



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

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.: | A-24:264 | SUBJECT PROPERTY: | 4 Studebaker Place, Hamilton |
| ZONE: | M6, 677 (Light Industrial) | ZONING BY-LAW: | Zoning By-law City of Hamilton 05-200, as Amended 18-093 |

APPLICANTS:

Owner: Urbancore Developments (440 Victoria) Inc.

Agent: Urban Solutions Planning & Land Development Consultants Inc. c/o Matt Johnston

The following variances are requested:

1. A 0.5 metre landscape area abutting Victoria Avenue shall be provided instead of the minimum required 3.0 metre landscape area required.

PURPOSE & EFFECT: To facilitate the construction of a Warehouse and associated parking.

Notes:

- i) It appears short-term bicycle parking is located within the 3.0 metre landscaped area/planting strip abutting Studebaker Place which is not permitted, additional variance may be required.
- ii) Please note, if Hydro Vault on concrete pad is under 0.6m in height from grade it is considered landscaping, if it is over 0.6m in height from grade it is considered Mechanical Equipment and shall comply with Section 4.9 of Hamilton Zoning By-law 05-200.
- iii) The easement (No. WE1698977) should be at least 6.0 meters in width to accommodate required manoeuvring area for the 10 parking spaces along the southern property line.
- iv) This minor variance application is associated with Site Plan application DA-17-155 which is conditionally approved.

A-24:264

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: | Tuesday, January 21, 2025 |
| TIME: | 2:25 p.m. |
| PLACE: | Via video link or call in (see attached sheet for details) |
| | City Hall Council Chambers (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

PUBLIC INPUT

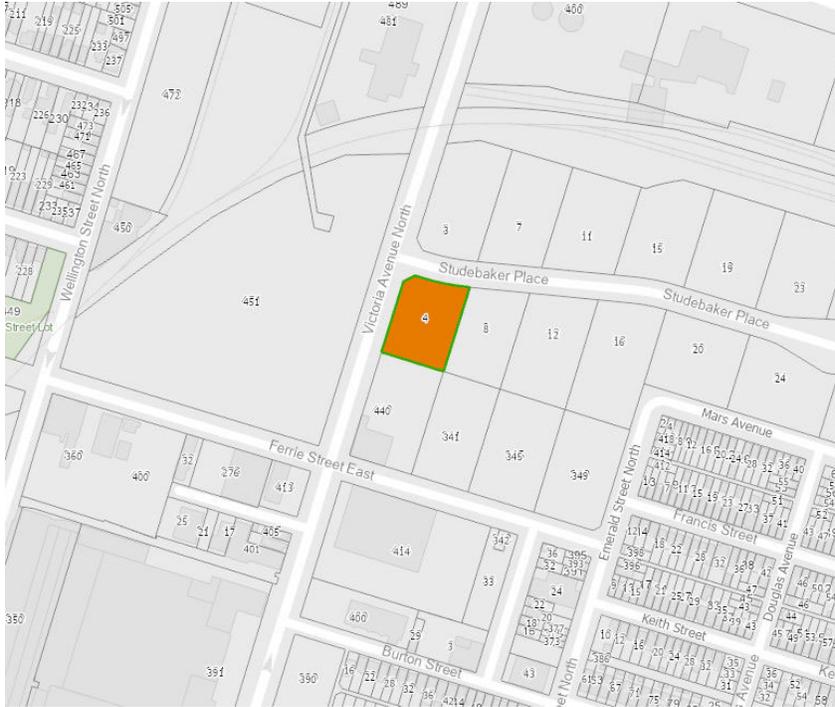
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon January 17, 2025

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 virtually must be received **no** later than noon January 20, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:264, you must submit a written request to 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 or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



 Subject Lands

DATED: January 2, 2025

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.



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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 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

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. 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.

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.

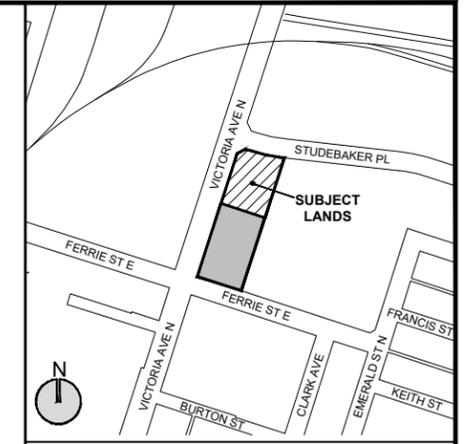


VARIANCES TO CITY OF HAMILTON ZONING BY-LAW NO. 05-200 (M6, 677) ZONE.

VARIANCE NO. 1: TO PERMIT A MINIMUM LANDSCAPED AREA OF 0.5 METRES ABUTTING VICTORIA AVENUE WHEREAS THE REQUIRED LANDSCAPED AREA ABUTTING A STREET SHALL BE IS 3.0 METRES.

SITE STATISTICS

| EXISTING ZONING: LIGHT INDUSTRIAL (M6) ZONE, EXCEPTION: 677 | | |
|---|--|---|
| ITEM | REQUIRED | PROPOSED |
| USE | Warehouse | Warehouse |
| UNITS | N/A | 1 unit |
| MIN. LOT AREA | 3,130.00 m ² (0.77 acres) | 3,133.72 m ² (0.77 acres) - Phase 1 |
| BUILDING COVERAGE | N/A | 1,936.73 m ² = 61.80% |
| GROSS FLOOR AREA TOTAL | N/A | 1,936.73 m ² (20,846.79 ft ²) |
| MAX. GROSS FLOOR AREA FOR OFFICE USE WITHIN INDIVIDUAL BUILDING | 4,000.00 m ² | 22 m ² |
| MAX. BUILDING HEIGHT | N/A | 8.45 m |
| NUMBER OF STOREYS | N/A | 1 storey |
| MIN. YARD ABUTTING A STREET | 3.0 m along Studebaker Pl. 0.0 m abutting Victoria Ave. | 3.0 m along Studebaker Pl. and 0.6 m abutting Victoria Ave. |
| MIN. LANDSCAPED AREA | 3.0 m wide landscaped area shall be maintained abutting a street | 3.0 along Studebaker Pl. 0.6 along Victoria Ave. |
| MIN. LOT WIDTH | 28.00 m | 49.37 m |
| PARKING SPACE DIMENSIONS | 2.6 m x 5.5 m | 2.6 m x 5.5 m |
| BARRIER FREE PARKING SPACE DIMENSIONS | 4.4 m x 5.5 m | 4.4 m x 5.5 m |
| PARKING | 0.75 spaces for each 100.0 m ² of office GFA = <0.75 spaces | Parking Provided = 25 spaces Regular Parking Spaces = 24 spaces B/F Spaces (4% of total) = 1 space |
| BICYCLE PARKING | Short Term (0.2/100m ² office space) = <0.1 space Long Term (0.15/100m ² GFA) = 3 spaces | Short Term = 1 space Long Term = 3 spaces TOTAL: 4 spaces |



KEY MAP - N.T.S.

SCALE 1:500

METRES



LEGEND

- SUBJECT LANDS
- PROPOSED BUILDING FOOTPRINT
- PROPOSED BARRIER FREE PARKING SPACE

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: PEARCE McCLUSKEY ARCHITECTS
CHECKED BY: L. DRENNAN
DRAWN BY: L. TAIBI
DATE: NOVEMBER 20, 2024

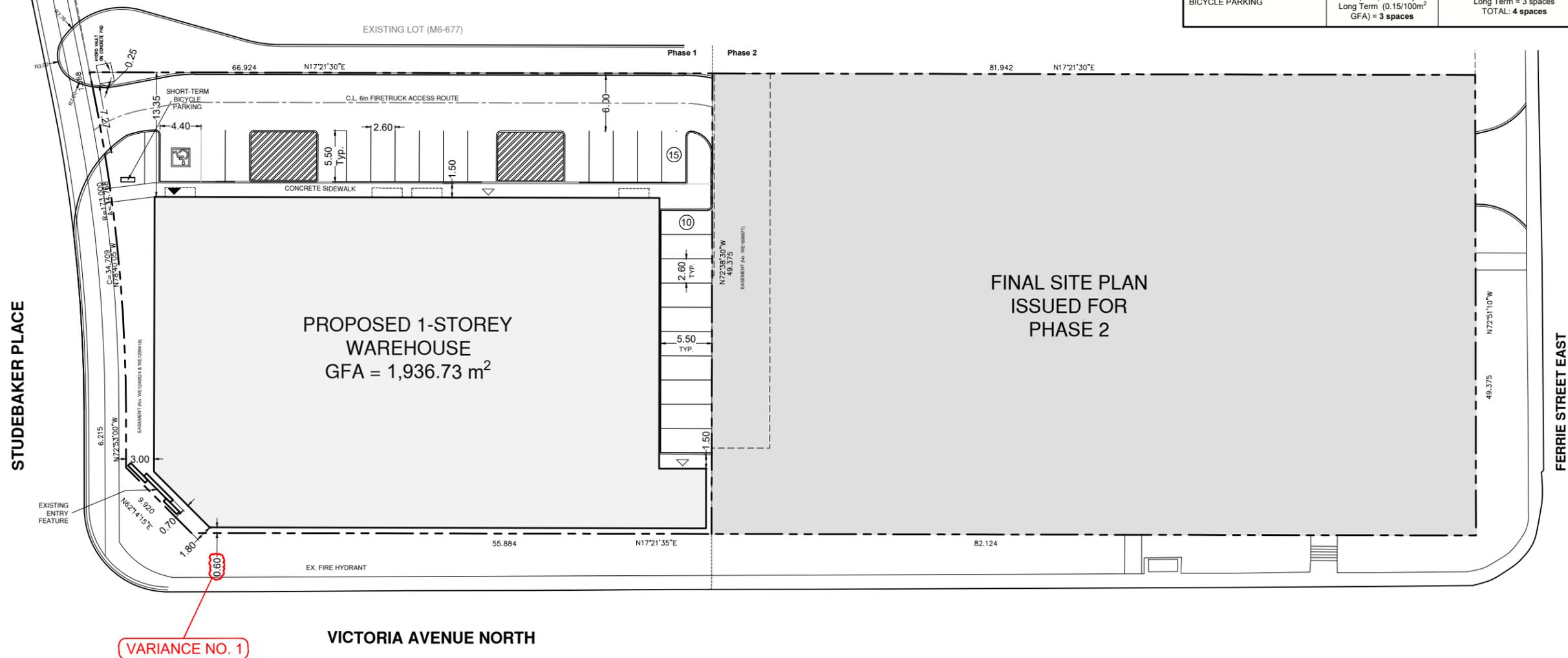
3 STUDEBAKER PLACE, SUITE 1
HAMILTON, ON L8L 0C8
905-546-1087 - urbansolutions.info

PROJECT:
4 STUDEBAKER PLACE

CLIENT:
URBANCORE DEVELOPMENTS (440 VICTORIA) INC.

TITLE:
MINOR VARIANCE SKETCH

U/S FILE NUMBER: 513-24
SHEET NUMBER: 1



VARIANCE NO. 1

VICTORIA AVENUE NORTH



November 20, 2024

513-24

Via Delivered

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

**RE: Minor Variance Application
 4 Studebaker Place, Hamilton**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultant acting on behalf of Urbancore Developments (440 Victoria) Inc., the registered owner of the subject land municipally known as 4 Studebaker Place, Hamilton. On behalf of the owner, UrbanSolutions has prepared the enclosed Minor Variance Application.

The subject lands consist of Lot 14 within Plan 62M-1242 and are municipally known as 4 Studebaker Place, Hamilton. According to Schedule E – Urban Structure Plan, the lands are designated as an Employment Area, and on Schedule E-1 – Urban Land Use Designation of the Urban Hamilton Official Plan, are designated as Industrial Land. Furthermore, the subject lands are in the Light Industrial (M6,677) Zone within the City of Hamilton Zoning By-law No. 05-200.

The subject lands are currently vacant and subject to conditional Site Plan approval No. DA-17-155. This submission will facilitate the Site Plan application through the following variances required:

- **Variance No. 1:** To permit a minimum landscaped area of 0.5 metres abutting Victoria Avenue North whereas the required landscaped area abutting a street shall be is 3.0 metres.

To assist in the evaluation of this application, please refer to the enclosed Minor Variance Sketch. The requested variances, in accordance with Section 45(1) of the Planning Act, must meet the intent of the Official Plan, meet the intent of the Zoning By-law, be desirable for the appropriate development or use of the land, and be minor in nature.

The proposed variance is in keeping with the general purpose and intent of the Official Plan as the proposed use is aa permitted built form in the Industrial Lands designation. The proposed variance is in keeping with the general purpose and intent of the Zoning By-law as this variance is to reflect the setback to a street. The adjacent developments of 3 Studebaker Place and 440 Victoria Avenue North are both similar in setback to this application, therefore reflect comparable setbacks along the street establishing a cohesive streetscape. This built form is similar and complimentary to the neighbourhood and therefore it is our opinion the general intent and purpose of the by-law is maintained. As this is the only variance required it is our opinion it meets the purpose and intent of the Zoning By-law.

This variance is desirable for the appropriate development of the subject lands as it represents similar existing built-out and planned character of the surrounding area. Furthermore, the minor nature of this variance ensures minimal impact on the overall streetscape along Victoria Avenue North. With approximately 4.5 meters of landscaped space between the property line and the sidewalk, there is ample room for street trees and other boulevard enhancements, which will contribute positively to the visual appeal and functionality of the area.

As such, the proposed variances satisfy the four tests outlined in Section 45(1) of the *Planning Act* as the relief requested is desirable for the appropriate development of the lands, is minor in nature, and meets the general intent and purpose of the Official Plan and Zoning By-law.

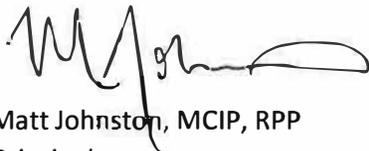
In support of this application, please find enclosed the following:

- 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 **\$3,900.00** made payable to the City of Hamilton.

We trust that the enclosed is sufficient, however, please feel free to contact us with any questions.

Regards,

UrbanSolutions



Matt Johnston, MCIP, RPP
Principal



Laura Drennan
Planning Technician

cc: Urbancore Developments (440 Victoria) Inc. (via email)



Hamilton

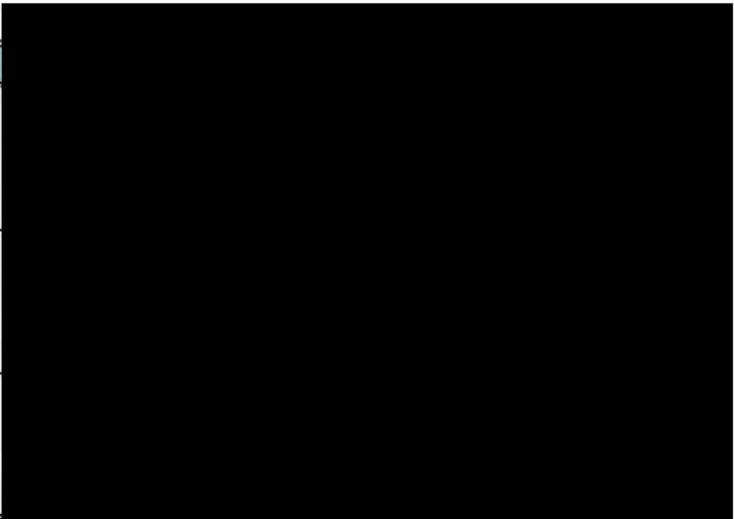
Committee of Adjustment
City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P4Y5

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

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

1. APPLICANT INFORMATION

| | NAME |
|----------------------|--|
| Registered Owners(s) | Urbancore Developments (440 Victoria) Inc. |
| Applicant(s) | Same as owner |
| Agent or Solicitor | UrbanSolutions Planning & Land Development Consultants Inc. |



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*

No

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

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

| | | | |
|---------------------------|--------------------|------------|--|
| Municipal Address | 4 Studebaker Place | | |
| Assessment Roll Number | | | |
| Former Municipality | | | |
| Lot | Lot 14 | Concession | |
| Registered Plan Number | 62M-1242 | Lot(s) | |
| Reference Plan Number (s) | | Part(s) | |

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:

N/A

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:

[Please refer to enclosed cover letter.](#)

Second Dwelling Unit Reconstruction of Existing Dwelling

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

[Please refer to enclosed cover letter.](#)

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

Yes No

If yes, please provide an explanation:

N/A

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

| Lot Frontage | Lot Depth | Lot Area | Width of Street |
|----------------------------|-----------|-------------------------|-----------------|
| 34.77 m (Studebaker Place) | 55.88 m | 3,133.72 m ² | +/- 25 m |

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: *Subject lands are currently vacant.*

| Type of Structure | Front Yard Setback | Rear Yard Setback | Side Yard Setbacks | Date of Construction |
|-------------------|--------------------|-------------------|--------------------|----------------------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |

Proposed: *Please refer to enclosed Minor Variance sketch.*

| Type of Structure | Front Yard Setback | Rear Yard Setback | Side Yard Setbacks | Date of Construction |
|-------------------|--------------------|-------------------|--------------------|----------------------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |

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

Existing: *Subject lands are currently vacant.*

| Type of Structure | Ground Floor Area | Gross Floor Area | Number of Storeys | Height |
|-------------------|-------------------|------------------|-------------------|--------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |

Proposed: *Please refer to enclosed Minor Variance sketch.*

| Type of Structure | Ground Floor Area | Gross Floor Area | Number of Storeys | Height |
|-------------------|-------------------|------------------|-------------------|--------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |

- 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
- municipal road, seasonally maintained
- municipal road, maintained all year
- right of way
- other public road

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

Industrial

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:

Unknown

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

Industrial

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

Vacant

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

Unknown

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

~~Rural Hamilton Official Plan designation (if applicable): _____~~

~~Rural Settlement Area: _____~~

Urban Hamilton Official Plan designation (if applicable) Industrial Land

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

The proposed use is permitted within the Official Plan designation

7.6 What is the existing zoning of the subject land? Light Industrial (M6,677) Zone

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: N/A

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

Yes

No

If yes, please provide the file number: N/A

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: _____

8.2 Number of Dwelling Units Proposed: _____

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

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
