

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-21:257

APPLICANTS: Agent GSP Group
Owner Canadian Grand Developments

SUBJECT PROPERTY: Municipal address **1865 Rymal Rd. E., Stoney Creek**

ZONING BY-LAW: Zoning By-law 05-200, as Amended 17-240

ZONING: "C5 Exception 589" district

PROPOSAL: To permit the construction of a six (6) storey mixed use building consisting of 54 dwelling units and 891 square metre of commercial floorspace on the ground floor, notwithstanding that:

Variance Required Under Zoning By-law 05-200

1. The maximum building height shall be 20.8 metres instead of the maximum required 14.0 metre building height for Exception 589;

Variance Required Under Zoning By-law 05-200 Prior to Amending By-law 17-240

2. The required parking shall consist of 89 parking spaces instead of the minimum required 95 parking spaces

Variances Required Under Zoning By-law 3692-92

3. The minimum setback from Columbus Gate shall be 3.8 metres (after the required road widening dedication) instead of the minimum required 6.0 metres for a front yard;
4. The minimum setback from Rymal Road East and the hypotenuse of a daylighting triangle shall be 1.5 metres (after the required road widening dedication) instead of the minimum required 3.0 metres for a flankage side yard;

NOTES:

1. The variances are written as requested by the applicant.
2. The proposal is the subject of Site Plan Application DA-21-017 which is currently under review. The proposed mixed use building for the requested variances have been modified from the site plan application without a further site plan review from 13.6 metres and 4 storeys in height to 20.8 metres and 6 storeys and from 32 dwelling units to 54 dwelling units. As a further site plan submission and review are required for the proposed development, additional variances may be required.

3. Variance #2 for parking is required because certain parking regulations affecting the Commercial Mixed Use (CMU) Zones created by amending by-law 17-240 remain under appeal to the LPAT and are not currently in effect. Therefore, the parking requirement is much greater because older parking regulations are applied which remain in effect for the dwelling units and the retail uses. By comparison, the mixed use building under the current C5 Zoning under appeal would require 16 parking spaces for the residential and 0 spaces for the retail uses.

4. Variances #3 and #4 are required because the setback requirements for the building from the street line for the C5 Zone are under appeal to the LPAT. Therefore, the setbacks from Stoney Creek Zoning By-law 3692-92 for the former R1 Zone on this property are applicable.

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

DATE:	Thursday, August 12th, 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:

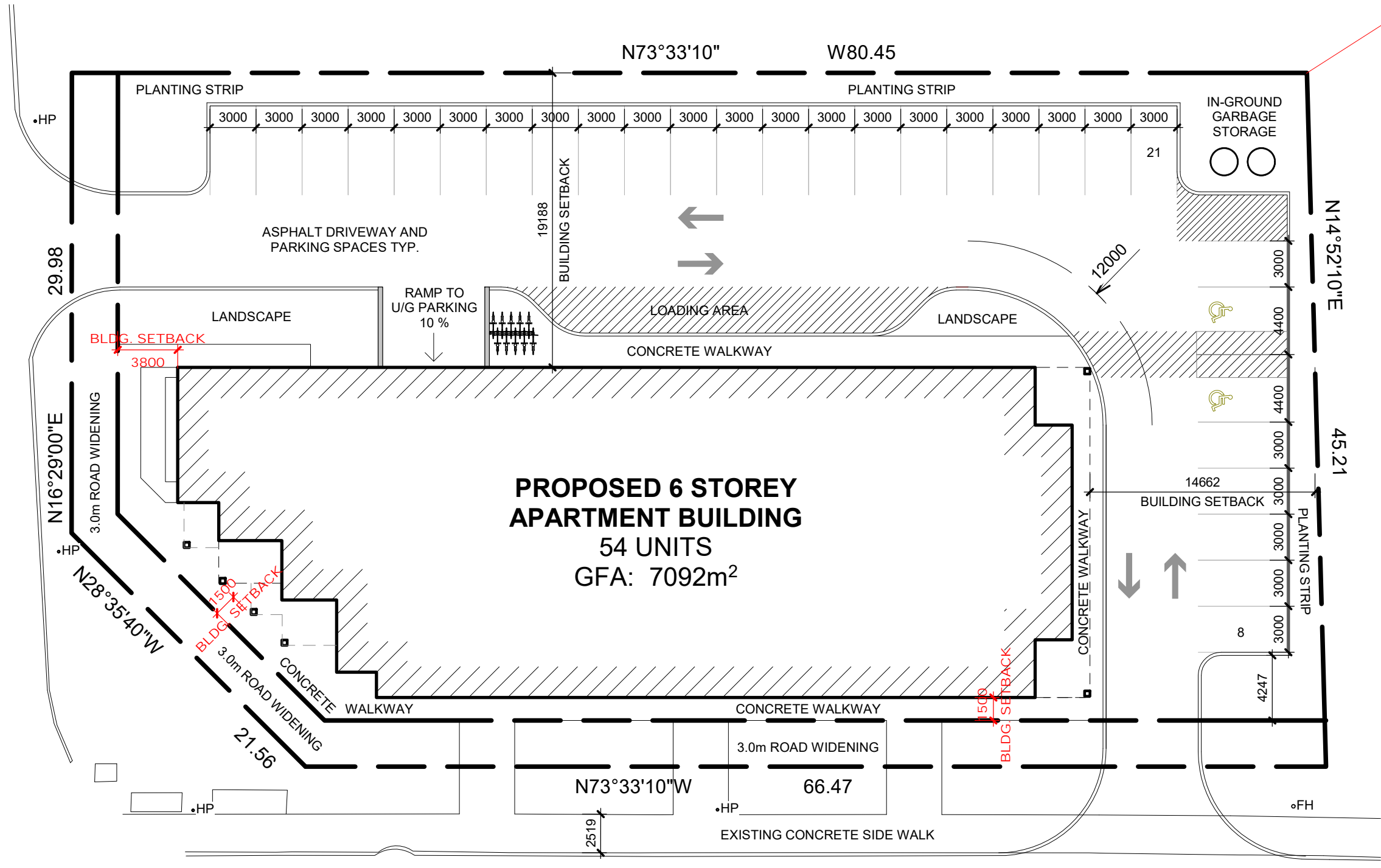
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: July 27th, 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.

COLUMBUS GATE



RYMAL ROAD EAST

DATA	
ZONING	C5 - 589 Zone
GROSS LOT AREA (m²)	3549.0
AREA OF ROW (m²)	346.4
NET LOT AREA (m²)	3202.6
BUILDING AREA (m²)	1132.0
BUILDING COVERAGE (%)	35%
LANDSCAPE AREA (m²)	811.0

	DATA	REQ'D	PRVDD
SETBACKS	COLUMBUS GATE (m)	6.0	3.9
	RYMAL RD E (m)	3.0	1.5
	REAR YARD (m)	7.5	14.7
	INT. SIDE YARD (m)	7.5	19.2
	PLANTING STRIP (m)	1.5	1.5-2.1
	BUILDING HEIGHT (m)	14.0	20.8
	NUMBER OF STOREYS	-	6

	DATA	REQ'D	PRVDD
PARKING	NUMBER OF UNITS	-	54
	AMENITY AREA (m²)	316.0	670.0
	RESIDENTIAL	54	59
	COMMERCIAL	30	30
	BARRIER FREE	4	4
	SHORT-TERM BIKE	10	10
	LONG-TERM BIKE	35	35

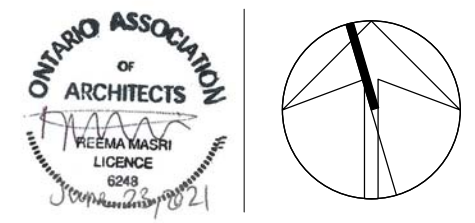
THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND DISCREPANCIES TO THE CONSULTANT.

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DO NOT SCALE THESE DRAWINGS.

REVISIONS:		
NO.:	DATE:	ISSUED:
2	2021.06.23	CofA - Minor Variance





MASRI O Inc. ARCHITECTS
101-609 KUMPF DRIVE
WATERLOO, ON, N2V 1K8
PH. 519.579.0072
www.MasriO.ca

PROJECT:

APARTMENT BUILDING

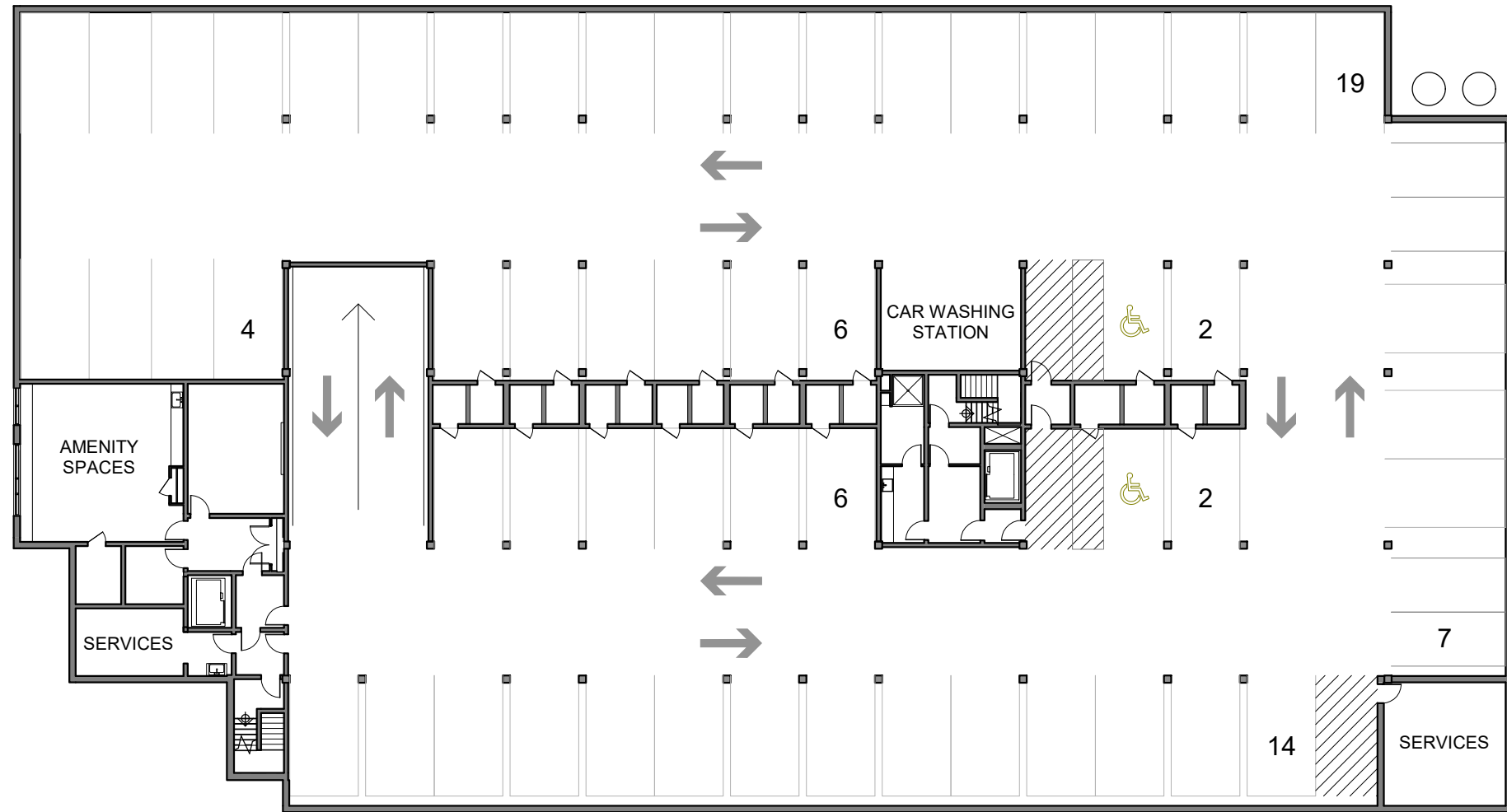
APARTMENT BUILDING

POLCAN CONSTRUCTION

DRAWING TITLE:

SITE SKETCH

DATE: 2021.01.18	DRAWING NO.:
SCALE: 1 : 300	*A1.1
DRAWN: Author	
STATUS: SPA	
JOB No.: 2020	



1 U/G PARKING FLOOR PLAN
*A1.2 SCALE: 1 : 300

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PROJECT:

APARTMENT
BUILDING
APARTMENT BUILDING
POLCAN
CONSTRUCTION

DRAWING TITLE:

UNDERGROUND
PARKING FLOOR PLAN

DATE: 2021.01.18
SCALE: 1 : 300
DRAWN: Author
STATUS: SPA
JOB No.: 2020

DRAWING NO.:

*A1.2



1 **WEST ELEVATION**
*A1.3 SCALE: 1 : 250



2 **SOUTH ELEVATION**
*A1.3 SCALE: 1 : 250

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REVISIONS:

NO.:	DATE:	ISSUED:
2	2021.06.23	CofA - Minor Variance



PROJECT:

**APARTMENT
BUILDING**
APARTMENT BUILDING
**POLCAN
CONSTRUCTION**

DRAWING TITLE:

ELEVATIONS

DATE: 2021.01.18

SCALE: 1 : 250

DRAWN: Author

STATUS: SPA

JOB No.: 2020

DRAWING NO.:

***A1.3**



1 **EAST ELEVATION**
*A1.4 SCALE: 1 : 250



2 **NORTH ELEVATION**
*A1.4 SCALE: 1 : 250

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REVISIONS:

NO.:	DATE:	ISSUED:
2	2021.06.23	CofA - Minor Variance



PROJECT:

**APARTMENT
BUILDING**
APARTMENT BUILDING
**POLCAN
CONSTRUCTION**

DRAWING TITLE:

ELEVATION

DATE: 2021.01.18

SCALE: 1 : 250

DRAWN: Author

STATUS: SPA

JOB No.: 2020

DRAWING NO.:

***A1.4**

June 24, 2021

File No: 19236

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

Dear Ms. Sheffield:

**RE: 1865 Rymal Road East
MINOR VARIANCE APPLICATION**

GSP Group is pleased to submit on behalf of the owner, Grand Canadian Developments Inc., an application for minor variance to permit a new 6-storey 54-unit mixed use building on the property.

Requested Minor Variances

As noted above, the Site is zone Light Industrial (M6) Zone under City Zoning By-law No. 05-200. Accordingly, to implement the Approved Site Plan, the following variances are required:

1. A 1.5m reduction to allow a 1.5m minimum flankage side yard, whereas a 3m minimum flankage side yard is required (Section 6.2.3.d.1 of Stoney Creek By-law 3692-92);
2. A 2.2m reduction to allow a 3.8m minimum front yard, whereas a 6m minimum front yard is required (Section 6.2.3.c of Stoney Creek By-law 3692-92);
3. A 1.5m reduction to allow a 1.5m minimum setback from a daylight triangle, whereas a 3m minimum setback from a daylight triangle is required (Section 4.13.1 of Stoney Creek By-law 3692-92); and,
4. A 6.8m increase to allow a 20.8m maximum building height, whereas a 14m maximum building height is required (Schedule "C" – Exception 589 b) of Hamilton By-law 05-200).

The Site is in the process of being approved to facilitate the proposed development contemplated as part of the application submitted for 1865 Rymal Road East (City File: DA-21-017). This Minor Variance application will not affect the clearing of conditions related to SPA. The Application fee payment noted below has been delivered via mailbox drop-off to the attention of City of Hamilton – Committee of Adjustment.

In support of the Minor Variance application, please find enclosed the following:

- One (1) original of the completed application form with signatures;
- One (1) copy of the Site Plan;
- One (1) copy of the Underground Parking Plan;
- One (1) copy of the Elevation Plans; and,
- One (1) cheque made payable to the “City of Hamilton” for \$3,320.00.

Should you have any questions or require any additional information, please do not hesitate to contact me at 226-243-7433 or via email at jliberatore@gspgroup.ca.

Yours truly

GSP Group Inc.



Joseph M. Liberatore, B.U.R.Pl., Dip. GIS & Pl.
Planner

cc. Client

P:\19236-Polcan Construction-1865 Rymal Rd\documents\Minor Variance\Cover Letter.docx



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 _____

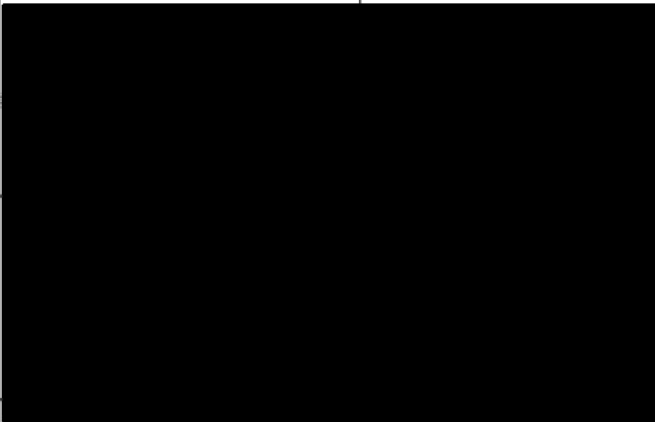
PAID _____ DATE APPLICATION DEEMED COMPLETE _____

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	NAME	ADDRESS	
Registered Owners(s)	Canadian Grand Developments Inc. c/o Bruno Artenosi		
Applicant(s)*	GSP Group Inc. c/o Joseph Liberatore		
Agent or Solicitor			Phone:
			E-mail:

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:
- a) To permit a minimum setback of 1.5m from Rymal Road East, whereas a minimum setback of 3m is required;
 - b) To permit a minimum setback of 3.8m from Columbus Gate, whereas a minimum setback of 6m is required;
 - c) To permit a minimum setback of 1.5m from the Daylighting Triangle, whereas a minimum setback of 3m is required;
- and,
- d) To permit a maximum height of 20.8m, whereas a maximum height of 14m is permitted.

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

Refer to Planning Justification Brief.

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**):

PT LT 32, CON 8 SALTFLEET , AS IN AB148111 EXCEPT CM768 ,SAVE AND
EXCEPT PT 1 ON 62R19771
1865 Rymal Road East

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?

Owner's Knowledge


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.

24/06/21
Date


Signature Property Owner
Canadian Grand Developments Inc.
c/o Bruno Arteni
Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>±66.47m</u>
Depth	<u>±45.21m</u>
Area	<u>±3549m²</u>
Width of street	<u>Rymal Road East - ±33.6m, Columbus Gate - ±22.9m</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: _

No Buildings Existing on Site.

Proposed

A 6-storey, 54 Unit, 1132m² Mixed Use Mid-Rise Building with 93 Parking Spaces and 45 Bike Parking Spaces.

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

Existing:

No Buildings Existing on Site.

Proposed:

Front Yard Setback:	1.5m
Side Yard Setback (east):	14.6m
Side Yard Setback (west):	3.8m
Rear Yard Setback:	19.1m

13. Date of acquisition of subject lands:
-
14. Date of construction of all buildings and structures on subject lands:
No Buildings Existing on Site.
-
15. Existing uses of the subject property:
No Buildings Existing on Site.
16. Existing uses of abutting properties:
Residential, Parking, and Retirement Residence Uses
17. Length of time the existing uses of the subject property have continued: No Buildings Existing on Site.
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|------------|-----------|------------|
| Water | <u>Yes</u> | Connected | <u>Yes</u> |
| Sanitary Sewer | <u>Yes</u> | Connected | <u>Yes</u> |
| Storm Sewers | <u>Yes</u> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land: Mixed Use - Medium Density (Trinity West Secondary Plan)
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land: C5 - Exception 589 (By-law 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
Purpose of Minor Variance Application is to implement Approved Site Plan Application DA-21-017.
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.