



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5
Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202
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.: GL/A-21:441

APPLICANTS: Agent T. Johns Consulting Group c/o K. Gillis
Owner OBB Properties Inc. c/o F. Morison

SUBJECT PROPERTY: Municipal address **73 Aeropark Blvd., Glanbrook**

ZONING BY-LAW: Zoning By-law 05-200, as Amended 16-165

ZONING: "M11" (Airport Prestige Business (M11) Zone

PROPOSAL: To permit the construction of an office building in order to facilitate Site Plan File No. DA-21-114 notwithstanding that:

1. No maximum yard setback shall be required abutting the Aeropark Boulevard street line instead of the requirement that a maximum yard abutting a street shall be 27.0m.
2. An existing hydro transformer shall be permitted within the required 6.0m landscaped area abutting the Aeropark Boulevard street line instead of the requirement that a transformer is not permitted within a required landscaped area.
3. The existing hydro transformer located within the required front yard shall be permitted to be setback a minimum of 1.5m from the Aeropark Boulevard street line, shall be permitted to be 0.0m from the northerly side lot line and shall not be required to be screened from the Aeropark Boulevard street line by an enclosure or landscaping instead of the requirement that mechanical and unitary equipment within a required front yard 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.

NOTE:

- i) The variances have been written as requested by the applicant. The lands are subject to DA-21-114. Further variances will be required if compliance with all other zone regulations cannot be complied with.

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

DATE: Thursday, February 24th, 2022

TIME: 1:40 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: February 8th, 2022

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.



73 AEROPARK BOULEVARD, HAMILTON
AIRPORT PRESTIGE BUSINESS (M11) ZONE OF ZONING BY-LAW NO. 05-200

PROVISION	REQUIRED	PROPOSED	CONFORMITY
PERMITTED USES	OFFICE	OFFICE	YES
MINIMUM LOT AREA	4,000.0m ²	TOTAL = 11,809.71m ² PHASE 1 = 5,796.03m ²	YES
YARD ABUTTING A STREET	MIN 6.0m MAX 27.0m	MIN 6.2m MAX 64.0m	YES
MAX BUILDING HEIGHT	ALL DEVELOPMENT IN THE CITY OF HAMILTON SHALL COMPLY WITH THE HAMILTON AIRPORT ZONING (HEIGHT) REGULATIONS ESTABLISHED BY TRANSPORT CANADA, WHICH ARE REGISTERED AT THE LOCAL LAND TITLES OFFICE AND WHICH MAY BE AMENDED FROM TIME TO TIME.	8.2m	YES
MAX GFA FOR OFFICE USE WITHIN AN INDIVIDUAL BUILDING	3,000m ²	1,196.0m ²	YES
MIN LANDSCAPED AREA	1,771.5m ² (15% TOTAL LOT AREA) 869.4m ² (15% PHASE 1 AREA)	2,005.0m ² (17.0% TOTAL) 2,005.0m ² (34.6% PHASE 1)	YES
	6.0m WIDE LANDSCAPED AREA ABUTTING A STREET	6.0m	YES

GENERAL PROVISIONS

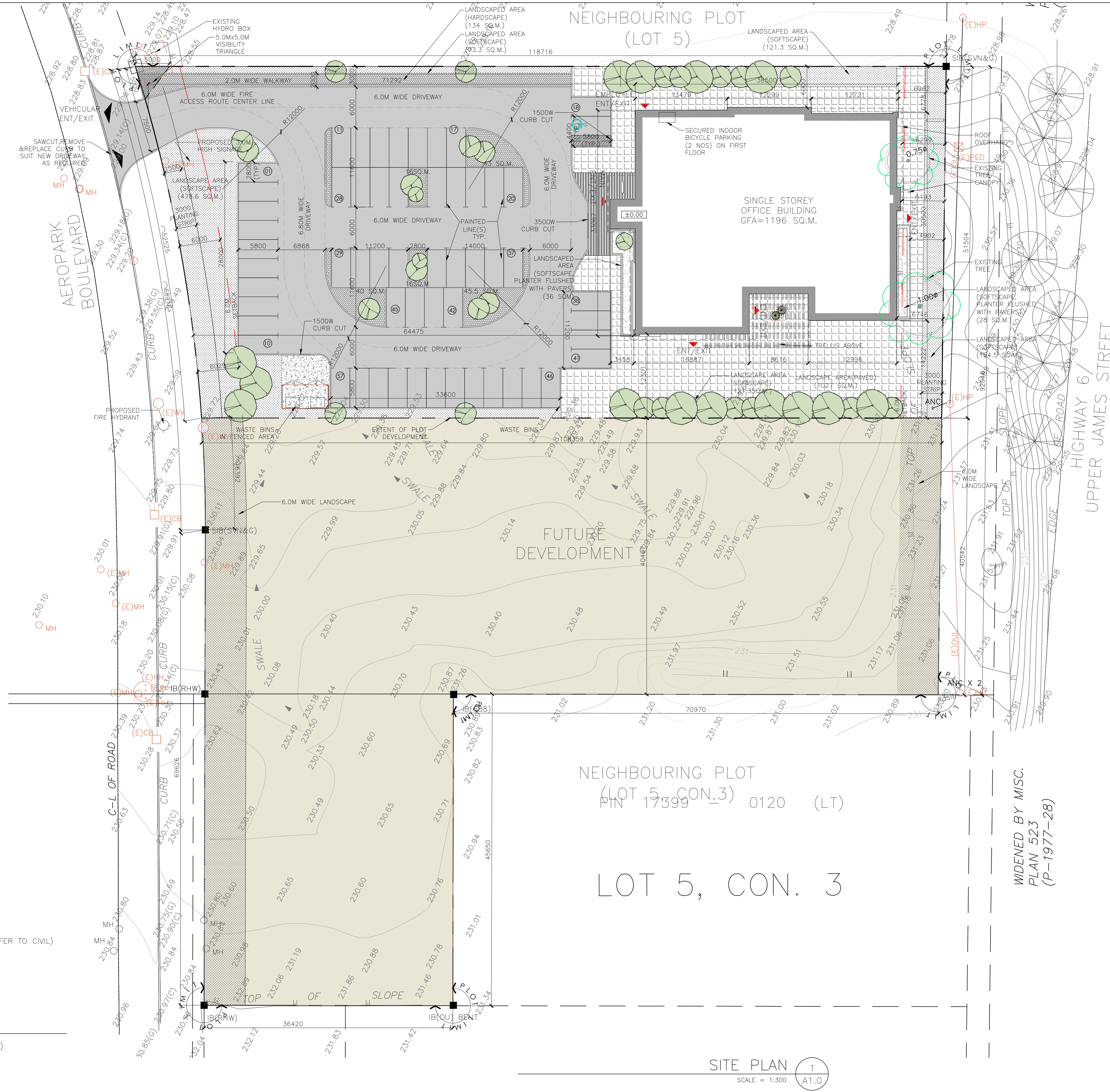
MAX ENCROACHMENT OF WINDOWSILLS, EAVES ETC. INTO A REQUIRED YARD	0.6m	0.0m	YES
MAX ENCROACHMENT OF A PORCH, DECK OR CANOPY INTO A REQUIRED YARD	1.5m	0.0m	YES
MIN SETBACK OF MECHANICAL EQUIPMENT	3.0m FROM STREET LINE 0.6m FROM SIDE LOT LINE	0.0m 0.0m	NO (EXISTING)

PARKING AND LOADING REQUIREMENTS

REGULATION	REQUIRED	PROPOSED	CONFORMITY
MIN PARKING AISLE WIDTH	6.0m	6.0m	YES
MIN PARKING SPACES	39 SPACES (1 PER 30m ² OF GFA)	57	YES
MIN PARKING SPACE DIMENSION	2.8m WIDE 5.8m LONG	5.8m WIDE 5.8m LONG	YES
MIN BARRIER FREE PARKING SPACES	1 SPACE	1 SPACE	YES
MIN PARKING SPACE DIMENSION FOR BARRIER FREE	4.4m WIDE 5.8m LONG	4.4m WIDE 5.8m LONG	YES
MIN LONG-TERM BICYCLE PARKING	2 SPACES	2 SPACES	YES

SITE PLAN LEGEND

(E)	EXISTING	CBHM	CATCH BASIN MANHOLE (REFER TO CIVIL)
○ FH	FIRE HYDRANT	⊙	"STOP" SIGN
▶	BUILDING ENTRANCE/EXIT	⊙ BL	BOLLARD
○ HP	HYDRO POLE	0000.00	ELEVATION DATUM
⊠ CB	CATCH BASIN (REFER TO CIVIL)	ASPHALT PAVING	ASPHALT PAVING
○ MH	SANITARY MANHOLE (REFER TO CIVIL)	SOD (REFER TO LANDSCAPE)	SOD (REFER TO LANDSCAPE)
○ MH	STORM MANHOLE (REFER TO CIVIL)	NOT USED	NOT USED
		SIDEWALK	SIDEWALK



SITE PLAN
 SCALE = 1:300

WORK IN PROGRESS

REV.	DESCRIPTION	DATE
06	ISSUED FOR MINOR VARIANCE	2021/11/15
05	ISSUED FOR SPA	2021/09/15
04	ISSUED FOR CLIENT REVIEW	2021/08/25
03	ISSUED FOR COORDINATION	2021/08/13
02	ISSUED FOR COORDINATION	2021/07/14
01	ISSUED FOR SPA	2021/06/23

DO NOT SCALE DRAWING. DIMENSIONS ARE TO BE CHECKED AND VERIFIED BY THE CONTRACTOR ON SITE. ALL DRAWINGS, SPECIFICATIONS, AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. REPRODUCTION OF DRAWINGS, SPECIFICATIONS, AND RELATED DOCUMENTS IN WHOLE OR IN PART IS STRICTLY FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.
 THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS CONTRAINDICATED BY INVIZIJ ARCHITECTS INC.

PROJECT NAME:	OFFICE BUILDING FOR MORISON INSURANCE
PROJECT ADDRESS:	73 AEROPARK BLVD, HAMILTON, ONTARIO
PROJECT NO.:	19-033
DRAWING TITLE:	SITE PLAN
PLOT DATE:	15-Nov-21
DRWN.:	NN
CHKD.:	EC
DATE:	JANUARY, 2020
SCALE:	1:300
DRAWING NO.:	A1.0



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

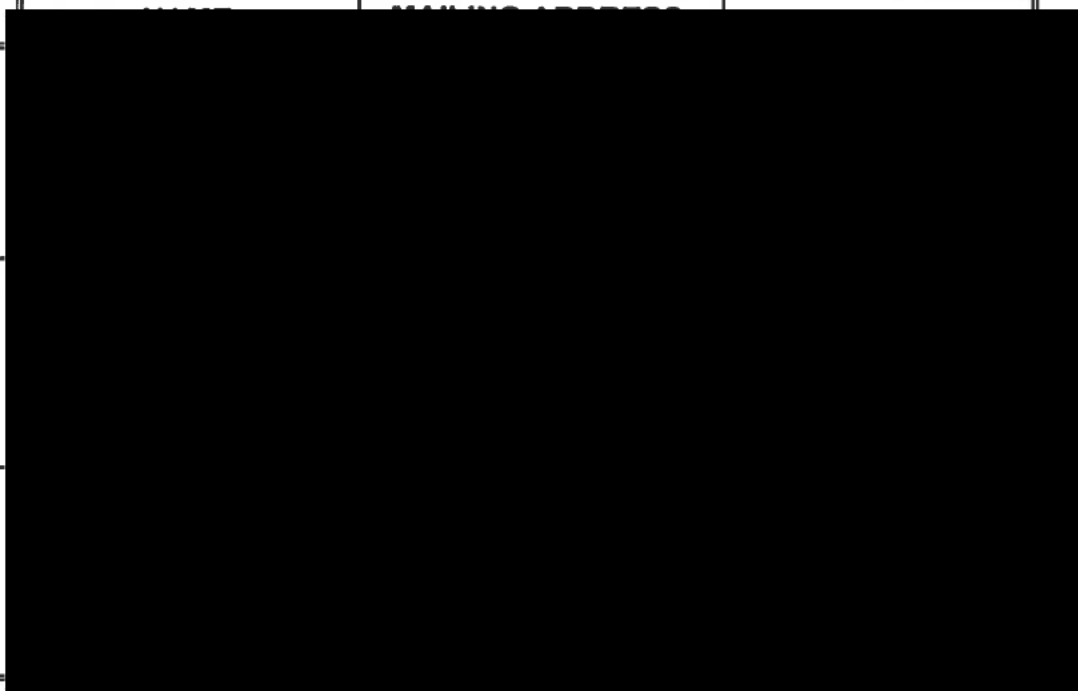
FOR OFFICE USE ONLY.	
APPLICATION NO. _____	DATE APPLICATION RECEIVED _____
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

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

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:

Business Development Bank of Canada
1900-25 Main Street West
Hamilton, ON L8P 1H1

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:

To require no maximum yard abutting the Aeropark Boulevard street line, whereas a maximum of 27 metres is required. To permit the existing hydro box location, whereas a hydro box is not permitted within the required 6.0 metre landscape area, 3.0 metre planting strip, 3.0 metres from the street line, 0.6 metres from a side lot line, and is required to be screened from the street.

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

See the Minor Variance Rationale.

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**):

Lot 4
Plan 62M-1229
City of 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

13. Date of acquisition of subject lands:
January 17th, 2019
-
14. Date of construction of all buildings and structures on subject lands:
N/A, Vacant
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Vacant, former agricultural lands and golf course.
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Vacant, former agricultural lands to the north, west and east, single detached dwellings to the south, and commercial to the east
17. Length of time the existing uses of the subject property have continued:
Unknown
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|--------------------------|-----------|--------------------------|
| Water | <input type="checkbox"/> | Connected | <input type="checkbox"/> |
| Sanitary Sewer | <input type="checkbox"/> | Connected | <input type="checkbox"/> |
| Storm Sewers | <input type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
"Airport Prestige Business" designation in both the Urban Hamilton Official Plan and the Airport Employment Growth District Secondary Plan.
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Airport Prestige Business (M11) Zone in the City of Hamilton Zoning By-law No. 05-200
21. Has the owner previously applied for relief in respect of the subject property?
Yes No
- If the answer is yes, describe briefly.
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
Proposed development is subject to Site Plan Control (DA-21-114). This is a phased development and will be followed by an application for Part Lot Control to permit the creation of two (2) separate parcels.
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.

December 13th, 2021

Via Email

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

Dear Ms. Sheffield,

**RE: 73 Aeropark Boulevard, Hamilton
Committee of Adjustment - Minor Variance Application**

T. Johns Consulting Group (“T. Johns”) was retained by Schilthuis Construction Inc., on behalf of OBB Properties Inc., the landowners of 73 Aeropark Boulevard, Hamilton (“subject lands”) to submit the following Minor Variance application on their behalf.

Site Description

73 Aeropark Boulevard is located in North Glanford, legally described as Lot 4, 62M-1229 in the City of Hamilton, Regional Municipality of Hamilton-Wentworth, now the City of Hamilton. The lands are bound by Aeropark Boulevard (local road) to the west and Upper James Street (major arterial) to the east. The subject lands are irregular in shape with an area of 1.18 hectares (2.9 acres). The subject lands have an approximate frontage of 138.5 metres along Aeropark Boulevard and 92.06 metres along Upper James Street.

Planning Status

The *Urban Hamilton Official Plan Volume 1* designates the subject lands “Airport Employment Growth District” which permits office uses. The *Urban Hamilton Official Plan, Volume 2, Airport Employment Growth District Secondary Plan* designates the subject lands “Airport Prestige Business”. Office uses are permitted.

The City of Hamilton Zoning By-law No. 05-200 zones the subject lands “M11” (Airport Prestige Business) Zone. The “M11” Zone permits office buildings.

Proposed Variances

The proposed development is on the northern portion of the property, being an area of approximately 0.58ha (1.4 acres). A one (1) storey office building proposed with a gross floor area of 1,196.0 m², that will be supported by fifty-seven (57) parking spaces and one (1) barrier free parking space. To facilitate the proposed development, two (2) Minor Variances are being sought from the City of Hamilton Zoning By-law No. 05-200 Airport Prestige Business (M11) Zone. The first required variance is to permit no maximum yard abutting the Aeropark Boulevard street line, whereas a maximum setback of 27 metres abutting a street line is required. The second required

variance is to permit the existing hydro box as existing, whereas a hydro box is not permitted within the required 6.0 metre landscape area, 3.0 metre planting strip, 3.0 metres from the street line, 0.6 metres from a side lot line, and is required to be screened from the street.

Refer to the Site Plan and Appendix A: Planning Rationale dated December 13th, 2021 for more details.

T. Johns respectfully requests the circulation of this letter along with the enclosed documents in support of Minor Variance.

Please find the enclosed:

- Minor Variance application with signatures;
- Copy of the cheque in the amount of \$3,320.00 to satisfy the application fee;
- Appendix A: Planning Rationale;
- Site Plan;
- Phase I & Phase II Environmental Site Assessment reports; and,
- Risk Evaluation report.

Due to the current COVID-19 pandemic situation, the application and all required documents have been submitted electronically, save and except the cheque that was submitted to the City of Hamilton December 13, 2021.

Please do not hesitate to contact Katelyn Gillis at 905-574-1993 ext. 207 with any questions.

Respectfully submitted,

T. Johns Consulting Group Ltd.



Katelyn Gillis, BA
Intermediate Planner



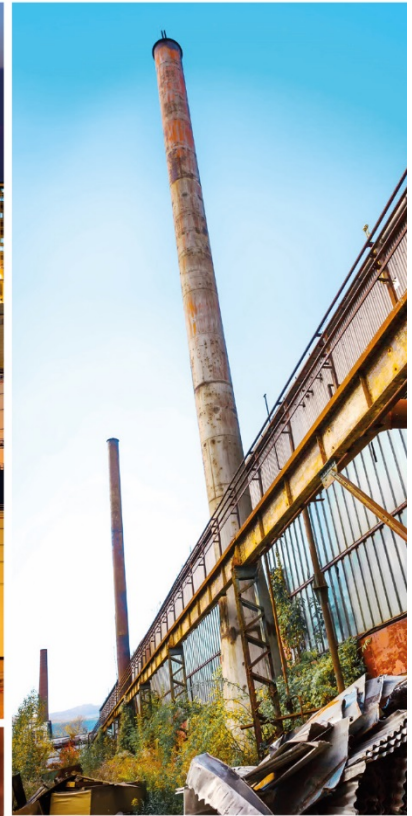
Complete report available upon request



Phase I Environmental Site Assessment

Hamilton Airport Lands Limited Partnership and GreyCan 8 Properties Limited Partnership, Upper James Street and Dickenson Road West Hamilton, Ontario

Panattoni Development Company





Complete report available upon request

October 25, 2018

Reference No. 11188118

Ms. Rebecca Orig
Risk Manager
Panattoni Development Company, Inc.
7887 E. Belleview Avenue, Suite 475
Denver, Colorado
80111

Dear Ms. Orig:

**Re: Phase II Environmental Site Assessment
Hamilton Airport Lands Limited Partnership and GreyCan 8 Properties Limited Partnership
Upper James Street and Dickenson Road West
Hamilton, Ontario (Site or Property)**

1. Introduction

GHD was retained by Panattoni Development Company (Panattoni) to complete a Phase II Environmental Site Assessment (ESA) of the above-referenced Site. The Property is currently owned by 1463851 Ontario Inc. and Orlick Industries Ltd. It is GHD's understanding that the Phase II ESA is being completed as part of due diligence to support the potential purchase of the Property.

The Site is approximately 33.2 hectares (82.1 acres) in size and is comprised of eight land parcels (Parcels 1 through 8). The Site is currently vacant with no buildings or structures. The northern portion of the Site had been utilized for rural residential and agricultural purposes since as early as 1934 until the early 1990s; and the southern portion of the Site consisted of agricultural fields and/or vacant land since as early as 1934 until the early 1960s when it was developed as a golf course. The golf course was reportedly operated on the southern portion of the Site between the early 1960s until mid to late 1980s. The Site is located in an area of Hamilton that has been developed for mixed agricultural, residential and industrial/commercial purposes since the early 1960s.

A Site Location Map and a Site Plan are provided on Figure 1 and Figure 2, respectively. Compass directions (north, east, south, and west) described in this report are referenced to "Project North", which is oriented parallel to Upper James Street. Site access is provided from Aeropark Boulevard and Wetenhall Court. The properties that comprise the Site are not currently serviced by any access roads but there are some rough graded roads on some areas of the Site. At the time of the Phase I Site inspection, GHD observed several stockpiles and mounds across the Site. Site personnel indicated that the stockpiles and mounds consisted of surficial material/top soil sourced on Site that was excavated for the purposes of grading in anticipation of future development of the Site. In general, the exterior surfaces of the Site consist of grass, shrubs and trees.