

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-20:107

APPLICANTS: 1536708 Ontario Inc., owner
Agent: UrbanCore Developments

SUBJECT PROPERTY: Municipal address **205 Thames Way, Glanbrook**

ZONING BY-LAW: Zoning By-law 464, as Amended

ZONING: H-RM3-147 (Residential Multiple) district

PROPOSAL: To permit the development of a block townhouse development consisting of 57 townhouse units, notwithstanding that:

1. The maximum density shall be 45 units per hectare instead of the required 35 units per hectare.
2. The minimum front yard shall be 3.0 metres instead of the minimum required 9.0 metres.
3. The minimum easterly and westerly side yards shall be 6.0 metres instead of the minimum required 7.5 metres.
4. The minimum rear yard shall be 6.0 metres instead of the minimum required 7.5 metres.
5. The minimum separation distance between 2 exterior walls which contain which contain windows to a habitable rooms shall be 12.0 metres instead of the minimum required 15.0 metres.
6. To require no minimum amenity area per dwelling unit instead of the required minimum 5.0 square metres per dwelling unit.
7. To permit the minimum landscaped area to be 35% of the lot area instead of the required minimum 50% landscaped area.

NOTES:

- 1 The variances have been written as requested by the applicant and were determined through an Applicable Law Review for Zoning Compliance that was submitted on April 8, 2020 for the proposed block townhouse development. The site plan has been revised for the current updated variance application.
2. A formal site plan application is required but has not been submitted at this time for this proposal.

3. The subject property is zoned H-RM3-147 under Zoning By-law 464. The Holding provision H is required to remain in effect until satisfactory storm water management facilities have been provided for the servicing of the property.
4. As a future site plan application is required for the proposal certain requirements such as garage elevations, lighting for parking areas and landscaping will be examined at the site plan review stage.
5. Updated Variance #7 refers to the requirement for a common amenity area for the proposed townhouse project.

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

DATE: Thursday, February 18th, 2021
TIME: 1:50 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

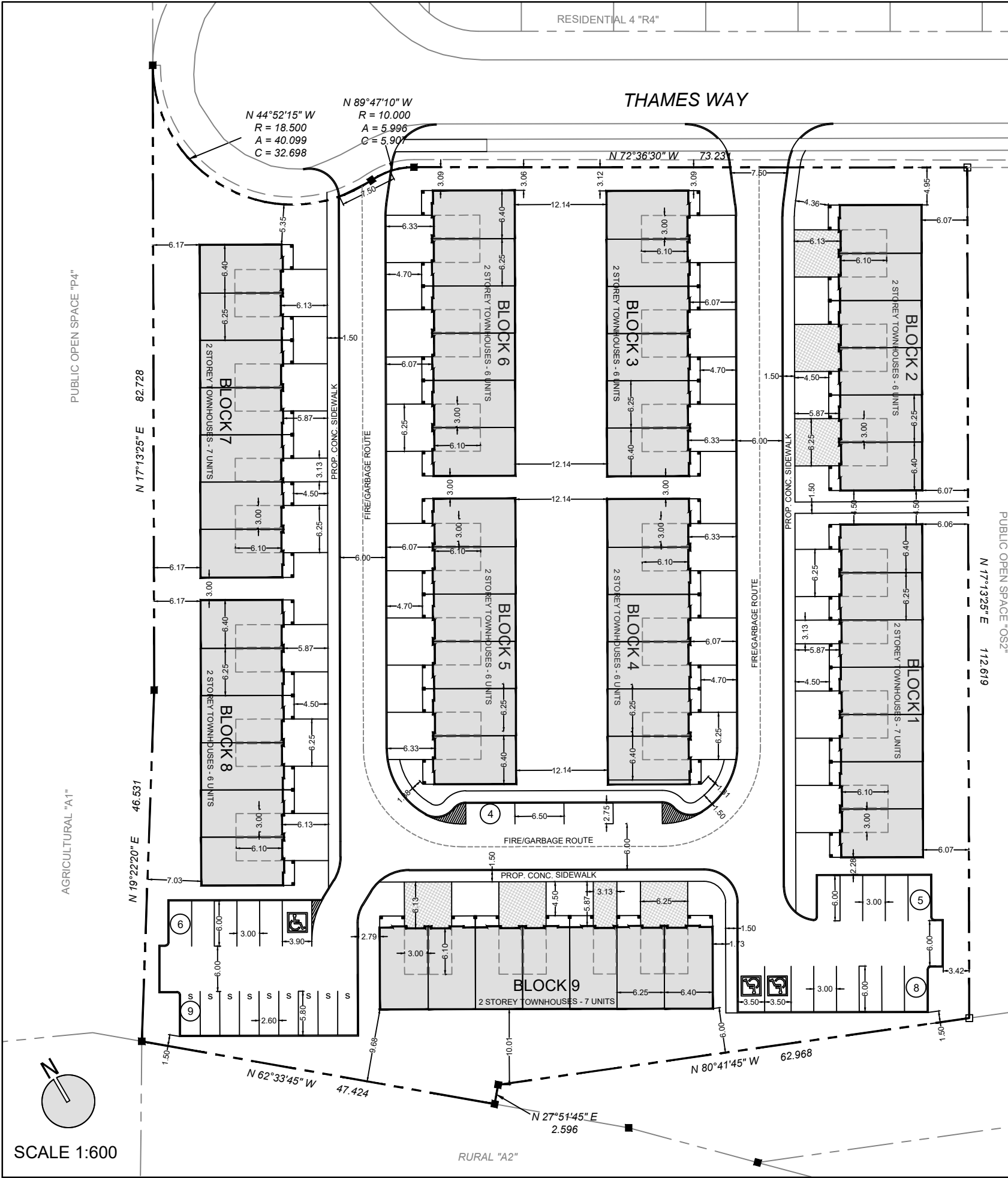
For more information on this matter, including access to drawings illustrating this request:

- 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 2nd, 2021.

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.



VARIANCES TO GLANBROOK ZONING BY-LAW NO. 464 "H-RM3-147" ZONE

VARIANCE NO. 1: TO INCREASE THE MAXIMUM DENSITY REQUIREMENT FROM 35 UNITS PER HECTARE TO 45 UNITS PER HECTARE.

VARIANCE NO. 2: TO DECREASE THE MINIMUM FRONT YARD SETBACK FROM 9.0 METRES TO 3.0 METRES.

VARIANCE NO. 3: TO DECREASE THE MINIMUM EASTERLY AND WESTERLY SIDE YARD SETBACK FROM 7.5 METRES TO 6.0 METRES.

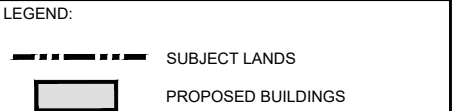
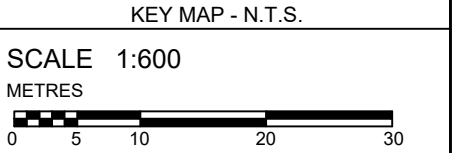
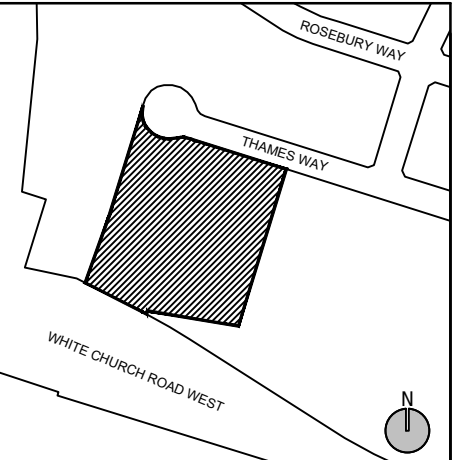
VARIANCE NO. 4: TO DECREASE THE MINIMUM REAR YARD SETBACK FROM 7.5 METRES TO 6.0 METRES.

VARIANCE NO. 5: NOTWITHSTANDING, AS PER SITE PLAN APPROVAL DA-12-192, THE MTO SETBACK IS NOT APPLICABLE AS THE LANDS OWNED BY THE MTO DO NOT FORM PART OF THE RIGHT-OF-WAY.

VARIANCE NO. 6: TO DECREASE THE MINIMUM SEPARATION DISTANCE BETWEEN EXTERIOR WALLS WHICH BOTH HAVE WINDOWS FROM 15.0 METRES TO 12.14 METRES

VARIANCE NO. 7: TO DECREASE THE REQUIRED MINIMUM AMENITY AREA FROM 5 SQUARED METRES PER DWELLING UNIT TO 0 SQUARE METRES.

VARIANCE NO. 8: TO DECREASE THE MINIMUM LANDSCAPED AREA FROM 50% TO 35%.



DEVELOPMENT STATISTICS		
Existing Zoning: Residential Multiple (H-RM3-147)		
Item	Required	Proposed
Min. Lot Frontage	45.00 m	107.82 m
Min. Lot Area	0.40 ha	1.273 ha
Max. Lot Coverage	30%	30%
Max. Density	35 UPH	45 UPH (57 units) (MVR)
Min. Front Yard	9.00 m	3.00 m (MVR)
Min. Side Yard	7.50 m	6.00 m (MVR)
Min. Rear Yard	7.50 m	6.00 m (MVR)
Min. Separation Distance		
Between Exterior Walls with No Windows	3.00 m	3.00 m
Between Exterior Walls with One of Which Has Windows	9.00 m	N/A
Between Exterior Walls which Both Have Windows	15.00 m	12.14 m (MVR)
Min. Floor Area	95 m ²	95 m ² +
Max. Height	10.70 m	10.70 m
Min. Landscaped Area	50%	35% (MVR)
Min. Privacy Area	35 m ²	37.5 m ²
Min. Amenity Area	5 m ² /dwelling unit = 290 m ²	0 m ² (MVR)
Transformer Location	TBC	TBC
Parking Location		
Setback from Street Line	6.0 m	N/A
Setback from Easterly R Zone	3.0 m	N/A
Parking Requirements		
Visitor Parking	0.5 spaces/unit = 29	0.56 spaces/unit = 32
Barrier Free Parking	3 spaces	3 spaces
Parking Space Size		
Residential Parking Units	3.0 m x 6.0 m	3.0 m x 6.0 m
Visitor Parking Units	3.0 m x 6.0 m	3.0 m x 6.0 m
Small Car Parking Units	2.6 m x 5.8 m	2.6 m x 5.8 m
Barrier Free Parking Units	3.9 m x 6.0 m	3.9 m x 6.0 m
Barrier Free Parking Spaces (Side by Side)	3.5 m x 6.0 m	3.5 m x 6.0 m

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

NOTES:
ALL DIMENSIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DESIGN BY: S. McKAY
CHECKED BY: S. MANCHIA
DRAWN BY: S. McKAY
DATE: JAN. 14, 2020


URBANCORE
DEVELOPMENTS
1147 Garner Road West
Hamilton, ON L9G 3K9
905-540-4280 - urbancore.info

PROJECT:
**THAMES WAY
SOUTH HAMPTON ESTATES**
CITY OF HAMILTON

OWNER:
1536708 ONTARIO INC.

TITLE:
CONCEPT PLAN

U/C FILE NUMBER: SHEET NUMBER: 1



Hamilton

Planning and Economic Development Department
Planning Division

Committee of Adjustment

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

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.

APPLICATION NO. GL/A 20:107 DATE APPLICATION RECEIVED MAY 15 2020

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 1536708 Ontario Inc. Telephone No. _____

2.

3.

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/A

Postal Code _____

Postal Code _____

6.

Nature and extent of relief applied for:

Please refer to Cover Letter

7.

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

Please refer to Cover Letter

8.

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

Registered Plan 62M-1051, Block 149, Reference Plan 62R-16650, Part 2

205 Thames Way, Mount Hope

9.

PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other Temporary stormwater management pond

9.1

If Industrial or Commercial, specify use

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 ☒ 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?
 Consultation with Owner

- 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.

May 7 2020
Date


Signature Property Owner

Print Name of Owner

10. Dimensions of lands affected:
- | | |
|-----------------|-------------------------|
| Frontage | <u> +/- 108.65 m </u> |
| Depth | <u> +/- 112.62 </u> |
| Area | <u> +/- 1.27 ha </u> |
| Width of street | <u> +/- 18.0 m </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: N/A

- Proposed: The proposed development includes a total of 58 2 storey townhouse units, 2 parking spaces per unit will be provided as each townhouse unit has a driveway and a garage. In addition a total of 22 visitor parking spaces are proposed for the development. Please refer to Concept Plan for more details.

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

- Proposed: Please refer to Minor Varaince Sketch

13. Date of acquisition of subject lands:
14. Date of construction of all buildings and structures on subject lands:

N/A
15. Existing uses of the subject property:

Temporary Stormwater Management pond
16. Existing uses of abutting properties:

North - Single Family homes, East - Southampton Estates Park, South - White Church Road West, West - Vacant land.
17. Length of time the existing uses of the subject property have continued:

+/- 15 years
18. Municipal services available: (check the appropriate space or spaces)

Water

X

Connected
Sanitary Sewer

X

Connected
Storm Sewers

X
19. Present Official Plan/Secondary Plan provisions applying to the land:

Neighbourhoods
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:

Township of Glanbrook Zoning By-law 464: Residential Multiple "H-RM3-147"
21. Has the owner previously applied for relief in respect of the subject property?

YesNo

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*?

YesNo

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 referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.
- Minor Variance Application Form (January 1, 2020)

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January 19, 2021

339-19

Via Email

Jamila Sheffield

Secretary-Treasurer
Committee of Adjustment

City of Hamilton
71 Main Street West, 5th Floor
Hamilton, ON, L8P 4Y5

Dear Ms. Sheffield,

**RE: 205 Thames Way, Glanbrook
Minor Variance Application Recirculation (FC-19-116)**

1536708 Ontario Inc., is pleased to resubmit the revised Minor Variance sketch for the lands municipally known as 205 Thames Way in Mount Hope, City of Hamilton.

The subject lands are located on the South side of Thames Way between Highway 6 and Upper James Street. The lands are legally known as Block 149 of the Registered Plan of Subdivision 62M-1051. The subject lands are designated Neighbourhoods in the Urban Hamilton Official Plan and Low Density Residential 2c in the Mount Hope Secondary Plan. In addition to their land use designation the subject lands are located in the Residential Multiple, Modified, Holding (H-RM3-147) Zone in the Township of Glanbrook Zoning By-law No. 464.

After the initial submission of the Minor Variance application for the subject lands, our team has engaged in continual discussions with Councillor Brenda Johnson and the City of Hamilton to evolve the Concept Plan in efforts to address concerns from both parties. It was very clear from our discussions with Councillor Brenda Johnson that she had serious concerns with respect to the parking ratio. As a result of these ongoing discussions over the past 6 months with the Councillor, this resubmission contains an alternate development proposal which decreases the number of units contained in the development and adds **10 visitor parking spaces**, which increases the visitor parking ratio to 0.56 spaces per unit. In addition, five (5) of the twelve (12) original variances are no longer being requested and only one new variance request has been added regarding landscaped area which brings the total number of variances to eight (8).

The proposed development has been altered to include 57 two (2) storey townhouse units, each with a driveway and a garage, allowing for 2 parking spaces per unit. The reduction in proposed units allows the subject lands to accommodate 32 visitor parking spaces including 3 barrier free parking spaces. This is an improvement from the initial proposal which contained 22 visitor parking spaces including 1 barrier free space.

This Minor Variance resubmission is intended to achieve relief from the Council Approved Township of Glanbrook Zoning By-law No. 464 with respect to the Residential Multiple, Modified, Holding (H-RM3-147), as follows:

- Variance No. 1: To increase the maximum density requirement from 35 units per hectare to 45 units per hectare.
- Variance No. 2: To decrease the minimum front yard setback from 9.0 metres to 3.0 metres.
- Variance No. 3: To decrease the minimum easterly and westerly side yard setback from 7.5 metres to 6.0 metres.
- Variance No. 4: To decrease the minimum rear yard setback from 7.5 metres to 6.0 metres.
- Variance No. 5: Notwithstanding, as per site plan approval DA-12-192, the MTO setback is not applicable as the lands owned by the MTO do not form part of the right-of-way.
- Variance No. 6: To decrease the minimum separation distance between exterior walls which both have windows from 15.0 metres to 12.14 metres.
- Variance No. 7: To decrease the required minimum amenity area from 5 square metres per dwelling unit to 0 square metres.
- Variance No. 8: To decrease the minimum landscaped area from 50% to 35%.

The requested variances have been identified by staff through a detailed Building Department Zoning Review.

Section 45(1) of the Planning Act, R.S.O, 1990, as amended, requires Minor Variances to satisfy the four tests. The above variances are technical in nature, are desirable and represent appropriate development of the lands, and meets the general intent and purpose of the Official Plan and Zoning By-law.

In support of this application, please find enclosed the following:

- One (1) PDF copy of the revised Concept Plan.

Note that payment of the Committee of Adjustment \$275.00 Minor Variance Recirculation fee has been made via the Committee of Adjustment Credit Card Payment Form. We trust that the enclosed is in order, however, please feel free to contact the undersigned with any questions.

Regards,
UrbanCore



Spencer McKay, BA, CPT
Project Manager

Cc: Messrs. A. DiCenzo & S. Manchia, 1536708 Ontario Inc.
Mr. Allan Buist, DCA Lawyers