

**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
- 

<b>APPLICATION NO.:</b>	<b>HM/A-22:166</b>	<b>SUBJECT PROPERTY:</b>	1411 & 1415 Upper Wellington St., HAMILTON
<b>ZONE:</b>	"I3,745,H39" (Major Institutional)	<b>ZONING BY-LAW:</b>	Zoning By-law 05-200, as Amended 21-175

**APPLICANTS:** Agent T. Johns Consulting – D. Morris  
**Owner Shalom Manor Long Term Care Home – J. Zwier**

The following variances are requested:

1. Residents of the Seniors Citizens Multiple Dwelling on lands known municipally as 261 Stone Church Road East (Wellingstone Christian Multiple Dwelling) shall be permitted to use the parking facilities and the accessory uses within the Long Term Care Facility and Retirement Home on lands known municipally as 1411 – 1415 Upper Wellington Street (Shalom Manor) notwithstanding that parking facilities are only for the Long Term Care Facility and Retirement Home and the accessory uses are only permitted to be used by the residents of the Long Term Care Facility and Retirement Home.

**PURPOSE & EFFECT:** To permit the construction of a building containing a long term care facility and a retirement home in order to facilitate Site Plan File No DA-22-040.

**Notes:**

**This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.**

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

DATE:	Thursday, June 23, 2022
TIME:	2:25 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	To be streamed (viewing only) at <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

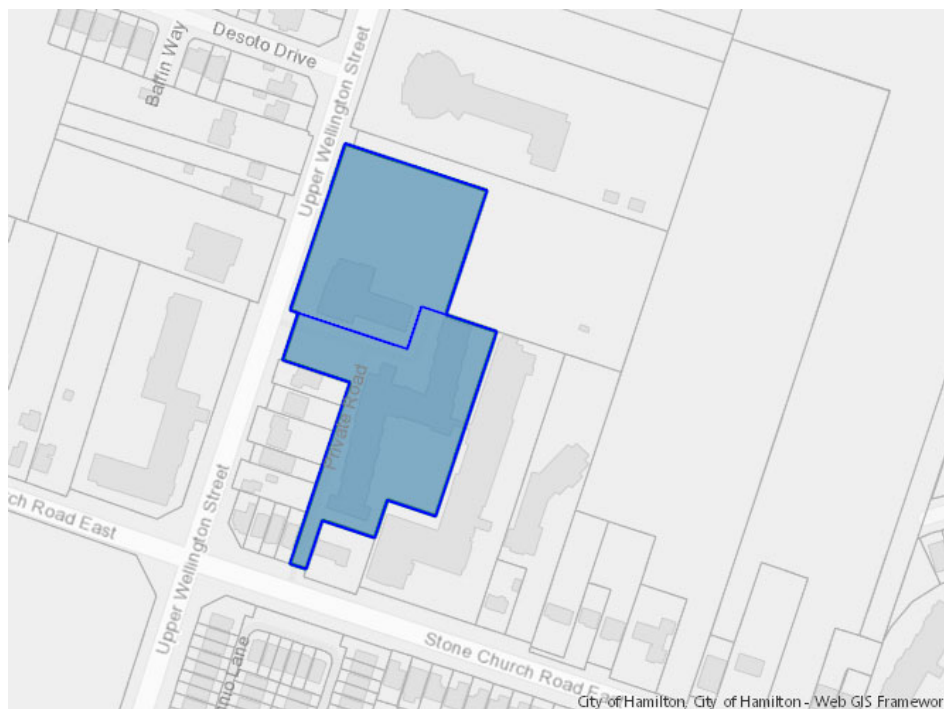
For more information on this matter, including access to drawings illustrating this request and other information submitted:

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

## 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.



 Subject Lands



DATED: June 7, 2022

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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, and may include posting electronic versions.

## **PARTICIPATION PROCEDURES**

### **Written Submissions**

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All comments received by noon two business days before the meeting will be forwarded to the Committee members.

Comments are available two days prior to the Hearing and are available on our website: [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)

### **Oral Submissions During the Virtual Meeting**

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. **Interested members of the public must register by noon the day before the hearing.**

To register to participate by Webex either via computer or phone, please contact Committee of Adjustment staff by email [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by phone at 905-546-2424 ext. 4221. The following information is required to register: Committee of Adjustment file number that you wish to speak to, the hearing date, name and address of the person wishing to speak, if they will be connecting via phone or video, and if applicable the phone number they will be using to call in. A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

All members of the public who register will be contacted by Committee Staff to confirm details of the registration prior to the Hearing and provide an overview of the public participation process.

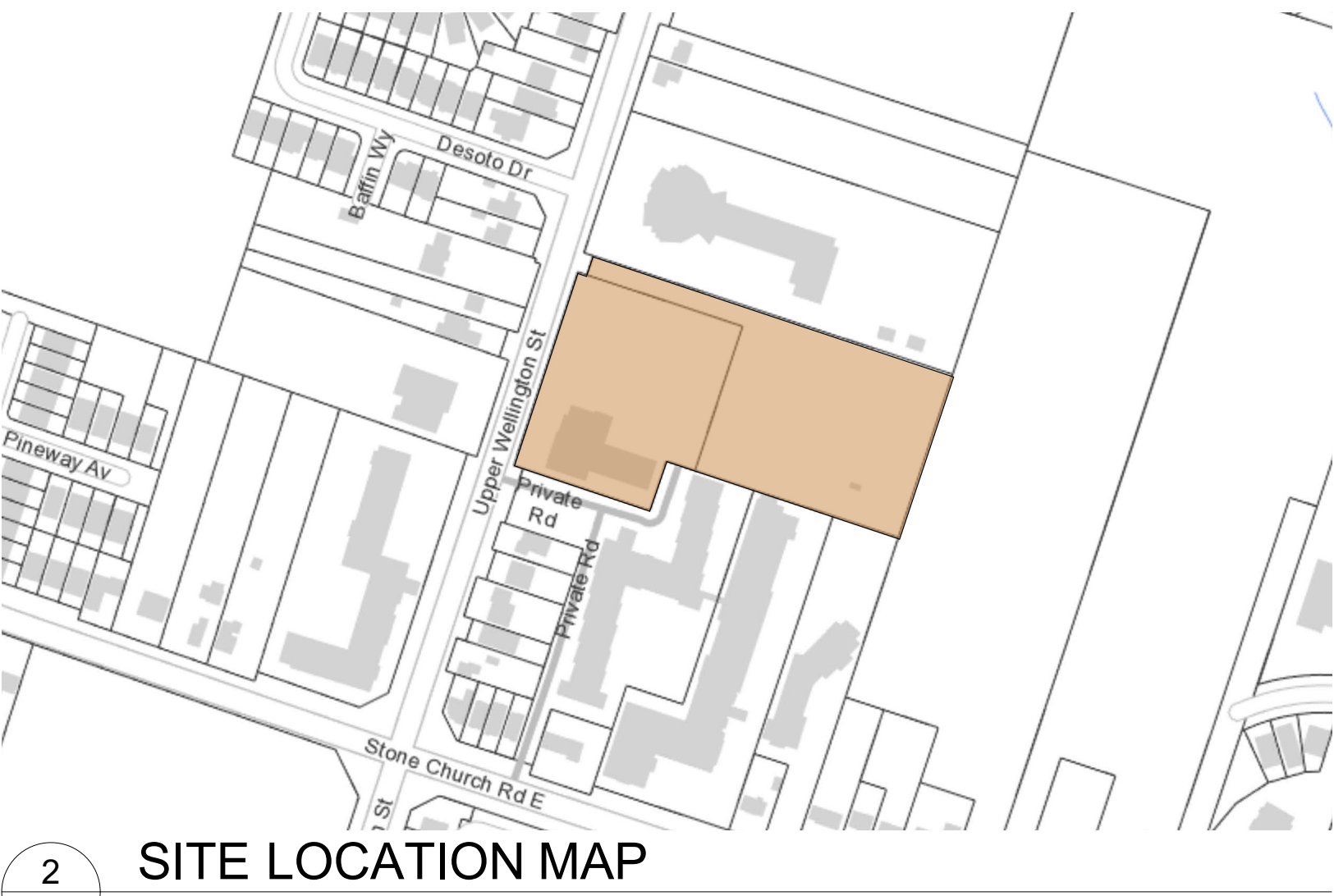
We hope this is of assistance and if you need clarification or have any questions, please email [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.





SITE PLAN LEGEND	
	BUILDING FOOTPRINT AT GRADE
	BUILDING OUTLINE ABOVE GROUND FLOOR
	LIGHT DUTY ASPHALT
	HEAVY DUTY ASPHALT
	PROPERTY LINE
	PRINCIPAL ENTRANCE
	MAIN BUILDING ENTRANCE
	SECONDARY BUILDING ENTRANCE
	SERVICE ENTRANCE
	BUILDING EXIT
	BARRIER FREE PARKING STALL
	CONCRETE SIDEWALK OR PAD
	TACTILE WARNING SURFACE INDICATOR AT CURB RAMP OR DEPRESSED CURB
	PAINTED LINES AT PEDESTRIAN CROSSWALK OR ACCESS AISLE
	FIRE ROUTE - CENTERLINE AND WIDTH
	BORE HOLE LOCATION AND NUMBER
	EXISTING TREE
	PROPOSED TREE
	EXISTING FIRE HYDRANT
	FIRE HYDRANT
	EXISTING CATCH BASIN
	CATCH BASIN
	EXISTING MANHOLE
	MANHOLE
	EXISTING LIGHT POLE
	LIGHT POLE
	BOLLARD LIGHT FIXTURE
	WALL MOUNT LIGHT FIXTURE
	SOFFIT MOUNTED LIGHT FIXTURE
	EXISTING SIGN
	BARRIER-FREE PARKING STALL SIGN
	FIRE ROUTE, NO PARKING SIGN
	EXISTING HYDRO POLE
	HYDRO POLE



SITE DATA			
OFFICIAL PLAN DESIGNATION	NEIGHBOURHOODS		
ZONING	MAJOR INSTITUTIONAL (I3, 745, H39)		
PROPOSED USES	LONG TERM CARE FACILITY RETIREMENT HOME (ASSISTED LIVING)		
REGULATION	REQUIREMENT	ACTUAL	COMFORMITY
EXISTING LOT AREA	N/A	20,790.0 m <sup>2</sup>	N/A
NET LOT AREA	N/A	20,232.0 m <sup>2</sup>	N/A
MIN. LOT WIDTH	30.0 m	118.53 m	CONFORMS
MIN. FRONT YARD	N/A	5.2 m	N/A
MIN. SIDE AND REAR YARD	0 m SIDE YARD 7.0m REAR YARD	0 m SIDE YARD >7.0m REAR YARD	CONFORMS
MAXIMUM BUILDING HEIGHT	30.0 m	24.6 m TO PARAPET OF 6TH STOREY	CONFORMS
MINIMUM LANDSCAPED AREA	10% OF THE LOT AREA = 2,232 m <sup>2</sup>	7,057 m <sup>2</sup> = 34.9%	CONFORMS
MINIMUM LANDSCAPED AREA OF PARKING ISLANDS	10% OF PARKING AND ACCESS AREA = 687 m <sup>2</sup>	438.7 m <sup>2</sup> (North)+463.8 m <sup>2</sup> (South) = 902.5 m <sup>2</sup> = 13.1%	CONFORMS
NUMBER OF RESIDENTS	N/A	RETIREMENT HOME: 140 RESIDENTS IN 128 SUITES LONG TERM CARE FACILITY: 128 RESIDENTS	N/A
NUMBER OF PARKING SPACES	RETIREMENT HOME: 1 / 3 RESIDENTS = 47 LONG TERM CARE FACILITY: 1 / 3 BEDS = 43	117	CONFORMS
NUMBER OF ACCESSIBLE PARKING SPACES	FOR 101-200 SPACES 1+3% OF REQUIRED	1 + 3% OF 117 = 5	CONFORMS
PARKING AISLE WIDTH	6.0 m MIN.	6.4 m	CONFORMS
PARKING SPACE SIZE	3.0 m x 5.8 m MIN.	3.0 m x 5.8 m	CONFORMS
ACCESSIBLE PARKING SPACE SIZE	4.4 m x 5.8 m MIN.	4.4 m x 5.8 m INCLUDING HALF OF A 1.5 M ACCESS AISLE CONFORMS TO O.REG 191/11	CONFORMS
ACCESSORY BUILDING: PAVILION	AREA: > 18 m <sup>2</sup> TO COMPLY WITH REGULATIONS FOR PRINCIPAL USE	AREA: 52.3 m <sup>2</sup> HEIGHT: 3.6 m	CONFORMS
ACCESSORY BUILDING: SHED	HEIGHT: 4.5 m MAX.	AREA: 4.55 m <sup>2</sup> HEIGHT: 2.59 m	CONFORMS

#### SITE PLAN NOTES

- CONTRACTOR TO MAKE GOOD ALL EXISTING AREAS (INSIDE OR OUTSIDE THE PROPERTY LINE) DISTURBED OR DAMAGED DURING PERIOD OF CONSTRUCTION, WHETHER SHOWN ON DRAWINGS OR NOT.
- SITE PLANS ARE TO BE READ IN CONJUNCTION WITH DETAILS AND INFORMATION SHOWN ELSEWHERE ON DRAWINGS. IN THE EVENT OF DISCREPANCIES THE MORE STRINGENT REQUIREMENT SHALL GOVERN.
- ALL EXCAVATION SHALL BE UNDERTAKEN IN SUCH A MANNER AS TO PREVENT MOVEMENT WHICH WOULD CAUSE DAMAGE TO ADJACENT PROPERTIES. EXISTING STRUCTURES, UTILITIES, ROADS & SIDEWALKS, ETC. AT ALL STAGES OF CONSTRUCTION. EXCAVATIONS THAT EXCEED 1.2 M (4 FT.) IN DEPTH SHALL BE SHORED OR CUT BACK AT THE TOP SO THAT THE ANGLE OF THE CUT DOES NOT EXCEED 1:1 SLOPE. IF SHORING IS TO BE PROVIDED, SUBMIT DRAWINGS WITH DESIGN PARAMETERS CLEARLY STATED AND PREPARED BY P. ENG. (REGISTERED IN ONTARIO) WITH SEAL AND SIGNATURE, FOR APPROVAL UNDER SEPARATE PERMIT APPLICATION.
- DISTANCES SHOWN ON THIS PLAN ARE IN METERS AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
- DO NOT DISTURB OR REMOVE ANY EXISTING VEGETATION (TREES, SHRUBS, GROUND COVER, ETC.) WITHOUT ARCHITECT'S WRITTEN APPROVAL.

#### MUNICIPAL SITE PLAN 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 AND CHIEF PLANNER, 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 7.5 M UNLESS OTHERWISE STATED.
- ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5 M SHALL BE WITHIN 5% MAXIMUM GRADE, THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADES.
- 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:  
- BUILDING PERMIT - SEWER AND WATER PERMITS  
- APPROACH APPROVAL PERMITS - ENCROACHMENT AGREEMENTS  
- COMMITTEE OF ADJUSTMENT (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 CORRIDOR MANAGEMENT SECTION, PUBLIC WORKS DEPARTMENT.
- 5.0m METRE BY 5.0m 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 AT VEHICULAR ACCESS POINTS
- ALL SIGNS MUST COMPLY WITH SIGN BY-LAW NO. 10-197.

#### WASTE COLLECTION NOTE

- THIS PROPERTY IS INELIGIBLE FOR THE COLLECTION OF GARBAGE, RECYCLING, ORGANICS, BULK WASTE AND/OR LEAF AND YARD WASTE BY THE CITY OF HAMILTON. COLLECTION OF WASTE SHALL BE PROVIDED THROUGH A PRIVATE WASTE HAULER(S). RECYCLING AND ORGANICS DIVERSION IS STRONGLY ENCOURAGED.

#### ARCHAEOLOGICAL NOTE

- CAUTION:** NOTWITHSTANDING CURRENT SURFACE CONDITIONS, THE PROPERTY HAS BEEN DETERMINED TO BE AN AREA OF ARCHAEOLOGICAL POTENTIAL. ALTHOUGH AN ARCHAEOLOGICAL ASSESSMENT IS NOT REQUIRED BY THE CITY OF HAMILTON, THE PROPONENT IS CAUTIONED THAT DURING DEVELOPMENT ACTIVITIES, SHOULD DEEPLY BURIED ARCHAEOLOGICAL MATERIALS BE FOUND ON THE PROPERTY THE ONTARIO MINISTRY OF TOURISM, CULTURE AND SPORT (MTCOS) SHOULD BE NOTIFIED IMMEDIATELY (416.314.7143). IN THE EVENT THAT HUMAN REMAINS ARE ENCOUNTERED DURING CONSTRUCTION, THE PROPONENT SHOULD IMMEDIATELY CONTACT BOTH MTCOS AND THE REGISTRAR OR DEPUTY REGISTRAR OF THE CEMETERIES REGULATION UNIT OF THE MINISTRY OF SMALL BUSINESS AND CONSUMER SERVICES (416.326.8392).



# Shalom

#### Prints issued to

Particulars	No.	Date	By
ISSUED FOR CLASS D ESTIMATE	2	20/09/04	CB
ISSUED FOR REZONING	3	21/02/04	CB
ISSUED FOR REZONING	4	21/07/05	CB
CLASS B ESTIMATE	5	21/07/20	CB
SPA SUBMISSION	6	21/12/17	CB
CLASS A ESTIMATE	7	22/02/16	CB
MLTC FOR WD SUBMISSION	8	22/05/27	CB

Particulars	No.	Date	By
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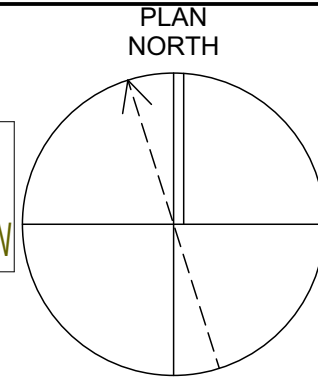
#### Revisions to drawing

All previous issues of this drawing are superseded.



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Project title

#### SHALOM MANOR HAMILTON CAMPUS OF CARE

1411 AND 1415 UPPER WELLINGTON STREET

Hamilton Ontario

Project number	Date issued	Scale
<b>2001</b>	1:750	
	Drawn by	Date
		2022-05-26

Sheet title	Drawing no.
<b>OVERALL SITE PLAN</b>	<b>A100</b>



Prints issued to

Particulars	No.	Date	By
ISSUED FOR CLASS D ESTIMATE	2	20/09/04	CB
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ISSUED FOR REZONING	4	21/07/05	CB
CLASS B ESTIMATE	5	21/07/20	CB
SPA SUBMISSION	6	21/12/17	CB
CLASS A ESTIMATE	7	22/02/16	CB
MLTC FOR WD SUBMISSION	8	22/05/27	CB

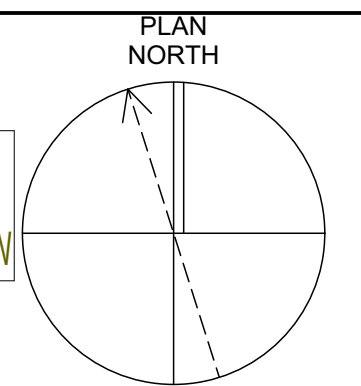
Revisions to drawing

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Project title

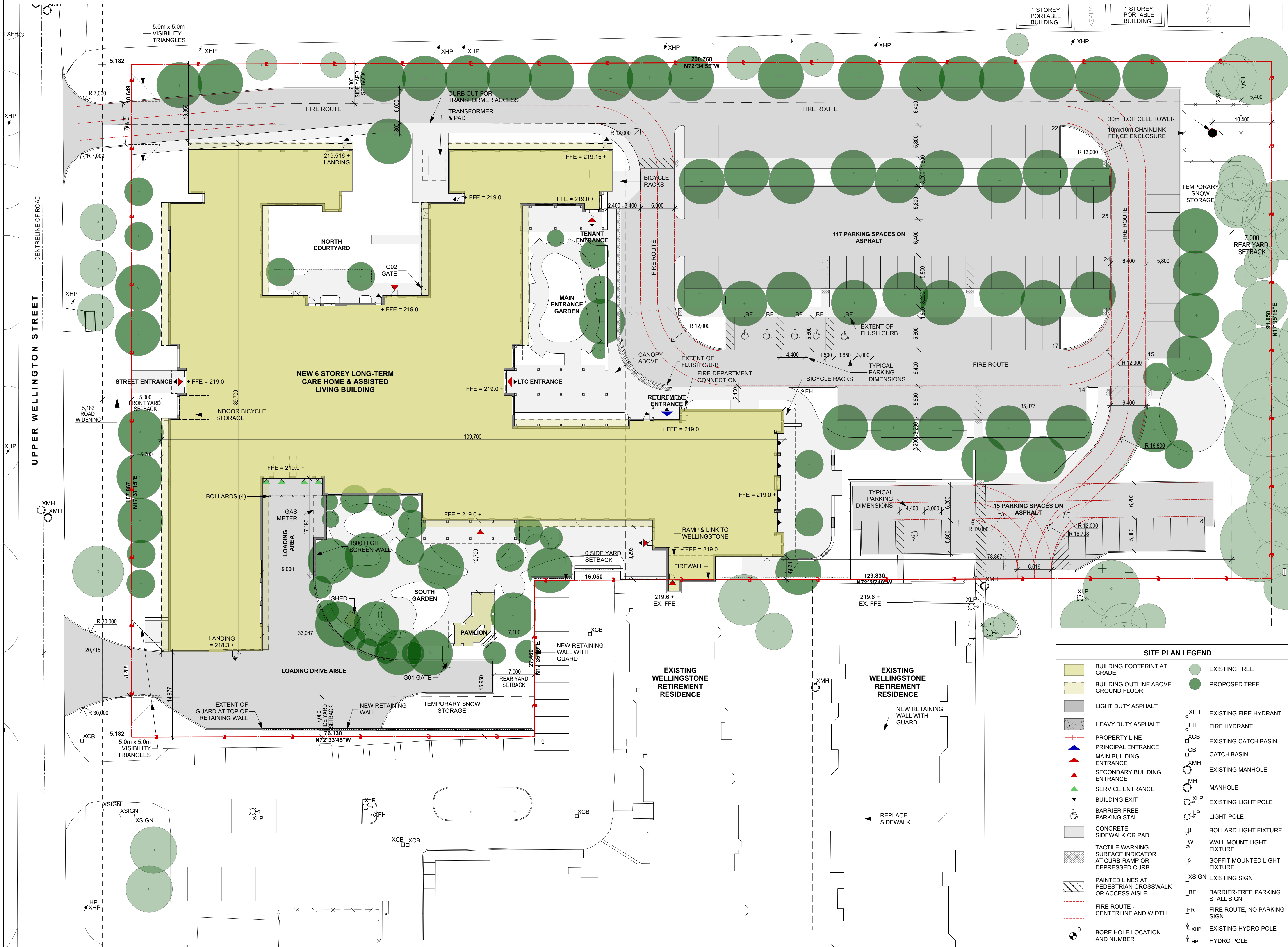
**SHALOM MANOR HAMILTON  
CAMPUS OF CARE**

**1411 AND 1415 UPPER WELLINGTON STREET**

**Hamilton Ontario**

Project number	Date issued	Scale
<b>2001</b>		<b>1:300</b>
Sheet title	Date	Drawn by
<b>ENLARGED SITE PLAN</b>	<b>2022-05-26</b>	

Drawing no.  
**A101**





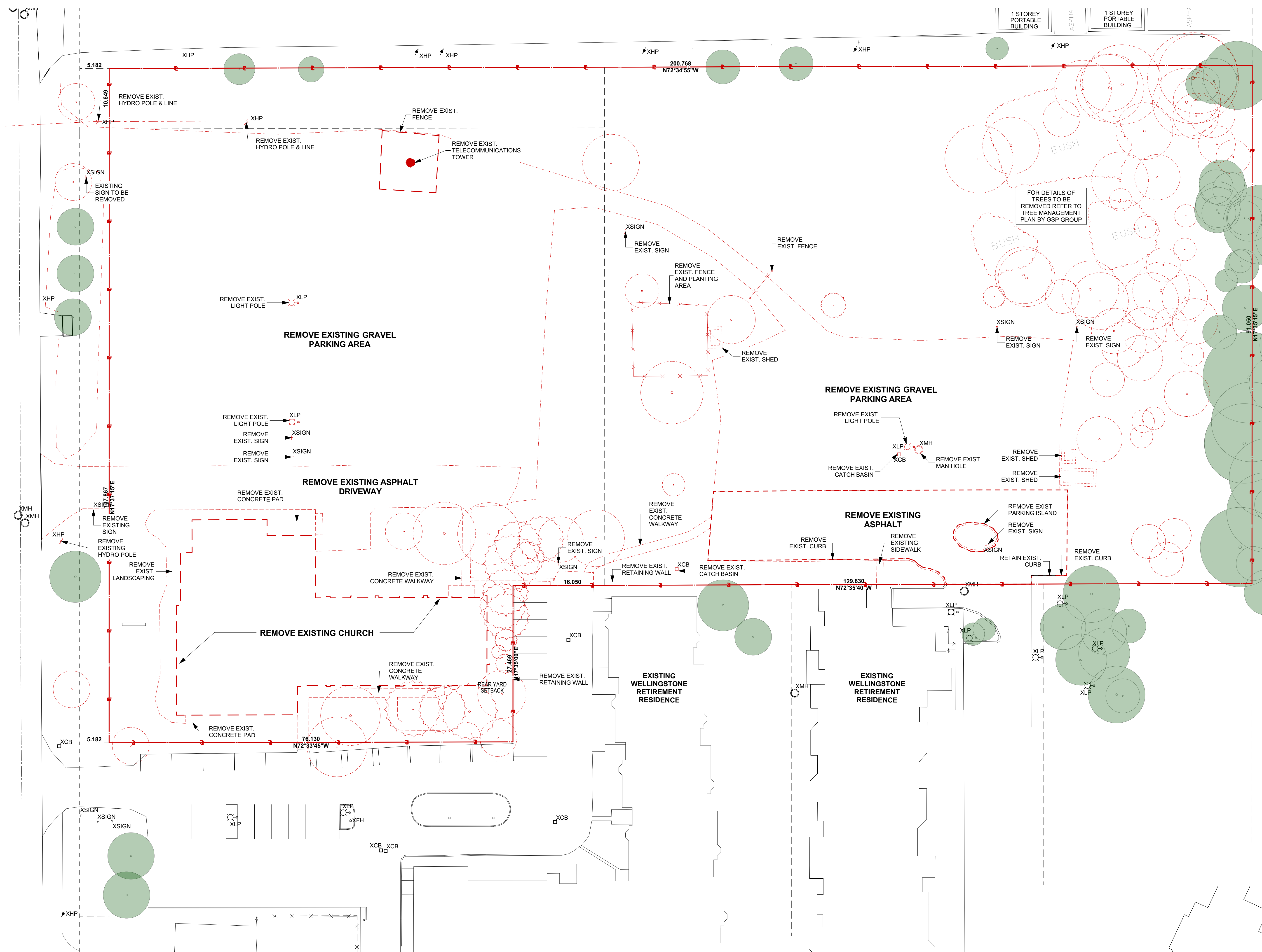


 **MMC ARCHITECTS**

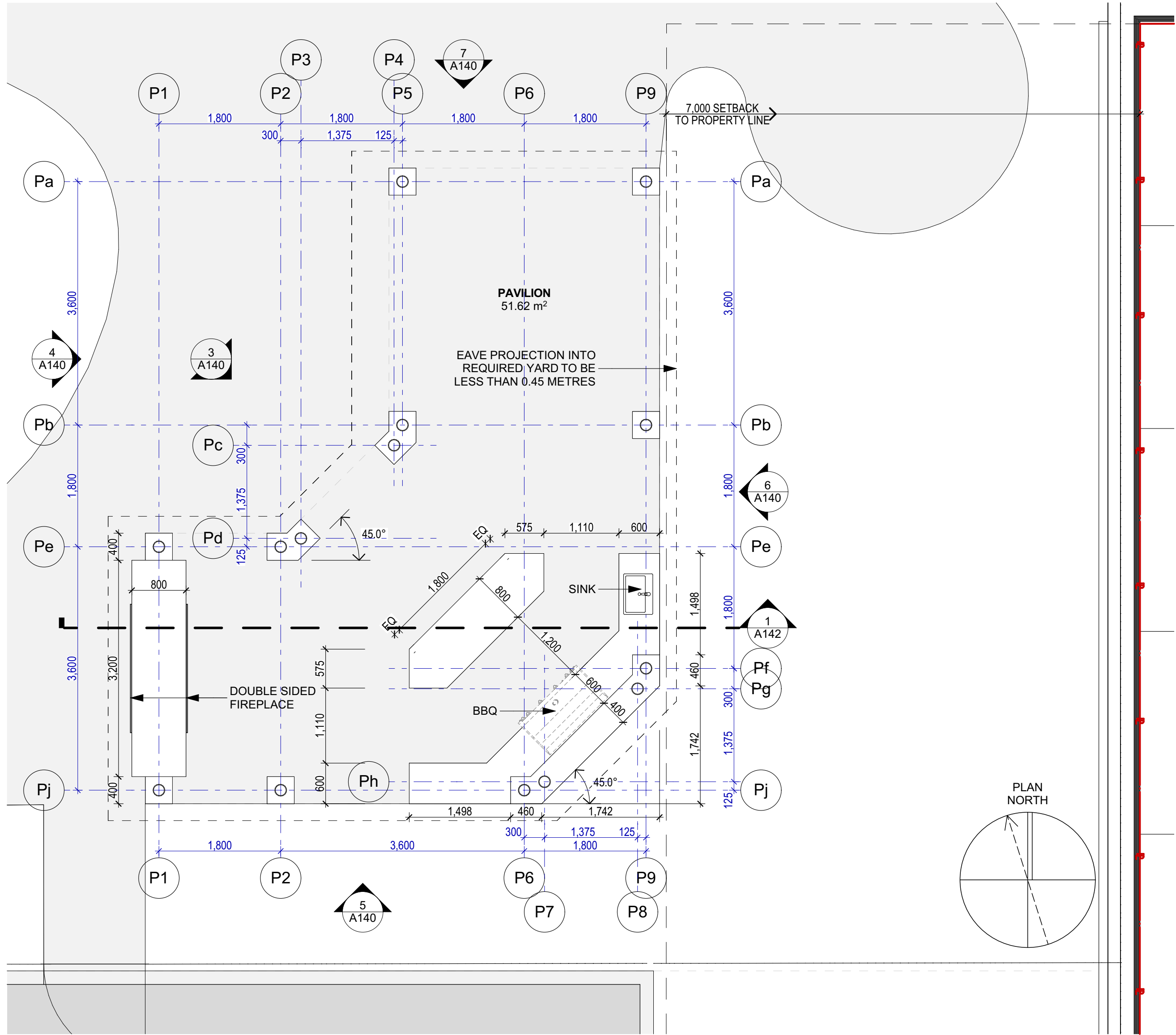
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PLAN NORTH

Sheet title <b>EXISTING CONDITIONS &amp; REMOVALS PLAN</b>	Drawing no. <b>A120</b>
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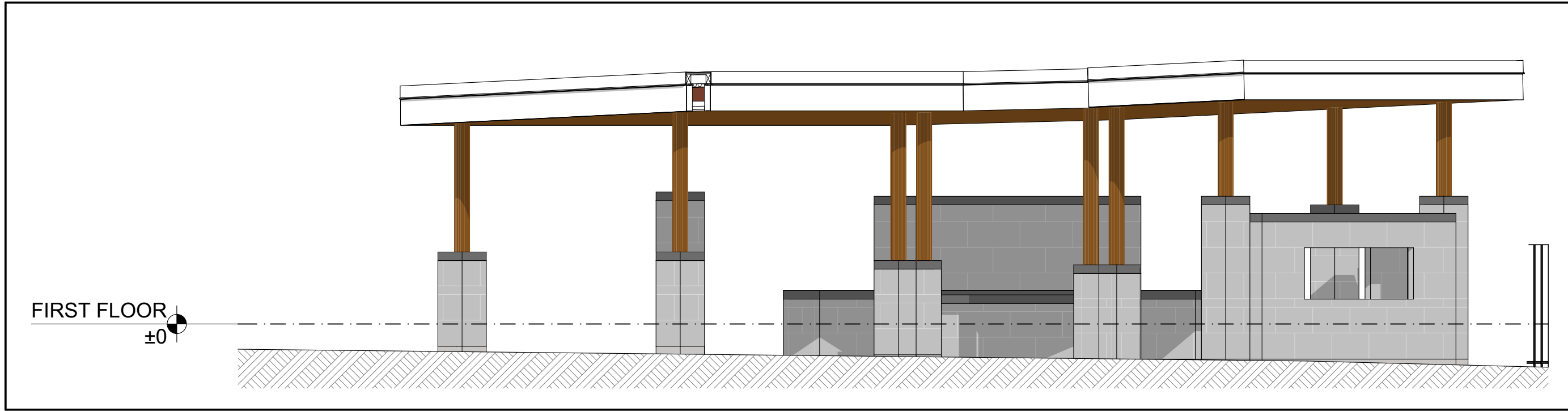




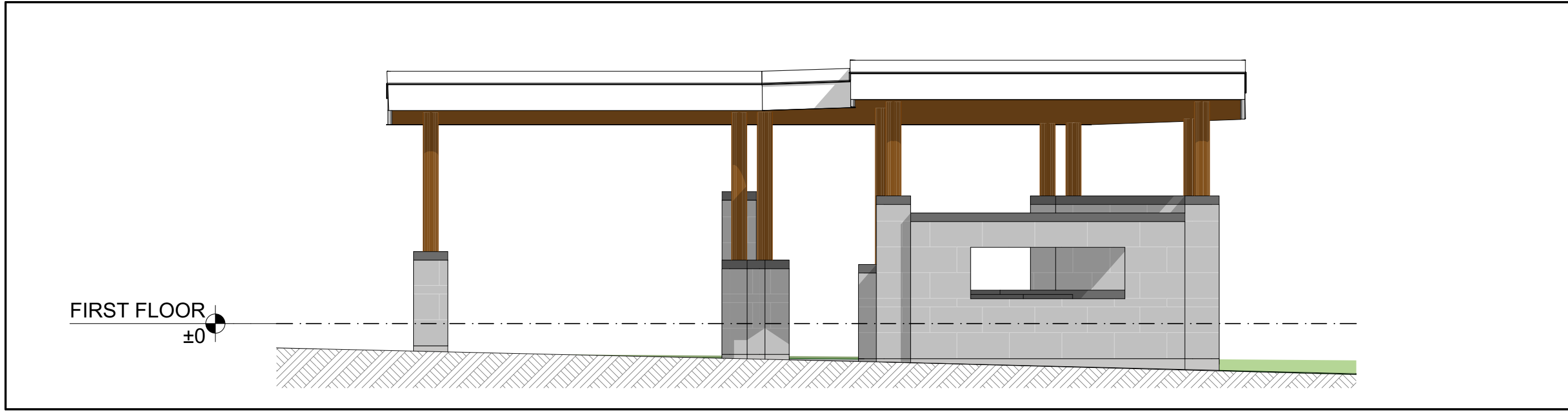
1 PAVILION PLAN  
A140 1:50



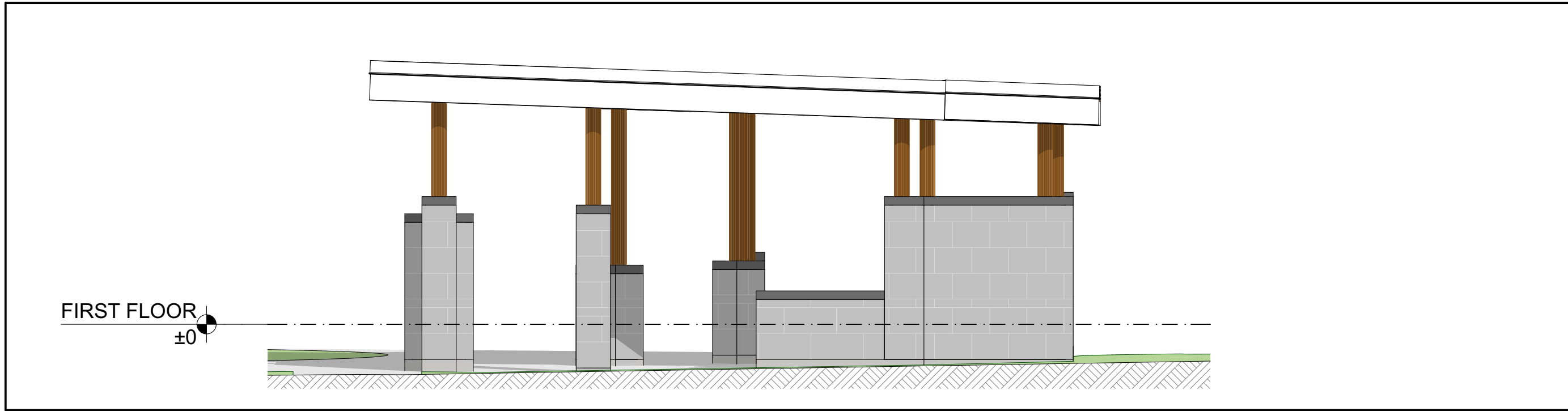
2 PAVILION 3D VIEW  
A140 1:71.4



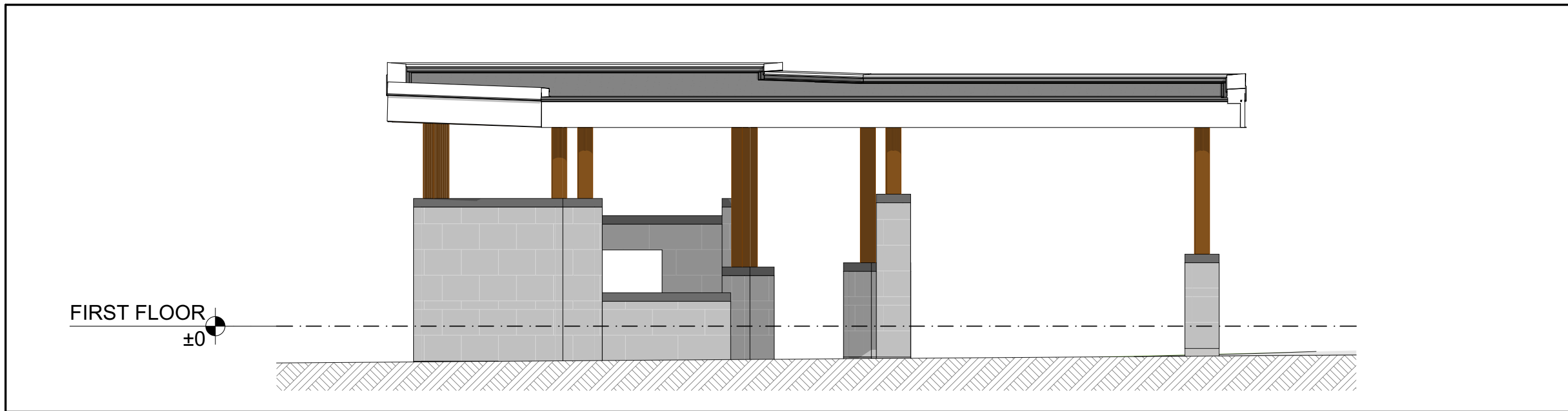
3 PAVILION NW ELEVATION  
A140A140 SCALE: 1:50



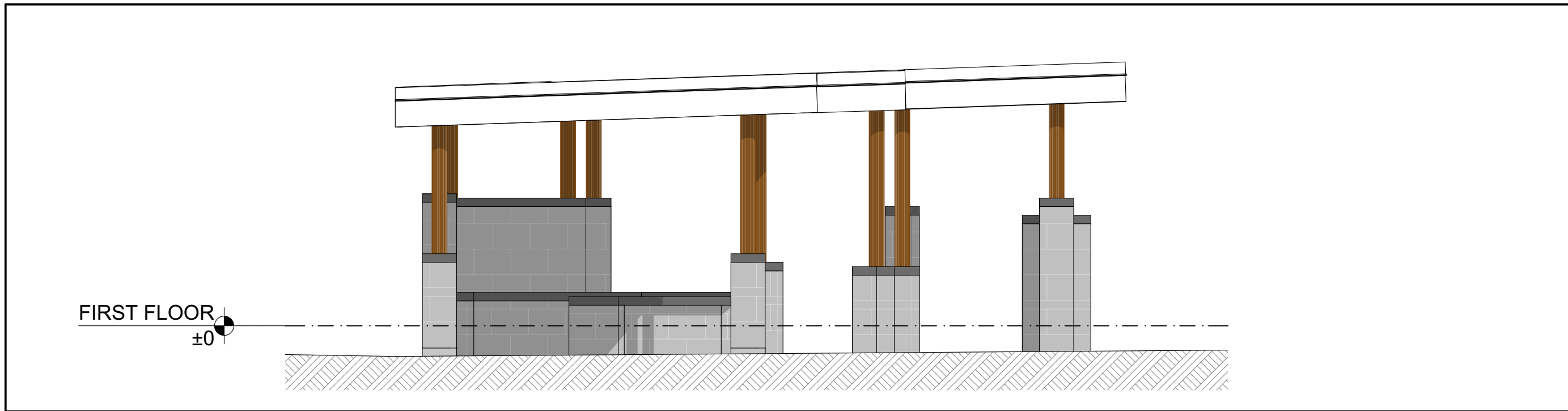
4 PAVILION WEST ELEVATION  
A140A140 SCALE: 1:50



5 PAVILION SOUTH ELEVATION  
A140A140 SCALE: 1:50



6 PAVILION EAST ELEVATION  
A140A140 SCALE: 1:50



7 PAVILION NORTH ELEVATION  
A140A140 SCALE: 1:50



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Prints issued to

Particulars	No.	Date	By
SPA SUBMISSION	6	21/12/17	CB
CLASS A ESTIMATE	7	22/02/16	CB
MLTC FOR WD SUBMISSION	8	22/05/27	CB

Particulars	No.	Date	By
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Revisions to drawing

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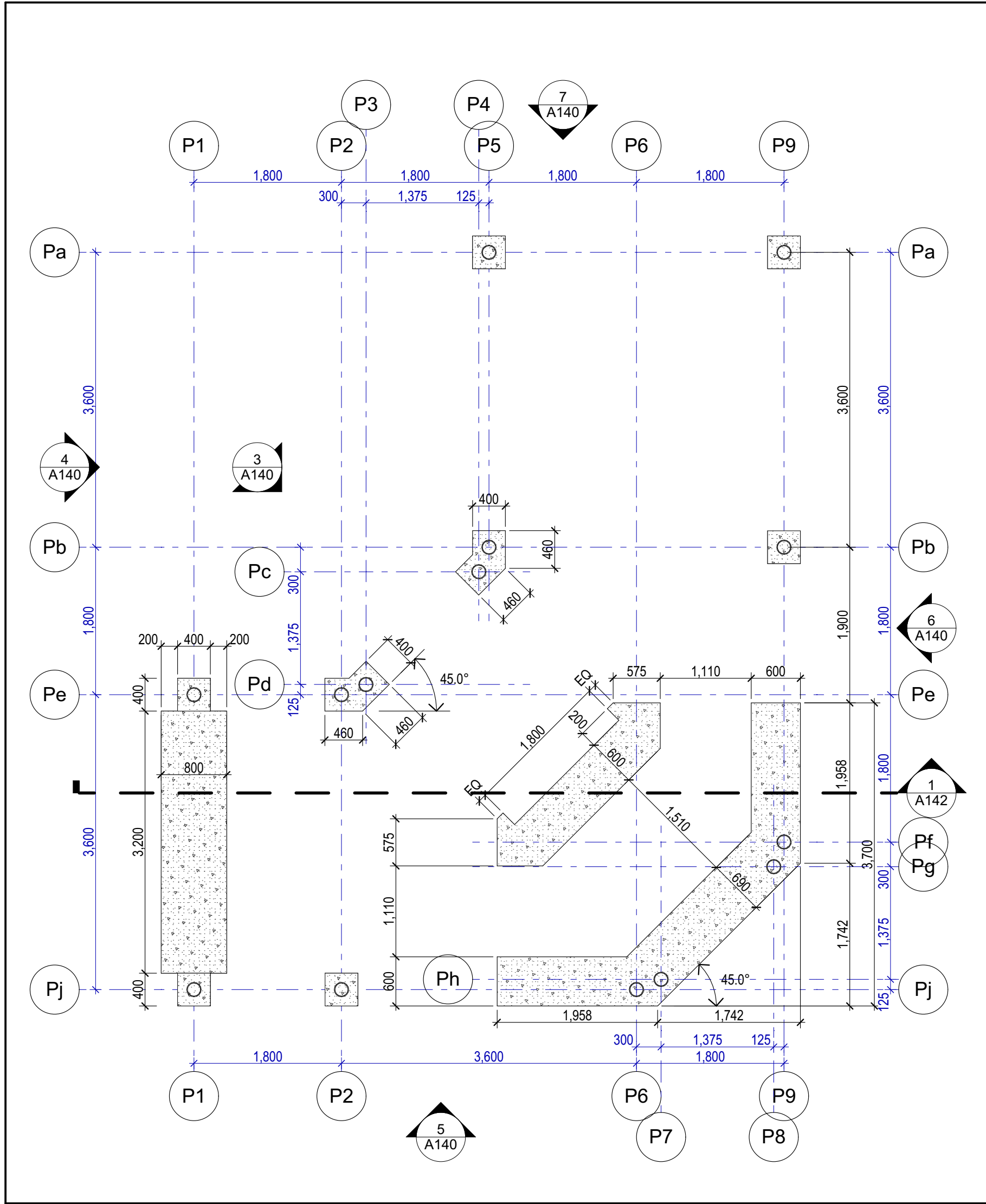
SHALOM MANOR HAMILTON  
CAMPUS OF CARE

1411 AND 1415 UPPER WELLINGTON STREET

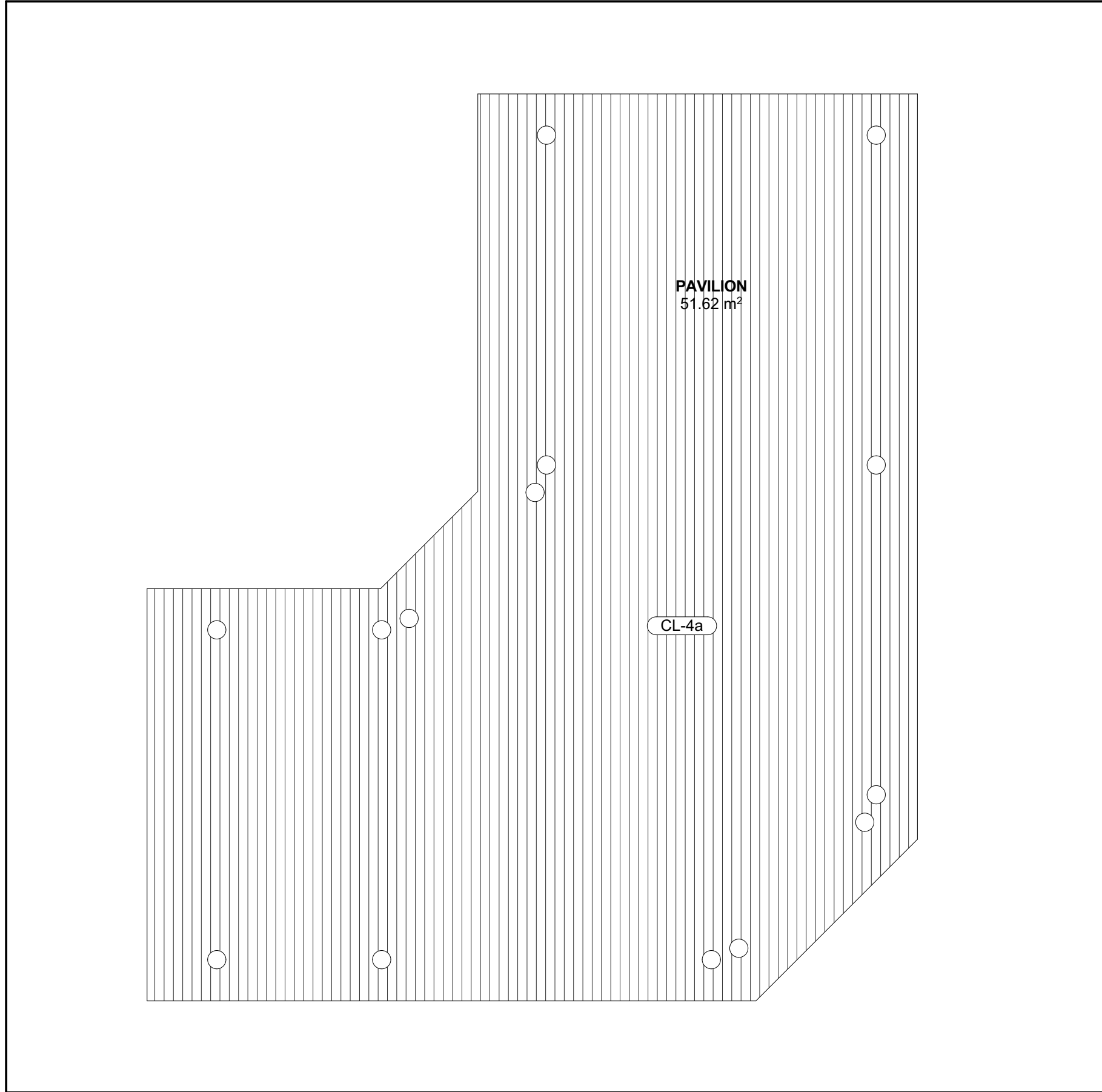
Hamilton Ontario

Project number	Date issued	Scale
2001	2022-05-26	1:50
Sheet title	Drawn by	Drawing no.
PAVILION PLAN & DETAILS		A140

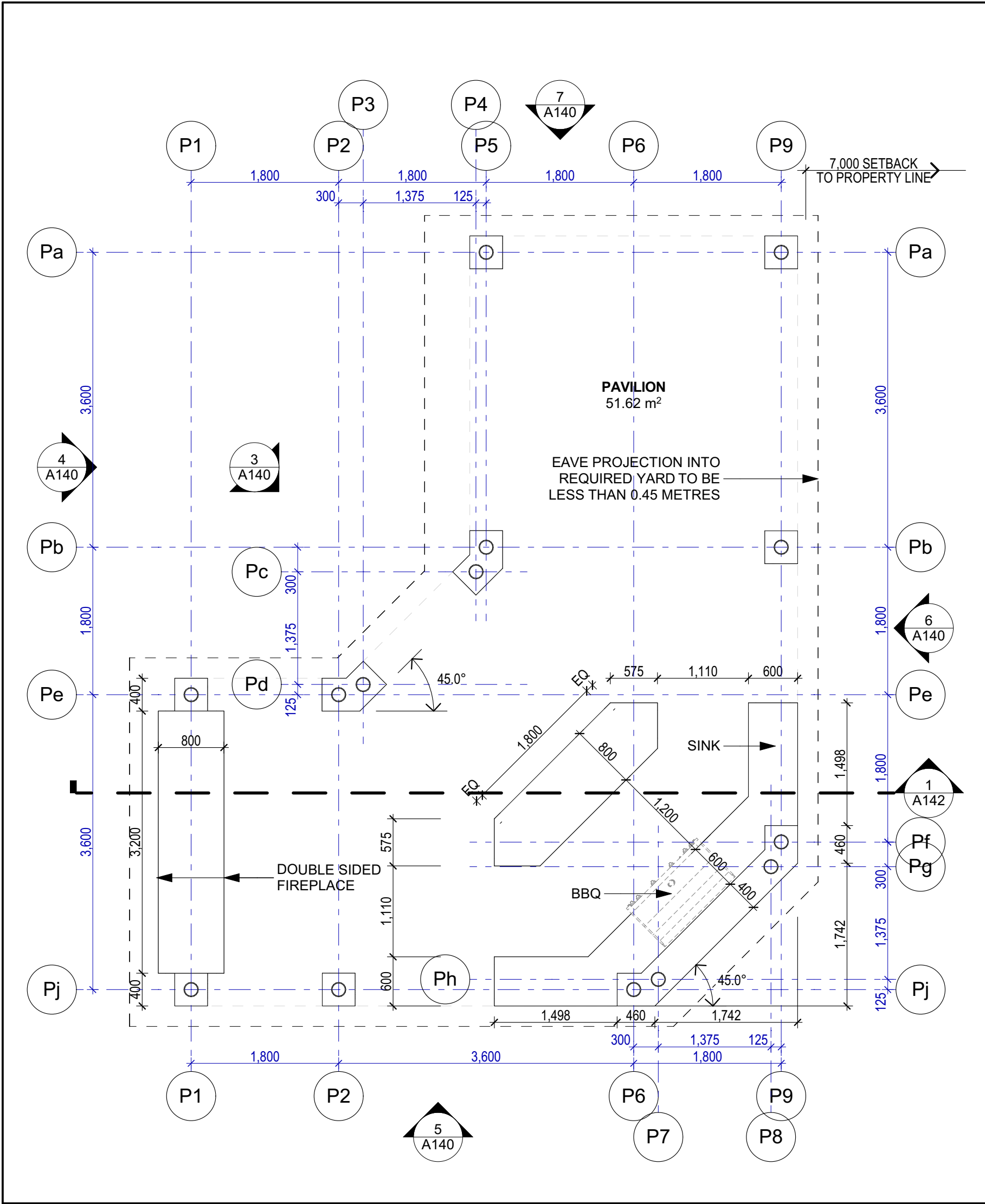




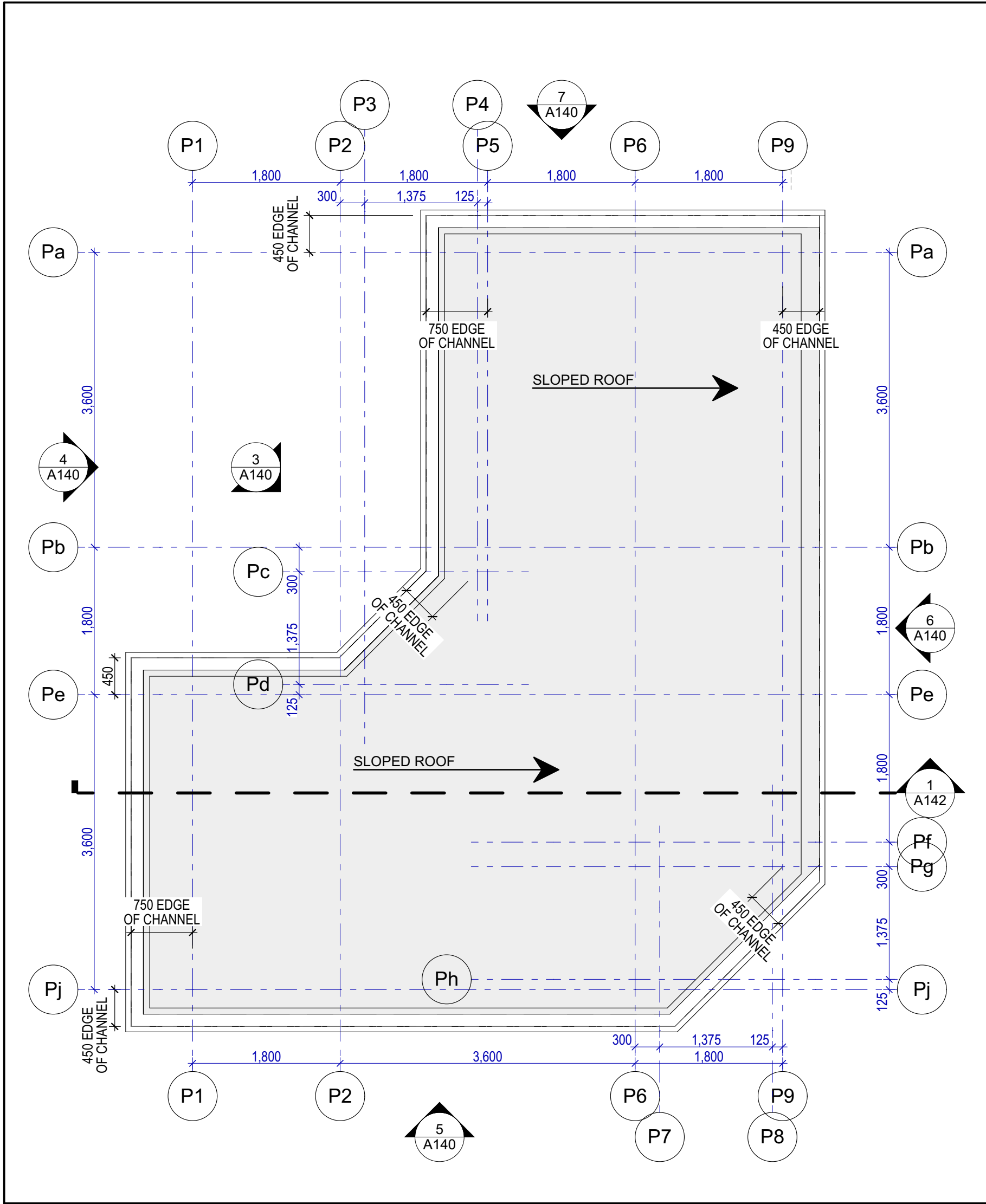
1 ENLARGED PAVILION PLAN FOUNDATIONS  
A213/A141 1:50



4 ENLARGED PAVILION PLAN REFLECTED CEILING  
A213/A141 1:50



2 ENLARGED PAVILION PLAN FIRST FLOOR  
A219/A141 1:50



3 ENLARGED PAVILION PLAN ROOF  
A225/A141 1:50



Prints issued to			
Particulars	No.	Date	By
CLASS A ESTIMATE	7	22/02/16	CB
MLTC FOR WD SUBMISSION	8	22/05/27	CB

Particulars	No.	Date	By
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Revisions to drawing All previous issues of this drawing are superseded.

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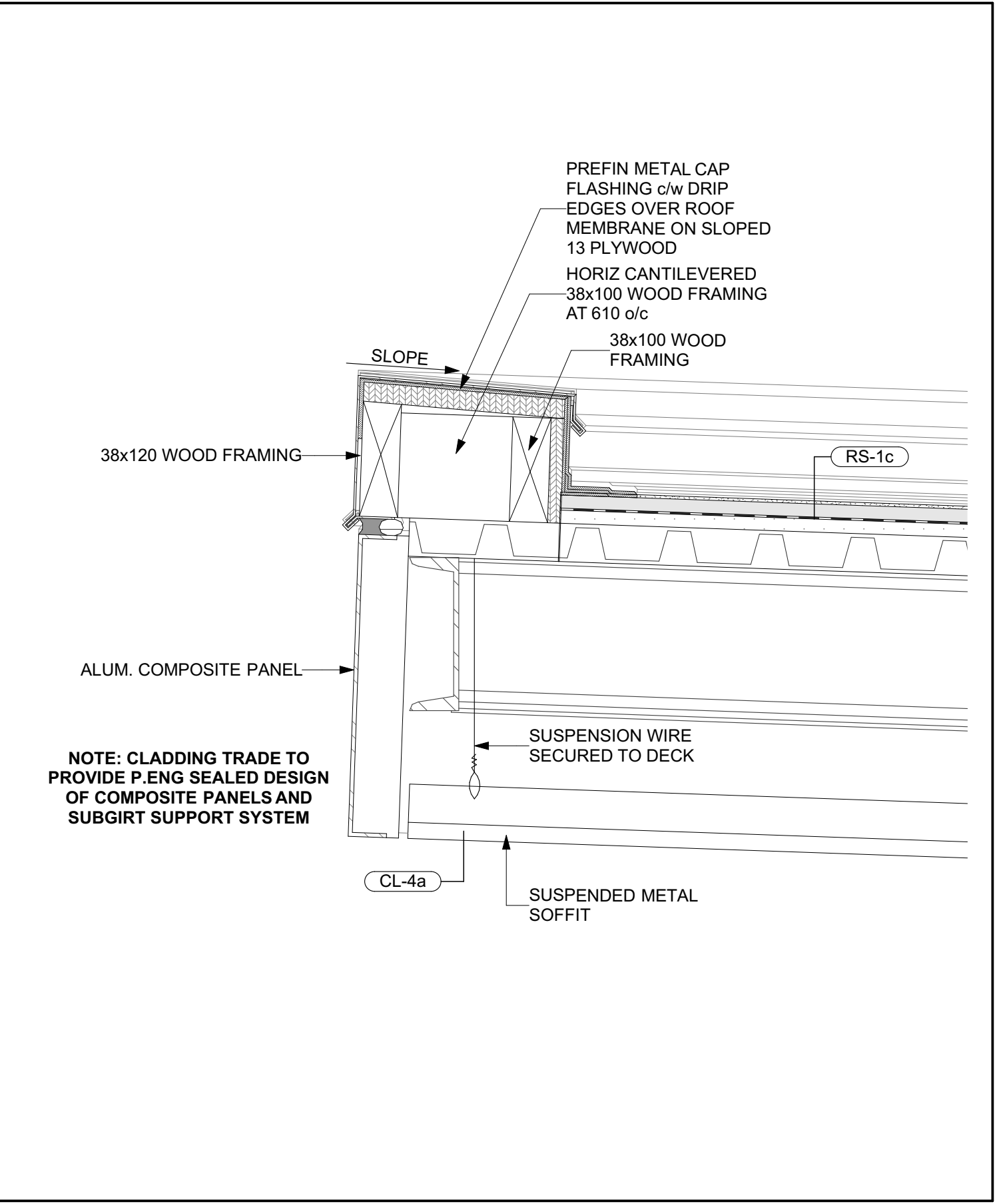
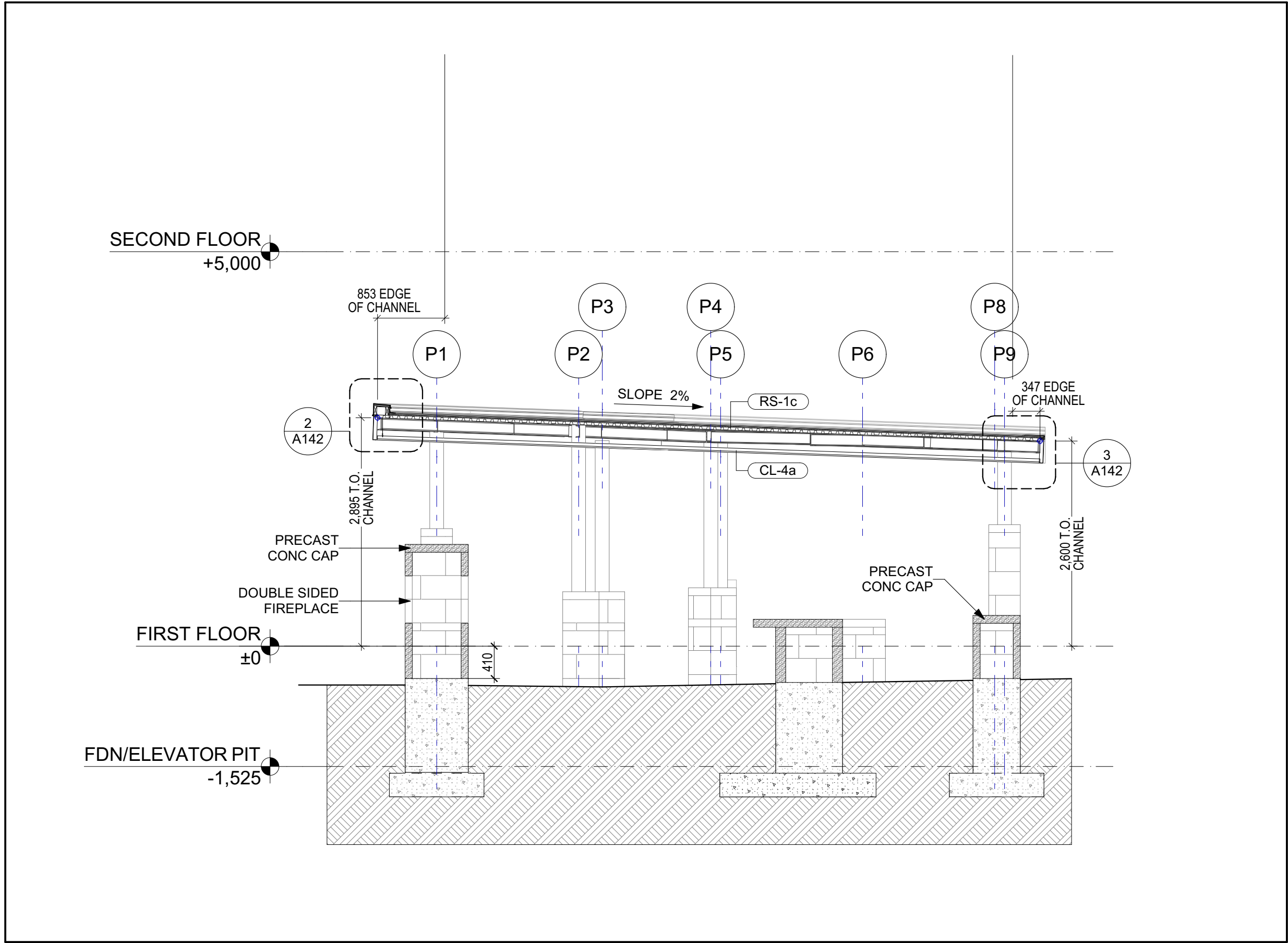
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Project title  
**SHALOM MANOR HAMILTON  
CAMPUS OF CARE**  
1411 AND 1415 UPPER WELLINGTON STREET  
Hamilton Ontario

Project number	Date issued	Scale
2001	Drawn by	1:50
	Date	2022-05-26

Sheet title	Drawing no.
ENLARGED PAVILION PLANS	A141





1 WALL SECTION - PAVILION  
A141 A142 1:50 PAVILION

2 SECTION DETAIL  
A142 A142 1:5

3 SECTION DETAIL  
A142 A142 1:5



Prints issued to			
Particulars	No.	Date	By
CLASS A ESTIMATE	7	22/02/16	CB
MLTC FOR WD SUBMISSION	8	22/05/27	CB

Particulars	No.	Date	By
Revisions to drawing			
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Project title		
SHALOM MANOR HAMILTON CAMPUS OF CARE		
1411 AND 1415 UPPER WELLINGTON STREET		
Hamilton		Ontario
Project number	Date issued	Scale
2001	2022-05-26	1:50, 1:5
Sheet title	Drawing no.	
ENLARGED PAVILION SECTION & DETAILS	A142	







Prints issued to

Particulars	No.	Date	By
ISSUED FOR CLASS D ESTIMATE	1	20/09/04	CB
CLASS B ESTIMATE	2	21/07/20	CB
CLASS A ESTIMATE	7	22/02/16	CB
MLTC FOR WD SUBMISSION	8	22/05/27	CB

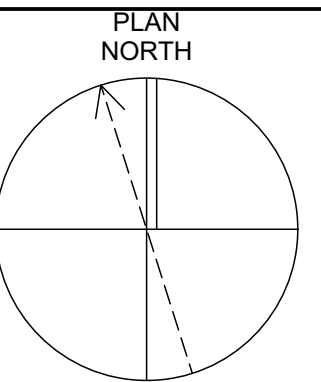
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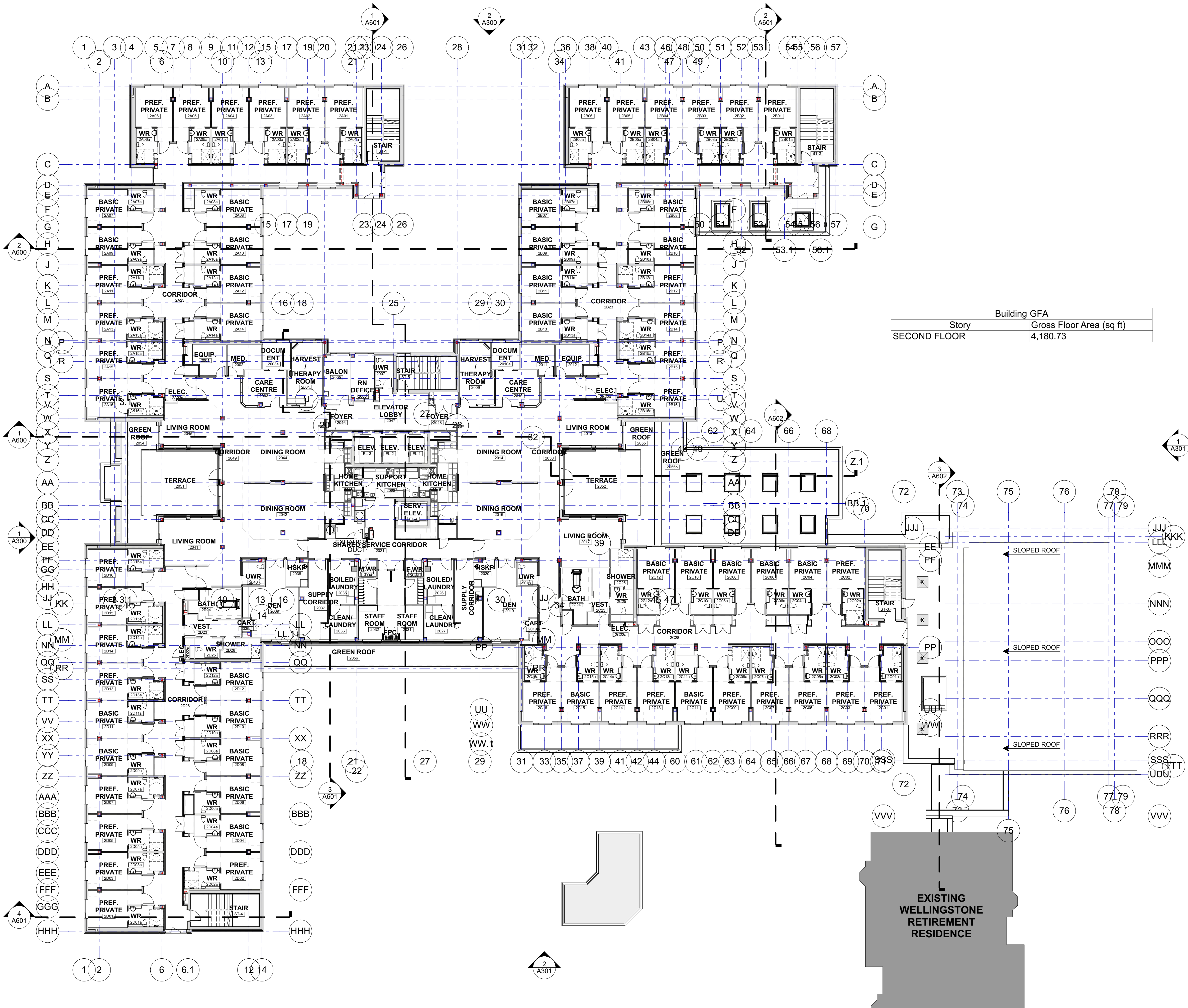
Project title

SHALOM MANOR HAMILTON  
CAMPUS OF CARE

1411 AND 1415 UPPER WELLINGTON STREET

Hamilton Ontario

Project number	Date issued	Scale
2001	2022-05-26	1:200
Sheet title	Drawn by	Drawing no.
SECOND FLOOR PLAN OVERALL		A201







Shalom

Prints issued to

Particulars	No.	Date	By
CLASS B ESTIMATE	1	21/07/20	CB
CLASS A ESTIMATE	7	22/02/16	CB
MLTC FOR WD SUBMISSION	8	22/05/27	CB

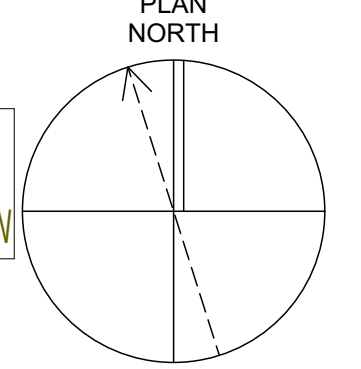
Particulars	No.	Date	By
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Revisions to drawing

All previous issues of this drawing are superseded.



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Project title

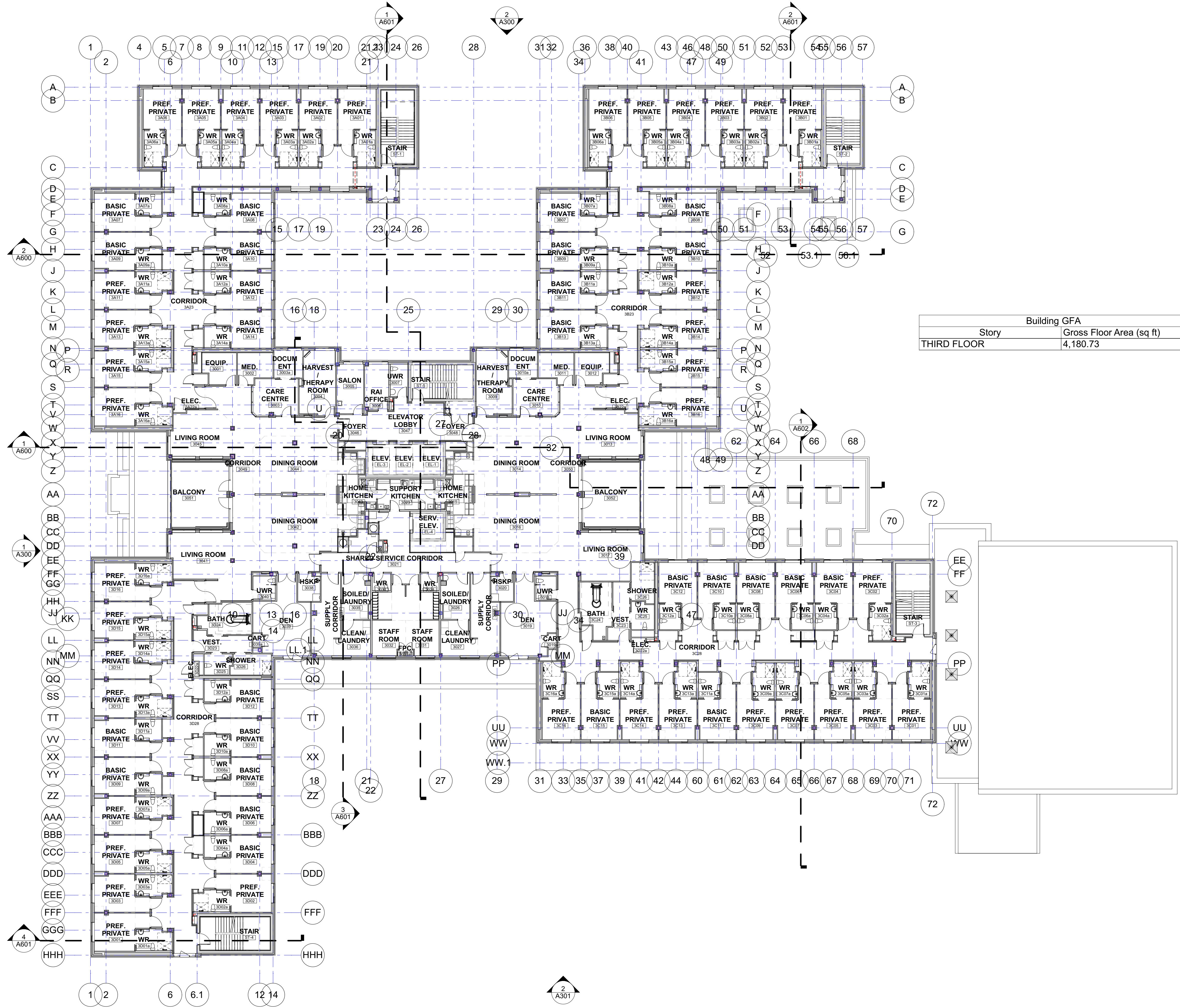
SHALOM MANOR HAMILTON  
CAMPUS OF CARE

1411 AND 1415 UPPER WELLINGTON STREET

Hamilton Ontario

Project number	Date issued	Scale
2001	2022-05-26	1:200

Sheet title	Drawing no.
THIRD FLOOR PLAN OVERALL	A202



Building GFA	
Story	Gross Floor Area (sq ft)
THIRD FLOOR	4,180.73





Shalom

Building GFA	
Story	Gross Floor Area (sq ft)
FOURTH FLOOR	3,891.92

Prints issued to

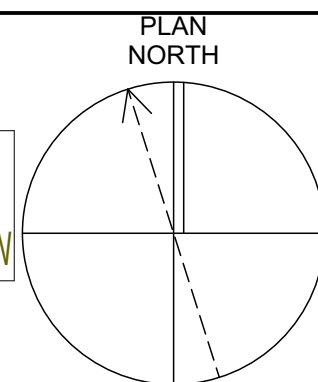
Particulars	No.	Date	By
ISSUED FOR CLASS D ESTIMATE	1	20/09/04	CB
CLASS B ESTIMATE	2	21/07/20	CB
CLASS A ESTIMATE	7	22/02/16	CB
MLTC FOR WD SUBMISSION	8	22/05/27	CB

Particulars	No.	Date	By
Revisions to drawing			
All previous issues of this drawing are superseded.			



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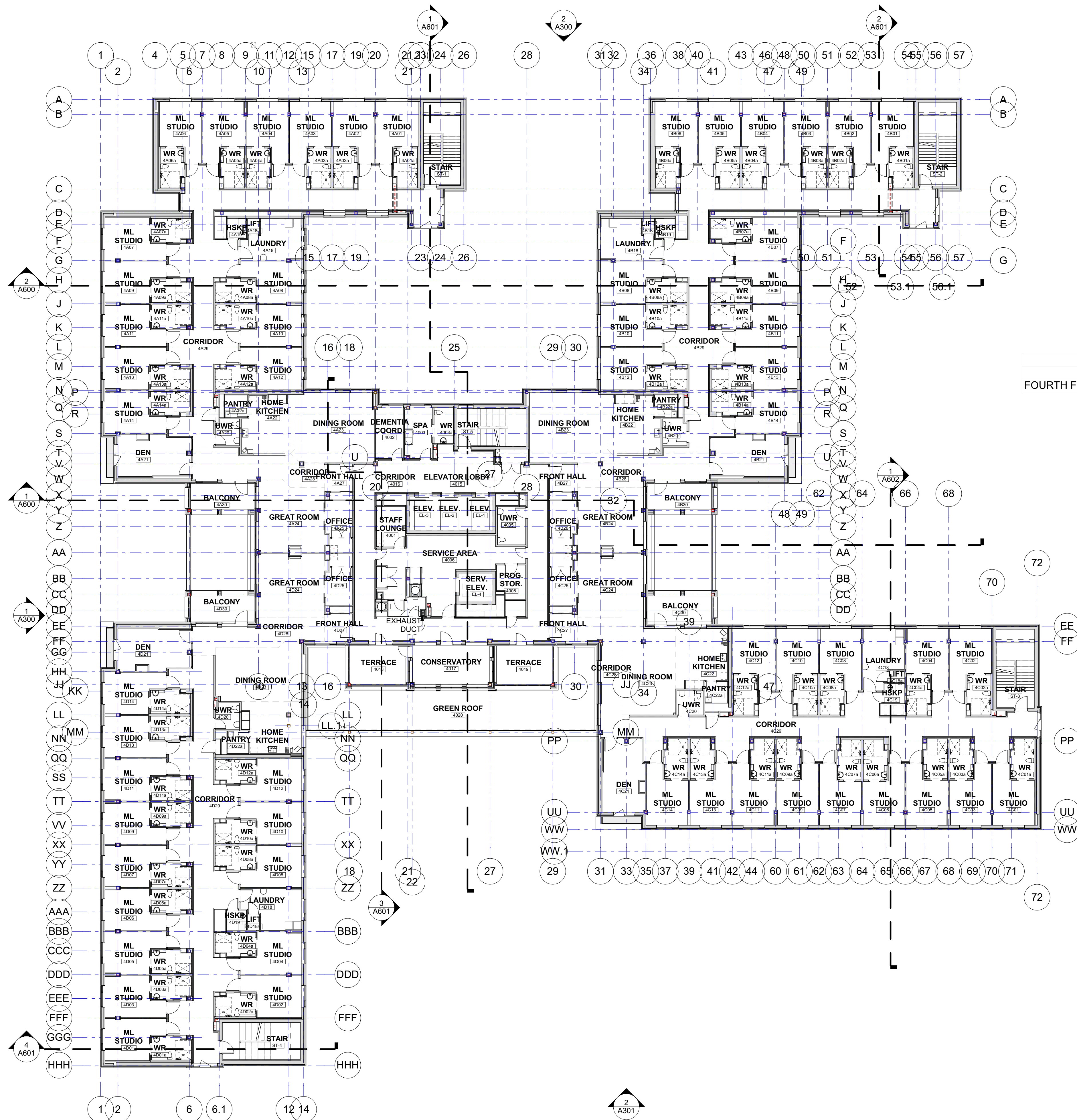
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Project title  
**SHALOM MANOR HAMILTON  
CAMPUS OF CARE**  
1411 AND 1415 UPPER WELLINGTON STREET  
Hamilton Ontario

Project number	Date issued	Scale
2001	Drawn by	1:200
		Date
		2022-05-26

Sheet title	Drawing no.
FOURTH FLOOR PLAN OVERALL	A203







Shalom

Building GFA	
Story	Gross Floor Area (sq ft)
FIFTH FLOOR	3,440.33

Prints issued to

Particulars	No.	Date	By
ISSUED FOR CLASS D ESTIMATE	1	20/09/04	CB
CLASS B ESTIMATE	2	21/07/20	CB
CLASS A ESTIMATE	7	22/02/16	CB
MLTC FOR WD SUBMISSION	8	22/05/27	CB

Particulars	No.	Date	By
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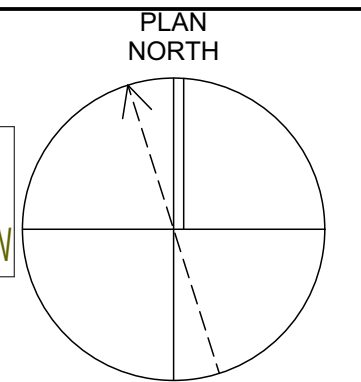
Revisions to drawing

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Project title

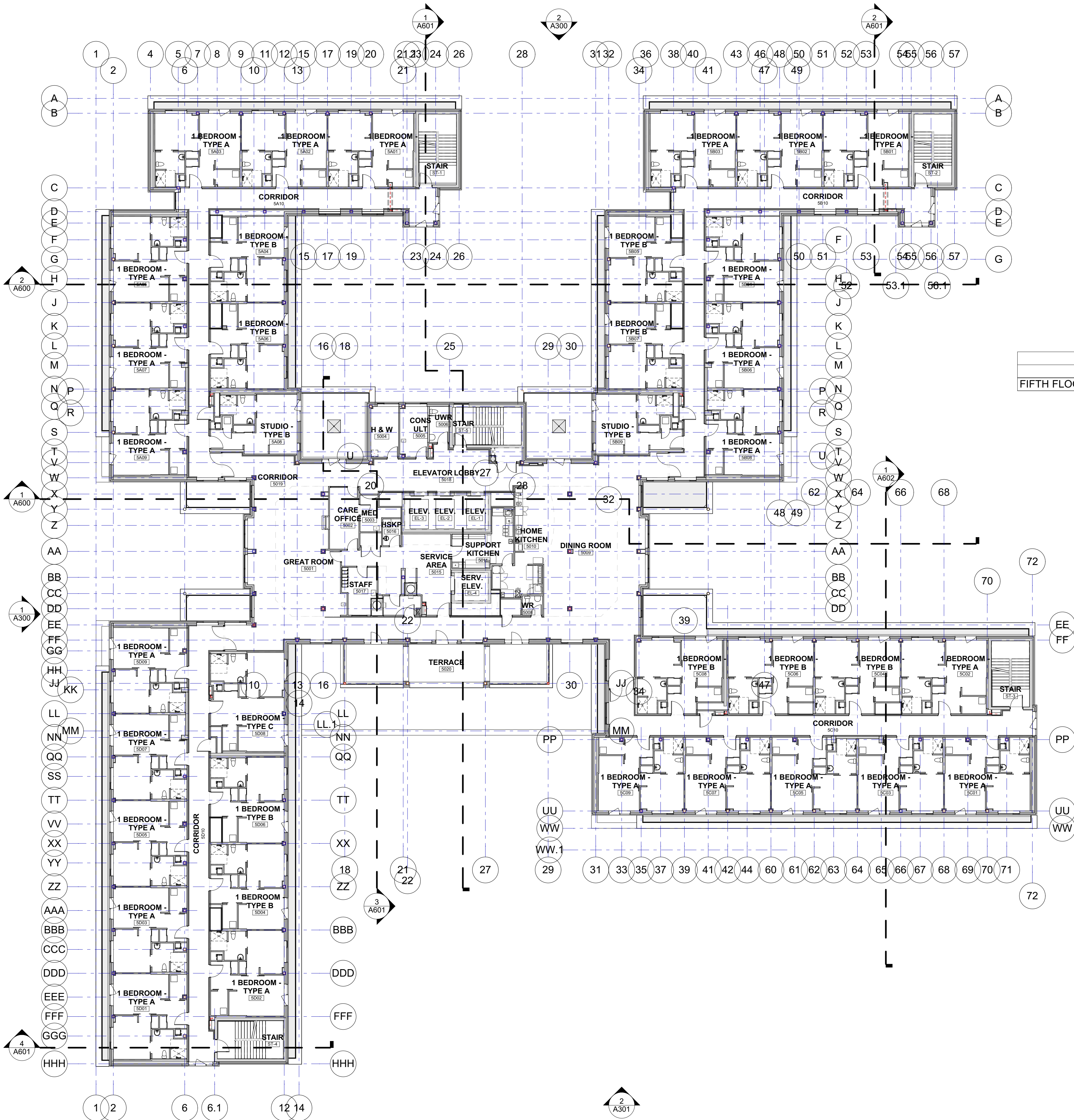
SHALOM MANOR HAMILTON  
CAMPUS OF CARE

1411 AND 1415 UPPER WELLINGTON STREET

Hamilton Ontario

Project number	Date issued	Scale
2001		1:200
Drawn by	Date	
	2022-05-26	

Sheet title	Drawing no.
FIFTH FLOOR PLAN OVERALL	A204



FIFTH FLOOR OVERALL

1  
A204

1:200





Shalom

Building GFA	
Story	Gross Floor Area (sq ft)
SIXTH FLOOR	3,440.33

Prints issued to

Particulars	No.	Date	By
ISSUED FOR CLASS D ESTIMATE	1	20/09/04	CB
CLASS B ESTIMATE	2	21/07/20	CB
CLASS A ESTIMATE	7	22/02/16	CB
MLTC FOR WD SUBMISSION	8	22/05/27	CB

Particulars	No.	Date	By
-------------	-----	------	----

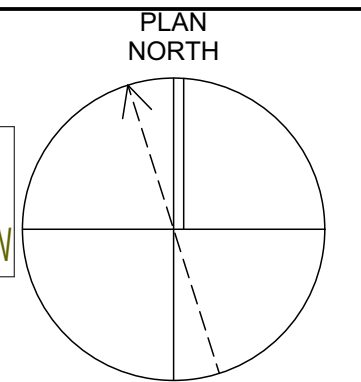
Revisions to drawing

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Project title

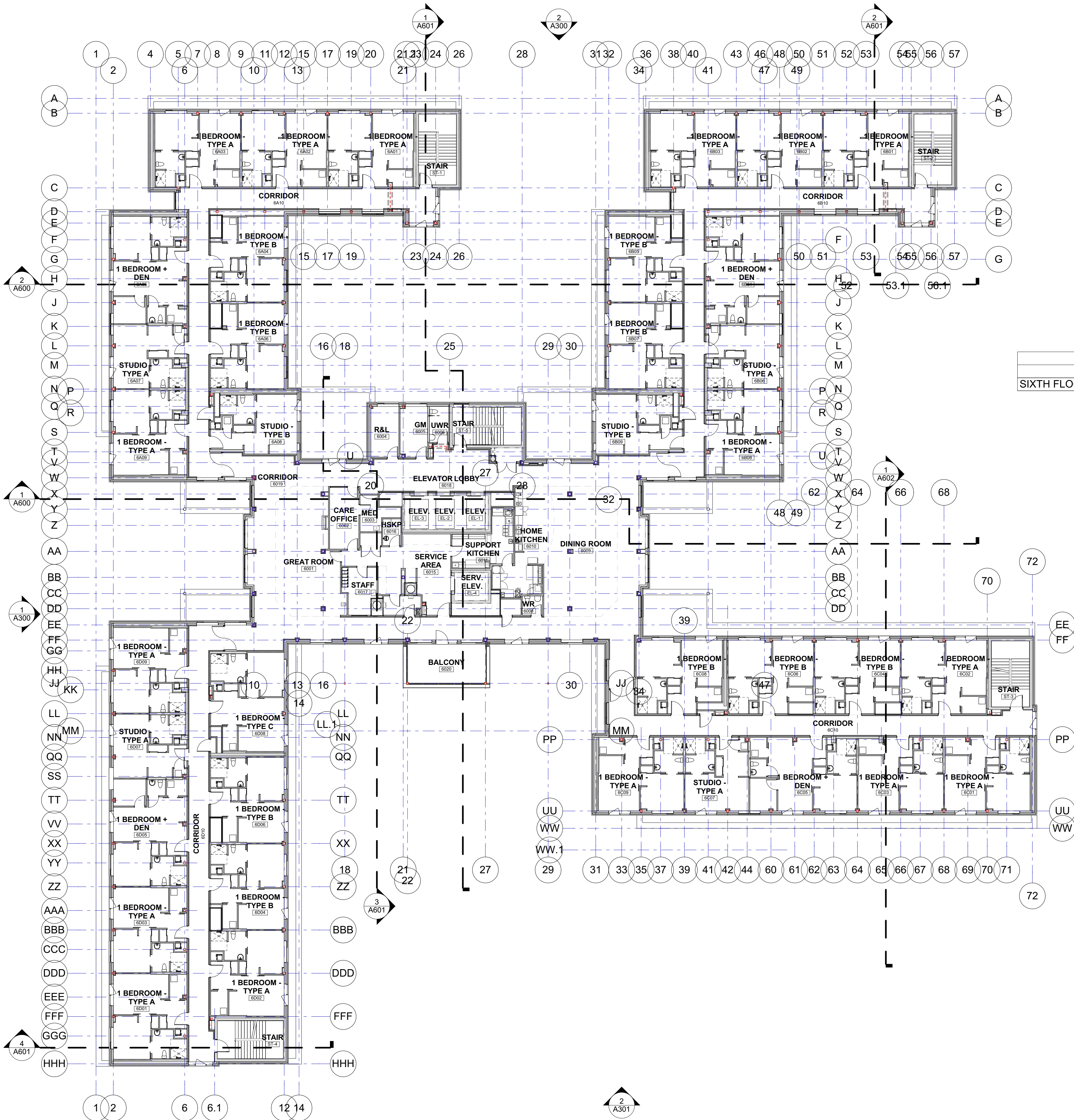
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CAMPUS OF CARE

1411 AND 1415 UPPER WELLINGTON STREET

Hamilton Ontario

Project number	Date issued	Scale
2001		1:200
Drawn by	Date	
	2022-05-26	

Sheet title	Drawing no.
SIXTH FLOOR PLAN OVERALL	A205



1  
A205

SIXTH FLOOR OVERALL

1:200





Shalom

Building GFA	
Story	Gross Floor Area (sq ft)
ROOF/PENTHOUSE FLOOR	703.04

Prints issued to

Particulars	No.	Date	By
ISSUED FOR CLASS D ESTIMATE	1	20/09/04	CB
CLASS B ESTIMATE	2	21/07/20	CB
CLASS A ESTIMATE	7	22/02/16	CB
MLTC FOR WD SUBMISSION	8	22/05/27	CB

Particulars	No.	Date	By
-------------	-----	------	----

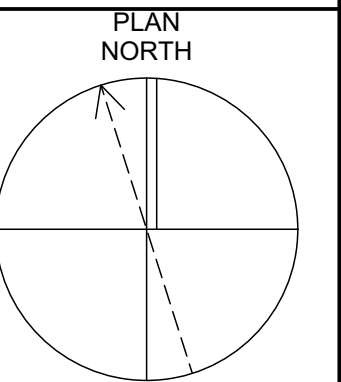
Revisions to drawing

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Project title

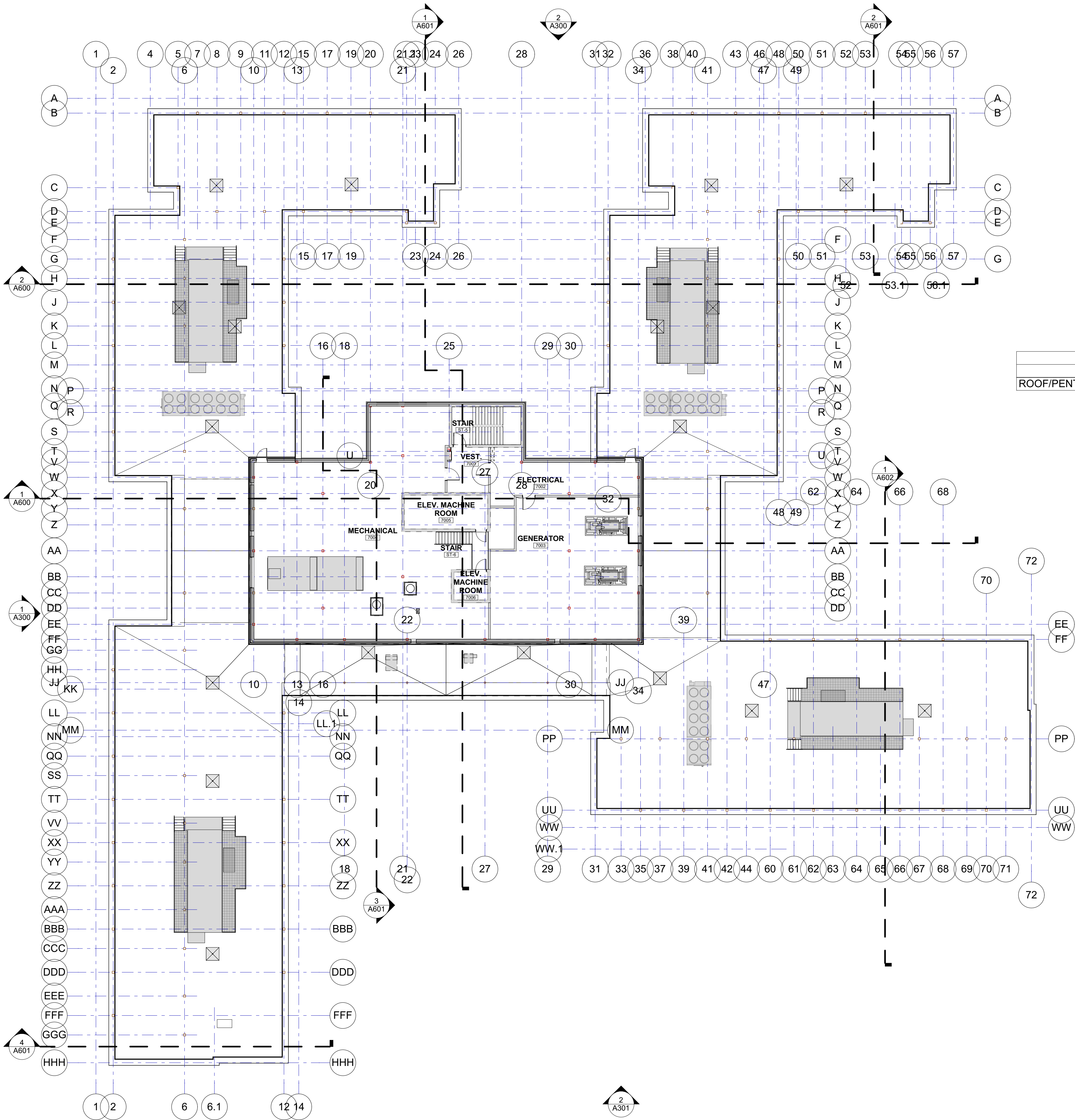
SHALOM MANOR HAMILTON  
CAMPUS OF CARE

1411 AND 1415 UPPER WELLINGTON STREET

Hamilton Ontario

Project number	Date issued	Scale
2001		1:200
Drawn by	Date	
	2022-05-26	

Sheet title	Drawing no.
PENTHOUSE FLOOR & ROOF PLAN	A206



1  
A206

PENTHOUSE OVERALL

1:200

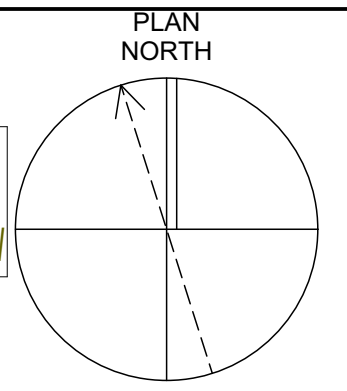
Prints issued to			
Particulars	No.	Date	By
CLASS B ESTIMATE	1	21/07/20	CB
CLASS A ESTIMATE	7	22/02/16	CB
MLTC FOR WD SUBMISSION	8	22/05/27	CB

Particulars	No.	Date	By
Revisions to drawing			
All previous issues of this drawing are superseded.			

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PLAN NORTH

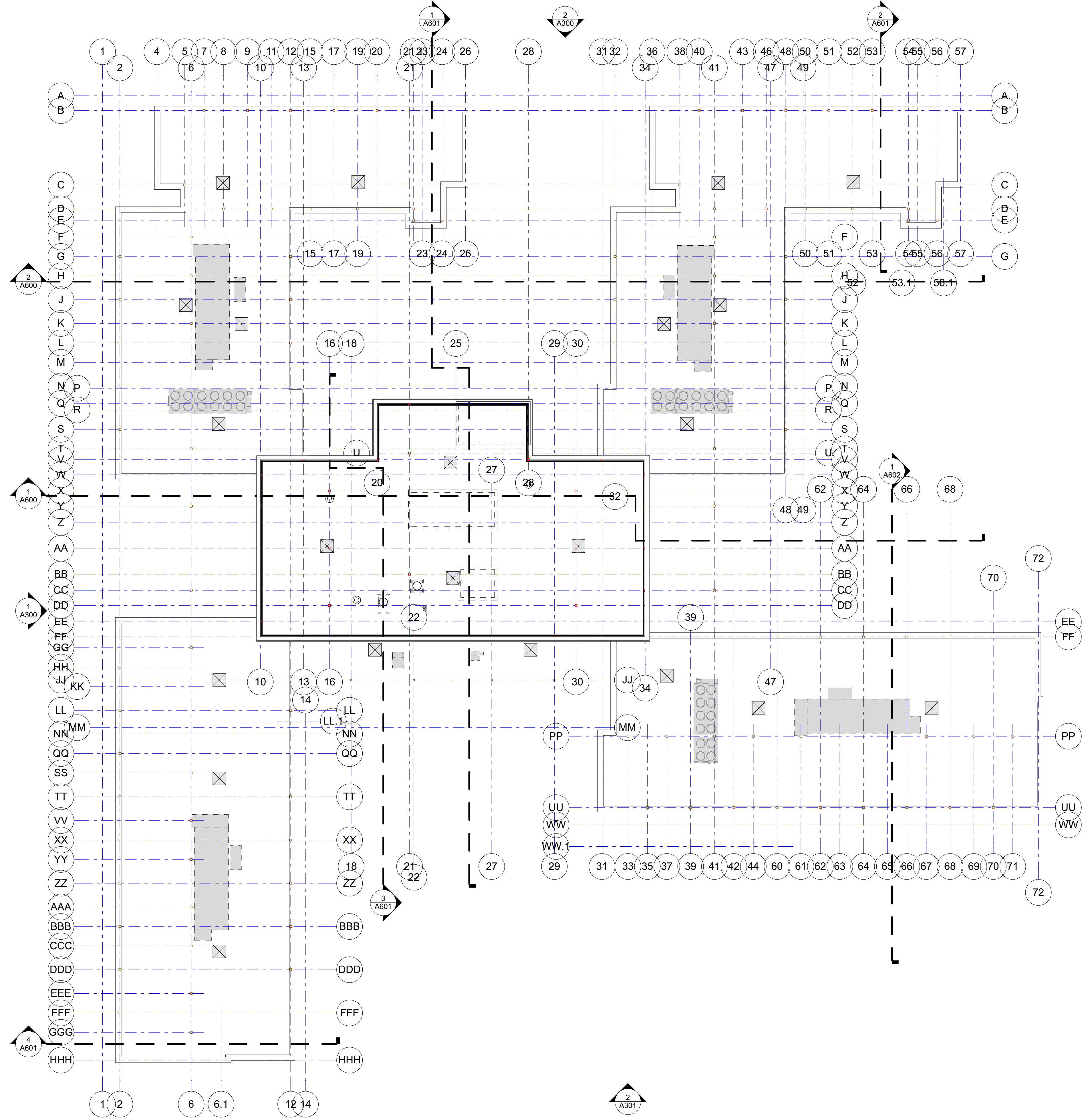
Project title

**SHALOM MANOR HAMILTON  
CAMPUS OF CARE**

**1411 AND 1415 UPPER WELLINGTON STREET**

**Hamilton** **Ontario**

Project number	Date issued	Scale
<b>2001</b>		1:200
	Drawn by	Date
		2022-05-26
Sheet title		Drawing no.
<b>ROOF PLAN OVERALL</b>		<b>A207</b>

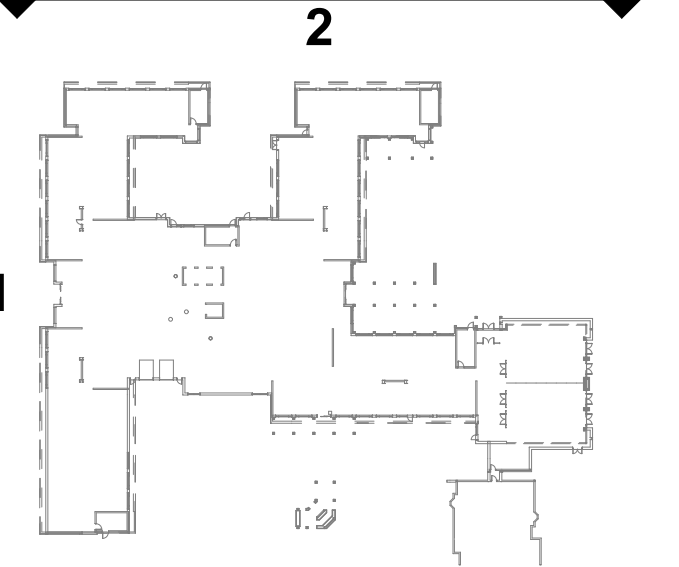






EXTERIOR FINISHES LEGEND

- 1 ARCHITECTURAL STONE
- 2 MASONRY VENEER TYPE A
- 3 MASONRY VENEER TYPE B
- 4 ALUMINUM COMPOSITE PANEL SYSTEM
- 5 METAL SIDING
- 6 PRE-FIN LINEAR METAL SOFFIT
- 7 PAINTED STEEL
- 8 GLAZED ALUM. BALCONY BALUSTRADE
- 9 PRE-FIN METAL FLASHING
- 10 PRE-FIN DOWNSPOUT
- 11 PRE-FIN EAVESTROUGH
- 12 PRE-FIN ROOF SCREEN
- 13 PRE-FIN MECH. LOUVRE
- 14 EXT. LIGHT - SEE ELEC.
- 15 PRECAST CONCRETE CAP
- (CJ) CONTROL JOINT
- (SA) SHELF ANGLE
- (EJ) EXPANSION JOINT
- (RS) ROOF SCUPPER



KEY PLAN

Prints issued to

Particulars	No.	Date	By
ISSUED FOR CLASS D ESTIMATE	1	20/09/04	CB
CLASS B ESTIMATE	2	21/07/20	CB
SPA SUBMISSION	6	21/12/17	CB
CLASS A ESTIMATE	7	22/02/16	CB
MLTC FOR WD SUBMISSION	8	22/05/27	CB

Particulars	No.	Date	By
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Revisions to drawing

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Project title

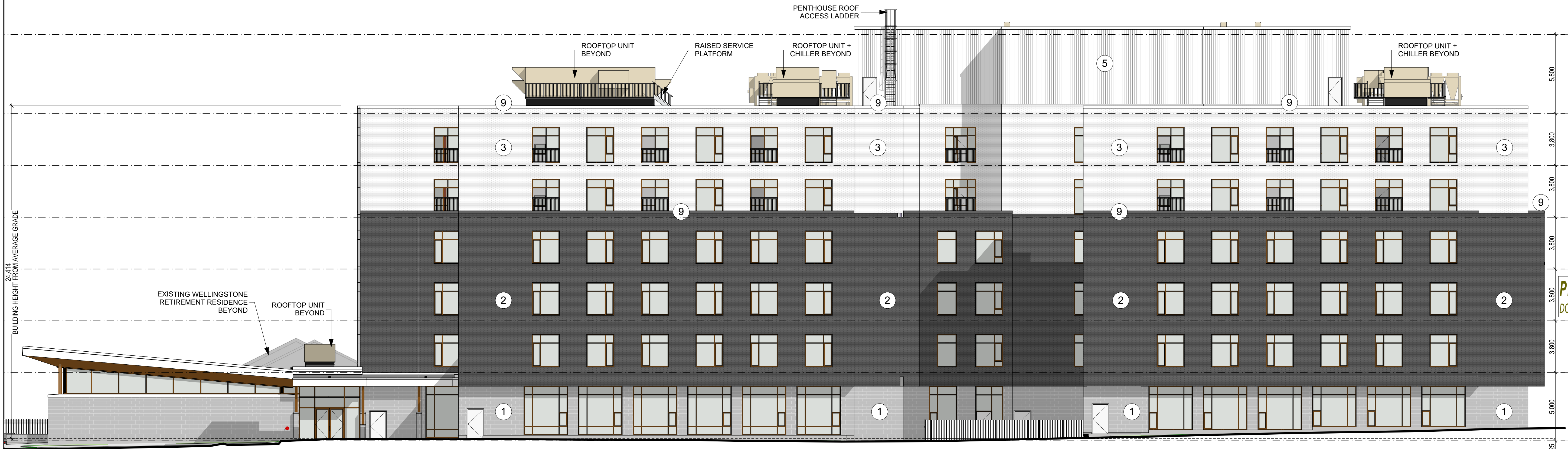
SHALOM MANOR HAMILTON  
CAMPUS OF CARE

1411 AND 1415 UPPER WELLINGTON STREET

Hamilton Ontario

Project number	Date issued	Scale
2001		1:150
Sheet title	Drawn by	Date
BUILDING ELEVATIONS		2022-05-27

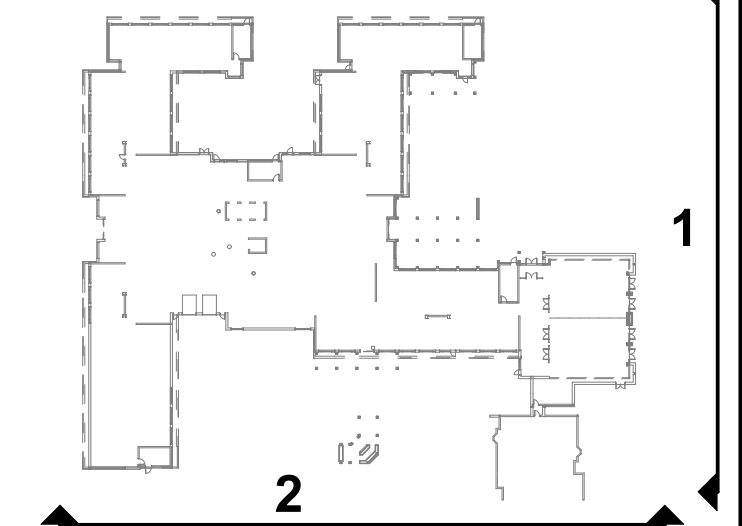
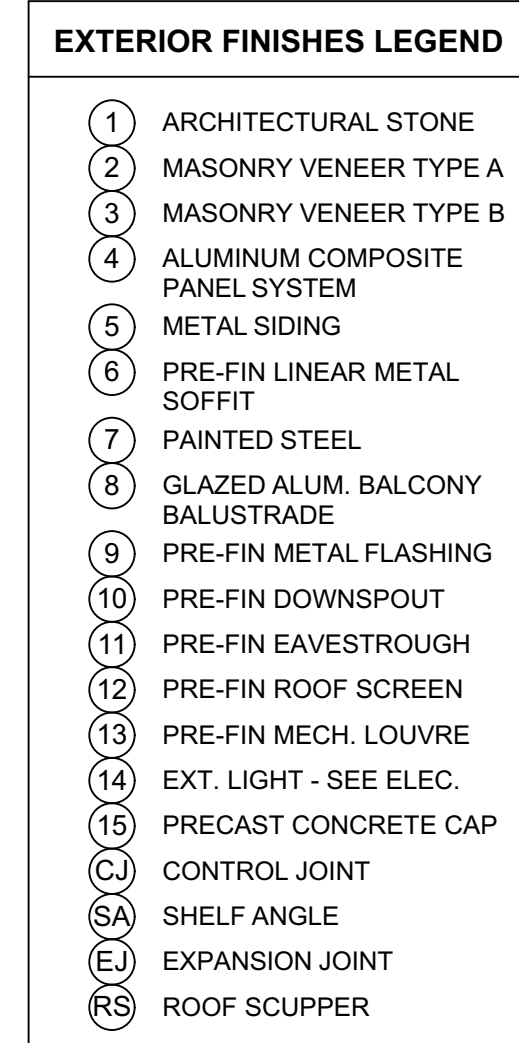
Drawing no.  
**A300**



NORTH ELEVATION OVERALL

A200/A300 1:150





Prints issued to

Particulars	No.	Date	By
ISSUED FOR CLASS D ESTIMATE	1	20/09/04	CB
CLASS B ESTIMATE	2	21/07/20	CB
SPA SUBMISSION	6	21/12/17	CB
CLASS A ESTIMATE	7	22/02/16	CB
MLTC FOR WD SUBMISSION	8	22/05/27	CB

Particulars	No.	Date	By
<b>Revisions to drawing</b>	All previous issues of this drawing are superseded.		



Project title	
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1411 AND 1415 UPPER WELLINGTON STREET

Hamilton		Ontario
Project number	Date issued	Scale 1:150
2001	Drawn by	Date 2022-05-27

Sheet title <b>BUILDING ELEVATIONS</b>	Drawing no. <b>A301</b>
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2 SOUTH ELEVATION OVERALL  
A200 A301 1:150

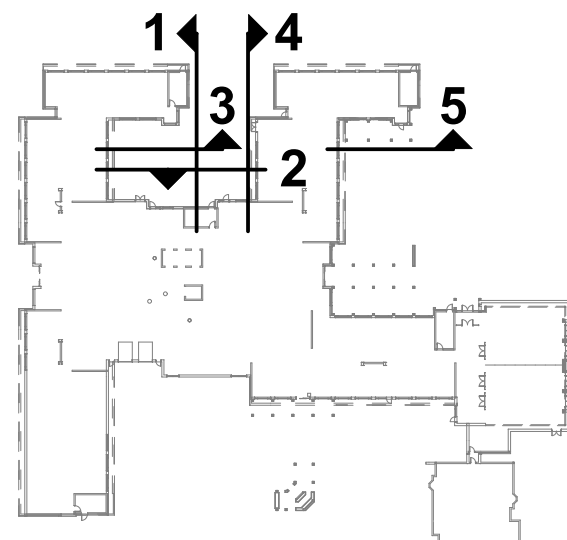


EXTERIOR FINISHES LEGEND

- 1 ARCHITECTURAL STONE
- 2 MASONRY VENEER TYPE A
- 3 MASONRY VENEER TYPE B
- 4 ALUMINUM COMPOSITE PANEL SYSTEM
- 5 METAL SIDING
- 6 PRE-FIN LINEAR METAL SOFFIT
- 7 PAINTED STEEL
- 8 GLAZED ALUM. BALCONY BALUSTRADE
- 9 PRE-FIN METAL FLASHING
- 10 PRE-FIN DOWNSPOUT
- 11 PRE-FIN EAVESTROUGH
- 12 PRE-FIN ROOF SCREEN
- 13 PRE-FIN MECH. LOUVRE
- 14 EXT. LIGHT - SEE ELEC.
- 15 PRECAST CONCRETE CAP
- (CJ) CONTROL JOINT
- (SA) SHELF ANGLE
- (EJ) EXPANSION JOINT
- (RS) ROOF SCUPPER



Shalom



KEY PLAN

Prints issued to

Particulars	No.	Date	By
ISSUED FOR CLASS D ESTIMATE	1	20/09/04	CB
CLASS B ESTIMATE	2	21/07/20	CB
SPA SUBMISSION	6	21/12/17	CB
CLASS A ESTIMATE	7	22/02/16	CB
MLTC FOR WD SUBMISSION	8	22/05/27	CB

Particulars	No.	Date	By
-------------	-----	------	----

Revisions to drawing



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Project title

SHALOM MANOR HAMILTON  
CAMPUS OF CARE

1411 AND 1415 UPPER WELLINGTON STREET

Hamilton Ontario

Project number	Date issued	Scale
2001	2022-05-26	1:150
Sheet title	Drawing no.	
BUILDING ELEVATIONS	A302	



1 NW WING - EAST ELEVATION  
A216/A302 1:150



2 CORE - NORTH ELEVATION  
A216/A302 1:150



3 NW WING - SOUTH ELEVATION  
A216/A302 1:150

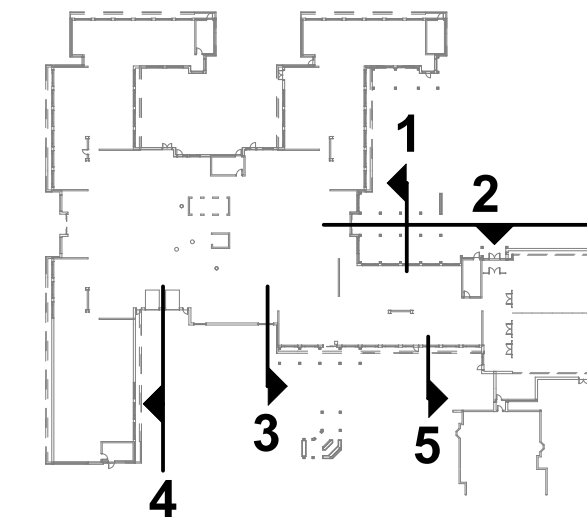


4 NE WING - WEST ELEVATION  
A217/A302 1:150



5 NE WING SOUTH ELEVATION  
A217/A302 1:150





KEY PLAN

Prints issued to

Particulars	No.	Date	By
ISSUED FOR CLASS D ESTIMATE	1	20/09/04	CB
CLASS B ESTIMATE	2	21/07/20	CB
SPA SUBMISSION	6	21/12/17	CB
CLASS A ESTIMATE	7	22/02/16	CB
MLTC FOR WD SUBMISSION	8	22/05/27	CB

Particulars	No.	Date	By
Revisions to drawing			

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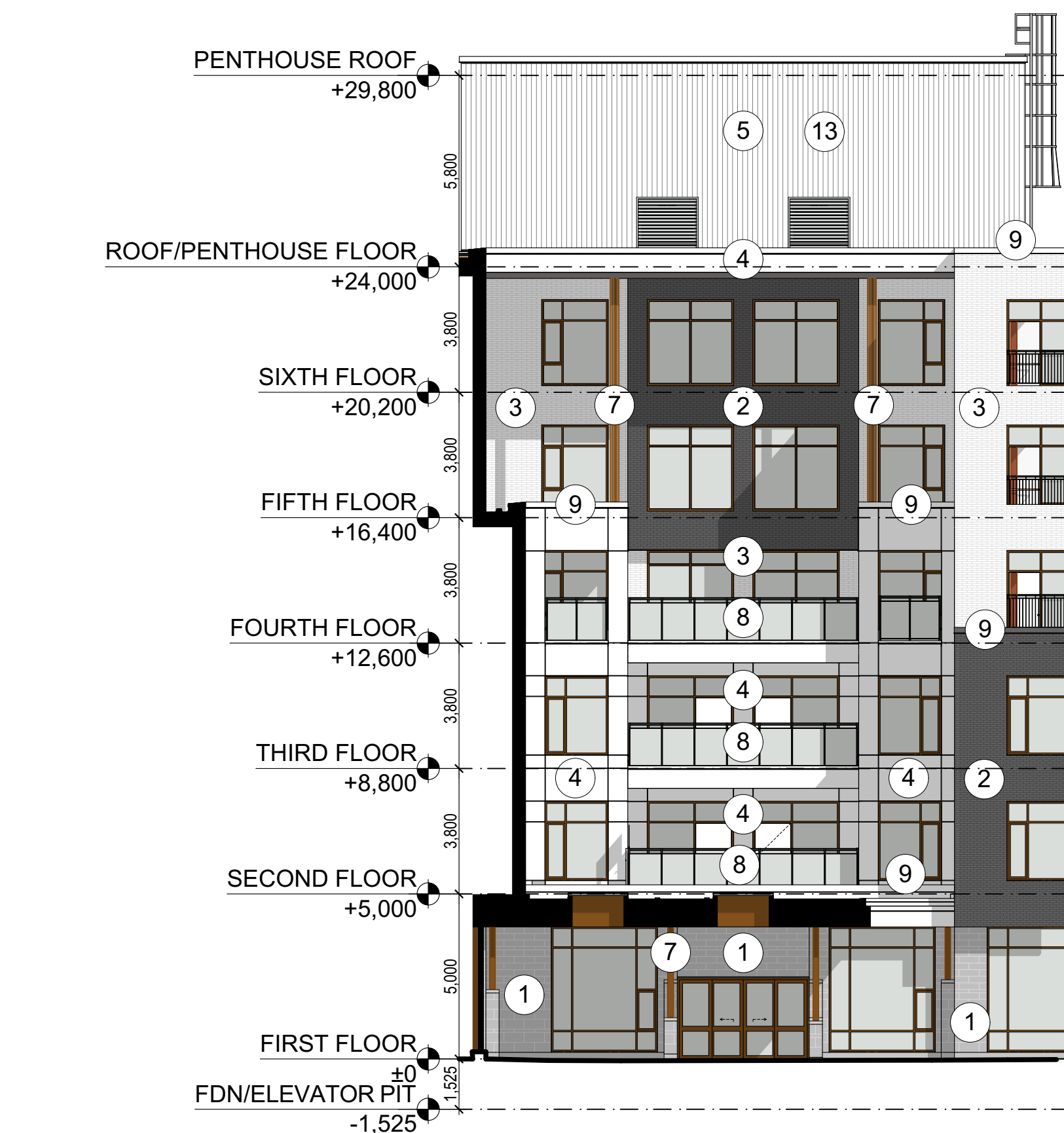
PRELIMINARY ONLY  
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Project title		
<b>SHALOM MANOR HAMILTON CAMPUS OF CARE</b>		
1411 AND 1415 UPPER WELLINGTON STREET		
Hamilton		Ontario
Project number	Date issued	Scale
2001		1:150
	Drawn by	Date
		2022-05-26
Sheet title	Drawing no.	
BUILDING ELEVATIONS	<b>A303</b>	

- EXTERIOR FINISHES LEGEND
- 1 ARCHITECTURAL STONE
  - 2 MASONRY VENEER TYPE A
  - 3 MASONRY VENEER TYPE B
  - 4 ALUMINUM COMPOSITE PANEL SYSTEM
  - 5 METAL SIDING
  - 6 PRE-FIN LINEAR METAL SOFFIT
  - 7 PAINTED STEEL
  - 8 GLAZED ALUM. BALCONY BALUSTRADE
  - 9 PRE-FIN METAL FLASHING
  - 10 PRE-FIN DOWNSPOUT
  - 11 PRE-FIN EAVESTROUGH
  - 12 PRE-FIN ROOF SCREEN
  - 13 PRE-FIN MECH. LOUVRE
  - 14 EXT. LIGHT - SEE ELEC.
  - 15 PRECAST CONCRETE CAP
  - C CONTROL JOINT
  - SA SHELF ANGLE
  - E EXPANSION JOINT
  - RS ROOF SCUPPER



SE WING + AUDITORIUM - NORTH ELEVATION



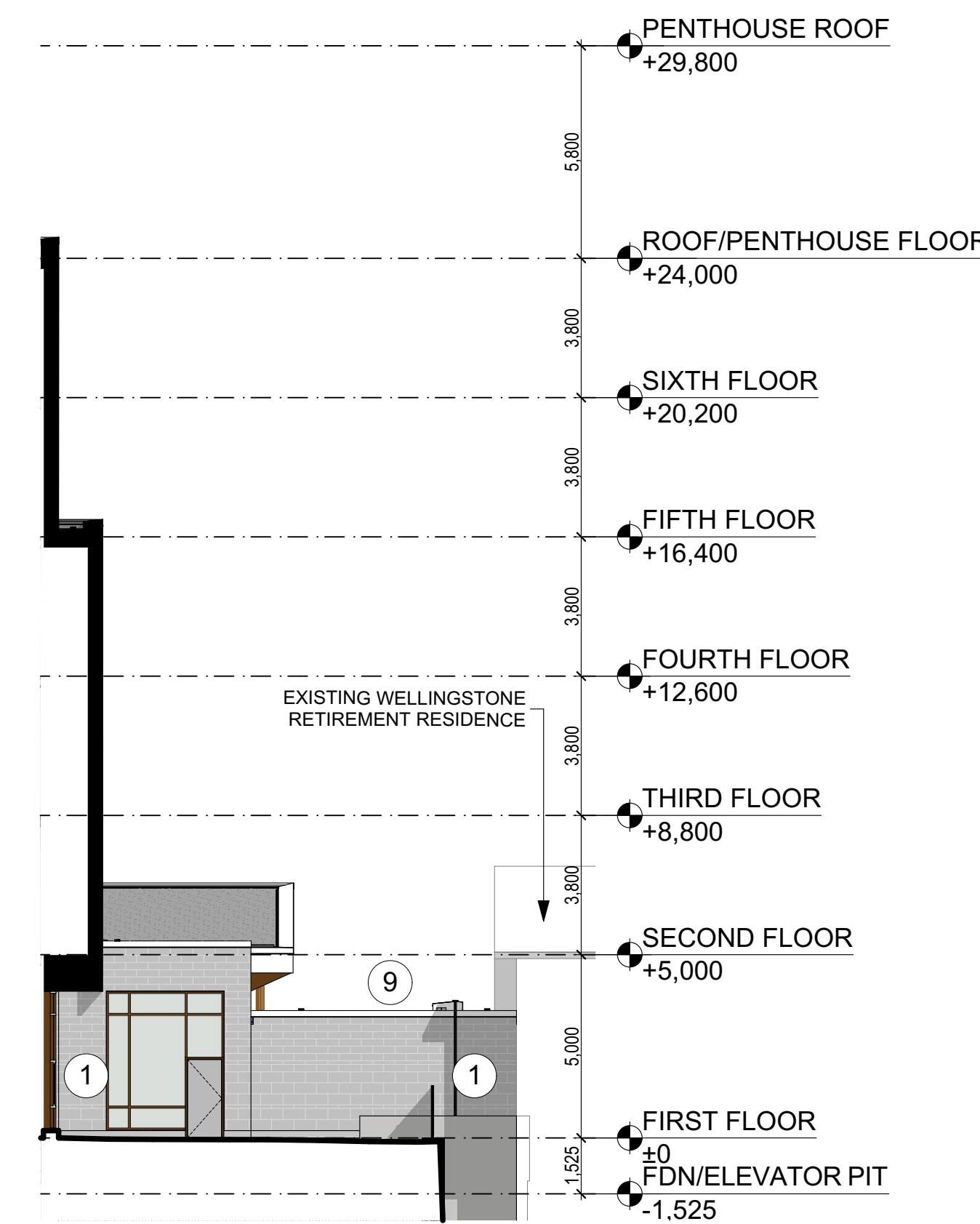
CORE - EAST ELEVATION

A220/A303 1:150



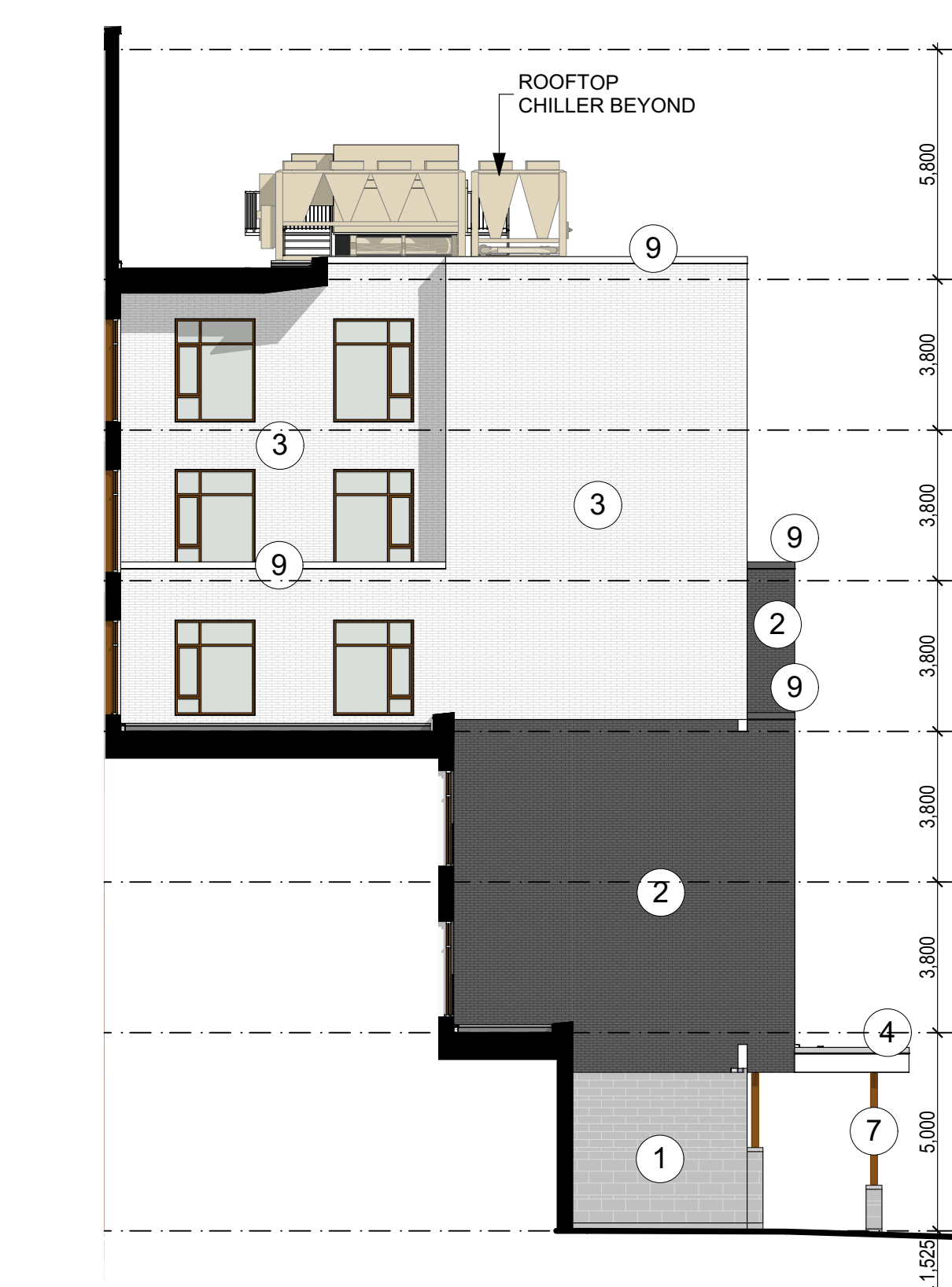
SW WING - EAST ELEVATION

A219/A303 1:150



LINK - WEST ELEVATION

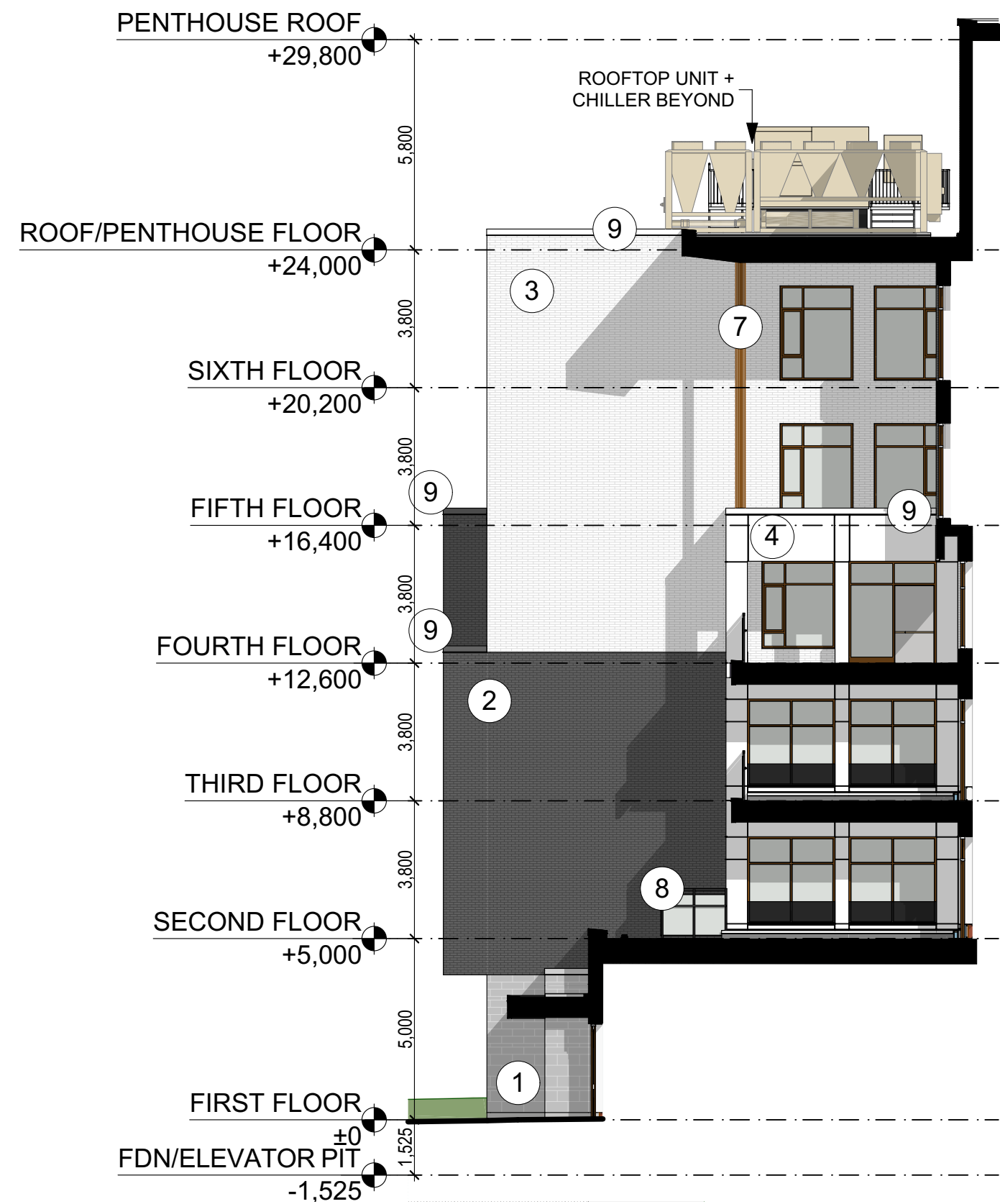
A220/A303 1:150



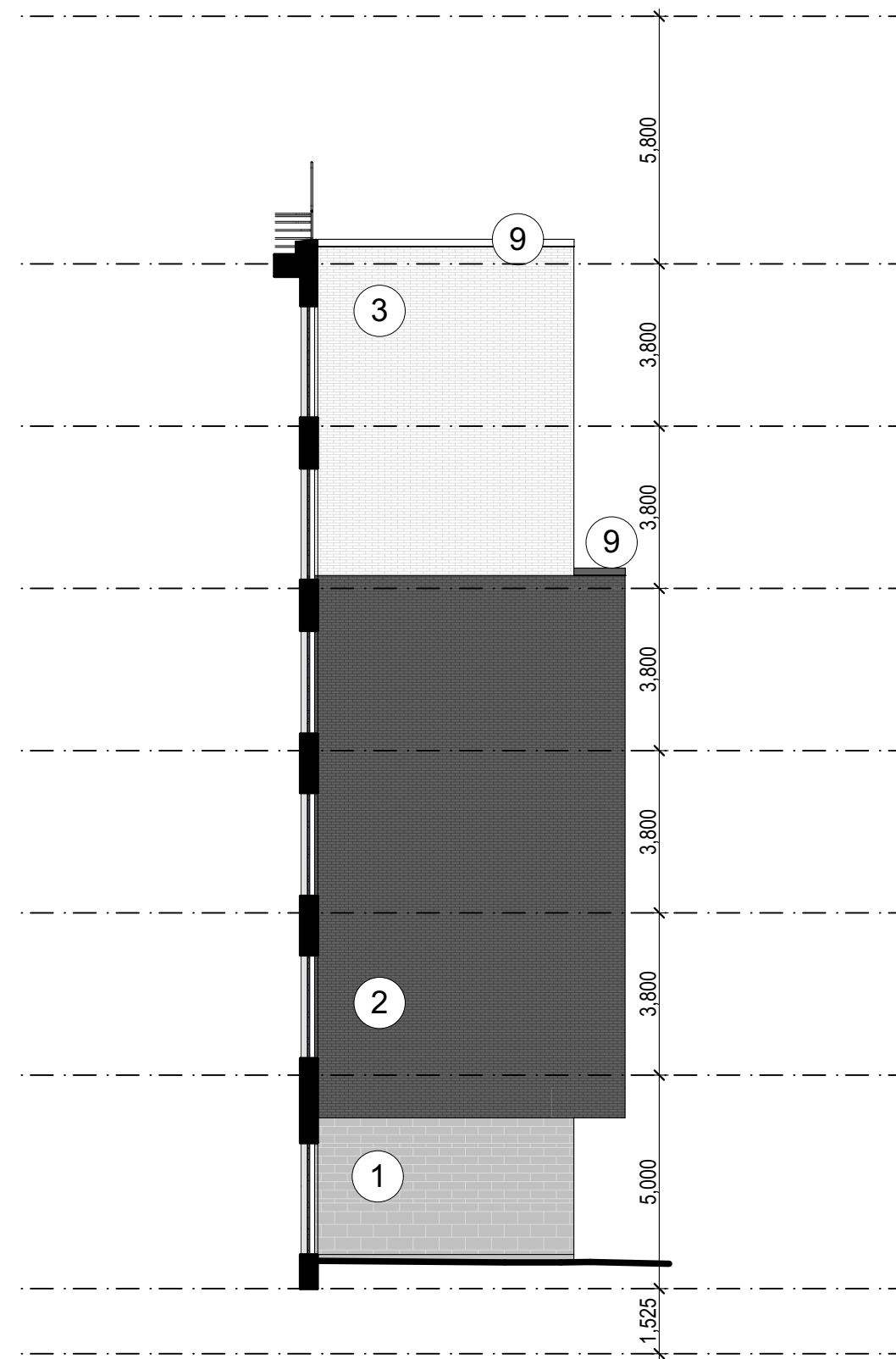
SE WING - WEST ELEVATION

A220/A303 1:150

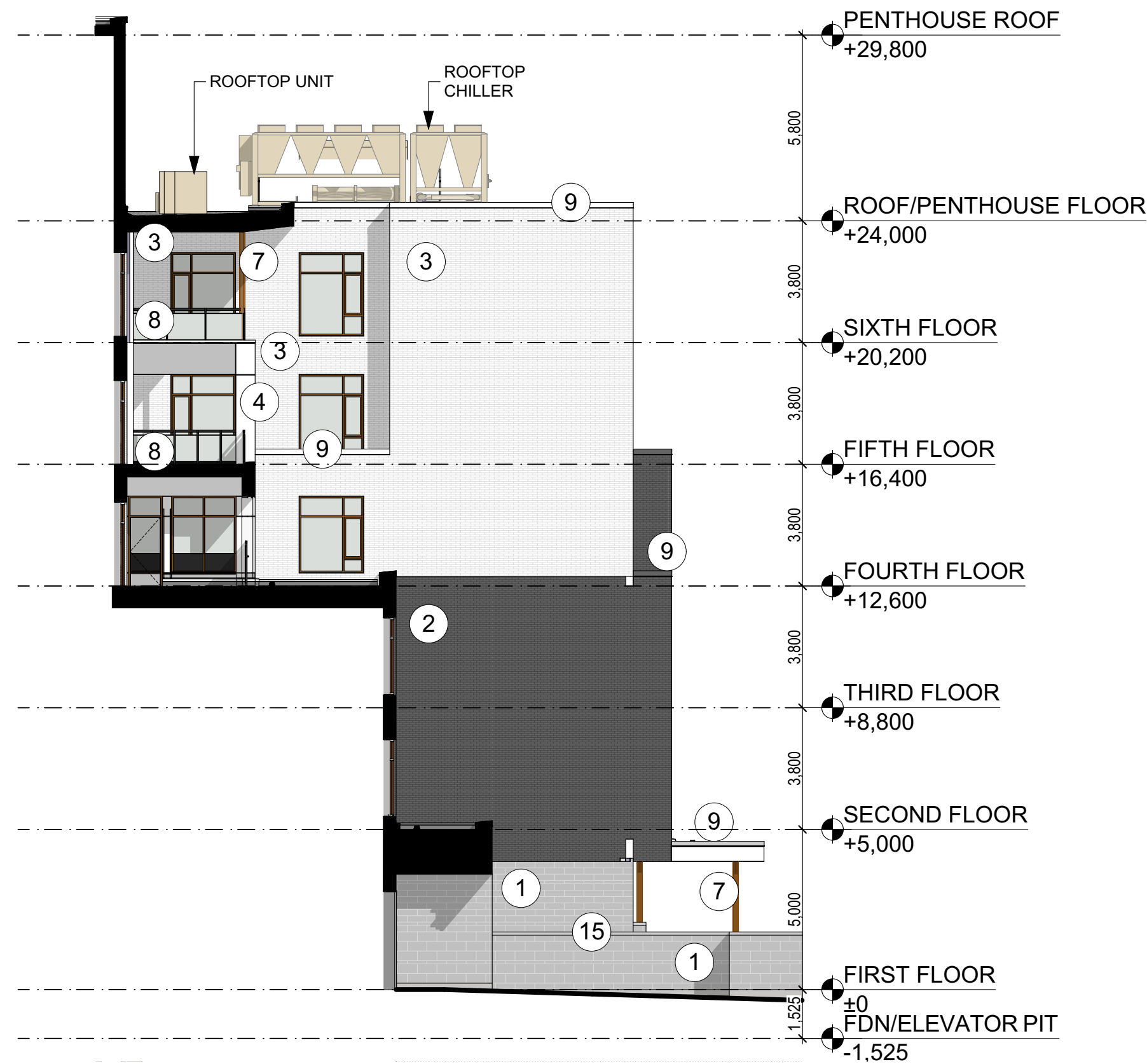




1  
A218 | A304 1:150  
NW WING - PART ELEVATION

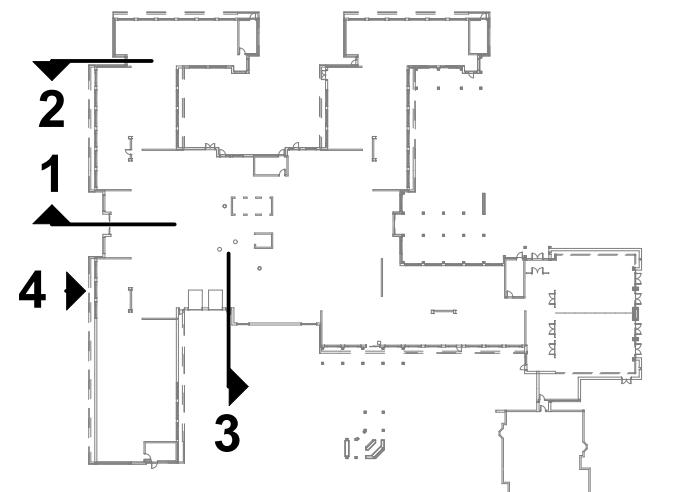


2  
A216 | A304 1:150  
NW WING - PART ELEVATION



3  
A219 | A304 1:150  
SE WING - PART ELEVATION

EXTERIOR FINISHES LEGEND	
1	ARCHITECTURAL STONE
2	MASONRY VENEER TYPE A
3	MASONRY VENEER TYPE B
4	ALUMINUM COMPOSITE PANEL SYSTEM
5	METAL SIDING
6	PRE-FIN LINEAR METAL SOFFIT
7	PAINTED STEEL
8	GLAZED ALUM. BALCONY BALUSTRADE
9	PRE-FIN METAL FLASHING
10	PRE-FIN DOWNSPOUT
11	PRE-FIN EAVESTROUGH
12	PRE-FIN ROOF SCREEN
13	PRE-FIN MECH. LOUVRE
14	EXT. LIGHT - SEE ELEC.
15	PRECAST CONCRETE CAP
CL	CONTROL JOINT
SA	SHELF ANGLE
EL	EXPANSION JOINT
RS	ROOF SCUPPER



KEY PLAN

Prints issued to

Particulars	No.	Date	By
ISSUED FOR CLASS D ESTIMATE	1	20/09/04	CB
CLASS B ESTIMATE	2	21/07/20	CB
SPA SUBMISSION	6	21/12/17	CB
CLASS A ESTIMATE	7	22/02/16	CB
MLTC FOR WD SUBMISSION	8	22/05/27	CB

Particulars	No.	Date	By
-------------	-----	------	----

Revisions to drawing



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1411 AND 1415 UPPER WELLINGTON STREET

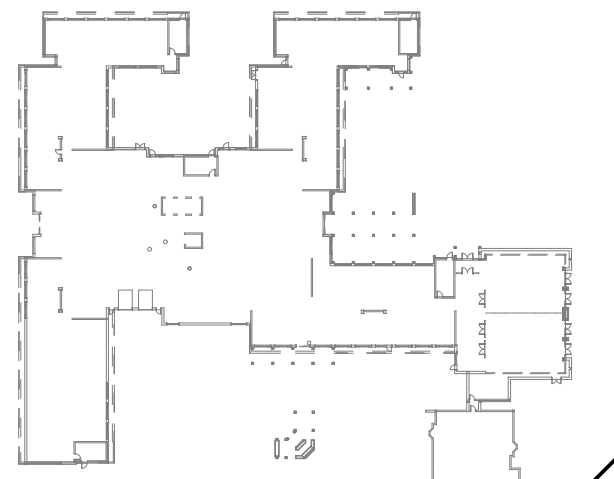
Hamilton Ontario

Project number	Date issued	Scale
2001	1:150, 1:25	
Sheet title	Drawing no.	
BUILDING ELEVATIONS	A304	





Shalom



KEY PLAN

Prints issued to

Particulars	No.	Date	By
ISSUED FOR CLASS D ESTIMATE	1	20/09/04	CB
CLASS B ESTIMATE	2	21/07/20	CB
SPA SUBMISSION	6	21/12/17	CB
CLASS A ESTIMATE	7	22/02/16	CB
MLTC FOR WD SUBMISSION	8	22/05/27	CB

Particulars	No.	Date	By
-------------	-----	------	----

Revisions to drawing

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Project title

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CAMPUS OF CARE

1411 AND 1415 UPPER WELLINGTON STREET

Hamilton Ontario

Project number	Date issued	Scale
2001		
Drawn by	Date	
	2022-05-27	

Sheet title  
3D VIEWS

Drawing no.  
A305





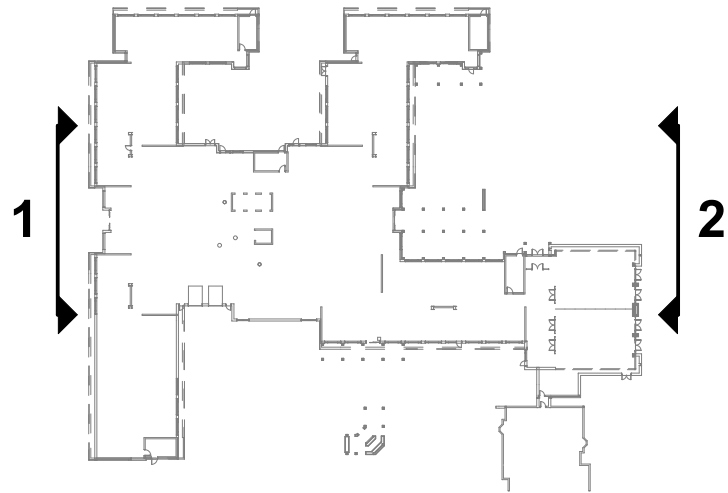
1 WEST ENTRANCE PERSPECTIVE  
A306 NOT TO SCALE



2 EAST ENTRANCE PERSPECTIVE  
A306 NOT TO SCALE



Shalom



KEY PLAN

Prints issued to

Particulars	No.	Date	By
SPA SUBMISSION	6	21/12/17	CB
CLASS A ESTIMATE	7	22/02/16	CB
MLTC FOR WD SUBMISSION	8	22/05/27	CB

Particulars	No.	Date	By
-------------	-----	------	----

Revisions to drawing

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SHALOM MANOR HAMILTON  
CAMPUS OF CARE

1411 AND 1415 UPPER WELLINGTON STREET

Hamilton Ontario

Project number	Date issued	Scale
2001	2022-05-27	1:1, 1:0.9
Sheet title	Drawn by	Drawing no.
3D VIEWS		A306





PROJECT TYPE: TOWER RELOCATION

SITE CODE: OTR0040 Upper Wellington

SITE ADDRESS: 1441 Upper Wellington ST, Hamilton, ON

TOWER OWNER: ATC

SITE: 220060 Upper Wellington ON016

TURRIS PROJECT: 22-0446

KEY PLAN (NTS)



GEOGRAPHIC COORDINATES

LATITUDE: 43.20145° , LONGITUDE: -79.87748°

DRAWING INDEX

No.	DESCRIPTION	DRAWING NO.	REV.
1	TOWER PROFILE	10-0259-E01-01	4
2	COMPOUND LAYOUT	10-0259-S02-01	6



ENGINEERING  
PROCUREMENT  
PROJECT MGMT

70 Todd Road  
Georgetown Ontario L7G 4R7, Canada  
Tel: +1 (905)-877-8885 Fax: +1 (905)-877-8835  
www.turriscorp.com

TOWER OWNER



CUSTOMER



REV.	DESCRIPTION	DWN.	CHK.	APP.
------	-------------	------	------	------



By Mirjana Lukace at 5:28:21 PM, 2022-05-18

DWG REFERENCE	

PROJECT

TOWER RELOCATION

CUSTOMER

Freedom Mobile

SITE NAME

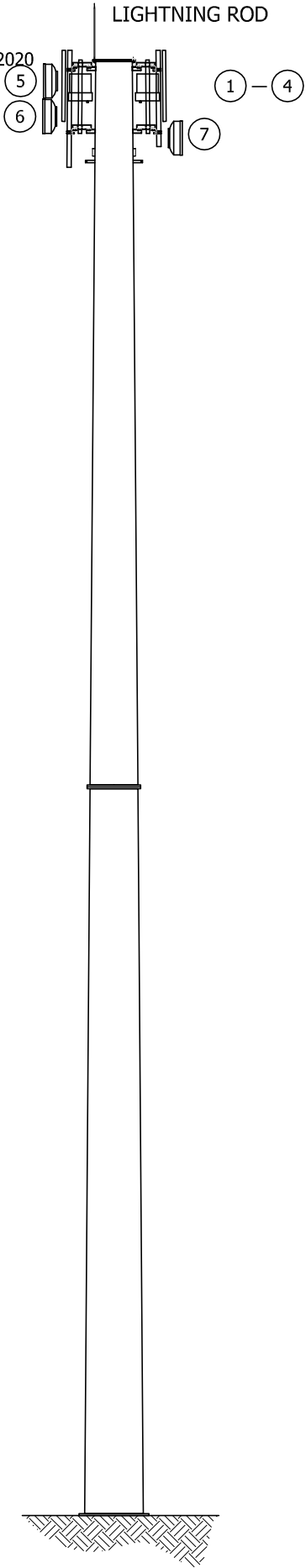
OTR0040\_Upper Wellington\_ON016

TITLE

INSTALLATION  
DRAWING INDEX

DATE	MAY 10.22	DWG BY:	JMA	PROJECT NO.	22-0446	REV.	0
ENGD APPD:	EPV	CHKD BY:	MAO	DWG NO.	22-0446-XE01-01R00		

STANDARD: CSA-S37-18  
WIND (1/50-YR): 460PA (HAMILTON, ON)  
WIND (1/10-YR): 360PA (HAMILTON, ON)  
SURROUNDING TERRAIN: ROUGH  
RADIAL ICE THICKNESS: 25MM  
IMPORTANCE FACTOR: 1.00  
SERVICEABILITY FACTOR: 1.00  
STRUCTURAL DAMPING RATIO: 0.58%  
MEASURED BY TURRIS DATED MARCH 16, 2020



ANTENNA AND EQUIPMENT SCHEDULE (FREEDOM MOBILE)

ANT No.	ANTENNA DESCRIPTION	ELEV. (m)	Az. (TN°)	TX-LINE DESCRIPTION	EQUIPMENT DESCRIPTION	LOCATION	ANTENNA STATUS
1	CCI TPA65R-GE6A	30.0	50	(1) DC TRUNK (1) FO TRUNK	(2) FRIE RRU (4) FRIJ RRU (4) AHHB RRU (2) AHBOA RRU (2) FRHG RRU(4) COMBINER	MOUNT	RELOCATE
2	CCI TPA65R-GE6A	30.0	130			MOUNT	RELOCATE
3	CCI TPA65R-GE6A	30.0	230			MOUNT	RELOCATE
4	CCI TPA65R-GE6A	30.0	330			MOUNT	RELOCATE
5	RFS -SCX2-220CB	30.3	12	(2) Cat5e	(2) ODU	MOUNT	RELOCATE
6	RFS -SBX2-190CB	29.5	266*	(2) Cat5e	(2) ODU	MOUNT	RELOCATE
7	RFS -SBX2-220CB	29.0	313*	(2) Cat5e	(2) ODU	MOUNT	RELOCATE

NOTES:  
PANEL & MICROWAVE ANTENNAS HEIGHT ARE ABOVE GRADE LEVEL TO THE CENTER OF ANTENNAS.

**ENGINEERING  
PROCUREMENT  
PROJECT MGMT**

70 Todd Road  
Georgetown Ontario L7G 4R7, Canada  
Tel: +1 (905)-877-8885 Fax: +1 (905)-877-8835  
www.turriscorp.com

TOWER OWNER

CUSTOMER

REV.	DESCRIPTION	DWN.	CHK.	APP.
1	AS JOB #17-1378 DATE: FEB.22.18	NZG	NRR	EPV
2	SWAP RRUs AS JOB #20-0855 DATE: MAR.13.20	NZG	NRR	ZDZ
3	AS-BUILT AS PER JOB 21-0731 DATE: JUL.31.21	HWB	MAO	MLA
4	PERMIT DRAWING DATE: MAY.10.22	JMA	MAO	EPV

By Mirjana Lukace at 5:28:31 PM, 2022-05-18

DWG REFERENCE	

PROJECT

TOWER RELOCATION

CUSTOMER

Freedom Mobile

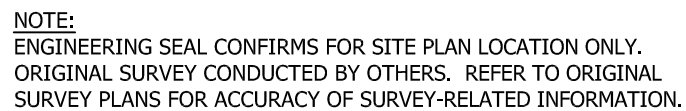
SITE NAME

OTR0040\_Upper Wellington\_ON016

TITLE

TOWER PROFILE  
30.0m MONOPOLE

DATE	DWG BY:	PROJECT NO.	REV.
MAR.23.12	EPA	22-0446	4
ENGD APPD:	CHKD BY:	DWG. NO.	
SPG	NRR	10-0259-E01-01	



TITLE			
COMPOUND LAYOUT			
DATE	DWG. BY:	PROJECT NO.	REV.
MAR.23.12	EPA	22-0446	6
ENGD APPD:	CHKD BY:	DWG. NO.	
SPG	NRR	10-0259-S02-01	

T. Johns Consulting Group was retained by Shalom Manor to submit a Zoning By-law Amendment Application and subsequent Site Plan Application on their behalf for lands located at 1411 and 1415 Upper Wellington Street. The proposal is for the development of a six-storey campus style retirement and long-term care community with 128 long term beds and 132 assisted living retirement suites and 117 parking spaces.

### **Zoning By-law Approval**

To implement the proposed development, a Zoning By-law Amendment (ZBA) application was submitted on July 30, 2020 and Notice of Complete Application from the City was received on September 2, 2020. The purpose of the ZBA was to rezone the subject lands from the Neighbourhood Institutional (I1) Zone and the “DE-3/S-1471” (Multiple Dwellings) District, Modified, to Major Institutional (I3, 745, H39) Zone, Modified.

A positive staff report was presented and approved by Planning Committee on October 5, 2021 and approved by Council on October 13, 2021. The amending By-law No. 21-175 was passed and declared final and binding on November 17<sup>th</sup>, 2021. The amendment zones the subject lands as Major Institutional (I3, 745, H39) Zone, Modified, in the *Comprehensive City of Hamilton Zoning By-law No. 05-200*.

At the Zoning approval stage, and as stated in the staff report (PED21187), the intent of the proposed development was to provide a building connection and pedestrian access to the existing Wellingstone Christian Multiple dwelling to the south located at 261 Stone Church Road West and that the accessory uses will operate together. The proposed one-storey, enclosed hallway connection to the southerly retirement home deems the development to be an addition, though the proposal will be located on a separate lot. Fifteen (15) parking spaces were also proposed to be used by the existing Wellingstone Christian Home. The staff report also stated that at the Site Plan Control stage, owner/applicant is to secure necessary agreements between the existing and planned facilities for the shared facilities such as parking. Therefore, it has always been the intent that the 2 properties will operate together in relation to the accessory uses and parking.

### **Site Plan Application**

A Site Plan Application was submitted to the City on December 17, 2021.

Consolidated comments were received, and a Development Review Team Meeting was held on February 23, 2022. At the meeting and as indicated in the zoning comments, the following were deemed to not conform with the zoning provisions:

- *“The accessory uses proposed for the development, are permitted only as accessory uses to the Long Term Care Facility and the Retirement Home. Be advised these uses not permitted as principal uses as they are not permitted within the “I3, 745, H39” special exception zone. As such, the residents at 261 Stone Church Road East (Wellingstone Christian Multiple Dwelling) are not permitted to use the aforementioned facilities and rezoning would be necessary.”*
- *“15 parking spaces is also provided for Wellingstone (being the lands to the south known municipally as 261 Stone Church Road East). Be advised that a “Commercial Parking Facility” is not a permitted use within the “I3” zone. As such, a rezoning application is required prior to the use being permitted.”*

A meeting was held with City planning/zoning staff and T. Johns Consulting on April 21, 2022, to discuss the comments noted above. Although it was determined that the 15 parking spaces are not referred to as a “Commercial Parking Facility,” the issue arises as the property to the south is regulated under the City of Hamilton Zoning By-law 6593; provision 5.1 a) iii) of City of Hamilton Zoning By-law No. 05-200 cannot be applied as they are under two different Zoning By-laws and City of Hamilton Zoning By-law 6593 does not contain a provision to allow parking on another property. Therefore, staff stated that in order to resolve these matters, a minor variance application is required.

### **Minor Variance Application**

To allow the planned joint-use of the two sites, a minor variance is required to permit the lands to the south at 261 Stone Church Road East, to use the 15 parking spaces and accessory uses proposed by the development at 1411 and 1415 Upper Wellington Street. The proposed development has not changed from the Concept Plan provided in the Staff Report (PED21187) and the intent at the time of zoning approval, acknowledged that the development will function as one site.



**Nature and extent of relief applied for:**

Therefore, in agreement with City staff, the following variance is being applied for:

*“Residents of the Seniors Citizens Multiple Dwelling on lands known municipally as 261 Stone Church Road East (Wellingstone Christian Multiple Dwelling) shall be permitted to use the parking facilities and the accessory uses within the Long Term Care Facility and Retirement Home on lands known municipally as 1411 - 1415 Upper Wellington Street (Shalom Manor).”*

**PLANNING RATIONALE TO SUPPORT VARIANCE:**

1. Conformity to the Intent of the Urban Hamilton Official Plan

The subject lands are designated *Neighbourhoods* which permits the proposed use. The requested variance is in keeping with the intent of the Official Plan.

2. Conformity to the Intent of the Zoning By-law

The subject property is zoned Major Institutional (I3, 745, H39), Modified.

As the property to the south is regulated under the City of Hamilton Zoning By-law 6593, provision 5.1 a) iii) of City of Hamilton Zoning By-law No. 05-200 cannot be applied as they are under two different Zoning By-laws and City of Hamilton Zoning By-law 6593 does not contain a provision to allow required parking on another property. The approved staff recommendation report (PED21187) acknowledged that the development will function as one site, and therefore, the variance maintains the intent of the Zoning By-law.

A minor variance is also required to allow the accessory uses of the proposed building to be used by the residents of the Wellingstone Christian Multiple Dwelling located at 261 Stone Church Road East. As it was always the intent to allow the accessory uses to be used by the property to the south, the intent of the Zoning By-law is maintained.



3. Is the Variance Minor?

The requested minor variance is considered minor as the original function of the proposed development and the property to the south was intended to operate together at the time of zoning approval.

4. Is the Variance Desirable for the development of the property?

The variance is desirable so that the two (2) properties can function together. The proposed pedestrian connections to the existing retirement home to the south ensures that people of all abilities can navigate the site safely and allows for parking to be located at the rear of the site and with easy access to parking areas.

Conclusion

Since this Minor Variance is being applied for prior to the 2 year timeline after zoning approval, City staff has provided a letter to allow the application to be submitted as it was determined that there were administrative errors at the time of zoning approval and since the design of the proposal has not changed at time of ZBL approvals, staff supports the submission of the minor variance application.

We respectfully request that the submission materials, along with this memo, be circulated for review.

Any questions, please do not hesitate to contact the undersigned.

Respectfully Submitted,

**T. Johns Consulting Group Ltd.**



**Diana Morris, BA, MCIP, RPP**  
Senior Planner



May 10, 2022

**VIA Digital Submission**

Committee of Adjustment  
71 Main Street West, 5th Floor  
Hamilton, Ontario, L8P 4Y5  
Phone: 905-546-2424 Ext. 4221  
Email: cofa@hamilton.ca

Attention: Jamila Sheffield, Secretary-Treasurer

Dear Ms. Sheffield,

**RE: 1411 and 1415 Upper Wellington Street, Hamilton  
Minor Variance Application**

---

**T. Johns Consulting Group (TJCG)** has been retained by the landowner of the above referenced lands to submit a Minor Variance Application for the lands municipally known as 1411 and 1415 Upper Wellington Street.

The proposal is for the development of a six-storey campus style retirement and long-term care community with 128 long term beds and 132 assisted living retirement suites and 117 parking spaces.

A minor variance is required to permit 15 parking spaces to be used by the proposed development and the development to the south at 261 Stone Church Road East. At the Zoning By-law Amendment application stage, it was proposed that the relevant provision be added to the amending Zoning By-law. However, planning staff removed this provision from the draft by-law, as they misinterpreted Section 5.1 a) iii) of City of Hamilton Zoning By-law No. 05-200 as being applicable to the proposal. This provision allows required parking to be located off-site, subject to an off-site parking agreement being registered on title.

A minor variance is also required to allow the accessory uses of the proposed building to be used by the residents of the Wellingstone Christian Multiple Dwelling located at 261 Stone Church Road East. As it was always the intent to allow the accessory uses to be used by the development to the south, staff are supportive of the submission of the variance.

T. Johns respectfully requests that this letter and enclosed documents be circulated to all relevant Departments at the City of Hamilton and outside agencies for commenting.

Please find the enclosed:

- One (1) copy of the application form;
- One (1) Justification Memo in support of the variance;
- One (1) Exemption letter from the City of Hamilton for submission of this variance;
- One (1) copy of the Site Plan.

**Note: no fee is required for this application as discussed with planning staff as there were administrative errors at the Zoning By-law approval stage.**

Should you have any questions or require additional information, please do not hesitate to contact Diana Morris at (905) 574-1993 ext. 202.

Respectfully Submitted,  
**T. JOHNS CONSULTING GROUP LTD.**



Diana Morris, BA, MCIP, RPP  
Senior Planner



## 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
<b>Registered Owners(s)</b>	Shalom Manor Long Term Care Home c/o Jonathan Zwier	
<b>Applicant(s)*</b> <i>Same as above</i>		
<b>Agent or Solicitor</b>	T. Johns Consulting Group Ltd. c/o Diana Morris	

**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:

N/A

**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:

Residents of the Senior Citizens Multiple Dwelling on lands known municipally as 261 Stone Church Road East (Wellington Christian Multiple Dwelling) shall be permitted to use the parking facilities and accessory uses within the Long Term Care Facility and Retirement Home on lands known municipally as 1411 & 1415 Upper Wellington Street (Shalom Manor).

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

A connecting interior walkway is proposed for the new Shalom Manor on 1411-1415 Upper Wellington Street. To allow residents of Wellington to utilize the facilities and parking, a Minor Variance is required.

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 12, Concession 7  
Geographic Township of Barton  
In the City of Hamilton

Municipally known as  
1411 & 1415 Upper Wellington Street, Hamilton

7. PREVIOUS USE OF PROPERTY

Residential ☐ Industrial ☐ Commercial ☐

Agricultural ☐ Vacant ☒

Other Place of Worship

- 8.1 If Industrial or Commercial, specify use N/A

- 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?

Reports from PML supporting the responses.

- 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.

May 9/22  
Date

Jonathan Zwer  
Signature Property Owner(s)  
Shalom Manor Long Term Care Home  
c/o Jonathan Zwer  
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>118.5 metres</u>
Depth	<u>200.8 metres</u>
Area	<u>2 ha (20,790.0 m<sup>2</sup>)</u>
Width of street	<u>20.0 metres</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:           

Width: ± 34.47 m  
Length: ± 54.6 m  
Height: Single storey  
Ground Floor Area: ± 1,253 m<sup>2</sup>

Proposed

Width: ± 87.7m  
Length: ± 109.7 m  
Height: Six storeys, 24.6 m  
Ground Floor Area: ± m<sup>2</sup>

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

Existing:           

Side (North):  
Side (South): 4.83 m  
Rear: 4.72 m  
Front: 17.05 m

Proposed:

Side (North): ± 14.3 m  
Side (South): 0.0 m (connecting walkway to Wellington)  
Rear: ± 81.43 m  
Front: 5.2 m

13. Date of acquisition of subject lands:  
April 18, 2019
14. Date of construction of all buildings and structures on subject lands:  
1955
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):  
Place of Worship
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):  
Vacant open space (East); Fire Station, Retirement Home (South); Place of Worship (North)
17. Length of time the existing uses of the subject property have continued:  
Since construction in 1955
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 in the Urban Hamilton Official Plan
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  
Major Institutional (I3) Zone, Exception 745, Holding H39
21. Has the owner previously applied for relief in respect of the subject property? (Zoning By-law Amendment or Minor Variance)  
☒ Yes ☐ No  
 If yes, please provide the file number:  
ZAC-20-033
- 21.1 If a site-specific zoning by-law amendment has been received for the subject property, has the two-year anniversary of the by-law being passed expired?  
☐ Yes ☒ No
- 21.2 If the answer is no, the decision of Council, or Director of Planning and Chief Planner that the application for Minor Variance is allowed must be included. Failure to do so may result in an application not being "received" for processing.  
**Letter from City submitted with this application**
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 (please include separate sheet if needed)  
Justification memo attached to 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.