

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5 Telephone (905) 546-2424, ext. 4221 Fax (905) 546-4202 E-mail: <u>morgan.evans@hamilton.ca</u>

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.	: AN/A-20:67
APPLICANTS:	Owner: 1622189 Ontario Inc.
SUBJECT PROPE	RTY: Municipal address 53 Bittern St., Ancaster
ZONING BY-LAW:	Zoning By-law 05-200, as Amended
ZONING:	M2 and 678 (General Business Park) district
PROPOSAL:	To permit the construction of two single storey multi-tenant industrial buildings having approximately 2, 874.0 m ² and 1, 599.0 m ² respectively notwithstanding that;

- 1. A minimum parking space width of 2.6 m shall be provided instead of the minimum required parking space width of 3.0 m (new regulation); and
- 2. A minimum of 2 barrier free parking spaces shall be provided instead of the minimum required 3 barrier free parking spaces; and
- 3. A minimum barrier free parking space width of 3.5 m shall be provided instead of the minimum required 4.4 m parking space width.

Notes:

These variances are necessary to facilitate Site Plan Control application DA-20-044.

Please be advised that the proposed variance for side yard is not required as the "M2" zone only refers to a minimum yard abutting a street; therefore, the requested variance is not necessary.

In addition to the above requested variance for reduced number of parking spaces is not necessary as the required number of parking spaces were calculated under Planned Business Centre (1 space for each 50.0 m² of gross floor area). Based on the total GFA of 4,473.0 m² ÷ 50.0 m² of GFA = 89.46 = 89 spaces being required and 100 spaces have been provided; therefore, variance for reduced number of parking spaces is not required.

Variances have been written based on the information provided on the site plan.

Please note that the By-Law requires the following per Section 9.2.3 c) i) & ii):

- *i)* A minimum 3.0 m wide landscaped area shall be provided and maintained abutting a street, except for points of ingress and egress. No information has been provided on the submitted site plan; therefore, further variances may be required.
- ii) Notwithstanding i) above, where a parking space, aisle or driveway is located in a yard abutting a street, a minimum 6.0 m wide landscaped area, which includes a 3.0 m wide planting strip, shall be required and maintained between the said parking space, aisle, or driveway and a street, except for points of ingress and egress. No information has been provided on the submitted site plan; therefore, further variances may be required.

The By-Law requires the following per Section 9.2.3 d):

- *i)* Outdoor Storage and Outdoor Assembly shall not be permitted in a Front Yard or a required Flankage Yard. No information has been provided on the submitted site plan; therefore, further variances may be required.
- *ii)* Outdoor Storage and Outdoor Assembly shall not exceed 85% of the total lot area. No information has been provided on the submitted site plan; therefore, further variances may be required.
- iii) Outdoor Storage and Outdoor Assembly shall be screened from view from any abutting street by a Visual Barrier in accordance with Section 4.19 of this Bylaw. No information has been provided on the submitted site plan; therefore, further variances may be required.

The By-Law requires the following per Section 9.2.3 e):

i) Outdoor Display of goods, materials or equipment shall be permitted only as an accessory use and shall be permitted in a yard abutting a street but shall be no closer than 3.0 metres to the lot line. No information has been provided on the submitted site plan; therefore, further variances may be required.

The By-Law requires the following per Section 9.2.3 g):

- g) Maximum Gross Floor Area for Industrial Administrative Office or Surveying, Engineering, Planning or Design Business
 - *i)* An Industrial Administrative Office or a Surveying, Engineering, Planning or Design Business shall be limited to a gross floor area of less than 10,000 square metres on a lot. No information has been provided on the submitted site plan; therefore, further variances may be required.

The By-Law requires the following per Section 9.2.3 h):

h) Maximum Gross Floor Area for an Alcohol Production Facility: 5,000 m². No information has been provided on the submitted site plan; therefore, further variances may be required.

The By-Law requires the following per Section 9.2.3 i):

- *i)* Maximum Combined Gross Floor Area for Accessory Retail, Showroom Area and Tasting Room:
 - *i)* 25% of the gross floor area of the principal use or 500.0 square metres gross floor area, whichever is the lesser; and
 - *ii)* Notwithstanding *i*) above, retail or accessory retail associated with a motor vehicle service station shall be limited to a maximum gross floor area of 280 square metres.

No information has been provided on the submitted site plan; therefore, further variances may be required.

The By-Law requires the following per Section 9.2.3 I):

Additional Regulations for a Cannabis Growing and Harvesting Facility in addition to Section 9.2.3, the following additional regulations shall apply:

- *i)* Notwithstanding Section 9.2.3 d), no outdoor storage or outdoor assembly shall be permitted.
- *ii)* Notwithstanding Section 9.2.3 *i*), no retail sales shall be permitted.
- iii) Notwithstanding Section 4.12 c), any building or structure used for a Cannabis Growing and Harvesting Facility shall be setback a minimum of 150 metres from:
 - a) Any portion of a lot line abutting a Residential, Institutional or Commercial and Mixed Use Zone; and,
 - b) Any residential dwelling unit existing at the date of passing of the by-law, any building used for farm labour residence, mobile home, educational establishment, residential care facility, place of worship, day care or park in a Rural Classification Zone.

No information has been provided on the submitted site plan; therefore, further variances may be required.

The By-Law requires the following per Section 4.9 - Mechanical and Unitary Equipment:

Air conditioners and pumps (including heat pumps and swimming pool pumps) and other similar mechanical equipment shall be located only in accordance with the following regulations:

- a) Within a required front yard, provided such equipment shall have a minimum setback of 3.0 metres from the street line, a minimum setback of 0.6 metres from a side lot line and is screened from the street by an enclosure or landscaping; and,
- b) Within a required side yard or required rear yard provided such equipment has a minimum setback of 0.6 metres from the side lot line or rear lot line.

The By-Law requires the following per Section 5.1 a) v) a) & b):

Unless otherwise regulated in this By-law, parking spaces and aisles, giving direct access to abutting parking spaces, excluding driveways extending directly from the street, shall be subject to the following:

b) Shall provide a 3.0-metre-wide planting strip being required and permanently maintained between the street line and the said parking spaces or aisle.

No information has been provided on the submitted site plan; therefore, further variances may be required.

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

DATE: TIME:	Thursday, August 6 th , 2020 3:40 p.m.				
PLACE:	Via video link or call in (see attached sheet for				
<mark>details)</mark>					
To be streamed at www.hamilton.ca/committeeofadjustment					
for viewing p	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

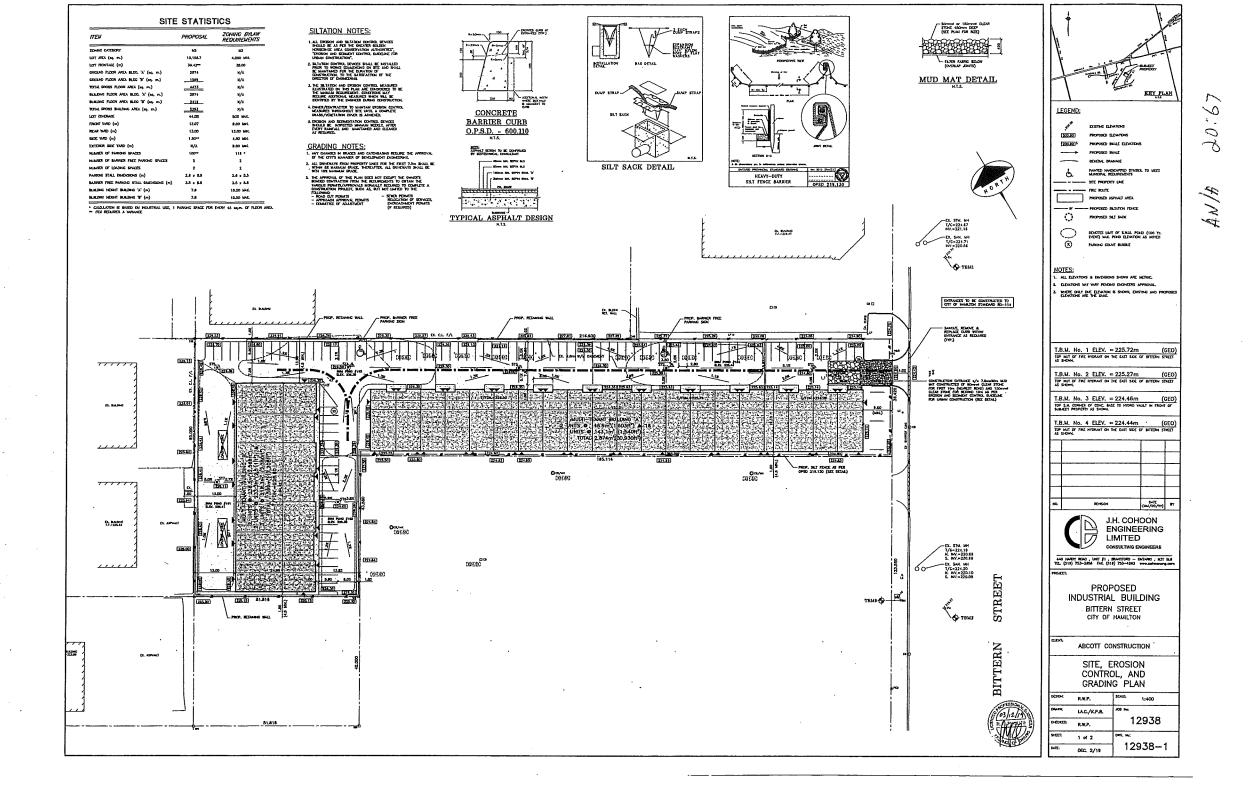
For more information on this matter, including access to drawings illustrating this request:

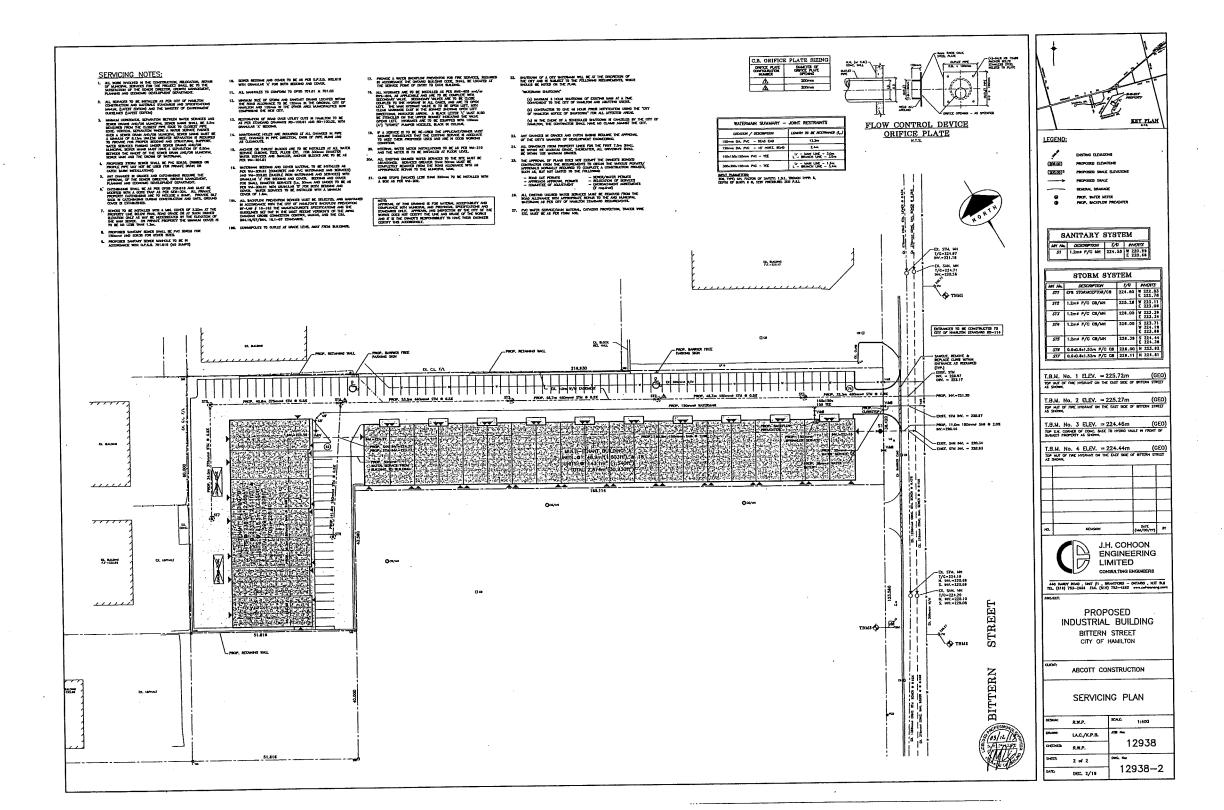
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at <u>cofa@hamilton.ca</u>

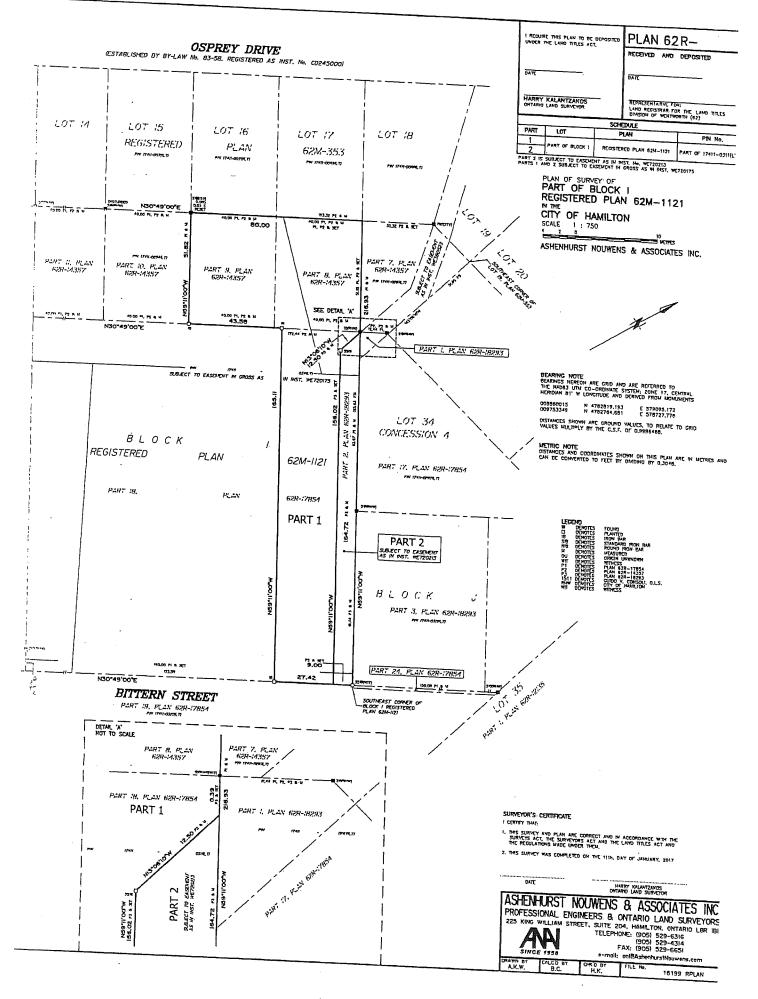
DATED: July 21st, 2020

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.







AN/A 20:67

20.153279



Committee of Adjustment City Hall 5th floor 71 Main Street West Hamilton, Ontario L8P 4Y5

Planning and Economic Development Department Planning Division Phone (905) 546-2424 ext.4221 Fax (905) 546-4202

PLEASE FILL OUT THE FOLLOWING PAGES AND RETURN TO THE CITY OF HAMILTON PLANNING DEPARTMENT.

FOR OFFICE USE ONLY. AN/A $\partial 0:67$ APPLICATION NO DATE APPLICATION RECEIVED _	FEB 1 2 23.0
PAID DATE APPLICATION DEEMED COMPLETE	
SECRETARY'S SIGNATURE	

CITY OF HAMILTON COMMITTEE OF ADJUSTMENT HAMILTON, ONTARIO

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.	Name of Owner 1022070 MAND Telephone No.
2.	
	mart lous-truction -
3.	Name of Agent ABUT (MASTAUTUD) Telephone No.
4.	
Note:	Unless otherwise requested all communications will be sent to the

agent, if any.

5. Names and addresses of any mortgagees, holders of charges or other encumbrances:

n/	Postal Code
	Postal Code

	Nature and extent of relief applied for: <u>Reduction of Sick yard Setbacks from</u> <u>Jon to 15</u> <u>Parking Space requirements of 116</u> <u>Value 1 Formototan</u>	
7.	Why it is not possible to comply with the provisions of the By-law? <u>DUE TO (USTAINE) OF THE NUMBER</u> WIGTO <u>AIMENTO ANC</u> TO MUNTAIN <u>UCCAUTE ALLES</u> THE FILE POLIFE ANC <u>HUMENEE</u> SEQUERCE	
8.	Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):	a 1
	Part of Block 1 53 Differn St.,	Anirister
9.	PREVIOUS USE OF PROPERTY	
	Residential Industrial Commercial	
	Agricultural Vacant	
	Other	
Q 1		
9.1	If Industrial or Commercial specify use	
	If Industrial or Commercial, specify use <u>Has the grading of the subject land been changed by adding earth or other</u> material, i.e. has filling occurred?	
9.2	If Industrial or Commercial, specify use Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred? Yes No Unknown	
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 9.2 9.3 9.4 9.5 9.6 9.7 	If Industrial or Commercial, specify use 	

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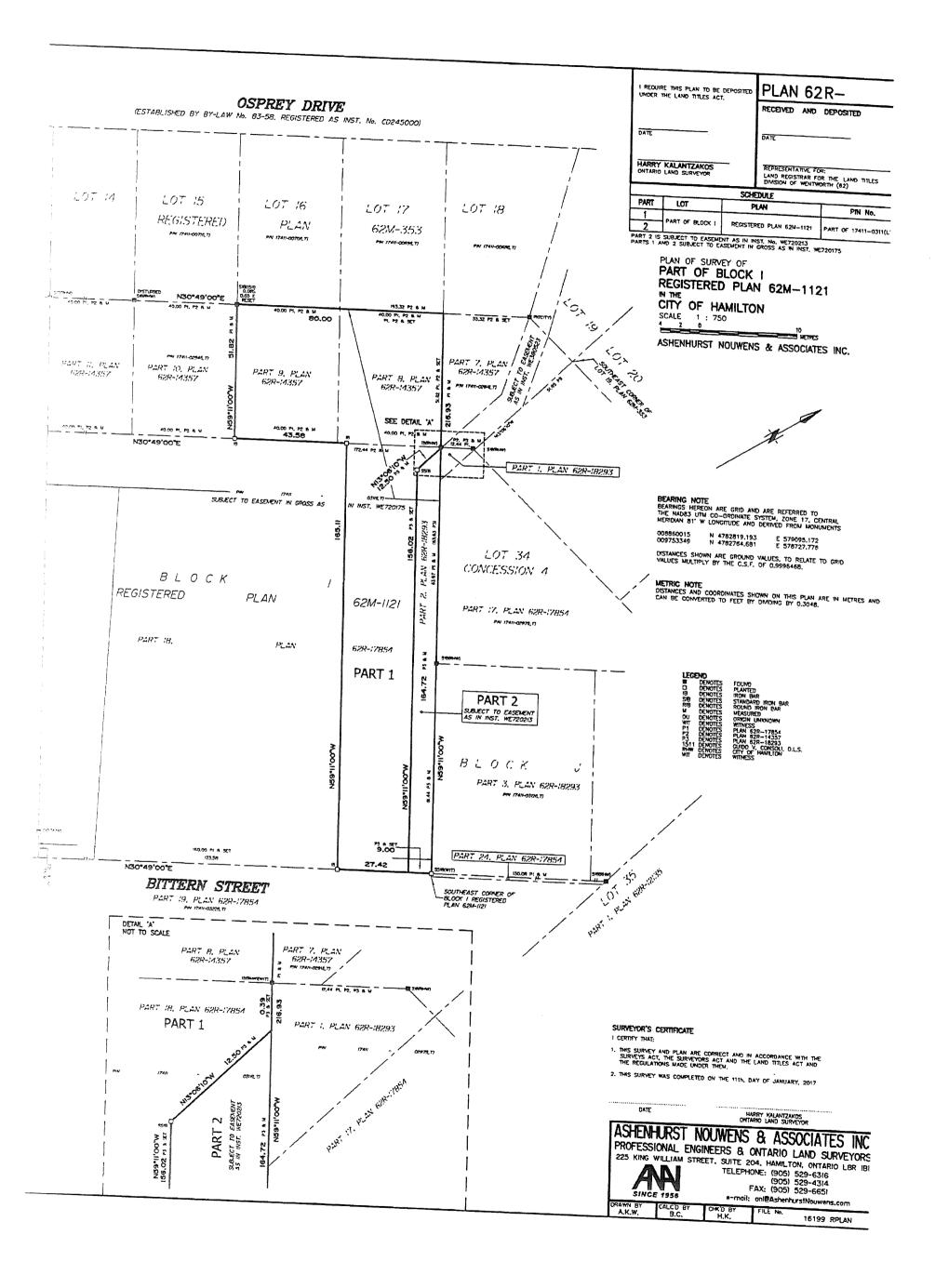
	Yes No 1/ Unknown
9.11	What information did you use to determine the answers to 9.1 to 9.10 above?
9.12	If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if
	appropriate, the land adjacent to the subject land, is needed.
	Is the previous use inventory attached? Yes No
acki reme	NOWLEDGEMENT CLAUSE nowledge that the City of Hamilton is not responsible for the identification and diation of contamination on the property which is the subject of this Application – by on of its approval to this Application.
<u>I1</u> Date	Signature Property Owner
	Print Name of Owner
10.	Dimensions of lands affected: Frontage <u>Jan 42.46</u> Depth <u>Jan 42.67</u> Area <u>Li Dila Ha</u> Width of street 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:
	Proposed: Inco (2) multi tencent in dustrial buildings. Blog 191-30,930,56,47, Building B 19,208,59 Dotto ave single storey 25 high
12.	Location of all buildings and structures on or proposed for the subject lands; (Specify distance from side, rear and front lot lines) Existing: M

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Date of acquisition of subject lands:
Date of construction of all buildings and structures on subject lands: M
Existing uses of the subject property:
Existing uses of abutting properties: LAMSTYIA - OFFICE-MULTI TAMANT-OFFICE/MA
Length of time the existing uses of the subject property have continued:
Municipal services available: (check the appropriate space or spaces) Water Connected
Sanitary Sewer Connected
Present Official Plan/Secondary Plan provisions applying to the land: <u> <u> <u> </u> <u> </u></u></u>
Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Has the owner previously applied for relief in respect of the subject property?
Yes No
Is the subject property the subject of a current application for consent under Section 53 of the <i>Planning Act</i> ?
Yes No
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.
NOTE: It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

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SITE STATISTICS

ITEM	PROPOSAL	ZONING BYLAW REQUIREMENTS
ZONING CATEGORY	M2	M2
LOT AREA (sq. m.)	10,158.7	4,050 MIN.
LOT FRONTAGE (m)	36.42**	38.00
GROUND FLOOR AREA BLDG. 'A' (sq. m.)	2874	N/A
GROUND FLOOR AREA BLDG 'B' (sq. m.)	1599	N/A
TOTAL GROSS FLOOR AREA (sq. m.)	4473	N/A
BULIDING FLOOR AREA BLDG. 'A' (sq. m.)	2874	N/A
BUILDING FLOOR AREA BLDG 'B' (sq. m.)	2419	N/A
TOTAL GROSS BUILDING AREA (sq. m.)	5293	N/A
LOT COVERAGE	44.0%	50% MAX.
FRONT YARD (m)	12.07	9.00 MIN.
REAR YARD (m)	13.00	13.00 MIN.
SIDE YARD (m)	1.50**	4.50 MIN.
EXTERIOR SIDE YARD (m)	N/A	9.00 MIN.
NUMBER OF PARKING SPACES	100**	118 *
NUMBER OF BARRIER FREE PARKING SPACES	2	2
NUMBER OF LOADING SPACES	2	2
PARKING STALL DIMENSIONS (m)	2.6 × 5.8	2.6 × 5.5
BARRIER FREE PARKING STALL DIMENSIONS (m)	3.5 x 5.8	3.5 x 5.5
BUILDING HEIGHT BUILDING 'A' (m)	7.9	10.50 MAX.
BUILDING HEIGHT BUILDING 'B' (m)	7.8	10.50 MAX.

* CALCULATION IS BASED ON INDUSTRIAL USE, 1 PARKING SPACE FOR EVERY 45 sq.m. OF FLOOR AREA. ** ITEM REQUIRES A VARIANCE

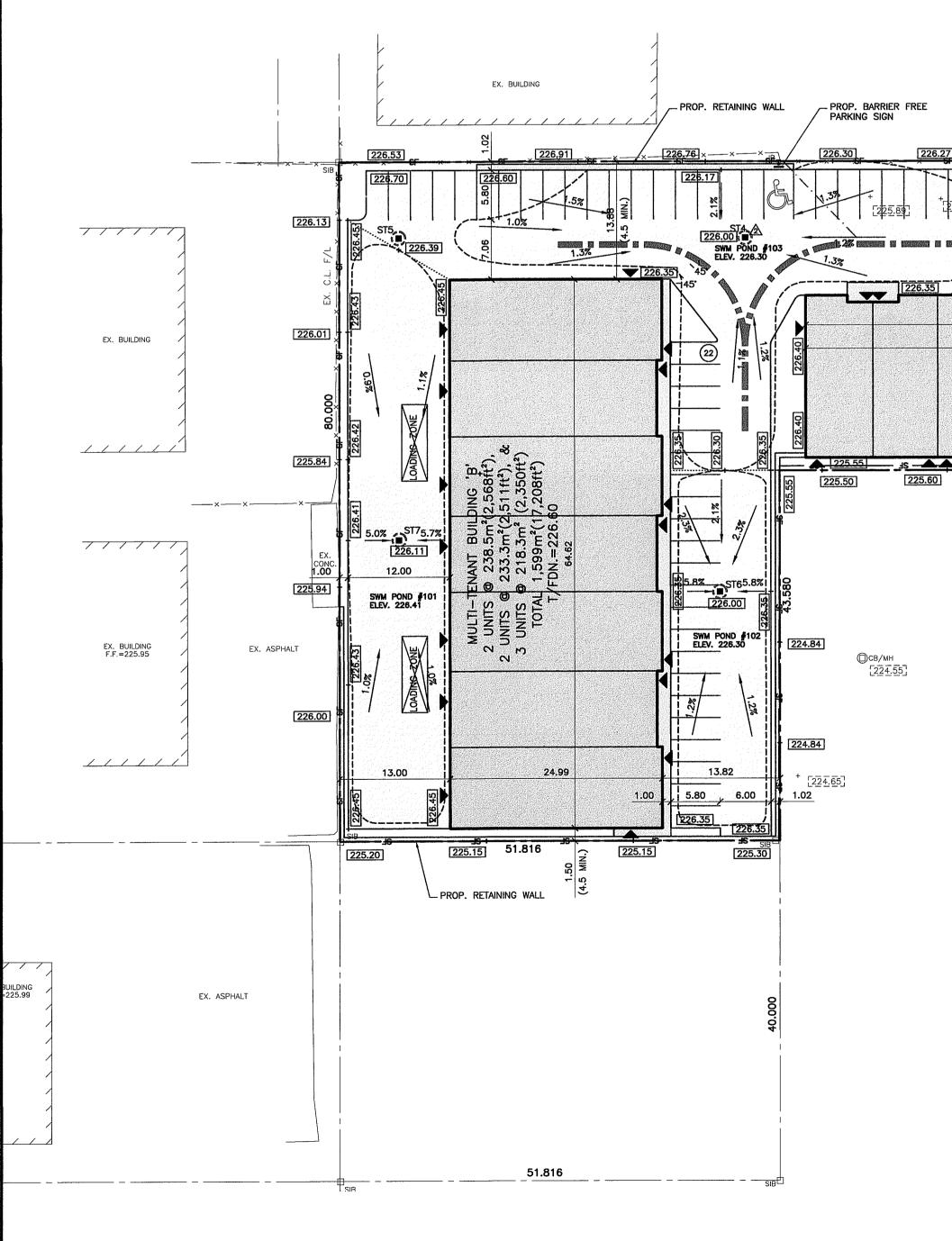
SILTATION NOTES:

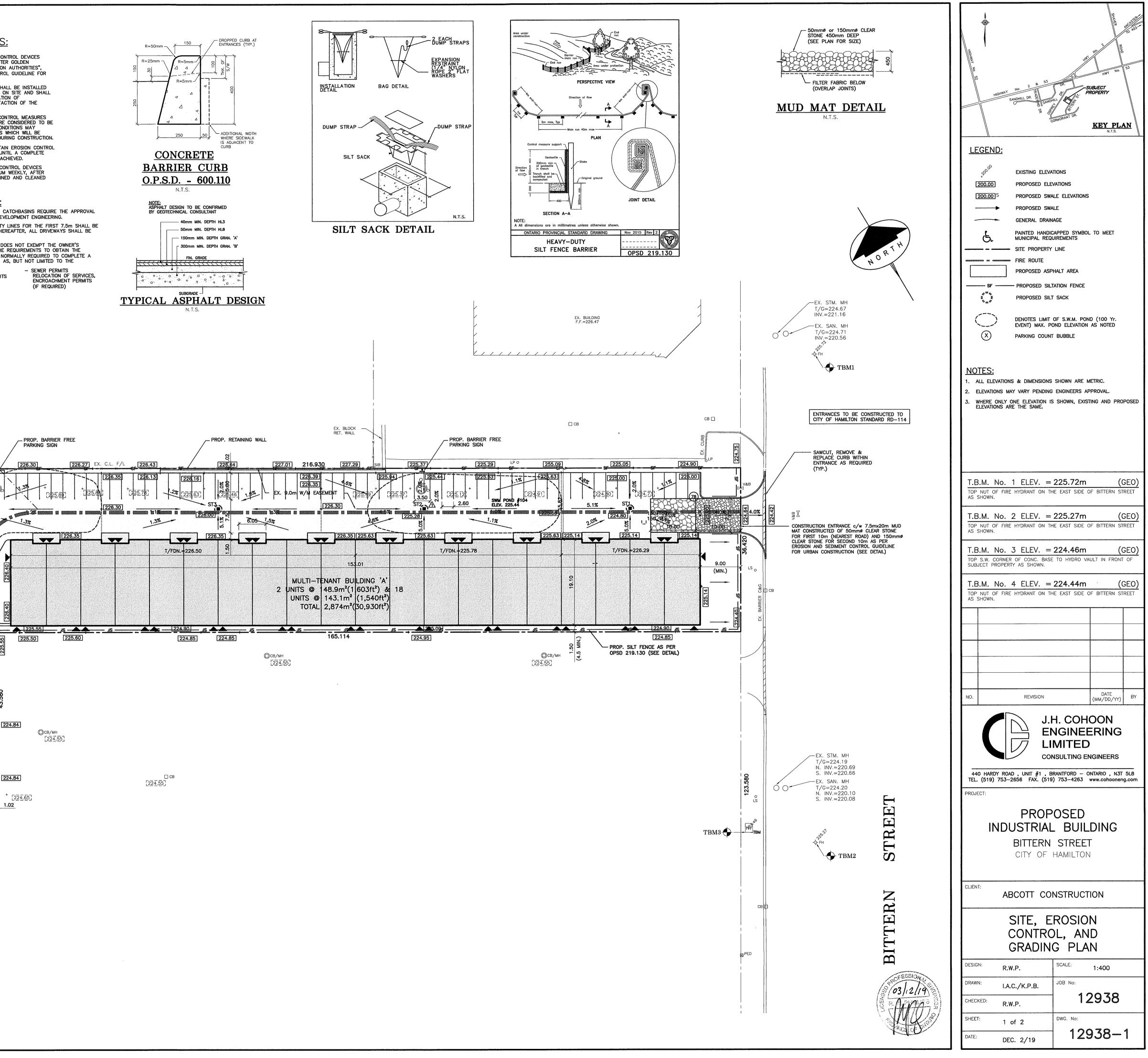
- 1. ALL EROSION AND SILTATION CONTROL DEVICES SHOULD BE AS PER THE GREATER GOLDEN HORSESHOE AREA CONSERVATION AUTHORITIES", "EROSION AND SEDIMENT CONTROL GUIDELINE FOR URBAN CONSTRUCTION".
- 2. SILTATION CONTROL DEVICES SHALL BE INSTALLED PRIOR TO WORKS COMMENCING ON SITE AND SHALL BE MAINTAINED FOR THE DURATION OF CONSTRUCTION, TO THE SATISFACTION OF THE DIRECTOR OF ENGINEERING.
- 3. THE SILTATION AND EROSION CONTROL MEASURES ILLUSTRATED ON THIS PLAN ARE CONSIDERED TO BE THE MINIMUM REQUIREMENT. CONDITIONS MAY REQUIRE ADDITIONAL MEASURES WHICH WILL BE IDENTIFIED BY THE ENGINEER DURING CONSTRUCTION.
- 4. OWNER/CONTRACTOR TO MAINTAIN EROSION CONTROL MEASURES THROUGHOUT SITE UNTIL A COMPLETE GRASS/VEGETATION COVER IS ACHIEVED.
- 5. EROSION AND SEDIMENTATION CONTROL DEVICES SHOULD BE INSPECTED MINIMUM WEEKLY, AFTER EVERY RAINFALL AND MAINTAINED AND CLEANED AS REQUIRED.

GRADING NOTES:

- 1. ANY CHANGES IN GRADES AND CATCHBASINS REQUIRE THE APPROVAL OF THE CITY'S MANAGER OF DEVELOPMENT ENGINEERING. 2. ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5m SHALL BE WITHIN 5% MAXIMUM GRADE, THEREAFTER, ALL DRIVEWAYS SHALL BE
- WITH 10% MAXIMUM GRADE. 3. 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: - ROAD CUT PERMITS - APPROACH APPROVAL PERMITS - COMMITTEE OF ADJUSTMENT

- SEWER PERMITS RELOCATION OF SERVICES, ENCROACHMENT PERMITS (IF REQUIRED)





PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT.

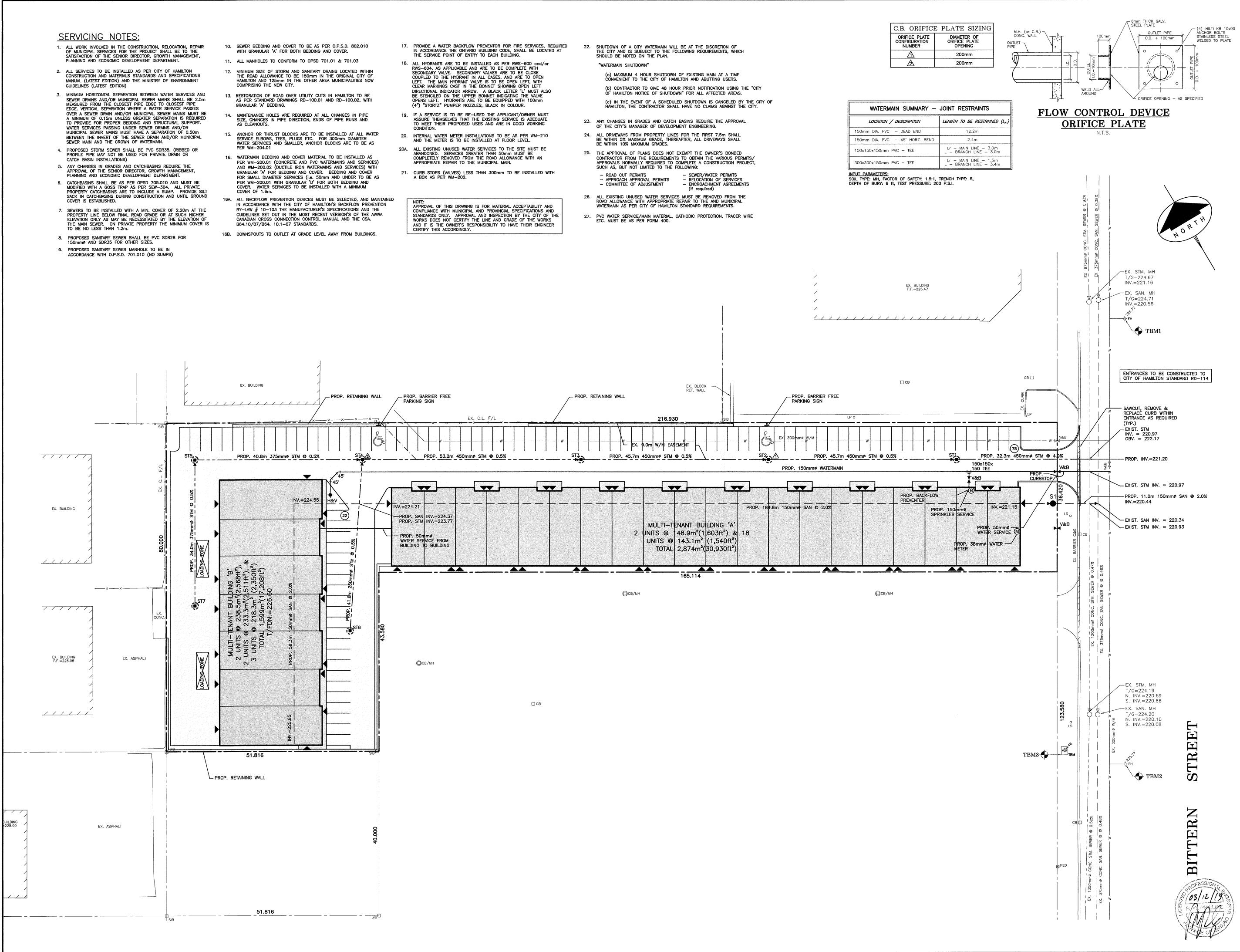
- CONSTRUCTION AND MATERIALS STANDARDS AND SPECIFICATIONS MANUAL (LATEST EDITION) AND THE MINISTRY OF ENVIRONMENT
- SEWER DRAINS AND/OR MUNICIPAL SEWER MAINS SHALL BE 2.5m MEASURED FROM THE CLOSEST PIPE EDGE TO CLOSEST PIPE EDGE. VERTICAL SEPARATION WHERE A WATER SERVICE PASSES OVER A SEWER DRAIN AND/OR MUNICIPAL SEWER MAINS MUST B A MINIMUM OF 0.15m UNLESS GREATER SEPARATION IS REQUIRED TO PROVIDE FOR PROPER BEDDING AND STRUCTURAL SUPPORT. WATER SERVICES PASSING UNDER SEWER DRAINS AND/OR MUNICIPAL SEWER MAINS MUST HAVE A SEPARATION OF 0.50m BETWEEN THE INVERT OF THE SEWER DRAIN AND/OR MUNICIPAL
- CATCH BASIN INSTALLATIONS)

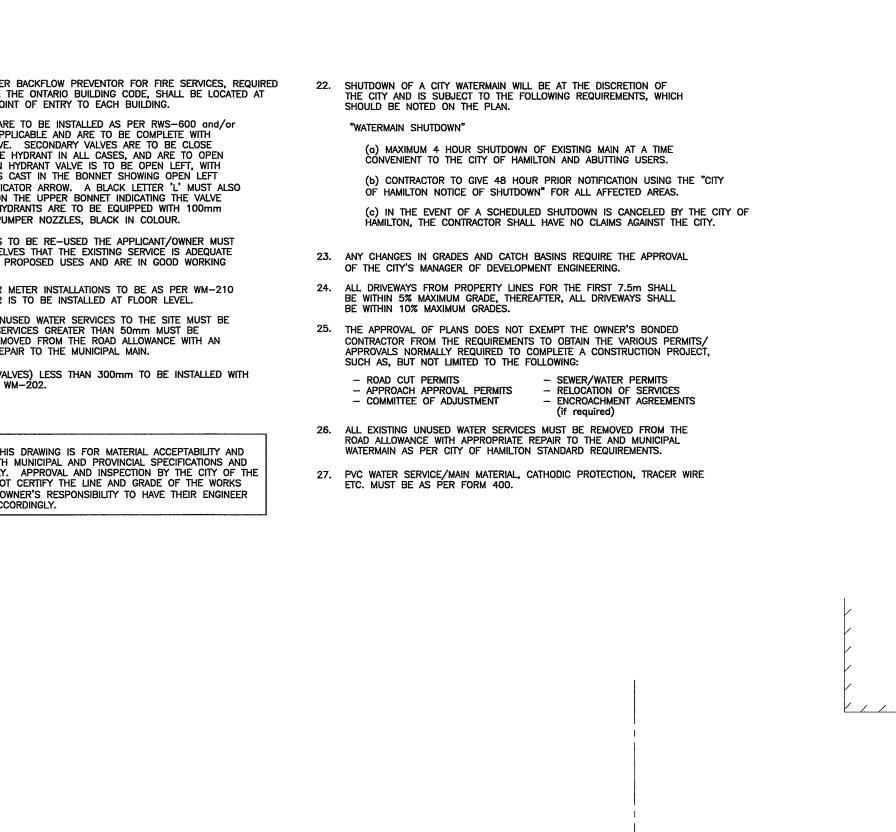
- TO BE NO LESS THAN 1.2m.

- WITH GRANULAR 'A' FOR BOTH BEDDING AND COVER.
- COMPRISING THE NEW CITY.
- GRANULAR 'A' BEDDING.

- AND WM-200.02 (DUCTILE IRON WATERMAINS AND SERVICES) WITH GRANULAR 'A' FOR BEDDING AND COVER. BEDDING AND COVER PER WM-200.01 WITH GRANULAR 'D' FOR BOTH BEDDING AND COVER. WATER SERVICES TO BE INSTALLED WITH A MINIMUM
- BY-LAW # 10-103 THE MANUFACTURER'S SPECIFICATIONS AND THE GUIDELINES SET OUT IN THE MOST RECENT VERSION'S OF THE AWWA CANADIAN CROSS CONNECTION CONTROL MANUAL AND THE CSA. B64.10/07/B64. 10.1-07 STANDARDS.







C.B. ORIFICI	E PLATE SIZI		
ORIFICE PLATE CONFIGURATION NUMBER	DIAMETER OF ORIFICE PLATE OPENING		
企	200mm		
Â	200mm		

WATERMAIN SUMMARY -	JOINT RESTRAINT
LOCATION / DESCRIPTION	LENGTH TO BE RESTI
150mm DIA. PVC – DEAD END	12.2m
150mm DIA. PVC - 45° HORZ. BEND	2.4m
150x150x150mm PVC - TEE	Lr — MAIN LINE — L — BRANCH LINE -
300x300x150mm PVC - TEE	Lr – MAIN LINE – L – BRANCH LINE -
	······································

*			SHAVER	51EP	
唐		₩	2 ROAD		
HOLWAY NO.		HMY	HWY No. 53		
HIGHWAY NO. 2 &	53 DR.	SUBJ	ECT		
SANDHILL DK. MI	SANDHILL S	DR.	l.		
	CORMORAN	<u>K</u>	EY PLAN	[
LEGEND:					
+ 	ELEVATIONS				
) ELEVATIONS) SWALE ELE				
-	TER METER CKFLOW PRE	VENTER			
C					
SANITAR	v qvq	TEM]		
MH No. DESCRIPTIC	ON T/	G INVE	RTS		
<i>S1</i> 1.2mø P/C	MH 224	.55 W 22 E 22	20.99		
STORM	M SYS	TEM			
MH No. DESCRIP ST1 EF8 STORMCEF		<i>T/G</i> 224.80	<i>INVERTS</i> W 222.83		
<i>ST2</i> 1.2mø P/C CI		225.28	E 222.78 W 223.11 E 223.06	-	
573 1.2mø P/C Ci	В/МН	226.00	W 223.39 E 223.34		
574 1.2mø P/C CI	В/МН	226.00	S 223.71 W 224.19 E 223.66		
S75 1.2mø P/C Cl	В/МН	226.39	S 224.44 E 224.39		
ST6 0.6x0.6x1.52m ST7 0.6x0.6x1.52m		226.00 226.11	N 223.92 N 224.61		
T.B.M. No. 1 ELEV. TOP NUT OF FIRE HYDRANT C AS SHOWN.			(GE BITTERN STREE	i	
T.B.M. No. 2 ELEV. TOP NUT OF FIRE HYDRANT C AS SHOWN.			(GE BITTERN STREE	I	
T.B.M. No. 3 ELEV. TOP S.W. CORNER OF CONC. SUBJECT PROPERTY AS SHOW	BASE TO H		·····		
T.B.M. No. 4 ELEV. TOP NUT OF FIRE HYDRANT C AS SHOWN.			(GE BITTERN STREE		
NO. REVISIO	iN	(м	DATE M/DD/YY)	BY	
	J.H. C ENGI				
		ED			
440 HARDY ROAD , UNIT #1 TEL. (519) 753-2656 FAX. ROJECT:	, branif0 (519) 753-	-4263 www	.cohooneng.co	o om	
	JPUS	FD			
PROPOSED INDUSTRIAL BUILDING					
BITTERN STREET					
CITY OF HAMILTON					
ABCOTT CONSTRUCTION					
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ESIGN: R.W.P.	SCALE	[:] 1:	400		
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R.W.P.		129	338		
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