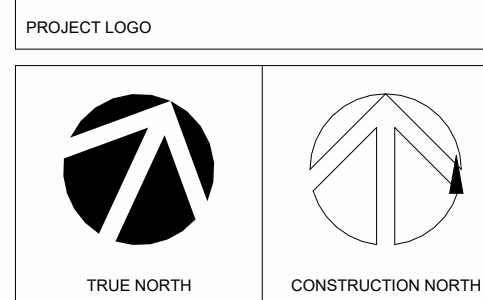
**A101**

ENLARGED SITE PLAN - Dependent 1  
1 : 200 A101



**KEYNOTE LEGEND**

1	EX HIGH PRESSURE STEAM BRIDGE TO REMAIN
2	EX COLLUMS SUPPORTING PRESSURE PIPES TO BE REMOVED BY RAIN CARBON
3	EX PRESSURE PIPES TO BE RELOCATED BY RAIN CARBON
4	EX STEEL TRUSS ARCH BASE TO BE REMOVED BY RAIN CARBON
5	EX STEEL TRUSS ARCH TO BE REMOVED BY RAIN CARBON



REVISIONS:

No.	DESCRIPTION	DATE
4	ISSUED FOR SITE PLAN APPLICATION	240710
3	ISSUED FOR ZONING COMPLIANCE REVIEW	240628
2	ISSUED FOR MINOR VARIANCE APPLICATION	240704
1	ISSUED FOR BUILDING PERMIT	240603

DISCREPANCIES MUST BE REPORTED IMMEDIATELY TO THE ARCHITECT / ENGINEER BEFORE PROCEEDING.  
ONLY FIGURED DIMENSIONS MUST BE USED.  
THE CONTRACTOR MUST CHECK THE DIMENSIONS ON SITE.  
THE DRAWING IS PROTECTED BY COPYRIGHT.  
ALL DIMENSIONS ARE SHOWN IN MILLIMETERS.  
DO NOT SCALE THE DRAWINGS.

**mcCallumSather**  
Westinghouse HQ, 2nd Floor  
286 Sanford Ave. N  
Hamilton, ON L8L 6A1  
905.526.6700  
www.mccallumsather.com



SEAL:

CONSULTANTS:

PROJECT:  
**Rain Carbon Inc.**  
  
23051 | 725 STRATHEARNE AVE N,  
HAMILTON, ON L8H 5L3 CANADA

DRAWING TITLE:  
**EXTERIOR ELEVATIONS**

DRAWN BY: JF DATE: 240704  
CHECKED BY: JH SCALE: 1:100

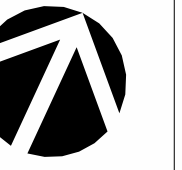
PROJECT NO: **23051**

DRAWING NO: **A200**

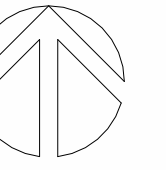
KEYNOTE LEGEND



PROJECT LOGO



TRUE NORTH



CONSTRUCTION NORTH



KEY PLAN

4	ISSUED FOR SITE PLAN APPLICATION REVIEW	240710
3	ISSUED FOR ZONING COMPLIANCE APPLICATION	240628
2	ISSUED FOR MINOR VARIANCE APPLICATION	240704
1	ISSUED FOR BUILDING PERMIT APPLICATION	240603
NO.	DESCRIPTION	DATE

REVISIONS:

DISCREPANCIES MUST BE REPORTED IMMEDIATELY TO THE ARCHITECT / ENGINEER BEFORE PROCEEDING.  
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[www.mccallumsather.com](http://www.mccallumsather.com)



SEAL:

CONSULTANTS:

PROJECT:

**Rain Carbon Inc.**

**23051 | 725 STRATHEARNE AVE N,  
 HAMILTON, ON L8H 5L3 CANADA**

DRAWING TITLE:  
**EXTERIOR ELEVATIONS**

DRAWN BY: JF DATE: 240704

CHECKED BY: JH SCALE: 1 : 100

PROJECT NO: **23051**

DRAWING NO:

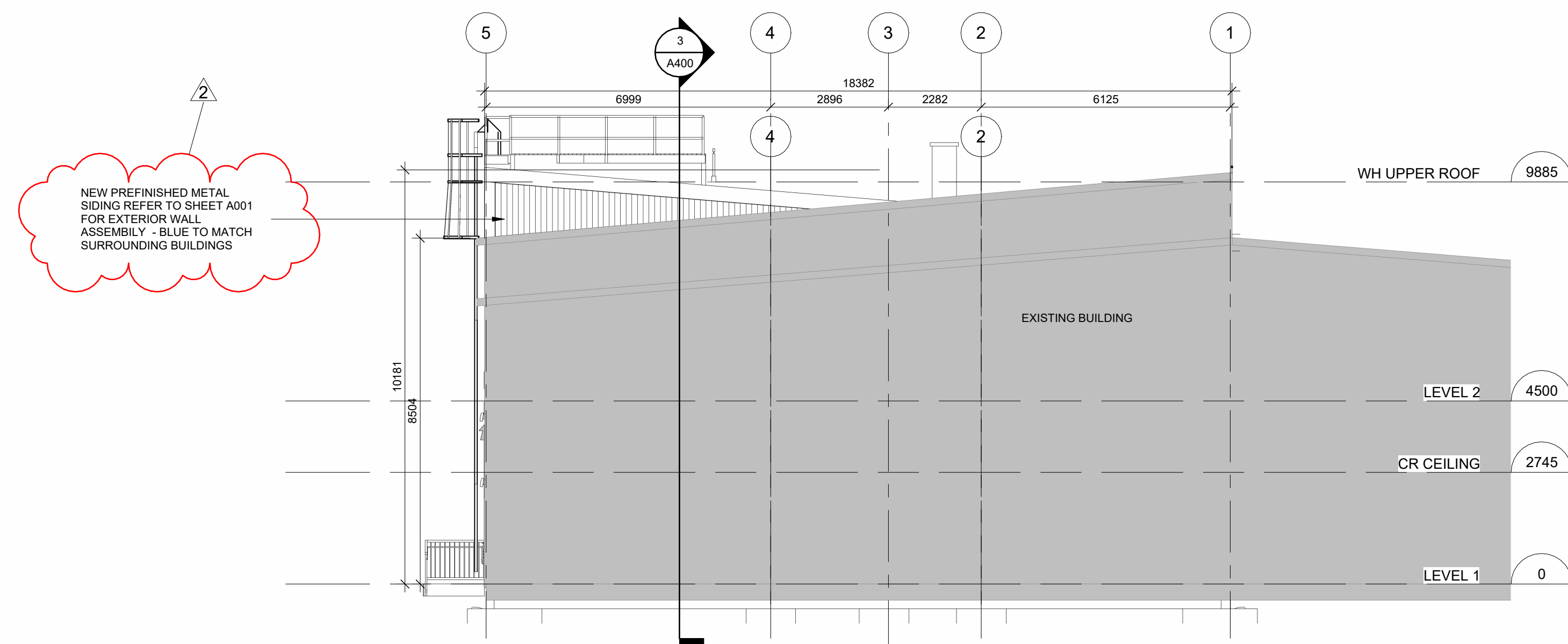
**A201**

EXTERIOR FINISHES LEGEND

- PREFINISHED METAL SIDING
- DENOTES EXISTING BUILDING
- UNIT HEATERS
- LOUVER VENT
- LOUVER VENT
- LIGHT FIXTURE

EXTERIOR FINISHES LEGEND

5  
A301.S



WEST ELEVATION - EXISTING

1  
A201  
1 : 100



#	BUILDING NAME	BA(m <sup>2</sup> )	GFA (m <sup>2</sup> )	N(m)	E(m)	S(m)	W(m)
A	ADMINISTRATION BUILDING	621	1242	160	166	4	88
B	CHANGE HOUSE	262	262	161	207	8	59
C	POWER HOUSE	318	318	128	216	31	63
D	MAINTENANCE SHOP	339	339	128	200	28	79
E	ELECTRICAL SUB- STATION	52	52	117	211	54	77
F	ELECTRICAL & INSTRUMENT SHOP	61	61	111	211	62	75
G	METAL STORAGE	16	16	54	204	51	211
H	ELECTRICAL & INSTRUMENT STORAGE	38	38	103	205	69	84
J	MBR BUILDING	116	116	130	145	36	141
K	NEW UNIT MCC EMERGENCY SHOWER	45	45	104	166	68	121
L	LUB STORAGE	33	33	123	147	51	142
M	CONTROL ROOM	197	197	108	106	57	173
N	STORAGE AREA	878	878	91	82	54	183
O	STORM WATER TREATMENT BUILDING	100	100	150	84	20	199
P	PUMP HOUSE #1 & MCC PH #1	45	45	90	262	83	24
Q	PUMP HOUSE #2 & MCC PH #2	111	111	69	217	102	63
R	PUMP HOUSE #3	20	20	23	289	149	3
S	MCC PH #3	16	16	33	252	140	40
T	TRUCK LOADING STATION SPOT #7	69	69	52	95	115	190
U	TK-92 MCC	18	18	59	54	118	235
V	D.C.S. ROOM	65	65	106	184	66	101
W	D.C.S. ROOM	24	24	130	177	44	113
	TOTAL	3444	4065				

#	BUILDING NAME	BA(m <sup>2</sup> )	GFA (m <sup>2</sup> )	N(m)	E(m)	S(m)	W(m)
	PHASE 1						
i-1	NEW MAINTENANCE BUILDING	439	602	124	82	30	213
	TOTAL	439	602				
	PHASE 2						
ii-1	STORAGE & PILOT PRODUCTION	1858	1858	22	10	125	224
		1858	1858				
	PHASE 3 - NON-BUILDING						
	DISTILLATION TOWER OF PIPING TANKS						
iii-1	GRANULATION AND PACKING	500	500	22	73	145	180
iii-2	PERTRORES PLANT	425	425	26	115	134	158
iii-3	PIPE RACK	65	65	22	115	155	158
iii-4	PIPE RACK	114	114	22	139	119	153
	TOTAL	1104	1104				

July 4, 2024

Committee of Adjustment City Hall,  
5th Floor, 71 Main St. W.,  
Hamilton, ON L8P 4Y5

APPLICATION FOR A MINOR VARIANCE/PERMISSION UNDER SECTION 45 OF THE PLANNING ACT  
ATTACHMENT LETTER FOR:

725 Strathearne Avenue  
Hamilton, ON L8H 5L3

### Background

Our office has been working with the Zoning Department staff to determine the exact nature of the municipal requirements needed for the proposed development for this property. The Client, Rain Carbon has been running their operations on this site since 1958. Their name was changed years ago to brand the company around the globe. The company is a world leader in coal tar distillation.

The current Site Plan Application concerns 2 separate phases for building construction. Phase 1, will be the construction of a new maintenance shop with facilities for washrooms, showers, lockers and a lunchroom. Phase 2, will be for a 1858m<sup>2</sup> (20,000 sf) Storage building to support the new product component that will manufactured at this location for electric battery suppliers in Canada.

Four of the buildings (O, T, M and a portion of the proposed i-1 building) were existing after the date of passing of Zoning By-law amendment 10-128 which amended the property from the “K” District under Hamilton Zoning By-law 6593 to the current “M5” Zone under Hamilton Zoning By-law 05-200. Under the previous Zoning By-law, no parking spaces were required for the existing Industrial use and as such, only parking requirements for the buildings established after Zoning By-law Amendment 10-128 would be subject to current parking regulations. The parking requirements are as follows:

Existing – 8 spaces

Phase 1 - 0 spaces

Phase 2 - 9 spaces

Phase 3 - 0 spaces

Total – 14 spaces

It is noted that there are 57 existing spaces. The spaces required for the proposed phase 2, must comply with Section 5 of the By-law for size, location, and access. At this time, the Client has not determined where these required 9 spaces will be located.

The following variances are recommended to address the parking concerns:

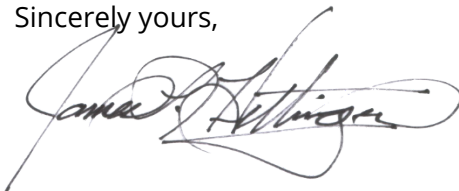
1. Parking spaces shall be permitted to be located partially within the Strathearne Avenue Right of Way instead of the requirement that all required parking shall be provided with adequate means of ingress and egress to and from the street or laneway without the necessity of moving any other motor vehicle and shall be arranged so as not to interfere with normal public use of the street or laneway.
2. Offsite maneuvering and access aisle shall be permitted for parking spaces with a 60-degree angle instead of the minimum required 5.5 metre access aisle.
3. The existing parking spaces shall be permitted to be a minimum of 2.8 metres in width and 5.3 metres in length instead of the minimum of 2.8 metres in width and 5.8 metres in length.
4. No barrier-free parking spaces shall be required instead of the minimum required one (1) barrier-free parking space.

Please note, variance #3. Has been provided to address the minimum width and length requirements for the 13 required parking spaces associated with Phase 1-3.

In addition to the above variances, as a result of Zoning By-law Amendment 24-052 being under appeal these additional variances are recommended to address potential areas where compliance may not be attainable:

5. No Electric Vehicle Parking spaces shall be required instead of the minimum required 4 Electric Vehicle Parking spaces.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'James Hettinger', written in a cursive style.

James Hettinger, OAA



Hamilton

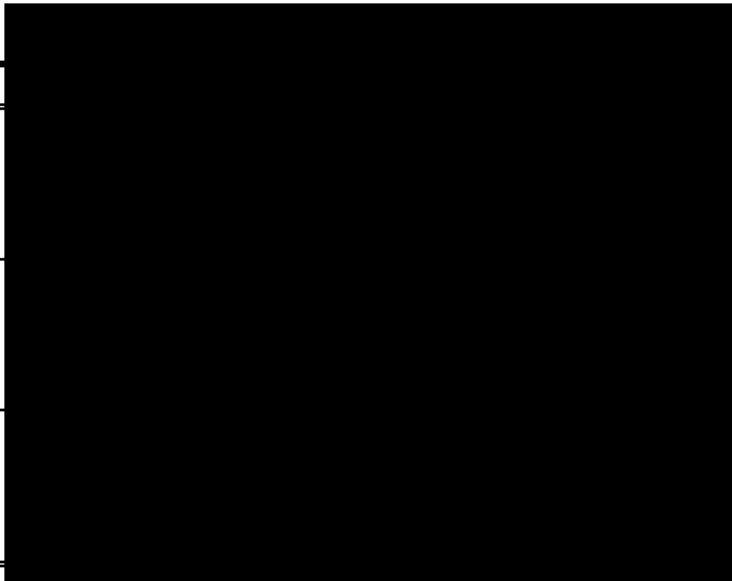
Committee of Adjustment  
City Hall, 5<sup>th</sup> Floor,  
71 Main St. W.,  
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221  
Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

**APPLICATION FOR A MINOR VARIANCE/PERMISSION**  
UNDER SECTION 45 OF THE *PLANNING ACT*

**1. APPLICANT INFORMATION**

	NAME
Registered Owners(s)	Matthew Scott-Hansen, Director
Applicant(s)	
Agent or Solicitor	



1.2 Primary contact

- Applicant
  Owner  
 Agent/Solicitor

1.3 Sign should be sent to

- Applicant
  Owner  
 Agent/Solicitor

1.4 Request for digital copy of sign

- Yes\*

If YES, provide email address where sign is to be sent



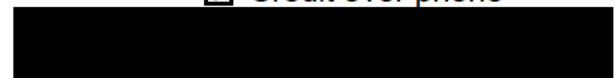
1.5 All correspondence may be sent by email

- Yes\*  No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will be sent by email.

1.6 Payment type

- In person
  Credit over phone\*  
 Cheque



James Hettinger's mobile number

## 2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	725 Strathearne Ave N, Hamilton, ON L8H 5L3		
Assessment Roll Number			
Former Municipality	Hamilton		
Lot	1	Concession	Broken Front
Registered Plan Number	62R-8914	Lot(s)	
Reference Plan Number (s)		Part(s)	1 and 2

2.2 Are there any easements or restrictive covenants affecting the subject land?

Yes  No

If YES, describe the easement or covenant and its effect:

Existing parking extending over the property line adjacent to Strathearne Ave..

## 3. PURPOSE OF THE APPLICATION

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

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

Refer to attached Letter.

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

Refer to attached Letter.

3.3 Is this an application 45(2) of the Planning Act.

Yes

No

If yes, please provide an explanation:

## 4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
295.41M	178.48M	5.24ha	

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Refer to attachments	3.0m	0.0m	0.0.	01/01/1958
A100 & A101 for				
Building location and area				
Information				

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Maintenance and	27.4m	124.2m	82.3m	09/01/2025
Change House				

4.3. Particulars of all buildings and structures on or proposed for the subject lands (attach additional sheets if necessary):

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Refer to attachments				Unknown
A100 & A101 for				
Building location and area				
Information				

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Maintenance and	439m2	602m2	2	9.8M
Change House				

- 4.4 Type of water supply: (check appropriate box)  
 publicly owned and operated piped water system  
 privately owned and operated individual well

- lake or other water body  
 other means (specify)

- 4.5 Type of storm drainage: (check appropriate boxes)  
 publicly owned and operated storm sewers  
 swales

- ditches  
 other means (specify)

4.6 Type of sewage disposal proposed: (check appropriate box)

publicly owned and operated sanitary sewage

system privately owned and operated individual

septic system other means (specify) \_\_\_\_\_

4.7 Type of access: (check appropriate box)

provincial highway

right of way

municipal road, seasonally maintained

other public road

municipal road, maintained all year \_\_\_\_\_

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):

Consolidate existing functions on site for safety and ease of maintenance by renovating an existing maintenance building and constructing a new maintenance building of 613 square meters.

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):

Industrial

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

1958

7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)

Coal Tar Distillation

7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)

Coal Tar Distillation

7.4 Length of time the existing uses of the subject property have continued:

Since 1958

7.5 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): Employment Area

Rural Settlement Area: \_\_\_\_\_

Urban Hamilton Official Plan designation (if applicable) \_\_\_\_\_

Please provide an explanation of how the application conforms with the Official Plan.

7.6 What is the existing zoning of the subject land? M5 (General Industrial)

7.8 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: M5 (General Industrial)



---

7.9 Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?

Yes

No

UNKNOWN

If yes, please provide the file number: \_\_\_\_\_

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 0

8.2 Number of Dwelling Units Proposed: 0

8.3 Additional Information (please include separate sheet if needed):

Refer to attached Letter.

## 11 COMPLETE APPLICATION REQUIREMENTS

### 11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

### 11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
  - Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
  - Minimum Distance Separation Formulae (data sheet available upon request)
  - Hydrogeological Assessment
  - Septic Assessment
  - Archeological Assessment
  - Noise Study
  - Parking Study
- 
-