



Hamilton

STAFF COMMENTS

HEARING DATE: February 13, 2025

A-24:264 — 4 Studebaker Place, Hamilton

Recommendation:

Approve Variances 1 and 3, Deny Variance 2 — Development Planning

Proposed Conditions:

1. That the proposed development be in accordance with approved Site Plan Application DA-17-155, to the satisfaction of the Director of Development Planning.

Proposed Notes:



Development Planning:

Background

To facilitate the construction of a warehouse and associated parking. Staff note that this minor variance application is associated with Site Plan application DA-17-155, which was conditionally approved on May 18, 2021.

Staff further note that this application was deferred at the January 21, 2025, Committee of Adjustment meeting to the February 13 meeting to provide staff time to review the additionally requested Variance 3.

Analysis

Urban Hamilton Official Plan

The subject lands are identified as “Employment Areas” in Schedule E – Urban Structure and are designated “Employment Area - Industrial Land” in Schedule E – 1 Urban Land Use Designations of the Urban Hamilton Official Plan. Policies C.2.11, C.5.6.1 and E.5.3.1, amongst others, are applicable and permits the proposed warehouse.

The policies of Section C.2.11 and Policy C.5.6.1 b) aim to protect publicly and privately owned trees, woodlands and forested areas within the City in order to maintain and preserve the existing urban tree canopy to foster its growth through the encouragement of green infrastructure as well as the implementation of an Urban Forest Strategy.

Staff note that there is a row of mature, healthy City trees along Victoria Avenue North that line a sidewalk and municipal bicycle lane. Staff have assessed the viability of the municipal trees through Site Plan application DA-17-155 and they are anticipated to be protected through the construction of the proposed warehouse. As a result, staff are of the opinion that the proposed minor variance meets the general intent of the Urban Hamilton Official Plan as the tree canopy will be maintained.

City of Hamilton Zoning By-law No. 05-200

The subject lands are zoned Light Industrial (M6, 677) Zone in City of Hamilton Zoning By-law No. 05-200. The proposed warehouse is a permitted use.

Variance 1

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



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The intent of this provision is to provide sufficient separation between industrial buildings on the subject property and features within the streetscape such as municipal trees, bike lanes and to maintain a consistent and appealing streetscape within the business park.

Staff note that a row of mature City trees is present along Victoria Avenue North, abutting the subject property and proposed building.

Staff further note that the Light Industrial (M6, 677) Zone requires a minimum 3 metre yard abutting Studebaker Place but does not require a minimum yard abutting Victoria Avenue North.

While a 0 metre setback is permitted abutting Victoria Avenue North, a variance is required to permit the reduced landscaped area. The proposed 0.5 metre wide landscaped area would be consistent with the permitted setback and the existing built form of 3 Studebaker Place on the opposite side of Studebaker Place.

As the municipal trees are anticipated to be protected through the construction of the proposed warehouse, staff are of the opinion that the proposed minor variance meets the general intent of the Urban Hamilton Official Plan and Zoning By-law, is desirable for the proposed development of the site and is considered minor in nature.

Variance 2

2. To permit a minimum EV parking ration of 8% of the provided spaces whereas the required EV parking ratio shall be 50% of the provided parking spaces.

The intent of this provision is to ensure 50% of provided on-site parking spaces are EV-ready as part of the transition from gasoline powered vehicles to battery electric vehicles.

Staff are of the opinion that the requested 8% EV parking ratio does not provide sufficient EV-ready parking spaces in preparation for the transition to battery electric vehicles. It is staff's opinion that the requested variance does not maintain the intent of the Zoning By-law and is not desirable for the appropriate development or use of the land. Staff do not support the variance.

Variance 3

3. To permit a minimum parking ratio of 1.55 spaces per 100 square metres of gross floor area whereas the required parking ratio shall be 2 spaces per 100 square metres of gross floor area for "other commercial uses not listed".



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The intent of this provision is to ensure sufficient on-site parking is provided.

A total of 30 parking spaces are proposed to be provided on site, whereas the required ratio of 2 spaces per 100 square metres of gross floor area would require 39 spaces. Staff note there are other modes of transportation available to provide alternative transportation to and from the area. This includes active transportation in the form of the protected bicycle lane on Victoria Avenue North and public transit in the form of HSR bus routes 4F-Bayfront and 12-Wentworth, mitigating both parking demand and potential impacts of the reduced on-site parking.

Therefore, staff are of the opinion that the requested variance maintains the intent of the Urban Hamilton Official Plan and Zoning By-law, is desirable for the appropriate development and use of the land and is minor in nature. Development Planning staff support the variance.

Based on the foregoing, staff are of the opinion that Variances 1 and 3 meet the four tests of a minor variance whereas Variance 2 does not. **Staff recommend approval of Variances 1 and 3 and denial of Variance 2.**

Zoning: see previous comments

Development Engineering:

Recommendation:	Approve
Proposed Conditions:	N/A
Comments:	Detailed comments related to grading and servicing for Phase 2 of the development will be provided through Site Plan application DA-17-155. Development Engineering has no objections to the minor variances as proposed for the warehouse addition.
Notes:	

Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	
Notes:	A building permit is required for the construction of the proposed warehouse.

Transportation Planning:

Recommendation:	Comments Only
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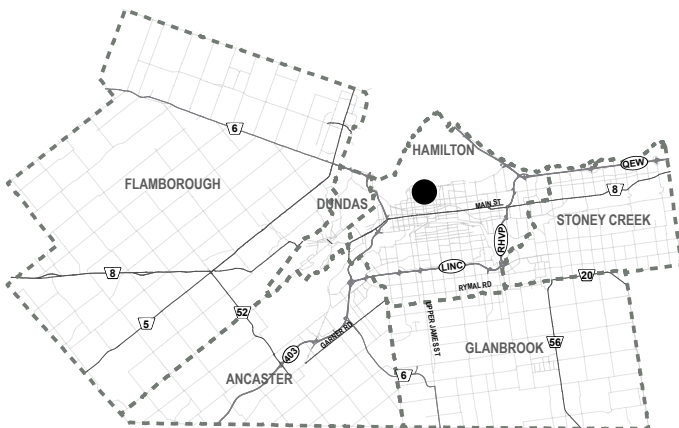
HEARING DATE: February 13, 2025

Proposed Conditions:	
Comments:	<p>Zoning needs to comment on Variance 2 “To permit a minimum EV parking ratio of 8% of the provided spaces whereas the required EV parking ratio shall be 50% of the provided parking spaces”</p> <p>and Variance 3 “To permit a minimum parking ratio of 1.55 spaces per 100 m2 of Gross Floor Area whereas the required parking ratio shall be 2 spaces per 100 m2 of Gross Floor Area for “other commercial uses not listed.”</p>
Notes:	

Please Note: Public comment will be posted separately, if applicable.



● Site Location



City of Hamilton

Committee of Adjustments

Subject Property



4 Studebaker Place, Hamilton
(Ward 3)

File Name/Number:
A-24:264

Date:
January 28, 2025

Technician:
SH

Scale:
N.T.S.

Appendix "A"



Hamilton