

## **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.:** HM/A-21:40

**APPLICANTS:** Urban Solutions c/o M. Johnston

**SUBJECT PROPERTY:** Municipal address **75 Wendover Dr., Hamilton**

**ZONING BY-LAW:** Zoning By-law 6593, as Amended by By-laws 69-213 & 19-307

**ZONING:** "E-2/S-110 and S-1788" (Multiple Dwellings) district

**PROPOSAL:** To permit the existing multiple dwelling to contain a total of one-hundred and fifty (150) dwelling units notwithstanding that;

1. A maximum of one-hundred and fifty (150) dwelling units shall be permitted instead of the maximum one hundred and forty-eight (148) dwelling permitted pursuant to schedule A, Block 9 of site specific S-110.
2. A minimum of one-hundred and eighty-four (184) parking spaces shall be permitted to be provided and maintained instead of the minimum one-hundred and eighty-eight (188) parking spaces required.
3. A minimum of one (1) loading space shall be permitted to be provided and maintained with a minimum size of 9.0m x 3.7m x 4.3m whereas the zoning By-law requires a minimum of two (2) loading spaces; one with a size of 9.0m x 3.7m x 4.3m and one with a minimum size of 18m x 3.7m x 4.3m.

Notes: Insufficient details were provided to confirm that 184 parking spaces are maintained on site. No parking layout was provided for the parking spaces located within the building from which to confirm compliance including parking space sizes, manoeuvring, access driveways etc., as such, further variances may be required.

The zoning By-law requires that a minimum of 38 parking spaces are exclusively designated for visitors parking. Insufficient details were provided from which to determine compliance; as such, further variances may be required.

The applicant requested a variance to permit dwelling units on the ground floor; however, this variance is not required as the zoning By-law does not have a provision to restrict the location of dwelling units.

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

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**DATE:** Thursday, March 4th, 2021  
**TIME:** 3:10 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)

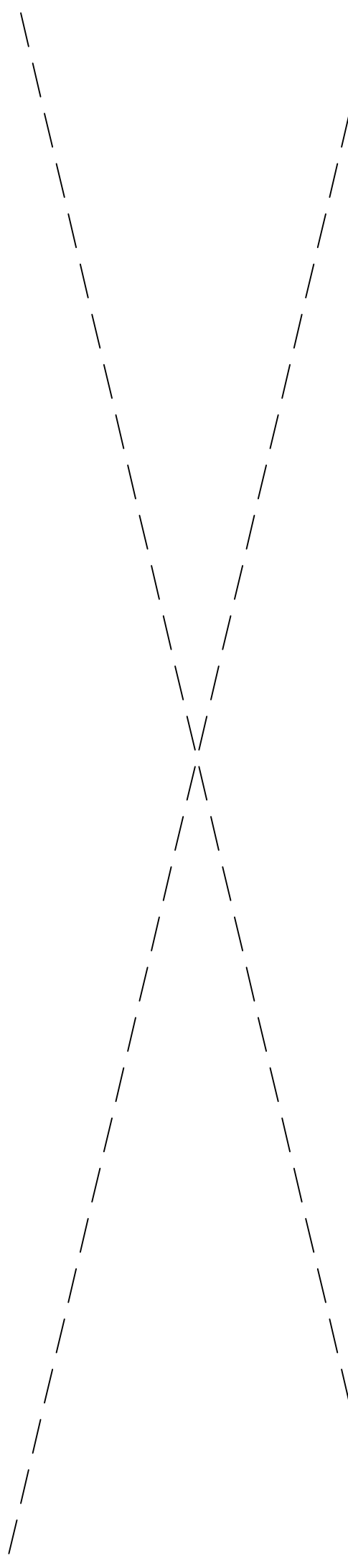
DATED: February 16th, 2021.

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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.***



	VARIANCE #4
	
	NOT USED

NO.	DATE	BY	DESCRIPTION
REVISION RECORD			
1	01-OCT-2020	MB	ISSUED FOR PERMIT
NO.	DATE	BY	DESCRIPTION
ISSUE RECORD			



1135 DUNDAS ST. EAST, SUITE 200 TORONTO, ON. M4M 1R9  
TEL.: 416-462-3084 FAX: 416-462-0526  
mail@xdesigninc.com www.xdesigninc.com

DRAWING			
<b>SITE PLAN</b>			
SCALE		DATE	
<b>AS NOTED</b>		<b>06/11/2019</b>	
DRAWN	CHECKED	SHEET#	
<b>JB</b>	<b>SC</b>		
PROJ#		<b>ID1.01</b>	
<b>19-091</b>			

## APPLICATION FOR A MINOR VARIANCE

**FOR OFFICE USE ONLY.**

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

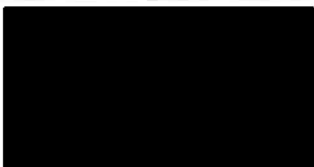


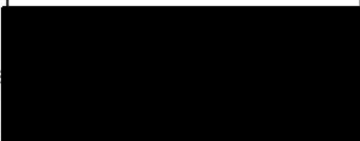


PAID \_\_\_\_\_ DATE APPLICATION DEEMED COMPLETE \_\_\_\_\_

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	ADDRESS	
<b>Registered Owners(s)</b>	Greti Development Co. Limited c/o David Horwood, A.S.O		<b>Phone:</b>  <b>E-mail:</b> 
<b>Applicant(s)*</b>	Same as Owner		<b>Phone:</b>  <b>E-mail:</b> 
<b>Agent or Solicitor</b>	UrbanSolutions Planning & Land Development Consultants Inc.		<b>Phone:</b>  <b>E-mail:</b> 

**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:  
 None.

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:

Please refer to cover letter for details.

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

Please refer to cover letter for details.

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**):

75 Wendover Drive, Hamilton

7. PREVIOUS USE OF PROPERTY

Residential ☒ Industrial ☐ Commercial ☐  
Agricultural ☐ Vacant ☐

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 9.1 to 9.10 above?  
Consultation with owner.

8.12 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 ☒

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.

Jan 21, 2021  
Date

*for*



Greti Development Co. Limited c/o David Horwood, A.S.O

Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>+/- 141.2 metres</u>
Depth	<u>+/- 88.2 metres</u>
Area	<u>+/- 11, 404.3 square metres (0.11 ha)</u>
Width of street	<u>+/- 20.2 metres (Wendover Drive)</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: \_

Existing 9 storey multiple residential building approx. 1,668.8 square metres GFA. The existing dwelling contains 148 suites.

Proposed

Proposed to remain the same with the addition of 2 suites on the ground floor bringing the total number of suites to 150.

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

Existing:

Please see attached Site drawing for details.

Proposed:

Please see attached Site drawing for details.

13. Date of acquisition of subject lands:  
Unknown
- 
14. Date of construction of all buildings and structures on subject lands:  
Approx. 1970
- 
15. Existing uses of the subject property:  
Residential
16. Existing uses of abutting properties:  
Residential & Institutional
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 \_\_\_\_\_ Connected \_\_\_\_\_ ✓  
Sanitary Sewer \_\_\_\_\_ Connected \_\_\_\_\_ ✓  
Storm Sewers \_\_\_\_\_ ✓
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:  
"E-2/S-110" Multiple Dwellings & "E-2/S-1788" Multiple Dwellings in the Former City of Hamilton Zoning By-law No. 6593
21. Has the owner previously applied for relief in respect of the subject property?  
☐ Yes ☒ No  
If the answer is yes, describe briefly.  
N/A
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  
N/A
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.

January 21, 2021

385-21

**Via Email & Delivered**

Jamila Sheffield  
Secretary Treasurer, Committee of Adjustment

City of Hamilton  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton, ON L8P 4Y5

Dear Ms. Sheffield:

**RE: 75 Wendover Drive, City of Hamilton  
Minor Variance Application**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultants acting on behalf of Greti Development Co. Limited c/o David Horwood of Effort Trust, the registered owner of the lands municipally known as 75 Wendover Drive, in the City of Hamilton (subject lands). On behalf of the owner, UrbanSolutions has prepared the enclosed Minor Variance Application to the City of Hamilton.

The subject lands are designated Neighbourhoods in the Urban Hamilton Official Plan (UHOP) and are located in the (Multiple Dwellings) "E-2/S-110" and "E-2/S-1788" District of the former City of Hamilton Zoning By-law No. 6593. The subject lands are currently developed with a nine (9) storey multiple residential building with approximately 1,668.8 square metres of ground floor area. The building was first approved and built with 148 suites. The purpose of the Minor Variance application is to permit two (2) additional suites located on the ground floor of the existing multiple dwelling. These two (2) units were previously commercial units and are now proposed to be retrofitted to become residential units. A Building Permit application has been submitted to the City of Hamilton and is ongoing being coordinated by X Design Inc. (20 186583 000 00 R3) to obtain a building permit for the additional 2 proposed units.

The Minor Variance application is required as the site specific 110 (S-110) notwithstanding the E-2 District entirely, the lands shall only be used in accordance with the approved Site Plan as Schedule B9. The approved Site Plan permits a maximum of 148 units and does not permit living units on the first floor. The proposed minor variance will provide a total of 150 units with 2 units on the ground floor. The required variances are listed below:

- Variance No. 1: To permit living units on the ground floor.
- Variance No. 2: To permit a total of 150 residential units on the subject lands.
- Variance No. 3: To permit one (1) loading space with the dimensions of 3.7 metres wide by 9.0 metres in length.
- Variance No. 4: To permit 184 residential parking spaces to provide a parking ratio of 1.20 spaces per unit.



Section 45(1) of the *Planning Act*, R.S.O, 1990, as amended, requires a Minor Variance to satisfy four tests. As noted earlier, there is no proposed development to the exterior of the site and the site is proposed to operate in the same function as it has since approximately 1970. The site has continued to operate with one (1) loading space as it has since the commencement and is proposed to remain the same. With no development occurring the proposed variances will not impact the surrounding neighbourhood. The addition of two (2) suites on the ground floor is minor in nature and is desirable as additional housing will be provided in this community. Residential dwelling units is a permitted use in the Urban Hamilton Official Plan Neighbourhoods designation and is in keeping with the permitted uses of the E-2/S-110" and "E-2/S-1788" Multiple Dwellings District of the Former City of Hamilton Zoning By-law No. 6593. As such, the proposed variances satisfy the four test contained Section 45(1) of the Planning Act and represent good land use planning.

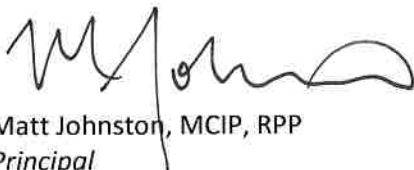
In support of this application, please find enclosed the following:

- One (1) copy of the completed Minor Variance application form;
- One (1) copy of the Site Plan prepared by X Design Inc.; and,
- One (1) cheque in the amount of **\$3,320.00** payable to the City of Hamilton for the Minor Variance application.

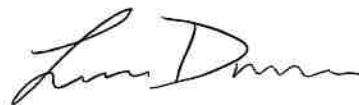
We trust the enclosed is in order; however, please feel free to contact the undersigned with any questions.

Regards,

**UrbanSolutions**



Matt Johnston, MCIP, RPP  
Principal



Laura Drennan, BA  
Planning Technician

cc: Mr. David Horwood, Greti Development Co. Limited c/o Effort Trust (Via email)  
Mr. Sergio Manchia, UrbanSolutions Planning & Land Development Consultants Inc. (Via email)  
Councillor Terry Whitehead, Ward 14 (Via email)