

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.: SC/A-20:231

APPLICANTS: Joseph Abela on behalf of the owner 906256 Ontario Inc.

SUBJECT PROPERTY: Municipal address **859-869 Barton St. & 842-850 Arvin Avenue, Stoney Creek**

ZONING BY-LAW: Zoning By-law 05-200, as Amended

ZONING: "M2 & M3" (General Business Park (M2) zone and Prestige Business Park (M3) zone

PROPOSAL: To permit the construction a 33.363m x 38.800m westerly canopy addition and to establish of parking lots in order to facilitate Site Plan Control File No. DA-20-072 notwithstanding that:

1. No landscaped area shall be provided along the Barton Street street line, a minimum 2.0m wide planting strip shall be provided between the parking spaces, aisles or driveway and the Barton Street street line at the east side of the access driveway except where the planting strip tapers down to 0.0m wide at the curved portion of the ingress/egress driveway and a minimum 3.0m wide planting strip shall be provided between the parking spaces, aisles or driveway and the Barton Street street line at the west side of the access driveway except where the planting strip tapers down to 0.0m wide at the curved portion of the ingress/egress driveway instead of the requirement that a minimum 6.0 metre wide landscaped area shall be provided and maintained abutting a street, except for points of ingress and egress, and in addition within the 6.0 metre landscaped area, a minimum 3.0 metre wide planting strip shall be required and maintained between parking spaces, aisles or driveways and a street, except for points of ingress and egress.

2. Parking spaces and aisles giving direct access to parking spaces at the east side of the access driveway shall be a minimum of 2.0m from the Barton Street street line instead of the requirement that parking spaces and aisles giving direct access to abutting parking spaces, excluding driveways extending directly from the street, shall not be located within 3.0 metres of a street line.

3. A minimum 2.0m wide planting strip shall be provided between the parking spaces and aisles giving direct access to parking spaces and the Barton Street street line at the east side of the access driveway except where the planting strip tapers down to 0.0m wide at the curved portion of the ingress/egress driveway and a minimum 3.0m wide planting strip shall be provided between the parking spaces and aisles giving direct access to parking spaces and the Barton Street street line at the west side of the access driveway except where the planting strip tapers down to 0.0m wide at the curved portion of the ingress/egress driveway instead of the requirement a 3.0 metre wide planting strip shall be required and permanently maintained between the street line and the said parking spaces or aisle giving direct access to abutting parking spaces.

4. A maximum parking space size shall not be required instead of the existing regulation requiring a maximum parking space size of 3.0m wide x 6.0m long.

NOTE:

i) The variances are necessary to facilitate Site Plan Control File No. DA-20-072.

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

DATE: Thursday, December 3rd, 2020
TIME: 1:35 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: November 17th, 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.

UNDERTAKING

RE: 869 Barton St, Stoney Creek File No. DA-20-072

I, (We) _____, the owner(s) of the land, hereby undertake and agree without reservation,

(b) To perform the facilities, works or matters mentioned in Section 41(7)(a) of the Planning Act shown on this plan and drawing(s) in accordance with the conditions of approval as set out in the Letter of Approval dated _____;

(c) To maintain to the satisfaction of the City and at my (our) sole risk and expense all of the facilities, works or matters mentioned in Section 41(7)

(b) of the said Act, shown in this plan and drawing, including removal of snow from access ramps and driveways, parking and loading areas and walkways;

(d) In the event that the Owner does not comply with the plan dated _____, the owner agrees that the City may enter the land and do the required works, and further the Owner authorizes the City to use the security filed to obtain compliance with this plan.

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 Tourism, Culture and Sport (MTCSS) should be notified immediately (416.314.7143). In the event that human remains are encountered during construction, the proponent should immediately contact both MTCSS and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Small Business and Consumer Services (416.326.8392).

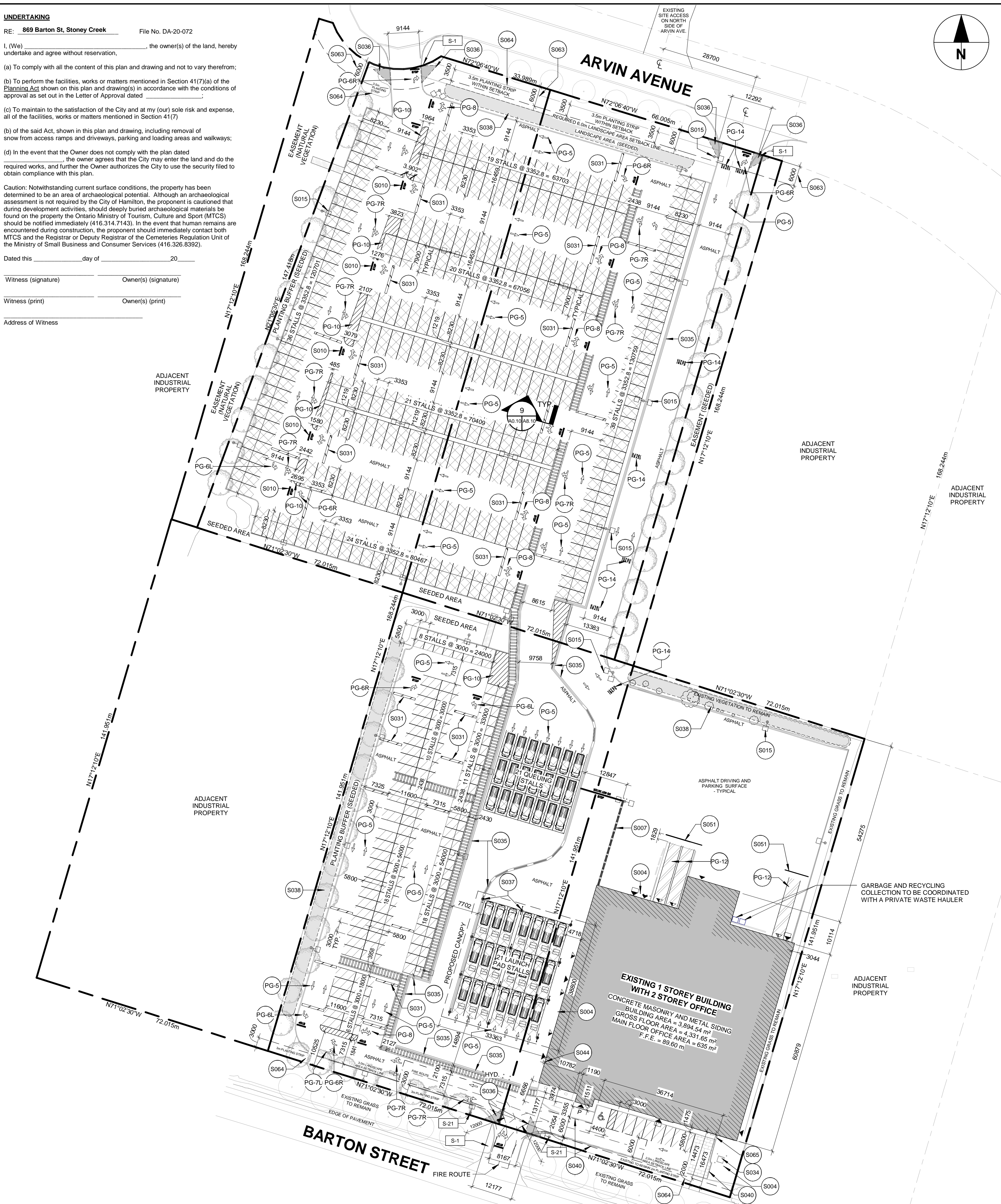
Dated this _____ day of _____

Witness (signature) _____ Owner(s) (signature) _____

Witness (print)

Owner(s) (print)

Address of Witness _____

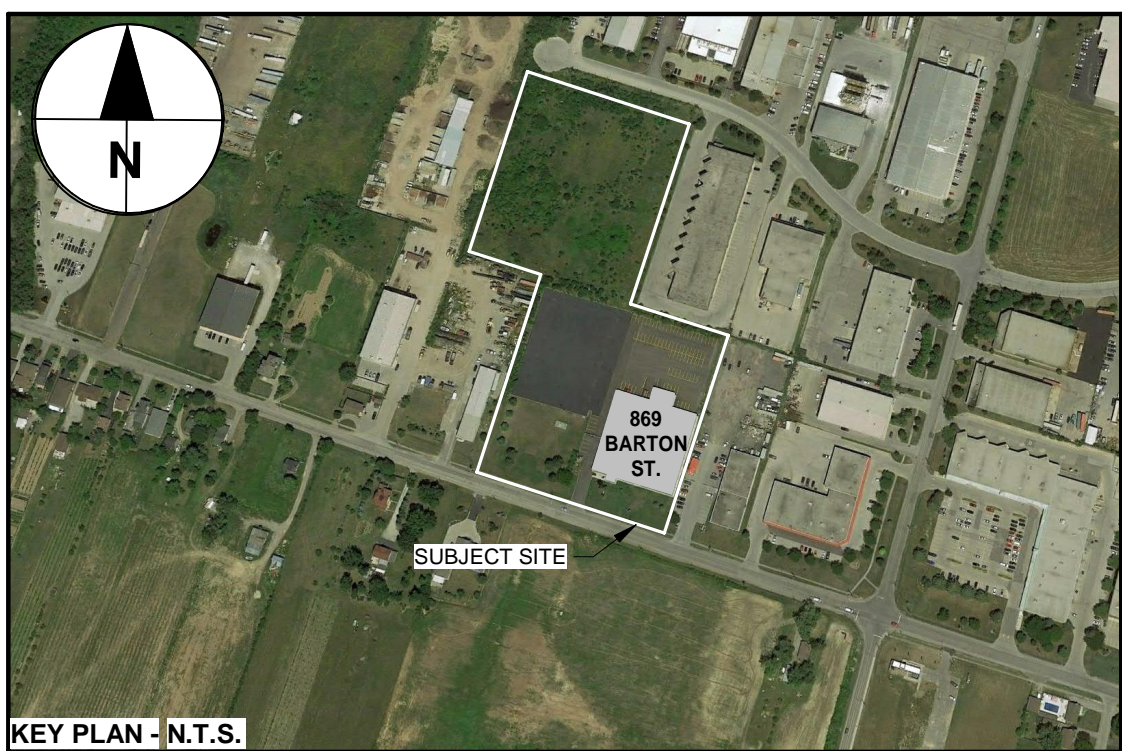


SITE PLAN NOTES





1. ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE ENGINEER OF PLANNING AND CHIEF PLANNER, PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
2. 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.
3. MAIN DRIVEWAY DIMENSIONS AT THE PROPERTY LINE BOUNDARIES ARE PLUS OR MINUS 7.5m UNLESS OTHERWISE STATED.
4. ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5m SHALL BE WITHIN 5% MAXIMUM GRADE. THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% OF MAXIMUM GRADES.
5. 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:
 - a. BUILDING PERMIT
 - b. SEWER AND WATER PERMIT
 - c. ROAD CUTS PERMIT
 - d. RELOCATION OF SERVICES
 - e. APPROACH APPROVAL PERMITS
 - f. ENCROACHMENT AGREEMENTS (IF REQUIRED)
 - g. COMMITTEE OF ADJUSTMENT
6. ABANDONED ACCESSES MUST BE REMOVED AND THE CURB AND BOULEVARD RESTORED WITH SOD AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE ENGINEER OF PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
7. 5.0m x 5.0m VISIBILITY TRIANGLES ARE LOCATED AT THE VEHICULAR ACCESS POINTS IN WHICH THE MAXIMUM HEIGHT OF ANY OBJECTS OR MATURE VEGETATION IS NOT TO EXCEED A HEIGHT OF 0.70m ABOVE THE CORRESPONDING PERPENDICULAR CENTRELINE ELEVATION OF THE ADJACENT STREET
8. PROPOSED SIGNAGE SHALL CONFORM TO THE CITY'S SIGN AND OTHER DEVICES BY-LAW NO. 10-197.
9. LIGHTING MUST BE DIRECTED ON SITE AND MUST NOT SPILL OVER TO ADJACENT PROPERTIES OF STREETS.

LINE PAINTING GENERAL NOTES:

1. PARKING STALL, QUEUEING STALL, LAUNCH PAD STALL LINES SHALL BE IDENTIFIED WITH 102 MM (4") WIDE WHITE PAINTED LINE.
2. BARRIER FREE ACCESSIBLE PARKING STALLS SHALL BE IDENTIFIED WITH APPROPRIATE SYMBOL DESIGNATION AND IN ACCORDANCE WITH THE OWNER REQUIREMENTS AND AUTHORITIES HAVING JURISDICTION.
3. REFER TO SITE SIGNAGE AND GRAPHIC DETAILS FOR ADDITIONAL INFORMATION AND DIMENSIONS FOR PAVEMENT GRAPHIC AND PEDESTRIAN CROSS WALKS.



SITE PARKING BREAKDOWN

PATTERN	PARKING SPACE USAGE	PROPOSED
EXTERIOR		
	BARRIER-FREE - 5.80 m x 4.40 m	1
	LINE HAUL LOADING - 18.3 m x 3.5 m	3
	STANDARD - 5.8 m x 3.0 m	114
	VAN - 8.23 m x 3.35 m	279

SITE DATA TABLE - ZONED M3 PRESTIGE BUSINESS PARK
PROPOSED USE: DELIVERY STATION (WAREHOUSE)

	PERMITTED BY ZONING	PROPOSED
BUILDING HEIGHT	10.972 m	EXISTING TO REMAIN
BUILDING COVERAGE	N/A	EXISTING TO REMAIN
LANDSCAPE BUFFER STRIP	6.0m TOTAL c/w 3.0m PLANTING	REFER TO LANDSCAPE
OUTSIDE STORAGE	LINE HAUL PARKING	VAN PARKING ONLY
MAX GROSS RETAIL COMMERCIAL FLOOR ARE (GRCFA)	N/A	N/A
EXISTING GROSS FLOOR AREA (GFA) TO REMAIN	4,331.65 m²	EXISTING TO REMAIN
NUMBER OF UNITS INCLUDING FLOOR AREA OF EACH UNIT	1	1
MAX LOT COVERAGE (%)	EXISTING TO REMAIN	EXISTING TO REMAIN
PARKING REQUIRED	21 MIN STANDARD SPACES + 1 BARRIER FREE	114 STANDARD SPACES + 1 BARRIER FREE
LOADING SPACE (MIN. 3.5m x 10m)	6 (LOADING DOORS)	EXISTING TO REMAIN PROPOSED USE OF 2 + 1 LOADING DOORS

THIS DRAWING HAS BEEN PREPARED FOR THE USE OF AECOM'S CLIENT AND MAY NOT BE USED, REPRODUCED OR RELIED UPON BY THIRD PARTIES, EXCEPT AS AGREED BY AECOM AND ITS CLIENT, AS REQUIRED BY LAW OR FOR USE BY GOVERNMENTAL REVIEWING AGENCIES. AECOM ACCEPTS NO RESPONSIBILITY, AND DENIES ANY LIABILITY WHATSOEVER, TO ANY PARTY THAT MODIFIES THIS DRAWING WITH OUT AECOM'S EXPRESS WRITTEN CONSENT.

DO NOT SCALE THIS DOCUMENT. ALL MEASUREMENTS MUST BE OBTAINED FROM STATED DIMENSIONS.

NOTE:
IT IS THE RESPONSIBILITY OF THE CONTRACTORS TO INFORM THEMSELVES OF THE EXACT LOCATION OF, AND ASSUME ALL LIABILITY FOR DAMAGE TO ALL UTILITIES, SERVICES AND STRUCTURES WHETHER ABOVE GROUND OR BELOW GRADE BEFORE COMMENCING THE WORK. SUCH INFORMATION IS NOT NECESSARILY SHOWN ON THE DRAWING, AND WHERE SHOWN, THE ACCURACY CANNOT BE GUARANTEED.

WITH THE SOLE EXCEPTION OF THE BENCHMARK(S) SPECIFICALLY DESCRIBE
FOR THIS PROJECT, NO ELEVATION INDICATED OR ASSUMED HEREON IS TO BE
USED AS A REFERENCE ELEVATION FOR ANY PURPOSE.

SITE PLAN LEGEND

	PROPERTY LINE
	BUILDING SETBACKS
	EXISTING EXIT DOOR
	PROPOSED NEW ENTRANCE / EXIT DOOR
	PRIMARY ENTRANCE DOOR
	EXISTING OVERHEAD DOOR TO REMAIN
	PROPOSED NEW OVERHEAD DOOR TO REPLACE EXISTING
	FIRE ROUTE C/W SIGNAGE AS PER MUNICIPAL REQUIREMENTS
	PEDESTRIAN WALKWAY
	PEDESTRIAN WALKWAY / SIGNED SEPARATION BETWEEN VEHICLE PARKING ZONES
	SEMI-PERMANENT PRE-CAST CONCRETE JERSEY BARRIER
	NEW PAINTED PAVEMENT MARKINGS, TYPICAL AS SHOWN. REFER TO A0.20.
	NEW PAINTED TRAFFIC STOP MARKING. REFER TO A0.20.

SITE PLAN KEYNOTE LEGEND

NUMBER	KEYNOTE
S004	EXISTING BOLLARD(S) TO REMAIN.
S007	NEW SEMI-PERMANENT PRE-CAST CONCRETE JERSEY BARRIER.
S010	NEW PAINTED TRAFFIC MARKING. REFER TO A0.20.
S011	NEW LIGHT STANDARD. TYPICAL AS SHOWN. REFER TO ELECTRICAL.
S031	NEW ASPHALT SPEED BUMP. PER OWNER STANDARDS. TYPICAL AS SHOWN. REFER TO CIVIL.
S034	EXISTING ELECTRICAL EQUIPMENT TO REMAIN.
S035	NEW CONCRETE JERSEY BARRIER SYSTEM. REFER TO CIVIL.
S036	TYPICAL VISIBILITY TRIANGLE (5m x 5m).
S037	TYPICAL COLUMN FOOTING FOR PROPOSED CANOPY.
S038	PROPOSED AREA FOR SNOW STORAGE.
S040	EXISTING CURB TO REMAIN.
S044	NEW SIAMSESE CONNECTION. REFER TO MECHANICAL.
S051	TRUCK COT WARNING LINE. REFER TO A0.20
S063	REQUIRED 6m LANDSCAPE AREA.
S064	REQUIRED 3m PLANTING STRIP.
S065	BIKE RACKS. PROVIDED BY TENENT. TYPICAL AS SHOWN.
S066	STOP SIGN. REFER TO SHEET A9.41
S-21	FIRE ROUTE SIGN. REFER TO SHEET A9.41

AECOM

PROJECT

**DXT8 - STONEY CREEK,
ONTARIO
869 BARTON STREET**

CLIENT

CONSULTANT

AECOM Canada Architects Ltd.
50 Sportsworld Crossing Road, Suite 290
Kitchener, Ontario, N2P 0A4
519 650 5313 tel 519 650 3424 fax
www.aecom.com

REGISTRATION



ISSUE/REVISION

8	2020-11-11	RE-ISSUED FOR SPA R5
7	2020-11-10	RE-ISSUED FOR SPA R4
6	2020-11-10	RE-ISSUED FOR SPA R3
5	2020-10-30	ISSUED FOR CCN A-01
4	2020-11-02	RE-ISSUED FOR SPA R1
3	2020-09-02	ISSUED FOR BID
2	2020-07-23	ISSUED FOR CLIENT REVIEW
1	2020-07-22	ISSUED FOR COMPLIANCE ALTERNATIVE
I/R	DATE	DESCRIPTION

PROJECT NUMBER

60629054

SHEET TITLE

SITE PLAN
869 Barton St, Stoney Creek
DA-20-072

SHEET NUMBER

A0.10

6. Nature and extent of relief applied for:

To permit a 2.0 metre wide planting strip to be maintained between the Barton St. street line and the driving aisle, whereas the Zoning By-law requires a 3.0 metre wide planting strip and a 6.0 metre wide landscaped Area. To permit a drive aisle within 3.0 metres of the Barton St. street line, whereas the Zoning By-law requires 3.0 metres between a drive aisle and the street line. To facilitate Site Plan Application DA-20-072

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

Part of the proposed work is to merge 4 properties into one (all listed below). We want to match the existing variance existing on one of the 4 properties and have the setback be consistent across Barton so we may re-use existing parking surfaces without wasteful removal and replacement of perfectly functional facilities.

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):

859-869 BARTON ST - Property Number 251800312005100

842-850 ARVIN AVE - Property Number 251800312040200

9. PREVIOUS USE OF PROPERTY

Residential ☐ Industrial ☒ Commercial ☐

Agricultural ☐ Vacant ☒

Other

9.1 If Industrial or Commercial, specify use
Warehouse / Office

9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes ☒ No ☐ Unknown ☐

9.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes ☐ No ☐ Unknown ☒

9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes ☐ No ☐ Unknown ☒

9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes ☐ No ☐ Unknown ☒

9.6 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 ☒

9.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes ☐ No ☒ Unknown ☐

9.8 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 ☐

9.9 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 X Unknown _____

9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes _____ No X Unknown _____

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?
Information from building owner, publicly available reference information.

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 X

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.

10/21/2020

Date

Signature Property Owner

906256 ONTARIO LIMITED
Print Name of Owner

10. Dimensions of lands affected:

Frontage Arvin - 148m, Barton - 144m

Depth 298m

Area 42,655m²

Width of street Arvin - 10.5m, Barton - 10.5m

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: Existing warehouse building with two storey office component and parking lot
existing Gross floor area is 4,311m², building height is 6.1m, 71m deep and 62m wide
the existing building foot print and exterior is not proposed to be significantly altered.

Proposed: one storey warehouse building with two storey office component, an external
loading canopy (33m wide x 38m deep x 5.2m tall) and expanded parking lot area.

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

Existing: South - 15.2m setback

East - 3m setback

West - 80m Setback

North - 54m Setback

- Proposed: South - 15.2m setback
East - 3m setback
West - 46m Setback (to canopy)
North - 54m Setback
13. Date of acquisition of subject lands:
Q4 2020 New Tenant
14. Date of construction of all buildings and structures on subject lands:
Q4 2020 / Q1 2021
15. Existing uses of the subject property: Greenfield / vacant warehousing building
16. Existing uses of abutting properties: Industrial / Distribution
17. Length of time the existing uses of the subject property have continued:
approx 25 years
18. Municipal services available: (check the appropriate space or spaces)
Water ☒ Connected ☒
Sanitary Sewer ☒ Connected ☒
Storm Sewers ☒
19. Present Official Plan/Secondary Plan provisions applying to the land:
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
21. Has the owner previously applied for relief in respect of the subject property?
Yes No
If the answer is yes, describe briefly.
To permit a 2.0 metre wide planting strip to be maintained between the Barton St. street line and the driving aisle, whereas the Zoning By-law requires a 3.0 metre wide planting strip and a 6.0 metre wide landscaped Area.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
Yes No
23. 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