

## **NOTICE OF PUBLIC HEARING** **Minor Variance**

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**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
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**APPLICATION NO.:** GL/A-21:359

**APPLICANTS:** Agent IBI Group c/o Jared Marcus  
Owner Vicano Developments Inc. c/o Yaw Yawson

**SUBJECT PROPERTY:** Municipal address **15 Ambitious Crt., Glancaster**

**ZONING BY-LAW:** Zoning By-law 05-200, as Amended 10-128

**ZONING:** "M3" (Prestige Business Park (M3) Zonedistrict

**PROPOSAL:** To permit the construction of two (2) industrial buildings to be occupied by a warehouse use(s), with a combined gross floor area of approximately 10,670 square metres, notwithstanding,

1. A planting strip with a minimum width of 1.5 metres shall be provided between the parking area and the street line instead of providing a planting strip with a minimum width of 3.0 metres required to be provided between a parking area and the street line.

**NOTES:**

1. This variance is necessary to facilitate Site Plan Application DA-20-034.

2. Minor variance GL/A-20:216 was previously approved to facilitate the proposed development.

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

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**DATE:** Thursday, November 4th, 2021  
**TIME:** 2:35 p.m.  
**PLACE:** Via video link or call in (see attached sheet for details)  
To be streamed at  
[www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)  
for viewing purposes only

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### **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](http://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](mailto:cofa@hamilton.ca)

DATED: October 19th, 2021.

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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.***



## UNDERTAKING

RE: 15 Ambitious Court, Hamilton  
File No. DA-20-034

I, Vicano Developments Limited, the owner of the land, hereby undertake and agree without reservation,

(a) to comply with all the content of this plan and drawing and not to vary therefrom;

(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 June 1, 2020;

(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; and,

(d) in the event that the Owner does not comply with the plan dated August 9, 2021, 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.

(e) The owner shall complete to the satisfaction of the Director of Engineering of the City of Hamilton and Canada Post:

- include on all offers of purchase and sale, a statement that advises the prospective purchaser:
  - that the home/business mail delivery will be from a designated Centralized Mail Box.
  - that the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.
- the owner further agrees to:
  - work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.
  - install a concrete pad in accordance with the requirements of and in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes
  - identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.
  - determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans.
  - Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.
  - Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility ( Lock Box Assembly ) at their own expense ( less than 100 units will require a front loading Lock Box Assembly & more than 100 units will require a rear loading Lock Box Assembly which will require a mail room) will be in affect for buildings and complexes with a common lobby, common indoor or sheltered space.

(g) The Owner shall indicate in the Agreement, in words satisfactory to Bell Canada, that it will grant to Bell Canada any easements that may be required, which may include a blanket easement, for communication/telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.

(h) That the Owner acknowledges that the required parking on site has been calculated for Warehouse use. Individual units will be subject to parking calculations at Building Permit stage when uses are determined. Should parking on site be deficient for the proposed uses, a Minor Variance will be required.

(i) That the Owner acknowledges that any development in conjunction with the site plan must not block vehicular access to any HONI facilities located on the transmission corridor. During construction, there must be no storage of materials or mounding of earth, snow or other debris on the transmission corridor.

(j) That the Owner acknowledges that hte transmission lines abutting the subject lands operate at either 500,000, 230,000 or 115,000 volts. Section 188 of Regulation 213/91 pursuant to the *Occupational Health and Safety Act*, require that no object be brought closer than 6 metres (20 feet) to an energized 500kV conductor. The distance for 230kV conductors is 4.5 metres (15 feet), and for 115kV conductors it is 3 metres (10 feet). It is the developer's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the conductors can raise and lower without warning, depending on the electrical demand placed on the line.

(k) The Owner acknowledges and agrees that the City will not issue a servicing permit or grant a building permit for this development until such time that the municipal mains within Ambitious Court are assumed by the City and utilities are completed to the satisfaction of the Manager of Development Approvals.

(l) That the Owner agrees to physically affix the municipal numbers 11 and 15 Ambitious Court and the assigned unit number to each building entrance or on a sign in accordance with the City's Sign By-law near the driveway at the road.

Dated this 9th day of August, 2021

Witness (signature) [Signature] Owner(s) (signature) [Signature] (seal)

Witness (print) Yav Yavson Peter Vicano

Address of Witness 110 Hedley Avenue North, Hamilton, ON

DEVELOPMENT DETAILS PRESTIGE BUSINESS PARK (M3) ZONE			
	REQUIRED	PROPOSED	AMENDMENT NEEDED
MINIMUM LOT AREA	4,000m <sup>2</sup>	±27,433m <sup>2</sup>	
MINIMUM YARD ABUTTING A STREET	6.0 m	20.48 m	
MAXIMUM YARD ABUTTING A STREET	27.0 m	25.28 m	
MAXIMUM BUILDING HEIGHT	N/A	9.98 m	
GROSS FLOOR AREA FOR OFFICE USE	MAX. 3,000m <sup>2</sup>	N/A	
GROSS FLOOR AREA FOR INDUSTRIAL ADMINISTRATIVE OFFICE	10,000m <sup>2</sup>	78m <sup>2</sup>	
MINIMUM LANDSCAPED AREA ABUTTING A STREET	6.0 m	6.0 m	
MINIMUM PLANTING STRIP ABUTTING A STREET	3.0 m	1.5 m	X
OUTDOOR STORAGE SHALL NOT BE PERMITTED IN A FRONT YARD	NOT PERMITTED	NOT PROPOSED	
MAXIMUM OUTDOOR STORAGE	85% LOT AREA = 23,318m <sup>2</sup>	±306m <sup>2</sup> =1.1%	
MAXIMUM ACCESSORY RETAIL	25% OF GFA OR 500m <sup>2</sup>	NONE PROPOSED	
PARKING REQUIREMENTS			
MINIMUM SETBACK TO A STREET LINE	3.0 m	6.41 m	
MINIMUM PLANTING STRIP ABUTTING A STREET LINE	3.0 m	1.5 m	X
MINIMUM PARKING STALL SIZE	3.0 m x 5.8 m	3.0 m x 5.8 m	
MINIMUM BARRIER FREE STALL SIZE	4.4 m x 5.8 m	4.4 m x 5.8 m	
WAREHOUSE (10,591.3m <sup>2</sup> )		103 SPACES	
ACCESSORY OFFICE (78m <sup>2</sup> )	1 SPACE/30m <sup>2</sup> = 3 SPACES	10 SPACES	
TOTAL PARKING		113 SPACES	
BARRIER FREE PARKING	4% OF REQUIRED = 2 SPACES	4 SPACES	
LOADING FACILITIES			
LOCATION IN FRONT YARD	NOT PERMITTED	NOT PROPOSED	

## GENERAL NOTES:

- ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR OF PLANNING, PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT.
- 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.
- MAIN DRIVEWAY DIMENSIONS AT THE PROPERTY LINE BOUNDARIES ARE PLUS OR MINUS 7.5m UNLESS OTHERWISE STATED.
- ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5m SHALL BE WITHIN 5% MAXIMUM GRADE, THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADE.
- 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
  - BUILDING PERMITS
  - SEWER PERMITS
  - RELOCATION OF SERVICES
  - ENCROACHMENT AGREEMENTS (IF REQUIRED)

- ABANDONED ACCESSSES MUST BE REMOVED AND THE CURB AND BOULEVARD RESTORED WITH SOD AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE TRAFFIC ENGINEERING SECTION, PUBLIC WORKS DEPARTMENT.
- FOR VISIBILITY TRIANGLES AT THE VEHICULAR ACCESS POINTS, THE FOLLOWING NOTE TO BE PROVIDED: "5.0 METRE BY 5.0 METRE VISIBILITY TRIANGLES IN WHICH THE MAXIMUM HEIGHT OF ANY OBJECTS OR MATURE VEGETATION IS NOT TO EXCEED A HEIGHT OF 0.70 METRES ABOVE THE CORRESPONDING PERPENDICULAR CENTRELINE ELEVATION OF THE ADJACENT STREET."
- THIS PROPERTY IS INELIGIBLE FOR MUNICIPAL COLLECTION OF GARBAGE, RECYCLABLE MATERIAL AND LEAF AND YARD WASTE THROUGH THE CITY OF HAMILTON. WASTE WILL BE MANAGED THROUGH A PRIVATE COMPANY.
- PROPOSED SIGNAGE SHALL CONFORM TO THE CITY'S SIGN AND OTHER DEVICES BY-LAW No. 10-197.
- ALL FENCES MUST COMPLY WITH THE CITY OF HAMILTON FENCE BY-LAW No. 10-142.
- LIGHTING MUST BE DIRECTED ON SITE AND MUST NOT SPILL OVER TO ADJACENT PROPERTIES OR STREETS.

CLIENT  
VICANO DEVELOPMENTS  
LIMITED

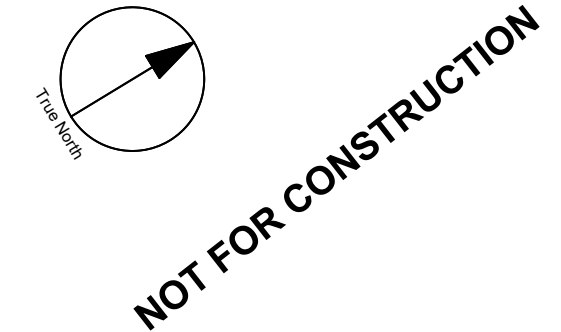
225 PARIS ROAD, BRANTFORD

## COPYRIGHT

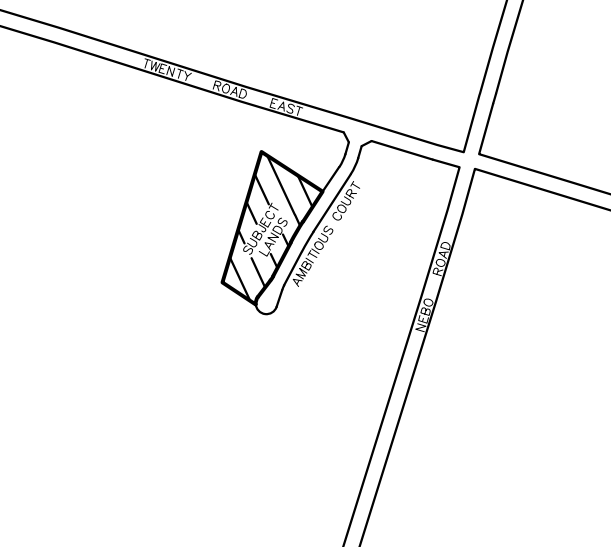
This drawing has been prepared solely for the intended use, thus any reproduction or distribution for any purpose other than authorized by IBI Group is forbidden. Written dimensions shall have precedence over scaled dimensions. Contractors shall verify and be responsible for all dimensions and conditions on the job, and IBI Group shall be informed of any variations from the dimensions and conditions shown on the drawing. Shop drawings shall be submitted to IBI Group for general conformance before proceeding with fabrication.

IBI Group Professional Services (Canada) Inc.  
is a member of the IBI Group of companies.

ISSUES	No.	DESCRIPTION	DATE
	1	FIRST SITE PLAN SUBMISSION	2020-02-04
	2	FIRST CLEARANCE SUBMISSION	2020-07-16
	3	SECOND CLEARANCE SUBMISSION	2021-01-06
	4	THIRD CLEARANCE SUBMISSION	2021-04-28
	5	FOURTH CLEARANCE SUBMISSION	2021-08-09



## KEY PLAN



## CONSULTANTS

## LEGEND

- ▶ PROPOSED LOADING DOOR
- ▷ PROPOSED MAN DOOR

## SEAL



SOURCE:  
TOPOGRAPHIC SURVEY INFORMATION OBTAINED FROM WEST & RUUSKA LTD., DWG. No. V190217, DATED NOVEMBER 26, 2019.

ELEVATION NOTE:  
ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE DERIVED FROM CANSEL CAN-NET REAL TIME NETWORK OBSERVATION, UTM ZONE 17, NAD83 (CSRS) (2010)

IBI GROUP  
Suite 200 - 360 James Street North  
Hamilton ON L8L 1H5 Canada  
tel 905 546 1010 fax 905 546 1011  
ibigroup.com

PROJECT  
15 AMBITIOUS COURT  
BLOCK 5, 62M-1295

SCALE  
5 2 0 5 10 15  
1:400 (m)

PROJECT NO:  
123421  
DRAWN BY:  
J.MARCUS  
CHECKED BY:  
M.CROUGH  
PROJECT MGR:  
J.MARCUS  
APPROVED BY:  
M.CROUGH

SHEET TITLE  
SITE PLAN  
DA-20-034

SHEET NUMBER  
SP1  
ISSUE  
4



LANDSCAPE NOTES:

1. ALL WORK TO BE CARRIED OUT IN ACCORDANCE WITH BY-LAWS AND CODES HAVING JURISDICTION OVER SITE LOCATION.
2. COMPLETE ALL WORK TO THE SATISFACTION OF THE LANDSCAPE ARCHITECT.
3. REPORT ANY CHANGES, DISCREPANCIES OR SUBSTITUTIONS TO THE LANDSCAPE ARCHITECT FOR REVIEW. OBTAIN APPROVAL FROM THE LANDSCAPE ARCHITECT BEFORE PROCEEDING.
4. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE EXISTING SERVICE LOCATIONS.
5. EXACT LOCATIONS OF PLANT MATERIAL WILL BE DETERMINED BY PLACEMENT OF SITE SERVICES SUCH AS HYDRO VAULTS, METERS, UTILITIES ROOF-RAIN WATER LEADERS, DRIVEWAYS, LIGHT STANDARDS, ETC.
6. ALL PLANT MATERIAL LOCATIONS TO BE STAKED OR MARKED OUT AND APPROVED BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
7. SUPPLY ALL PLANT MATERIAL IN ACCORDANCE WITH THE CANADIAN STANDARDS FOR NURSERY STOCK (8th Ed.).
8. INSTALL PLANT MATERIAL ACCORDING TO DETAILS SHOWN.
9. DISTURBED SOIL AREAS AROUND TREES AND SHRUBS ARE TO BE COVERED WITH SHREDDED CONIFER BARK MULCH SUCH AS CANADA RED OR GRO-BARK SPM MULCH, OR APPROVED EQUIVALENT. ALTERNATIVE MULCHES MUST BE APPROVED BY THE LANDSCAPE ARCHITECT.
10. CONTRACTOR TO UTILIZE LAYOUT DIMENSIONS WHERE PROVIDED.
11. PROVIDE PLANTING BED AREA AS NOTED ON THE DRAWING OR TO ACCOMMODATE NATURE SIZE OF PLANT MATERIAL.
12. ALL SUPPORT SYSTEMS MUST BE REMOVED BY THE CONTRACTOR AT TIME OF FINAL ACCEPTANCE. NO EXTRAS WILL BE PAID TO COMPLETE THIS WORK.

13. SUPPLY AND PLACE TOPSOIL IN ACCORDANCE WITH OPSS 802 TO A MINIMUM DEPTH OF 150mm UNLESS OTHERWISE SPECIFIED.
14. SUPPLY AND PLACE SOD IN ACCORDANCE WITH OPSS 803 UNLESS OTHERWISE SPECIFIED.
15. SUPPLY AND PLACE SEED IN ACCORDANCE WITH OPSS 804 UNLESS OTHERWISE SPECIFIED. ALL 5:1 OR GREATER SLOPES TO BE SEEDED WITH TACIFER.
16. CONTRACTOR TO PROVIDE NECESSARY EROSION CONTROL PROTECTION AS REQUIRED TO ENSURE SOIL STABILIZATION AND PROPER SEED GERMINATION.
17. IF DISCREPANCIES ARISE BETWEEN PLANT MATERIAL COUNT SHOWN ON DRAWING AND PLANT LIST, THE DRAWING SHALL BE CONSIDERED CORRECT.
18. CONTRACTOR TO PROVIDE MINIMUM TWO (2) YEAR WARRANTY FROM DATE ACCEPTED ON ALL WORK UNLESS OTHERWISE SPECIFIED.
19. ANY SITE PLAN OR GRADING AND SERVISING SHOWN IS FOR INFORMATION ONLY. REFER TO APPROVED DRAWINGS.
20. NOT FOR CONSTRUCTION UNLESS STAMPED, SIGNED AND DATED BY LANDSCAPE ARCHITECT.
21. DRAWINGS NOT TO BE REPRODUCED WITHOUT WRITTEN CONSENT FROM LANDSCAPE ARCHITECT.
22. APPROVAL OF LANDSCAPE PLAN TO BE OBTAINED FROM MUNICIPALITY.
23. FOR GRADING AND SERVISING INFORMATION REFER TO THE ENGINEER'S DRAWINGS.
24. FOR LIGHTING INFORMATION AND POWER DISTRIBUTION REFER TO THE ELECTRICAL DRAWINGS.

SEEDING NOTES:

CONTRACTOR TO SOW NURSE CROP OVER THE AREA INDICATED, TO BE SEEDED AT A RATE OF 28kg/HECTARE.

1. ROADSIDE EDGE MIX (MODIFIED) TO INCLUDE:
  - Virginia Wild Rye (*Elymus virginicus*) 60%
  - Bottlebrush Grass (*Elymus hystrix*) 15%
  - Blue Vervain (*Verbena hastata*) 6%
  - Common Milkweed (*Asclepias syriaca*) 6%
  - Swamp Milkweed (*Asclepias incarnata*) 6%
  - Brown Eyed Susan (*Rudbeckia hirta*) 2%
  - Early Goldenrod (*Solidago juncea*) 2%
  - Indian Hemp (*Apocynum cannabinum*) 1%
  - Poverty Oat Grass (*Danthonia spicata*) 1%
  - Graceful Sedge (*Carex gracillima*) 1%

ROADSIDE EDGE MIX (MODIFIED) AS MANUFACTURED BY ST. WILLIAMS NURSERY & ECOLOGY CENTRE P: 519-886-9116 OR APPROVED EQUIVALENT. APPLY AT A RATE OF 28kg/HECTARE.

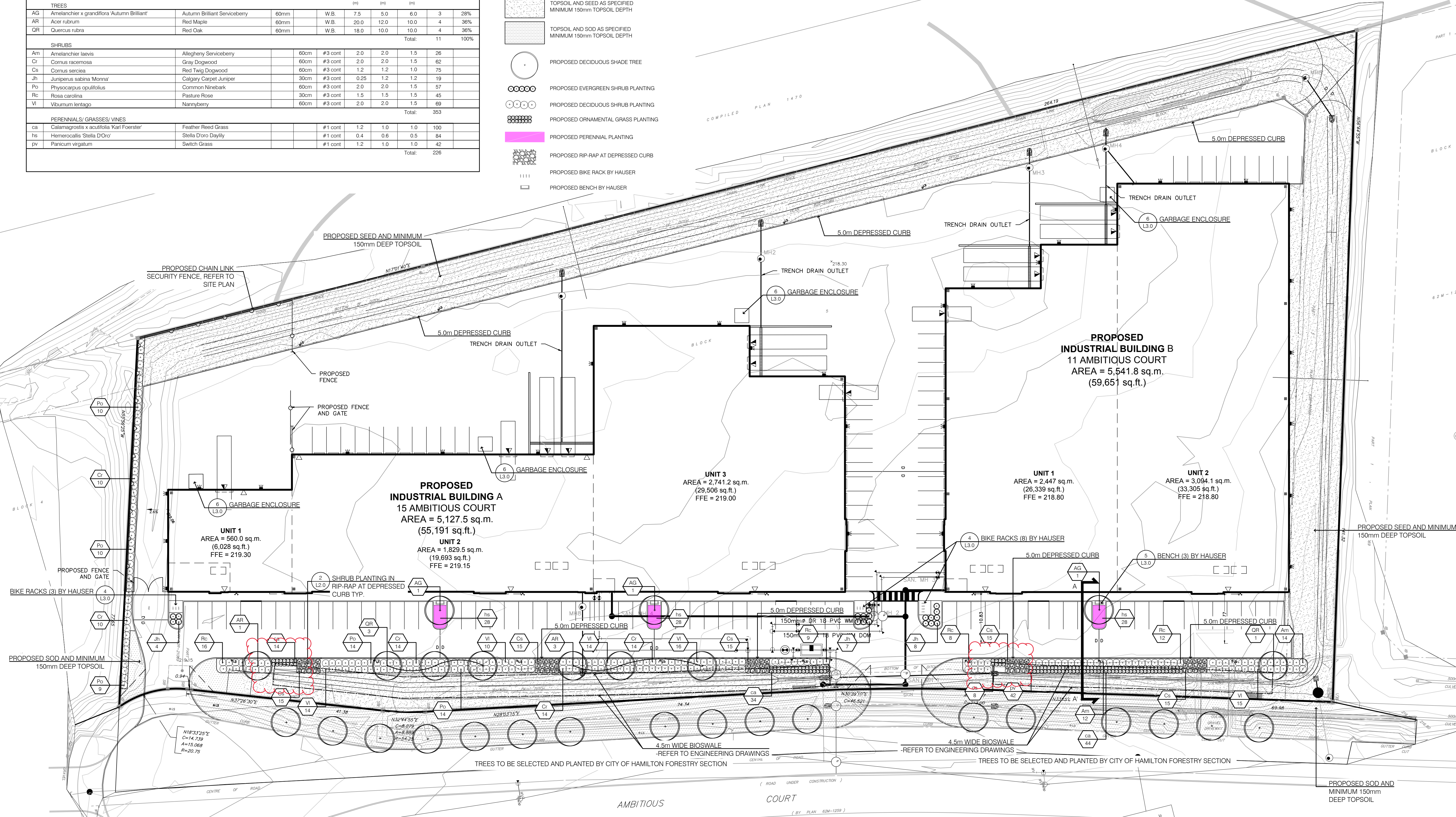
NATIVE SEED MIXES DO BEST WHEN PLANTED IN THE FALL, BETWEEN OCTOBER 15TH AND NOVEMBER 15TH. LATE FALL SOWINGS ADDITIONALLY STRATIFY THE SEED. AN EARLY SPRING SOWING IN APRIL WILL WORK BUT NOT AS EFFECTIVELY. IF IDEAL GROWING SEASONS ARE UNAVAILABLE, THE SEED MAY GO DORMANT AND NOT GERMINATE UNTIL SPRING THE FOLLOWING YEAR.

SUBSTITUTIONS MAY BE MADE WITH NATIVE SPECIES ONLY. SUBSTITUTIONS MUST BE APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.

LEGENDS:

- TOPSOIL AND SEED AS SPECIFIED MINIMUM 150mm TOPSOIL DEPTH
- TOPSOIL AND SOD AS SPECIFIED MINIMUM 150mm TOPSOIL DEPTH
- PROPOSED DECIDUOUS SHADE TREE
- PROPOSED EVERGREEN SHRUB PLANTING
- PROPOSED DECIDUOUS SHRUB PLANTING
- PROPOSED ORNAMENTAL GRASS PLANTING
- PROPOSED PERENNIAL PLANTING
- PROPOSED RIP-RAP AT DEPRESSED CURB
- PROPOSED BIKE RACK BY HAUSER
- PROPOSED BENCH BY HAUSER

PLANT SCHEDULE									
KEY	BOTANICAL NAME	COMMON NAME	CAL.	SIZE	COND	MATURE HEIGHT (m)	MATURE SPREAD (m)	O.C. SPACING (m)	QNTY.
TREES									
AG	<i>Amelanchier x grandiflora</i> 'Autumn Brilliant'	Autumn Brilliant Serviceberry	60mm		W.B.	7.5	5.0	6.0	3
AR	<i>Acer rubrum</i>	Red Maple	60mm		W.B.	20.0	12.0	10.0	4
QR	<i>Quercus rubra</i>	Red Oak	60mm		W.B.	18.0	10.0	10.0	4
Total:									11
SHRUBS									
Am	<i>Amelanchier laevis</i>	Allegheny Serviceberry	60cm	#3 cont	2.0	2.0	1.5	26	
Cr	<i>Cornus racemosa</i>	Gray Dogwood	60cm	#3 cont	2.0	2.0	1.5	62	
Cs	<i>Cornus sericea</i>	Red Twig Dogwood	60cm	#3 cont	1.2	1.2	1.0	75	
Jh	<i>Juniperus sabina</i> 'Moina'	Calgary Carpet Juniper	30cm	#3 cont	0.25	1.2	1.2	19	
Po	<i>Physocarpus opulifolius</i>	Common Ninebark	60cm	#3 cont	2.0	2.0	1.5	57	
Rc	<i>Rosa carolina</i>	Pasture Rose	30cm	#3 cont	1.5	1.5	1.5	45	
Vi	<i>Viburnum lentago</i>	Nannyberry	60cm	#3 cont	2.0	2.0	1.5	69	
Total:									353
PERENNIALS/ GRASSES/ VINES									
ca	<i>Calamagrostis x acutifolia</i> Karl Foerster	Feather Reed Grass		#1 cont	1.2	1.0	1.0	100	
hs	<i>Hemerocallis</i> 'Stella D'Oro'	Stella D'Oro Daylily		#1 cont	0.4	0.6	0.5	84	
pv	<i>Panicum virgatum</i>	Switch Grass		#1 cont	1.2	1.0	1.0	42	
Total:									226



CLIENT  
**VICANO DEVELOPMENTS LIMITED**

225 PARIS ROAD, BRANTFORD

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IBI Group Professional Services (Canada) Inc. is a member of the IBI Group of companies		
ISSUES		
NO.	DESCRIPTION	DATE
1	FIRST SITE PLAN SUBMISSION	2020-02-04
2	ISSUED FOR CLIENT REVIEW	2020-06-30
3	SUBMITTED FOR SPA	2020-07-06
4	SUBMITTED FOR SPA	2021-01-07
5	SUBMITTED FOR SPA	2021-04-27
6	SUBMITTED FOR SPA	2021-07-27

**KEY PLAN**

**CONSULTANTS**

**SEAL**

**SOURCE:**  
TOPOGRAPHIC SURVEY INFORMATION OBTAINED FROM WEST & RUKUSA LTD., DWG. No. V190217, DATED NOVEMBER 26, 2019.

**ELEVATION NOTE:**  
ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE DERIVED FROM CANSEL CAN-NET REAL TIME NETWORK OBSERVATION, UTM ZONE 17, NAD83 (CSRS) (2010)

**PROJECT**  
**15 AMBITIOUS COURT**

**SCALE**  
5 2 0 5 10 15  
1:400 (m)

**PROJECT NO:**  
123421

**DRAWN BY:**  
C.LEE

**CHECKED BY:**  
T.O'BRIEN

**PROJECT MGR:**  
J.MARCUS

**APPROVED BY:**  
J.ARIENS

**SHEET TITLE**  
**LANDSCAPE PLAN**  
**DA-20-034**

**SHEET NUMBER**  
**L1.0**

**ISSUE**  
**1**





**IBI GROUP**  
200 East Wing – 360 James Street North  
Hamilton ON L8L 1H5 Canada  
tel 905 546 1010 fax 905 546 1011  
**ibigroup.com**

September 30, 2021

Ms. Jamila Sheffield, ACST  
Secretary Treasurer-Committee of Adjustment  
City of Hamilton  
71 Main Street West, 5th Floor  
Hamilton, ON L8P 4Y5

Dear Ms. Sheffield:

**15 AMBITIOUS COURT, HAMILTON (DA-20-034)  
MINOR VARIANCE APPLICATION**

On behalf of our client, Vicano Developments Limited, we are pleased to submit a Minor Variance application for the above noted development. The application seeks permission for a reduced Planting Strip width where a parking lot and drive aisle are located abutting a street.

As part of the ongoing engineering review process for the project the design changed to introduce natural bioswales to accommodate required ground water infiltration rates. This change resulted in two pinch points where the bioswale encroaches within the required 3.0m Planting Strip to a minimum width of 1.5m. The overall Landscape Area width and most of the Planting Strip width still comply with the minimum requirement, and the intent of the Planting Strip to provide a buffer from the street for the on-site parking is still being maintained. A detailed Landscape Plan has already been approved, and the proposed variances will implement the concurrent conditional Site Plan approval, DA-20-034.

In support of the application please find enclosed the following information:

- One (1) copy of the Minor Variance application form;
- One (1) copy of the Landscape Plan and Site Plan drawings;
- One (1) cheque in the amount of \$3,320.00; and,
- One (1) copy of the Articles of Incorporation for Vicano Developments Limited.

Should you require any additional information please do not hesitate to contact the undersigned.

Thanks,

Jared Marcus, CPT

Associate, Manager – Planning

Encl.

Cc: Vicano Developments Limited



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**

FOR OFFICE USE ONLY.

APPLICATION NO. \_\_\_\_\_ DATE APPLICATION RECEIVED \_\_\_\_\_

PAID \_\_\_\_\_ DATE APPLICATION DEEMED COMPLETE \_\_\_\_\_

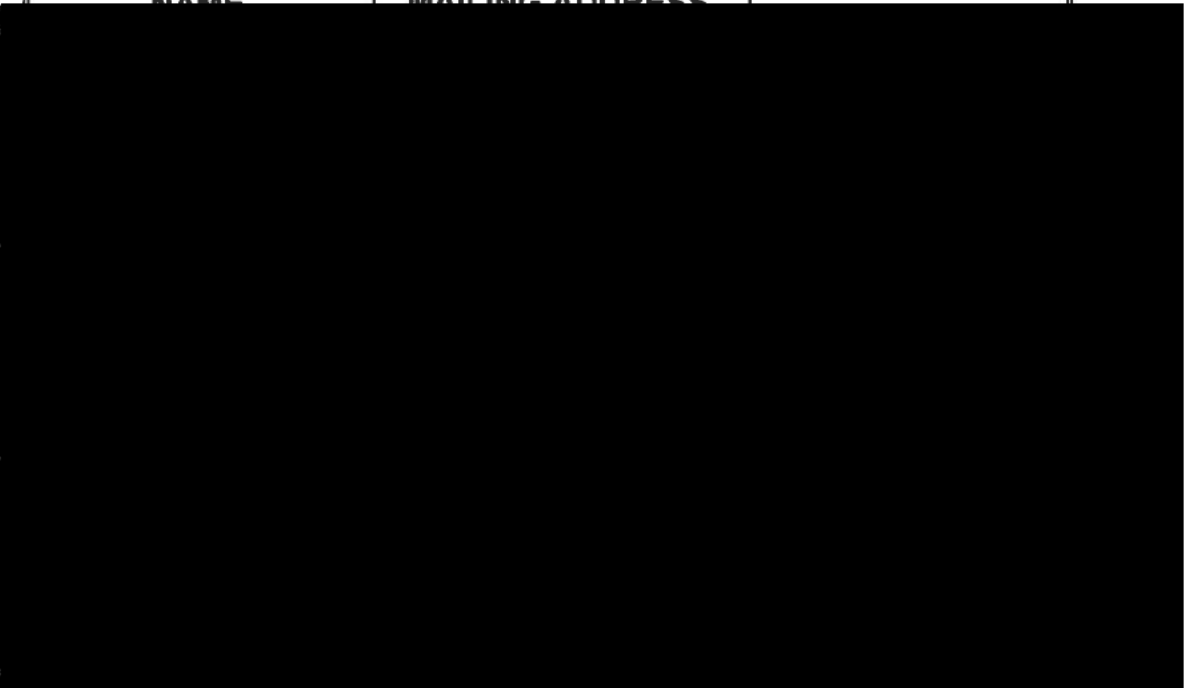
SECRETARY'S  
SIGNATURE \_\_\_\_\_

**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, 2

	NAME	MAILING ADDRESS
Registered Owners(s)		
Applicant(s)*		
Agent or Solicitor		

**Note:** Unless otherwise requested all communications will be sent to the agent, if any.

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

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

4. Nature and extent of relief applied for:

Section 9.3.3(i)(ii) To permit a minimum 1.5m wide Planting Strip between parking spaces, aisles or driveways and a street.

☐ Secondary Dwelling Unit      ☐ Reconstruction of Existing Dwelling

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

As a result of engineering requirements to provide a bioswale to control stormwater management the planting strip has pinch points that don't meet the required width. Most of the planting strip will still meet the required width with the exception of two pinch points. A landscape plan has been approved via DA-20-034.

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

Block 5, 62M-1259  
15 Ambitious Court, Hamilton

7. PREVIOUS USE OF PROPERTY

Residential ☐      Industrial ☐      Commercial ☐  
Agricultural ☐      Vacant ☒      Other ☐

Other \_\_\_\_\_

8.1 If Industrial or Commercial, specify use \_\_\_\_\_

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

Yes ☒      No ☐      Unknown ☐

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

Yes ☐      No ☒      Unknown ☐

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

Yes ☐      No ☒      Unknown ☐

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

Yes ☐      No ☒      Unknown ☐

8.6 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 ☐

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

Yes ☐      No ☒      Unknown ☐

8.8 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 ☐

8.9 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 ☒      Unknown ☐

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

Yes ☐ No ☒ Unknown ☐

8.11 What information did you use to determine the answers to 8.1 to 8.10 above?

Subject lands were reviewed under Draft Plan of Subdivision 25T-201207

8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, 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 ☒

## 9. 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.

September 30, 2021  
Date

  
Signature Property Owner(s)

Vicano Developments Limited  
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>+/-256.1m</u>
Depth	<u>+/-77.6m</u>
Area	<u>+/-27,433sq.m</u>
Width of street	<u>26m</u>

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: \_

None

Proposed

Two industrial buildings with GFA +/-10,669.3sq.m.  
See enclosed Site Plan drawing.

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

Existing:

None

Proposed:

See enclosed Site Plan drawing.



13. Date of acquisition of subject lands:  
2019
- 
14. Date of construction of all buildings and structures on subject lands:  
2022
- 
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
Vacant
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
North: Vacant; East: Vacant; South: Vacant Industrial; West: Factory
17. Length of time the existing uses of the subject property have continued:  
2 years
18. Municipal services available: (check the appropriate space or spaces)
- |                |                                     |           |                                     |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water          | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers   | <input checked="" type="checkbox"/> |           |                                     |
19. Present Official Plan/Secondary Plan provisions applying to the land:  
Business Park
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
City of Hamilton Zoning By-law No. 05-200 - Prestige Business Park (M3)
21. Has the owner previously applied for relief in respect of the subject property?  
Yes ☒ No ☐  
If the answer is yes, describe briefly.  
GL/A-20:216 - approved to permit a hydro transformer within a landscape area, and to permit a maximum 25% retail GFA.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?  
Yes ☐ No ☒
23. Additional Information  
Property is subject to concurrent Site Plan application DA-20-034. Landscape Plans showing the proposed design have been approved through this application.
24. 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.