



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

- Assessed owner of a property located within 60 metres of the subject property
- Applicant/agent on file, or
- Person likely to be interested in this application

APPLICATION NO.:	HM/A-22:202	SUBJECT PROPERTY:	750 MOHAWK ROAD W, HAMILTON
ZONE:	“E-2/S-110 and E/S-556” (Multiple Dwellings)	ZONING BY-LAW:	Zoning By-law 6593, as Amended 69-213 & 78-6

APPLICANTS: Agent Urban Solutions
Owner Greti Development Co. Ltd. – Effort Trust

The following variances are requested:

1. The approved Site Plans shown on Schedules B2, B3, B4 and B5 annexed pursuant to Amending By-law No. 69-213 shall not regulate development for the lots known municipally as 750, 760 – 780 and 790 Mohawk Road West and only the zone regulations or those regulations varied pursuant to Minor Variance File No. HM/A-22:202 shall apply instead of the requirement that no building or structure or any part thereof shall be erected, altered, extended or enlarged nor shall any land be used except in accordance with the approved Site Plans hereto annexed as Schedules B2, B3, B4 and B5.
2. A minimum of 0.808 parking spaces per Class A dwelling unit shall be provided for the multiple dwellings on a temporary basis until repairs to the underground parking structure are completed instead of the minimum required 1.25 parking spaces per Class A dwelling unit for a multiple dwelling.
3. No visitor parking spaces per Class A dwelling unit shall be provided for the multiple dwellings on a temporary basis until repairs to the underground parking structure are completed instead of the minimum required 0.25 visitor parking spaces per dwelling unit for a multiple dwelling.
4. No planting strip shall be required between boundary of the temporary parking area containing 141 parking spaces and the residential district to the north instead of the requirement that a 1.5m planting strip shall be required between the between the boundary of the parking area and the residential district.

HM/A-22:202

5. No visual barrier shall be required along the portion of the northerly rear lot line for the area occupied by the temporary parking area containing 141 parking spaces instead of the requirement where a parking area containing 5 or more parking spaces adjoins a residential district there shall be provided and maintained a visual barrier along the boundary of the lot abutting the residential district not less than 1.2 metres in height and not greater than 2.0 metres in height.

PURPOSE & EFFECT: To permit a temporary parking area containing 141 parking spaces at the rear of the multiple dwellings, including three ground floor commercial units, known municipally as 760 – 780 Mohawk Rd W until repairs to the underground parking structure are completed in order facilitate Site Plan File No. SPA-22-044:

Notes:

- i. The variances are necessary to facilitate Site Plan File No. SPA-22-044.
- ii. Requested Variance # 4 in the June 7, 2022 email from Matt Johnston and Scott Beedie of Urban Solutions is not necessary as a parking area (regardless of being temporary in nature) is required for the permitted multiple dwelling and commercial uses.
- iii. If Variance # 2 is granted, a minimum of 528 parking spaces will be required for the 653 dwelling units. The Site Plan shows a total of 532 parking spaces composed of 528 parking spaces for the multiple dwellings and 4 parking spaces for the commercial units.

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, July 14, 2022
TIME:	1:40 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

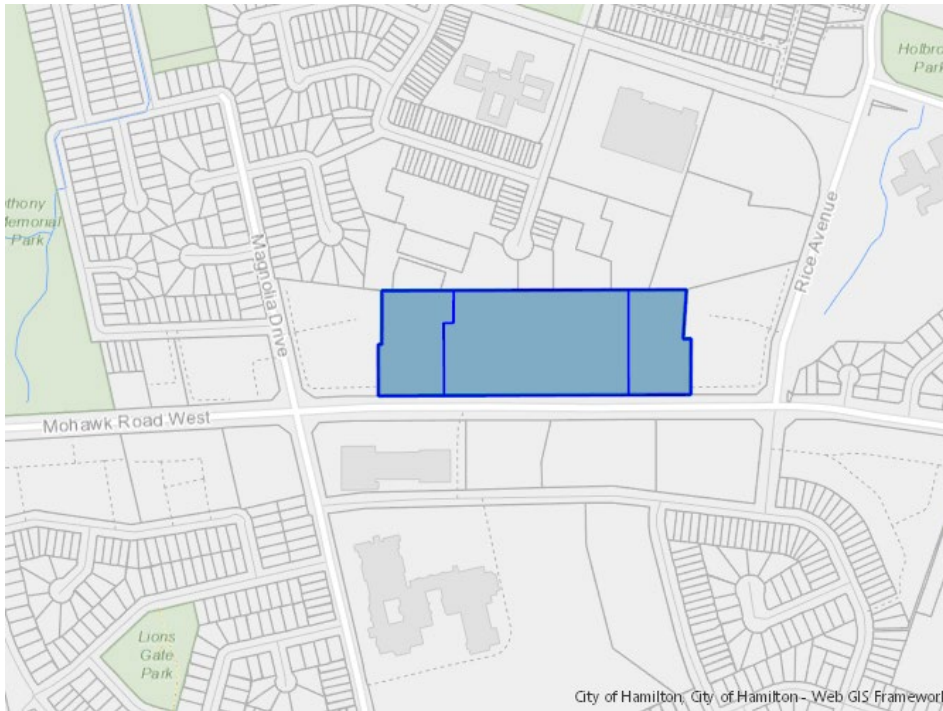
For more information on this matter, including access to drawings illustrating this request and other information submitted:

- Visit www.hamilton.ca/committeeofadjustment
- Email Committee of Adjustment staff at 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, calling in, or attending in person. Please see attached page for complete instructions, including deadlines for registering to participate virtually.



 **Subject Lands**

DATED: June 28, 2022

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public, and may include posting electronic versions.



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E-mail: cofa@hamilton.ca

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 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.**

Comment packages are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by 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.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email 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.

- GENERAL NOTES**
- ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR AND CHIEF PLANNER OF THE PLANNING DIVISION, 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 7.5m UNLESS OTHERWISE STATED.
 - ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5m SHALL BE WITHIN 5% MAXIMUM GRADE, THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADE.
 - 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
 - ROAD CUT PERMITS
 - SEWER PERMITS
 - APPROACH APPROVAL PERMITS
 - RELOCATION SERVICES
 - COMMITTEE OF ADJUSTMENT
 - ENCROACHMENT AGREEMENTS (IF REQUIRED)
 - ABANDONED ACCESSES MUST BE REMOVED AND THE CURBS AND BOULEVARD RESTORED WITH SOD AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE TRAFFIC ENGINEERING SECTION, TRANSPORTATION, OPERATIONS AND ENVIRONMENT DEPARTMENT.
 - METER BY METER VISIBILITY TRIANGLES IN WHICH THE MAXIMUM HEIGHT OF ANY OBJECTS OR MATURE VEGETATION IS NOT TO EXCEED A HEIGHT OF 0.70 METERS ABOVE THE CORRESPONDING PERPENDICULAR CENTERLINE ELEVATION OF THE ADJACENT STREET.
 - ALL SIGNS MUST COMPLY TO HAMILTON SIGN BY-LAW No. 10-197.

UNDERTAKING FILE NO. SPA-22-044
 RE: 750, 760, 770, 780 & 790 MOHAWK ROAD WEST, HAMILTON

I, (WE) _____, THE OWNER(S) OF THE LAND, HEREBY UNDERTAKE AND AGREE WITHOUT RESERVATION

a) TO COMPLY WITH ALL THE CONTENT OF THIS PLAN AND DRAWING AND NOT TO VARY THEREFROM.

b) TO PERFORM THE FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 41(7)(A) OF THE PLANNING ACT SHOWN ON THIS PLAN AND DRAWING(S) IN ACCORDANCE WITH THE CONDITIONS OF APPROVAL AS SET OUT IN THE LETTER OF APPROVAL DATED _____.

c) TO MAINTAIN TO THE SATISFACTION OF THE CITY AND AT MY (OUR) SOLE RISK AND EXPENSE, ALL OF THE FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 41(7)(B) OF THE SAID ACT, SHOWN ON THIS PLAN AND DRAWING, INCLUDING REMOVAL OF SNOW FROM ACCESS RAMPS AND DRIVEWAYS, PARKING AND LOADING AREAS AND WALKWAYS; AND,

d) IN THE EVENT THAT THE OWNER DOES NOT COMPLY WITH THE PLAN DATED THE OWNER AGREES THAT THE CITY MAY ENTER THE LAND AND DO THE REQUIRED WORKS, AND FURTHER THE OWNER AUTHORIZES THE CITY TO USE THE SECURITY FILED TO OBTAIN COMPLIANCE WITH THIS PLAN.

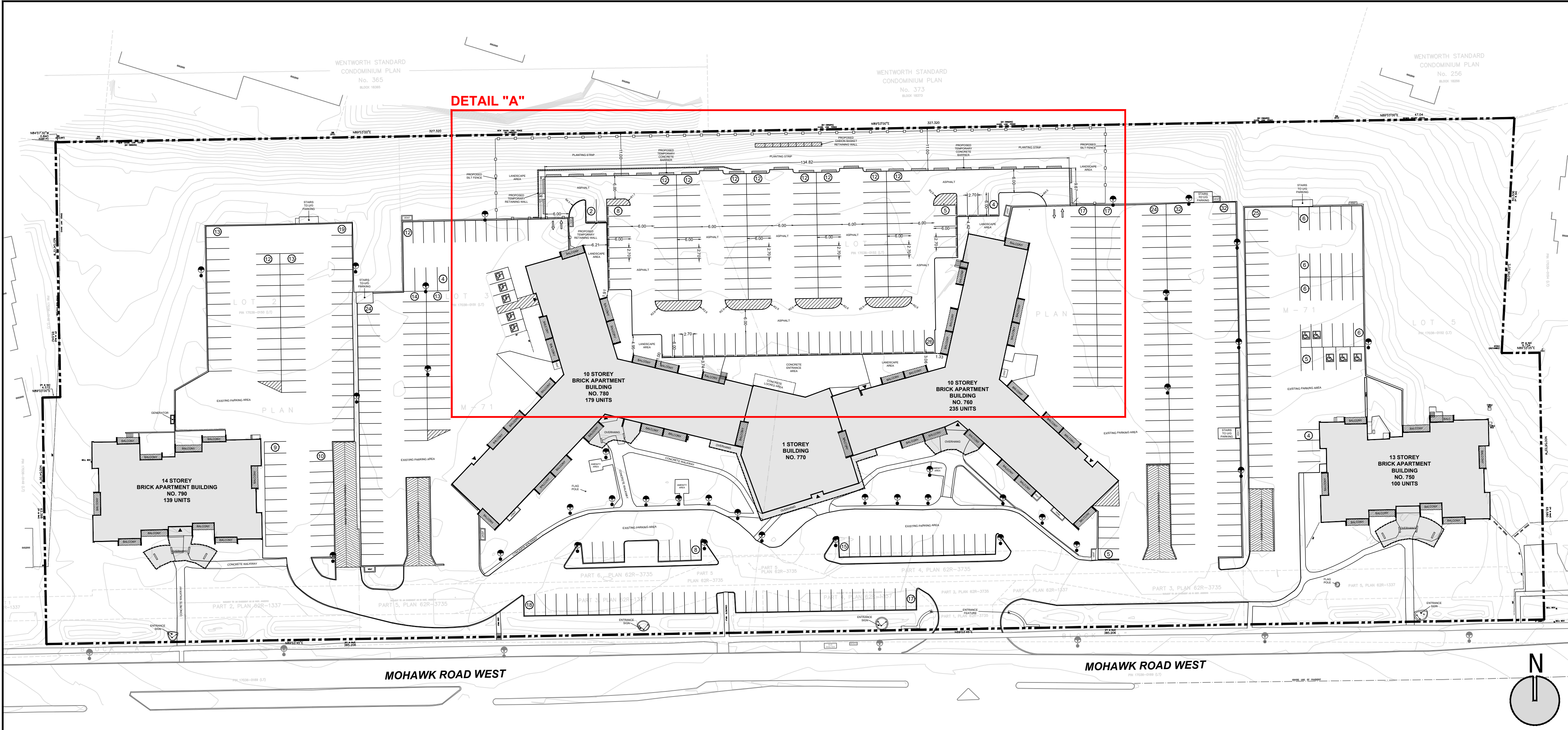
DATED THIS _____ DAY OF _____ 20____.

WITNESS (SIGNATURE) _____ OWNER (SIGNATURE) _____ (SEAL)

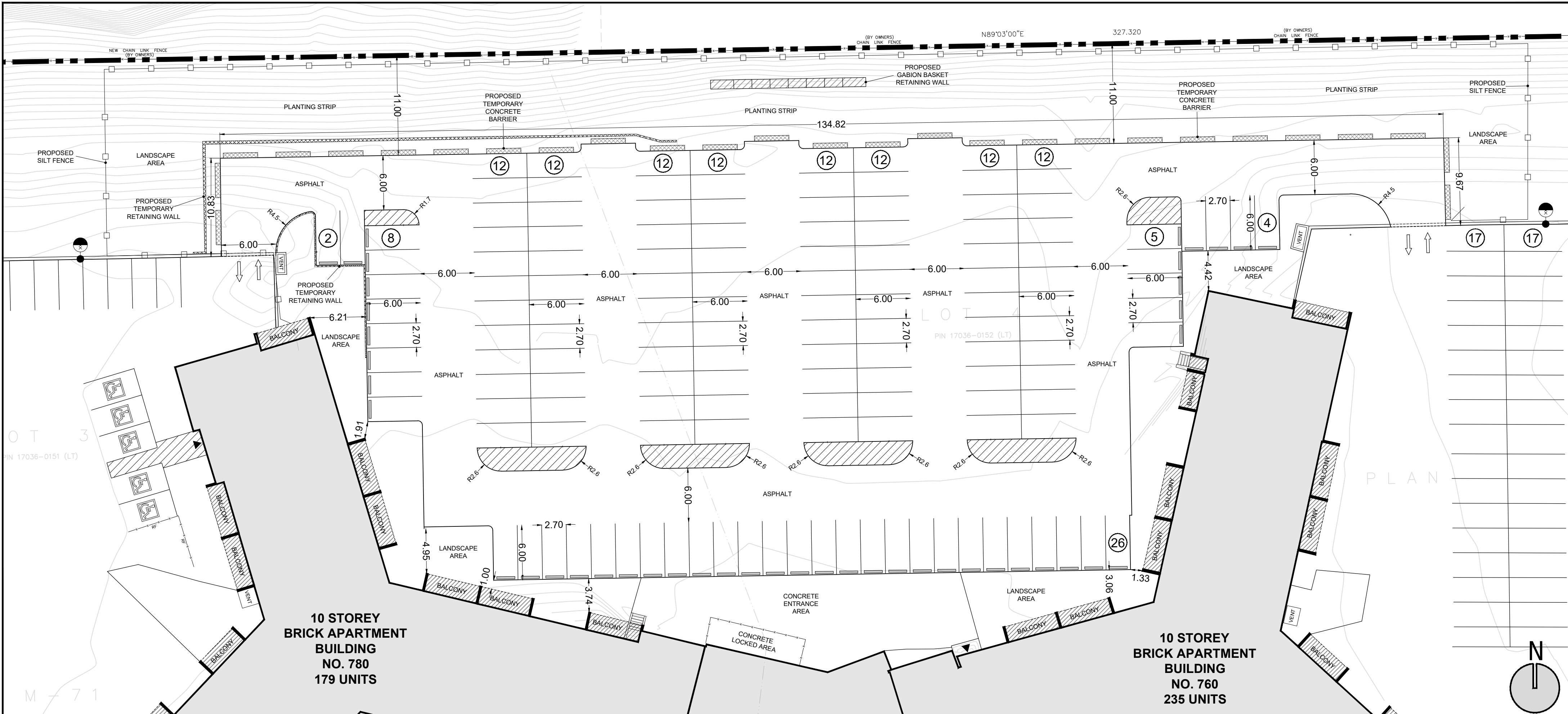
WITNESS (PRINT) _____ OWNER (PRINT) _____

ADDRESS OF WITNESS _____

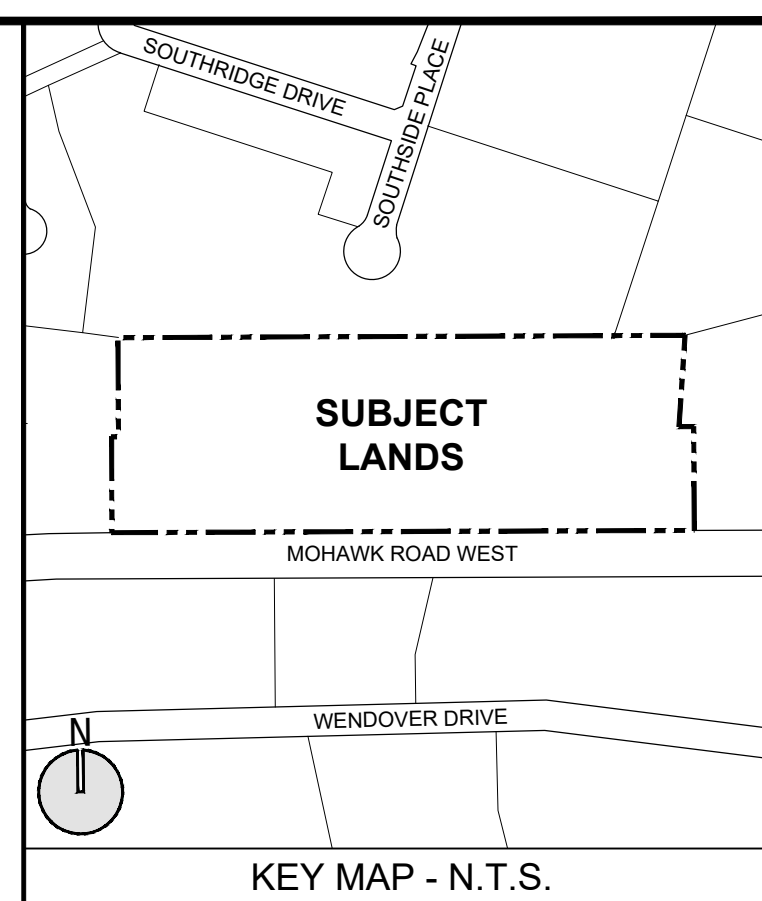
DEVELOPMENT STATISTICS		
Existing Zoning: Multiple Dwellings, Lodges, Clubs, Etc. (E/S-556)		
Item	Existing	Proposed
Units	No. 750 = 100 Units No. 760 = 235 Units No. 780 = 179 Units No. 790 = 139 Units TOTAL = 653 Units	No. 750 = 100 Units No. 760 = 235 Units No. 780 = 179 Units No. 790 = 139 Units TOTAL = 653 Units
Lot Area (min.)	4.89 ha	4.89 ha
Lot Frontage	385.21 m	385.21 m
Landscaped Area (min.)	46% (25% Required)	36% (25% Required)
Parking	No. 750 = 54 Surface / 57 UG No. 760 = 120 Surface / 146 UG No. 780 = 89 Surface / 109 UG No. 790 = 79 Surface / 84 UG TOTAL = 342 Surface / 396 UG	342 Existing Surface 141 Temporary Surface 483 TOTAL (0.74 spaces/unit)
Barrier-Free Parking	10 Spaces	10 Spaces



FULL SITE PLAN - SCALE 1:700



DETAIL "A" - SCALE 1:300



SITE PLAN
SPA-22-044

LEGAL DESCRIPTION:
 LOTS 2, 3, 4 & 5
 REGISTERED PLAN M-71
 IN THE CITY OF HAMILTON

- LEGEND:**
- SUBJECT LANDS
 - EXISTING BUILDINGS
 - BUILDING ENTRANCE
 - EXISTING FENCING
 - EXISTING LIGHT STANDARD
 - TEMPORARY RETAINING WALL
 - GABION BASKET RETAINING WALL
 - TEMPORARY CONCRETE BARRIER
 - SILT FENCE

DESIGN BY: S. ERICKSON	CHECKED BY: S. MCKAY
DRAWN BY: S. ERICKSON	DATE: JUNE 9, 2022

NO.	DATE	BY	DESCRIPTION
2	06/09/22	SE	ADDED DIMENSIONS AS PER CITY COMMENT
1	05/16/22	SE	ISSUED FOR SITE PLAN AMENDMENT

DRAWING ISSUE RECORD

NOT FOR CONSTRUCTION

STAMP

APPROVALS

PREPARED BY:

A.T. McLaren Limited
 LEGAL AND ENGINEERING SERVICES
 69 JOHN STREET SOUTH, SUITE 230
 HAMILTON, ON L8N 2B9
 905-527-8559 - atmclaren.com

URBAN SOLUTIONS
 PLANNING & LAND DEVELOPMENT
 3 STUDEBAKER PLACE, SUITE 1
 HAMILTON, ON L8L 0C8
 905-546-1087 - urbansolutions.info

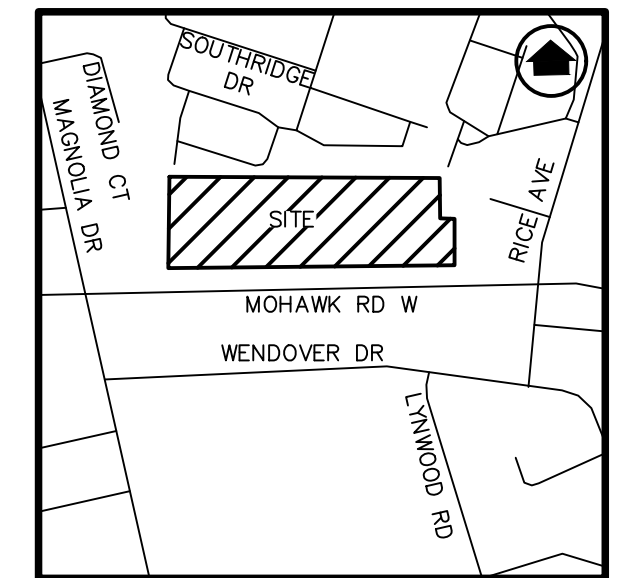
PROJECT: SPA-22-044
TEMPORARY PARKING LOT
 750, 760, 770, 780 & 790 MOHAWK ROAD WEST
 CITY OF HAMILTON

CLIENT: EFFORT TRUST

U/S FILE NUMBER: 425-21 SHEET NUMBER: 1

LEGEND:

- ⊕ EXISTING GROUND ELEVATION
- ×(209.00) PROPOSED GROUND ELEVATION
- 209.00EX PROPOSED ELEVATION TO MATCH EXISTING
- (209.00)TW PROPOSED ELEVATION TO MATCH TOP OF WALL
- 2.0% PROPOSED DIRECTION OF SHEET FLOW
- EXISTING CATCHBASIN
- EXISTING STORM/SANITARY MANHOLE
- PROPOSED CATCHBASIN
- PROPOSED STORM/SANITARY MANHOLE
- ⊕ PROPOSED CATCHBASIN MANHOLE
- PROPOSED SILTATION CONTROL FENCE
- PROPOSED CATCHBASIN SILT SACK
- ← EMERGENCY OVERLAND FLOW ROUTE
- - - PROPOSED DRAINAGE BREAK LINE
- - - EXISTING DIRECTION OF DRAINAGE
- PROPOSED SWALE
- EMBANKMENT (SLOPE AS NOTED)



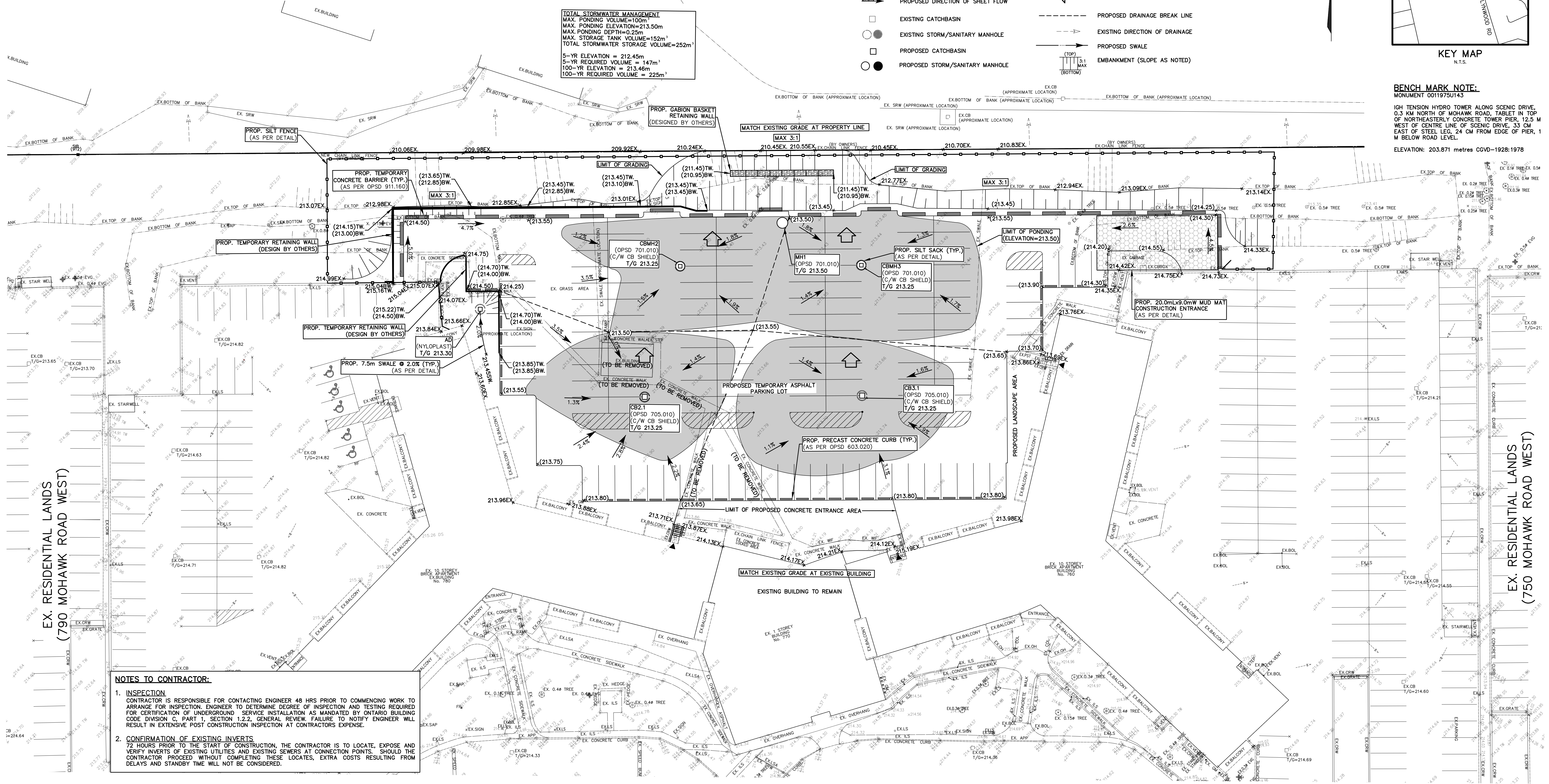
KEY MAP
N.T.S.

BENCH MARK NOTE:

MONUMENT 00119750143
 IGH TENSION HYDRO TOWER ALONG SCENIC DRIVE,
 0.3 KM NORTH OF MOHAWK ROAD, TABLET IN TOP
 OF NORTHEASTERLY CONCRETE TOWER PIER, 12.5 M
 WEST OF CENTRE LINE OF SCENIC DRIVE, 33 CM
 EAST OF STEEL LEG, 24 CM FROM EDGE OF PIER, 1
 M BELOW ROAD LEVEL.
 ELEVATION: 203.871 metres CGVD-1928:1978

EX. RESIDENTIAL LANDS

TOTAL STORMWATER MANAGEMENT
 MAX. PONDING VOLUME=100m³
 MAX. PONDING ELEVATION=213.50m
 MAX. PONDING DEPTH=0.25m
 MAX. STORAGE TANK VOLUME=152m³
 TOTAL STORMWATER STORAGE VOLUME=252m³
 5-YR ELEVATION = 212.45m
 5-YR REQUIRED VOLUME = 147m³
 100-YR ELEVATION = 213.46m
 100-YR REQUIRED VOLUME = 225m³



NOTES TO CONTRACTOR:

- INSPECTION**
 CONTRACTOR IS RESPONSIBLE FOR CONTACTING ENGINEER 48 HRS PRIOR TO COMMENCING WORK TO ARRANGE FOR INSPECTION. ENGINEER TO DETERMINE DEGREE OF INSPECTION AND TESTING REQUIRED FOR CERTIFICATION OF UNDERGROUND SERVICE INSTALLATION AS MANDATED BY ONTARIO BUILDING CODE DIVISION C, PART 1, SECTION 1.2.2, GENERAL REVIEW. FAILURE TO NOTIFY ENGINEER WILL RESULT IN EXTENSIVE POST CONSTRUCTION INSPECTION AT CONTRACTOR EXPENSE.
- CONFIRMATION OF EXISTING INVERTS**
 72 HOURS PRIOR TO THE START OF CONSTRUCTION, THE CONTRACTOR IS TO LOCATE, EXPOSE AND VERIFY INVERTS OF EXISTING UTILITIES AND EXISTING SEWERS AT CONNECTION POINTS. SHOULD THE CONTRACTOR PROCEED WITHOUT COMPLETING THESE LOCATES, EXTRA COSTS RESULTING FROM DELAYS AND STANDBY TIME WILL NOT BE CONSIDERED.

NOTES TO CONTRACTOR:

- CONTRACTORS AND SUBCONTRACTORS SHALL NOT SCALE FROM THIS DRAWING.
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- THE POSITIONS OF POLE LINES, CONDUITS, WATERMANS, SEWERS AND OTHER UNDERGROUND AND OVER-GROUND UTILITIES AND STRUCTURES ARE NOT NECESSARILY SHOWN ON THE DRAWINGS. WHERE SHOWN ON THE DRAWING, THE ACCURACY OF THE POSITION OF SUCH UTILITIES AND STRUCTURES IS NOT GUARANTEED. BEFORE STARTING WORK, THE CONTRACTOR SHALL INFORM THEMSELVES OF THE EXACT LOCATION OF ALL SUCH UTILITIES AND STRUCTURES AND ASSUME ALL LIABILITY FOR DAMAGE TO THEM.
- ALL DRAWINGS REMAIN THE PROPERTY OF THE ENGINEER AND SHALL NOT BE REPRODUCED, REVISED, OR REVISED WITHOUT THE WRITTEN CONSENT OF S. LLEWELLYN AND ASSOCIATES LIMITED.

NO.	DATE	BY	REVISIONS
DESIGN	AS	CHK'D	SN
DRAWN	AS	CHK'D	SN
			DATE
			May 24, 2022

APPROVALS

STAMP
 LICENSED PROFESSIONAL ENGINEER
 S. J. NELSON
 100229748
 May 24/22
 PROVINCE OF ONTARIO



S. LLEWELLYN & ASSOCIATES LIMITED
 CONSULTING ENGINEERS
 Tel. (905) 631-6978
 Website: www.slo.on.ca
 email: info@slo.on.ca
 3228 South Service Road, Suite #105 East Wing, Burlington, Ont., L7N 3H8

CLIENT
URBAN SOLUTIONS INC.
 242 MAIN STREET EAST, HAMILTON, ONTARIO
 C/O EFFORT TRUST
 PROJECT NAME
750-790 MOHAWK ROAD WEST
 HAMILTON, ONTARIO

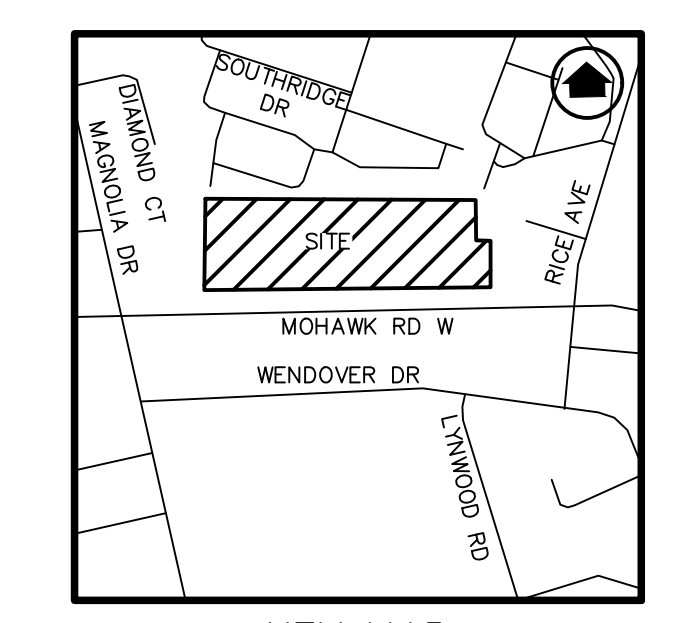
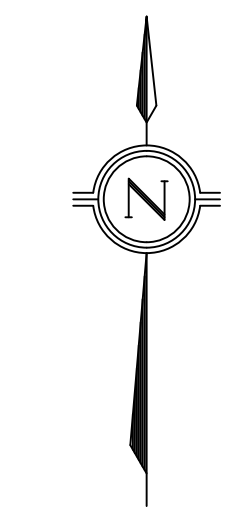
TITLE
GRADING AND EROSION CONTROL PLAN
 PROJECT No. 22045
 DRAWING No. C101
 SCALE 1:300

EX. RESIDENTIAL LANDS

TOTAL STORMWATER MANAGEMENT
 MAX. PONDING VOLUME=100m³
 MAX. PONDING ELEVATION=213.50m
 MAX. PONDING DEPTH=0.25m
 MAX. STORAGE TANK VOLUME=152m³
 TOTAL STORMWATER STORAGE VOLUME=252m³
 5-YR ELEVATION = 212.45m
 5-YR REQUIRED VOLUME = 147m³
 100-YR ELEVATION = 213.48m
 100-YR REQUIRED VOLUME = 225m³

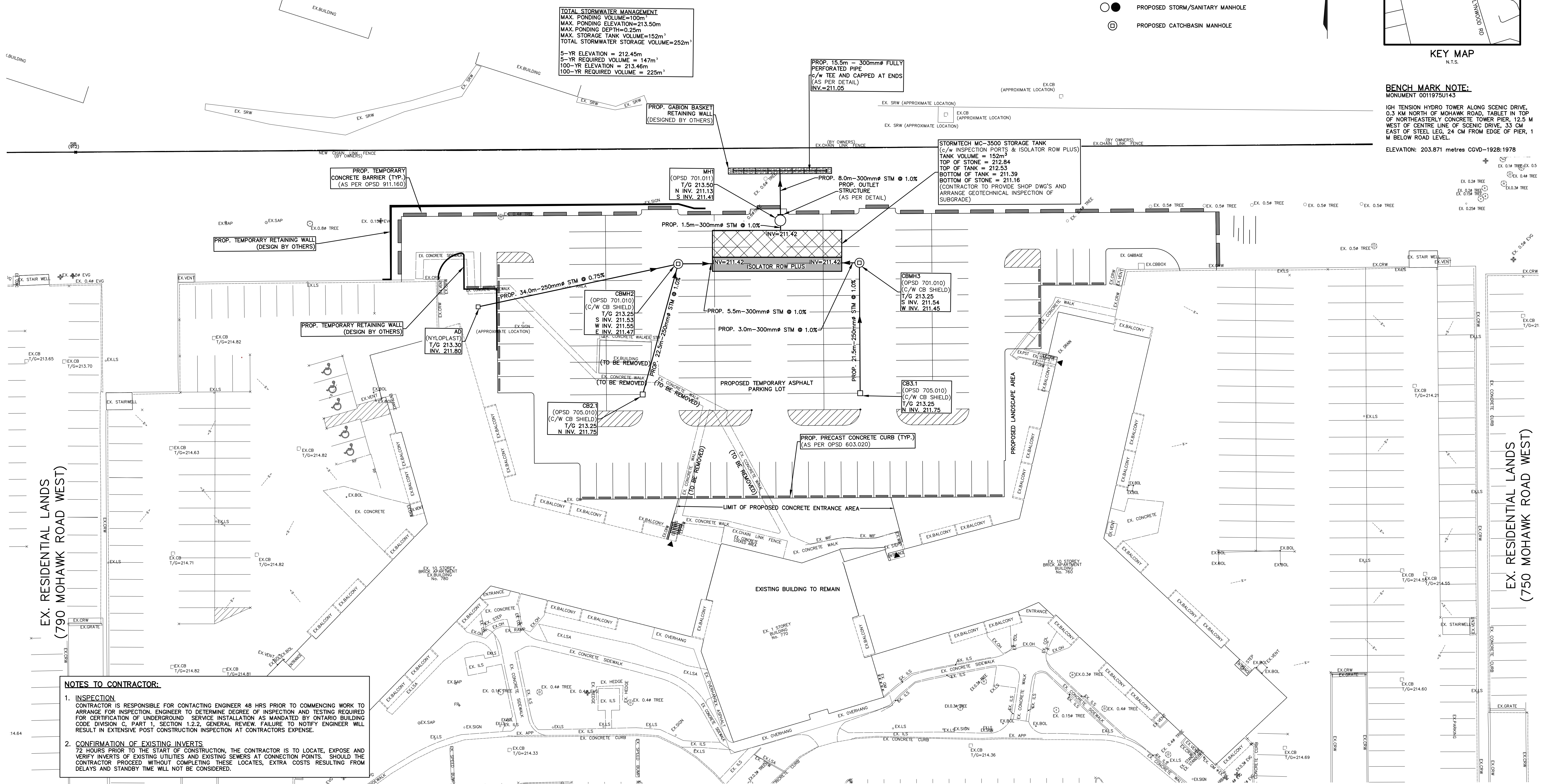
LEGEND:

- EXISTING CATCHBASIN
- EXISTING STORM/SANITARY MANHOLE
- PROPOSED DOUBLE CATCHBASIN
- PROPOSED CATCHBASIN
- PROPOSED STORM/SANITARY MANHOLE
- ⊕ PROPOSED CATCHBASIN MANHOLE



KEY MAP
N.T.S.

BENCH MARK NOTE:
 MONUMENT 001975U143
 HIGH TENSION HYDRO TOWER ALONG SCENIC DRIVE,
 0.3 KM NORTH OF MOHAWK ROAD, TABLET IN TOP
 OF NORTHEASTERLY CONCRETE TOWER PIER, 12.5 M
 WEST OF CENTRE LINE OF SCENIC DRIVE, 33 CM
 EAST OF STEEL LEG, 24 CM FROM EDGE OF PIER, 1
 M BELOW ROAD LEVEL.
 ELEVATION: 203.871 metres CGVD=1928:1978



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- CONFIRMATION OF EXISTING INVERTS**
 72 HOURS PRIOR TO THE START OF CONSTRUCTION, THE CONTRACTOR IS TO LOCATE, EXPOSE AND VERIFY INVERTS OF EXISTING UTILITIES AND EXISTING SEWERS AT CONNECTION POINTS. SHOULD THE CONTRACTOR PROCEED WITHOUT COMPLETING THESE LOCATES, EXTRA COSTS RESULTING FROM DELAYS AND STANDBY TIME WILL NOT BE CONSIDERED.

NOTES TO CONTRACTOR:

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- THE POSITIONS OF POLE LINES, CONDUITS, WATERMANS, SEWERS AND OTHER UNDERGROUND AND OVER-GROUND UTILITIES AND STRUCTURES ARE NOT NECESSARILY SHOWN ON THE DRAWINGS. WHERE SHOWN ON THE DRAWING, THE ACCURACY OF THE POSITION OF SUCH UTILITIES AND STRUCTURES IS NOT GUARANTEED. BEFORE STARTING WORK, THE CONTRACTOR SHALL INFORM THEMSELVES OF THE EXACT LOCATION OF ALL SUCH UTILITIES AND STRUCTURES AND ASSUME ALL LIABILITY FOR DAMAGE TO THEM.
- ALL DRAWINGS REMAIN THE PROPERTY OF THE ENGINEER AND SHALL NOT BE REPRODUCED, REUSED, OR REVISED WITHOUT THE WRITTEN CONSENT OF S. LLEWELLYN AND ASSOCIATES LIMITED.

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			May 24, 2022

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 Tel. (905) 631-6978
 Website: www.slo.on.ca
 email: info@slo.on.ca
 3228 South Service Road, Suite #105 East Wing, Burlington, Ont., L7N 3H8

CLIENT
URBAN SOLUTIONS INC.
 242 MAIN STREET EAST, HAMILTON, ONTARIO
 C/O EFFORT TRUST
 PROJECT NAME
750-790 MOHAWK ROAD WEST
 HAMILTON, ONTARIO

TITLE
SITE SERVICING PLAN
 PROJECT No. 22045
 DRAWING No. C102
 SCALE 1:300

GENERAL NOTES

- THIS/THOSE PLAN(S) IS/ARE NOT TO BE USED FOR CONSTRUCTION UNTIL SEALED BY THE ENGINEER AND INDICATED ISSUED FOR CONSTRUCTION ON THE DRAWING.
- THIS/THOSE PLAN(S) IS/ARE NOT TO BE REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF S. LLEWELLYN AND ASSOCIATES LIMITED.
- INFORMATION REGARDING ANY EXISTING SERVICES AND/OR UTILITIES SHOWN ON THE APPROVED SET OF DRAWINGS ARE FURNISHED AS THE BEST AVAILABLE INFORMATION. THE CONTRACTOR SHALL INTERPRET THIS INFORMATION AS HE SEES FIT WITH THE UNDERSTANDING THAT THE OWNER AND HIS AGENTS DISCLAIM ALL RESPONSIBILITY FOR ITS ACCURACY AND /OR SUFFICIENCY. THE CONTRACTOR SHALL ASSUME LIABILITY FOR ANY DAMAGE TO EXISTING WORKS.
- EXISTING TOPOGRAPHIC AND LEGAL INFORMATION TAKEN FROM PLANS PREPARED BY A.T. MCLAREN LIMITED LEGAL AND ENGINEERING SURVEYS, MARCH 30, 2022.
- THIS/THOSE PLAN(S) TO BE READ IN CONJUNCTION WITH THE STORM WATER MANAGEMENT (SWM) REPORT PREPARED BY S. LLEWELLYN AND ASSOCIATES LIMITED.
- THIS (THESE) PLAN(S) TO BE USED FOR SERVING AND GRADING ONLY, FOR BUILDING LOCATION REFER TO THE SITE PLAN PREPARED BY URBAN SOLUTIONS PLANNING AND LAND DEVELOPMENT.
- MUNICIPAL APPROVAL OF THESE DRAWINGS IS FOR MATERIAL AND COMPLIANCE WITH CITY OF HAMILTON AND PROVINCIAL SPECIFICATIONS AND STANDARDS ONLY. APPROVAL AND INSPECTION OF THE WORKS BY THE CITY OF HAMILTON STAFF DOES NOT CERTIFY THE LINE AND GRADE OF THE WORKS NOR RELIEVE THE CONTRACTOR OF CERTIFICATION OF ALL WORKS BY THE OWNER'S ENGINEER.
- ALTERNATE MATERIALS MAY BE ACCEPTABLE PROVIDED WRITTEN APPROVAL HAS FIRST BEEN OBTAINED FROM THE CITY OF HAMILTON AND THE ENGINEER.
- 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:
 - ROAD CUT PERMITS
 - SEWER PERMITS
 - APPROACH APPROVAL PERMITS
 - RELOCATION OF SERVICES
 - COMMITTEE OF ADJUSTMENT
 - ENCROACHMENT AGREEMENTS
- PRIOR TO CONSTRUCTION THE CONTRACTOR MUST:
 - CHECK AND VERIFY ALL DIMENSIONS AND EXISTING ELEVATIONS WHICH INCLUDE BUT ARE NOT LIMITED TO THE BENCHMARK ELEVATIONS, EXISTING SERVICE CONNECTIONS, EXISTING INVERTS AND REPORT FINDING IN WRITING TO THE ENGINEER.
 - OBTAIN ALL UTILITY LOCATES AND REQUIRED PERMITS AND LICENSES.
 - VERIFY ALL FINISHED FLOOR ELEVATIONS AND BASEMENT FLOOR ELEVATIONS WHICH MY APPEAR ON THESE PLANS COMPLY WITH THE FINAL ARCHITECTURAL DRAWINGS.
 - CONFIRM ALL DRAWINGS USED FOR CONSTRUCTION ARE OF THE MOST RECENT REVISION.
 - NOTIFY THE ENGINEER OF THE PROPOSED CONSTRUCTION SCHEDULE FOR COORDINATION OF NECESSARY INSPECTIONS.
- THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING THE ENGINEER 48 HOURS PRIOR TO THE COMMENCING SITE WORKS TO ARRANGE FOR INSPECTION. THE ENGINEER SHALL DETERMINE THE EXTENT OF INSPECTION AND TESTING REQUIRED FOR CERTIFICATION OF THE UNDERGROUND SERVICE INSTALLATION AS MANDATED BY THE ONTARIO BUILDING CODE DIVISION C, PART 1, SECTION 1.2.2, GENERAL REVIEW. FAILURE TO MAKE SUITABLE ARRANGEMENTS FOR INSPECTION WILL LEAD TO POST CONSTRUCTION TESTING AND INSPECTION AS DETERMINED BY THE ENGINEER, THE COSTS OF WHICH INCLUDING ANY DELAYS IN CONSTRUCTION SHALL BE BORNE BY THE CONTRACTOR. FULL PAYMENT FOR UN-INSPECTED WORKS MAY BE WITHHELD UNTIL THE COMPLETION OF THE POST CONSTRUCTION INSPECTION AND TESTING TO THE SATISFACTION OF THE ENGINEER.
- INSPECTION BY THE OWNER'S ENGINEER IS FOR CERTIFICATION AND GENERAL CONFORMANCE PURPOSES AND DOES NOT CERTIFY LINE AND GRADE OR IMPLY AN ASSURANCE OF QUALITY CONTROL. THE CONTRACTOR SHALL BE RESPONSIBLE TO ENSURE THE INSTALLATION OF THE WORKS TO PROPER LINE, GRADE AND QUALITY TO CURRENT INDUSTRY STANDARDS.
- ANY UTILITY RELOCATIONS AND RESTORATIONS DUE TO THE DEVELOPMENT TO BE UNDERTAKEN AT THE EXPENSE OF THE OWNER/DEVELOPER AND SHALL BE COORDINATED BY THE CONTRACTOR.
- ALL RESTORATIONS AND RECONSTRUCTIONS SHALL BE TO COMPLETED TO MATCH EXISTING CONDITIONS OR BETTER AND ARE TO BE PERFORMED TO THE SATISFACTION OF THE ENGINEER AND THE CITY OF HAMILTON.
- SERVICING CONTRACTOR TO MAINTAIN A "CONFINED TRENCH CONDITION" IN ALL SEWER AND WATERMAIN INSTALLATION TRENCHES.
- NO BLASTING WILL BE PERMITTED.

SEWERS

- CONSTRUCTION OF SANITARY & STORM SEWERS & PRIVATE DRAINS SHALL BE IN ACCORDANCE WITH CITY STANDARDS & SPECIFICATIONS (LATEST EDITION) AND MINISTRY OF ENVIRONMENT (MOE) GUIDELINES (LATEST EDITION).
- COVER AND BEDDING MATERIAL FOR CONCRETE PIPE SHALL BE GRANULAR 'A' MATERIAL AS PER OPSD 802.030 OR 802.033, CLASS 'B' BEDDING.
- COVER AND BEDDING MATERIAL FOR PVC PIPE SHALL BE GRANULAR 'A' MATERIAL AS PER OPSD 802.010 OR 802.013.
- PVC PIPE WILL REQUIRE SPECIAL CONSTRUCTION PROCEDURES AS PER CITY SPECIFICATIONS.
- ALL SEWERS TO BE VIDEO INSPECTED AS PER OPSS 409.
- ALL SEWERS TO BE FLUSHED PRIOR TO VIDEO INSPECTION.
- MANHOLE FRAMES AND COVERS SHALL BE AS PER OPSD 401.010 (STORM-OPEN, SANITARY-CLOSED).
- CATCHBASIN FRAMES AND GRATES SHALL BE AS PER OPSD 400.100 IN PAVED AREA AND 400.120 IN LANDSCAPED AREAS.
- STORM SEWERS 200mm to 600mm in DIAMETER SHALL BE PVC PIPE, CSA B182.2, SDR-35.
- ALL PVC STORM SEWERS ARE TO BE TESTED FOR DEFLECTION (MANDREL PASSAGE) AFTER INSTALLATION AS PER OPSS 410. SANITARY SEWERS SHALL BE TESTED FOR DEFLECTION (MANDREL PASSAGE) AND LEAKAGE (LOW AIR PRESSURE METHOD) AS PER OPSS 410.
- CATCH BASIN CONNECTIONS TO BE 250mm DIAMETER PVC PIPE CSA B182.2, SDR-35 UNLESS OTHERWISE NOTED. SINGLE/DOUBLE STREET CATCH BASINS AS PER OPSD 705.010/705.020 RESPECTIVELY. STREET CATCH BASIN GRATES AS PER OPSD 400.020

GRADING NOTES

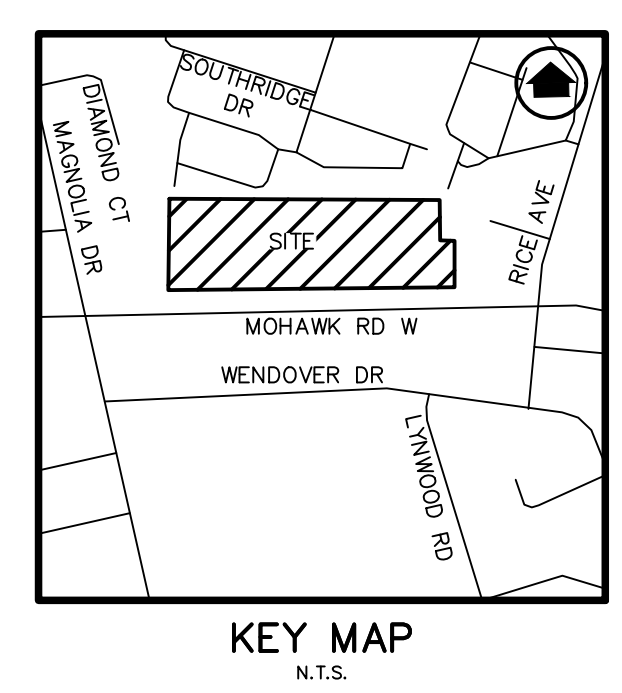
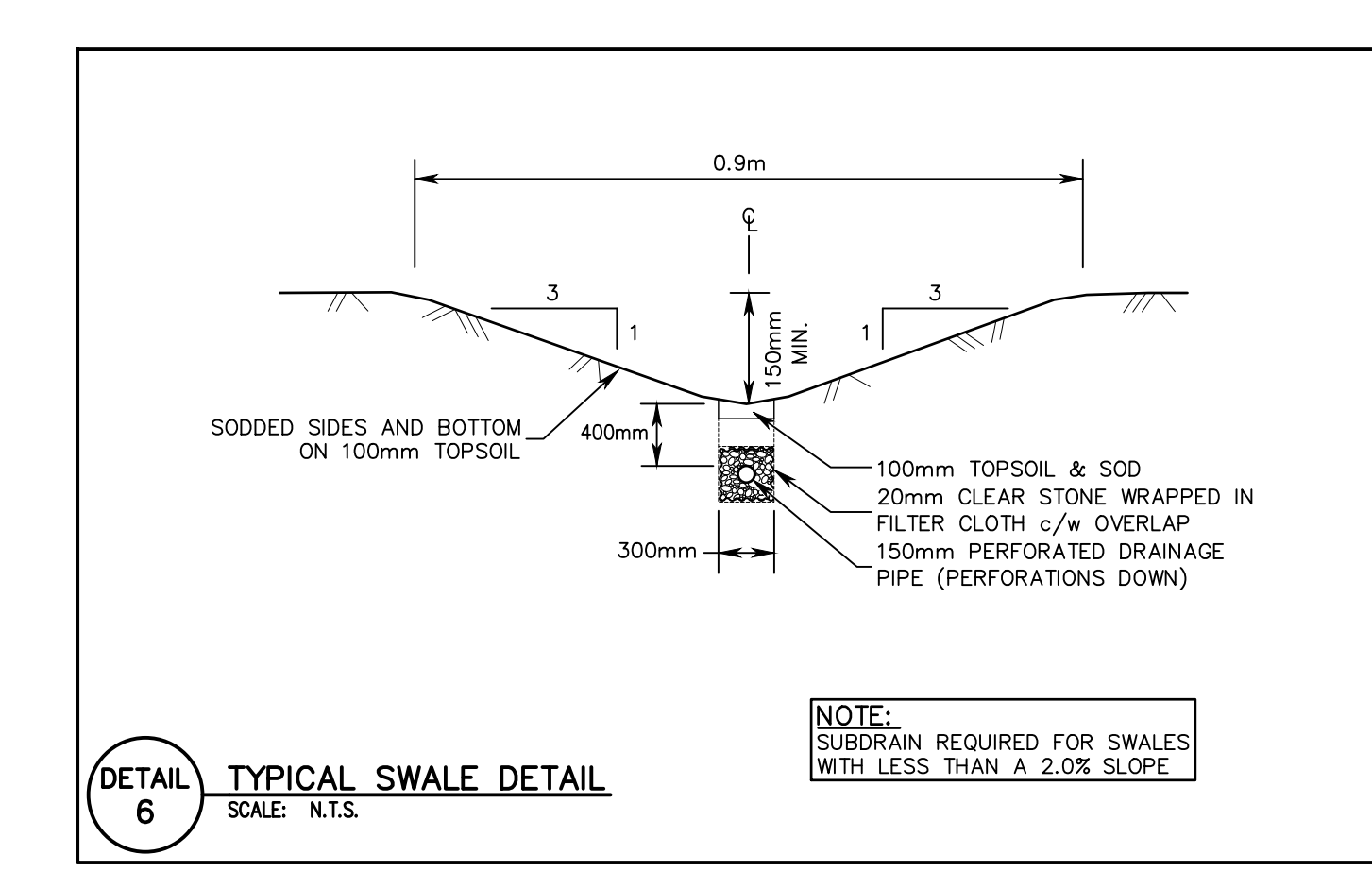
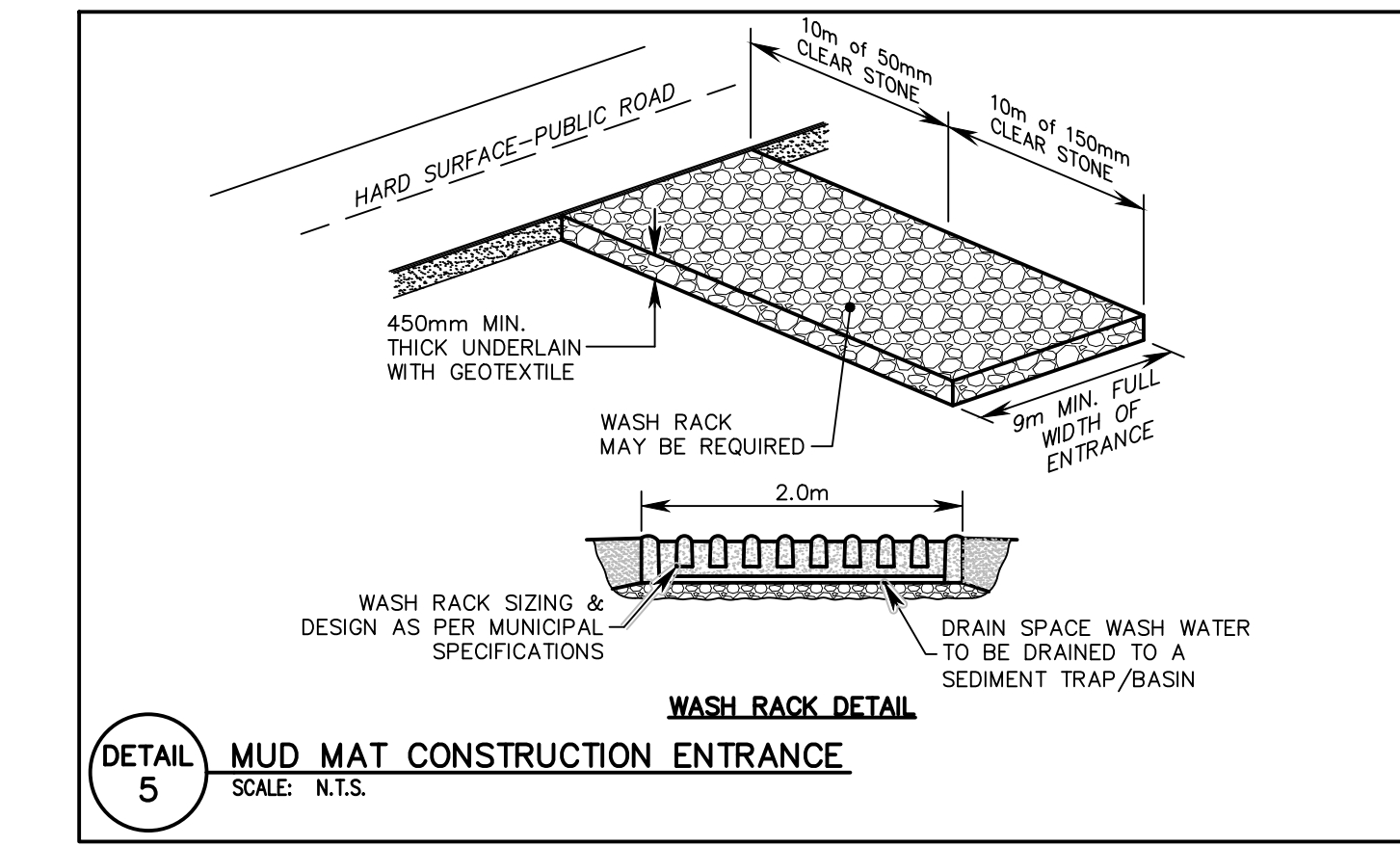
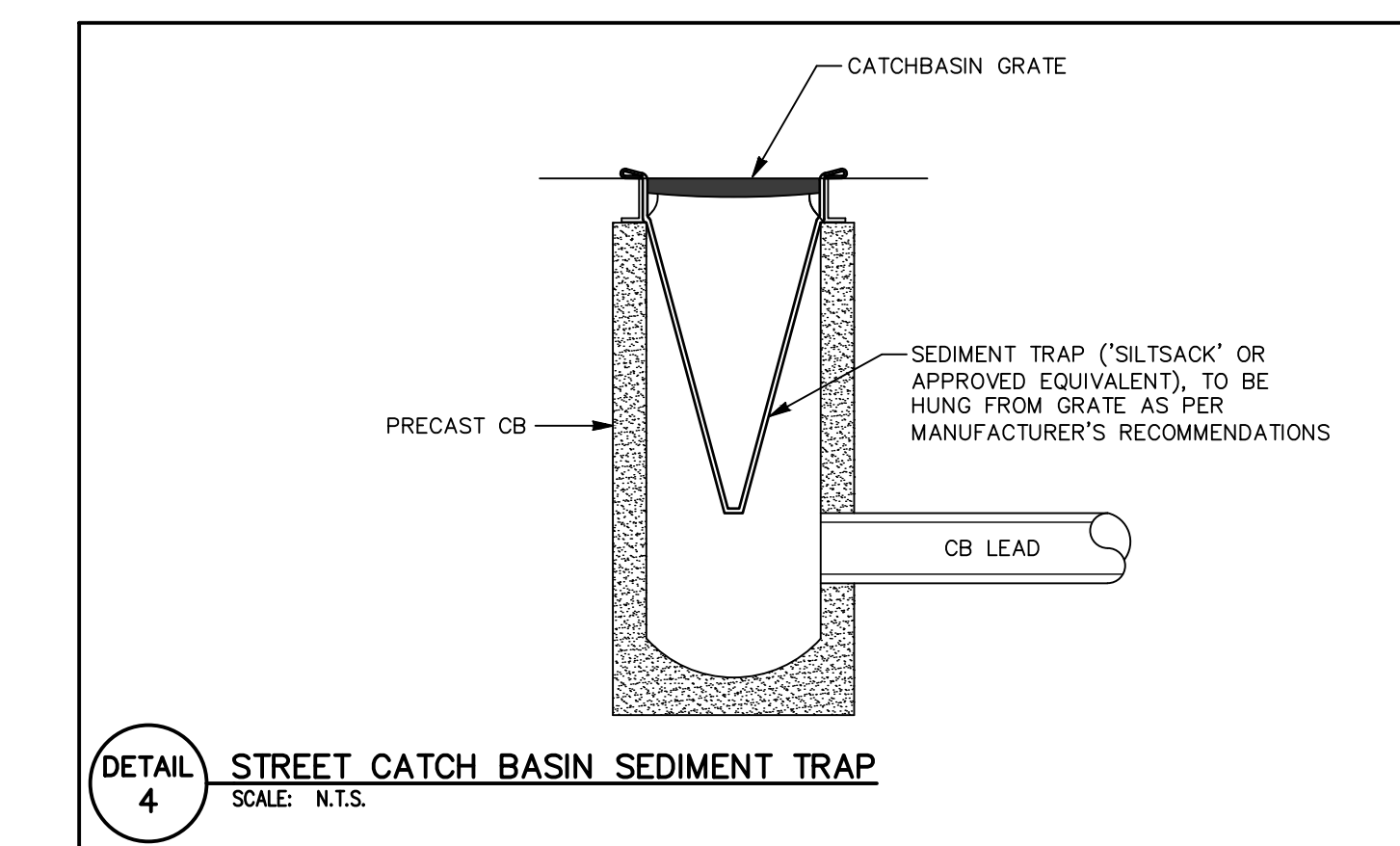
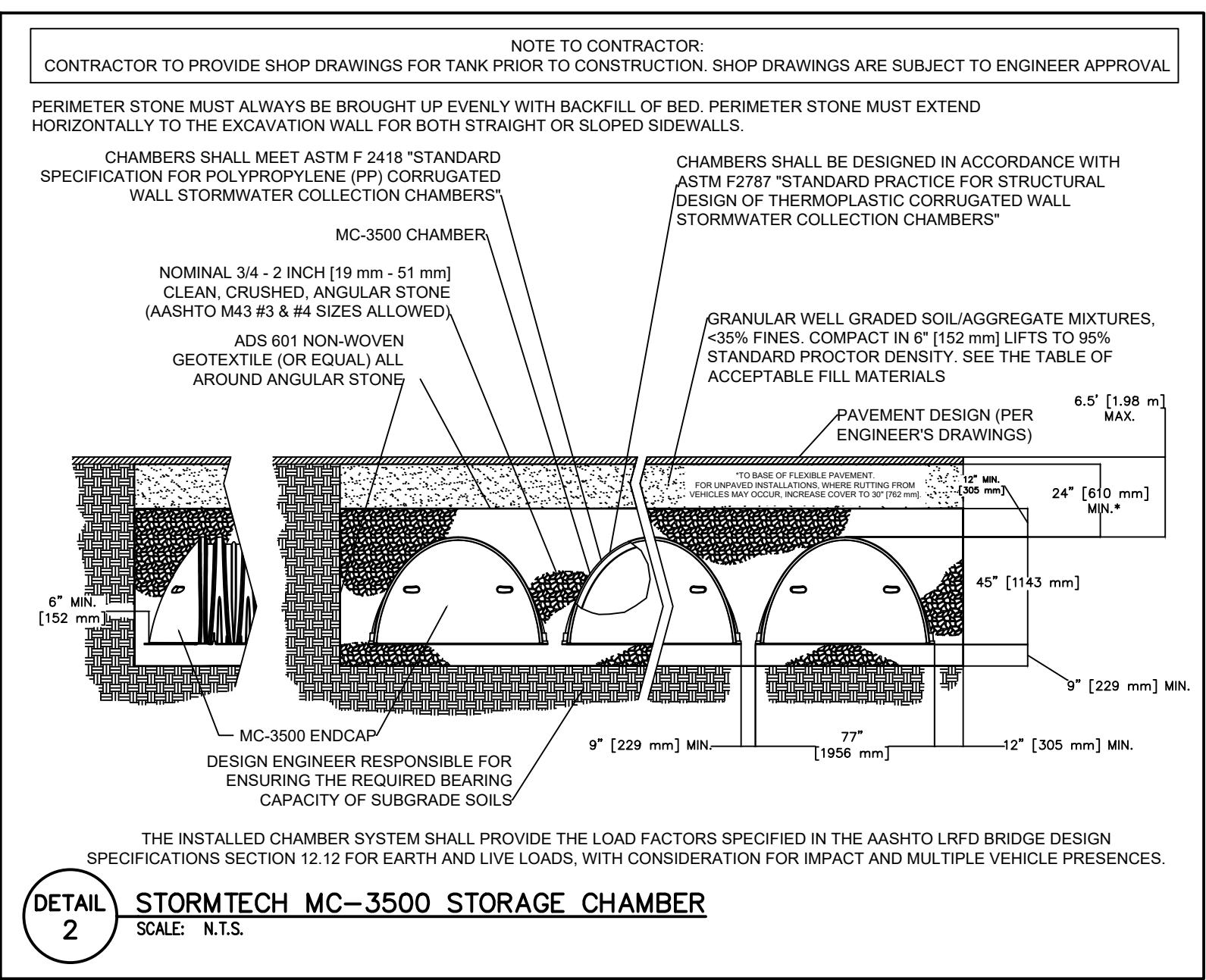
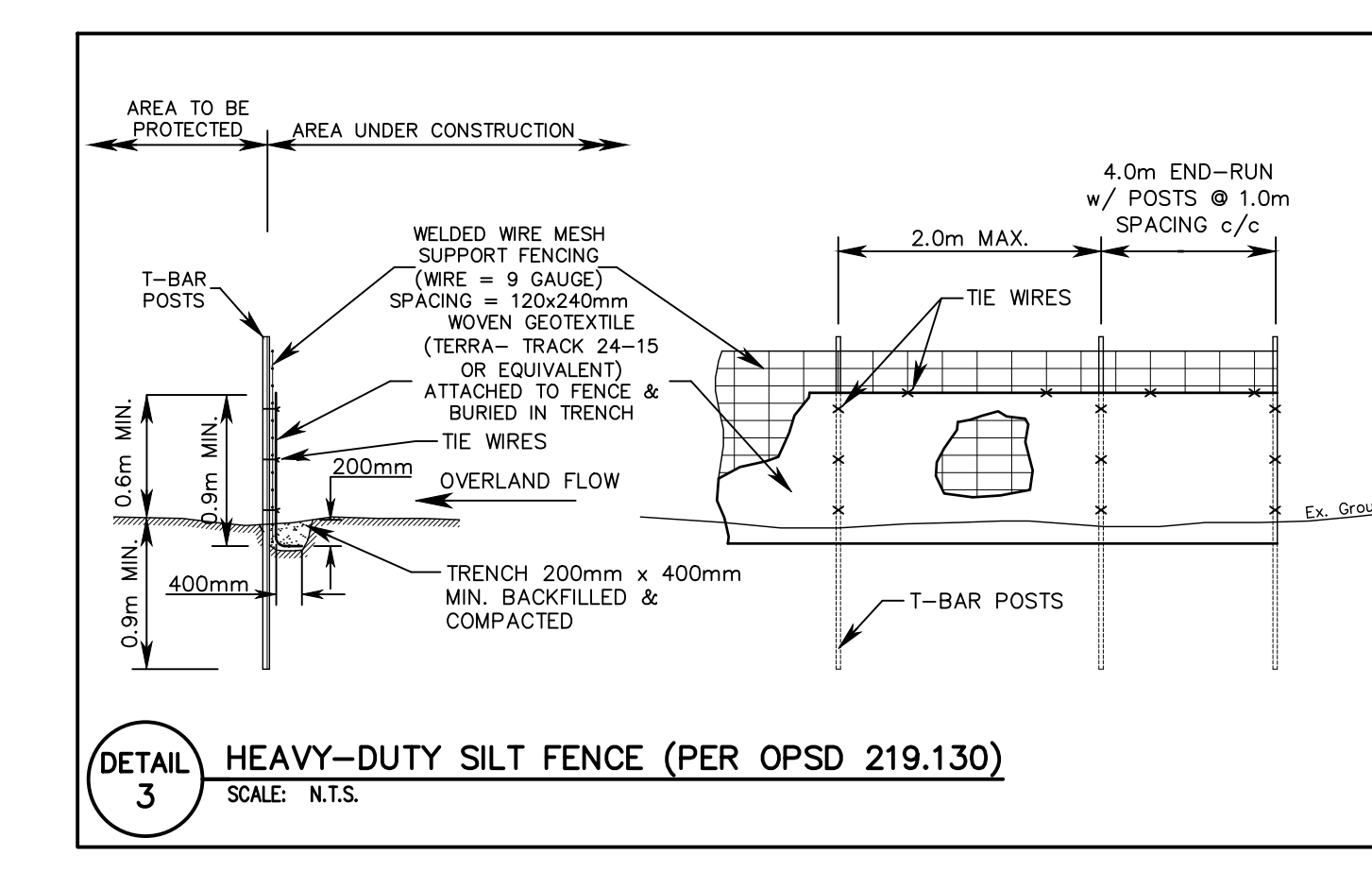
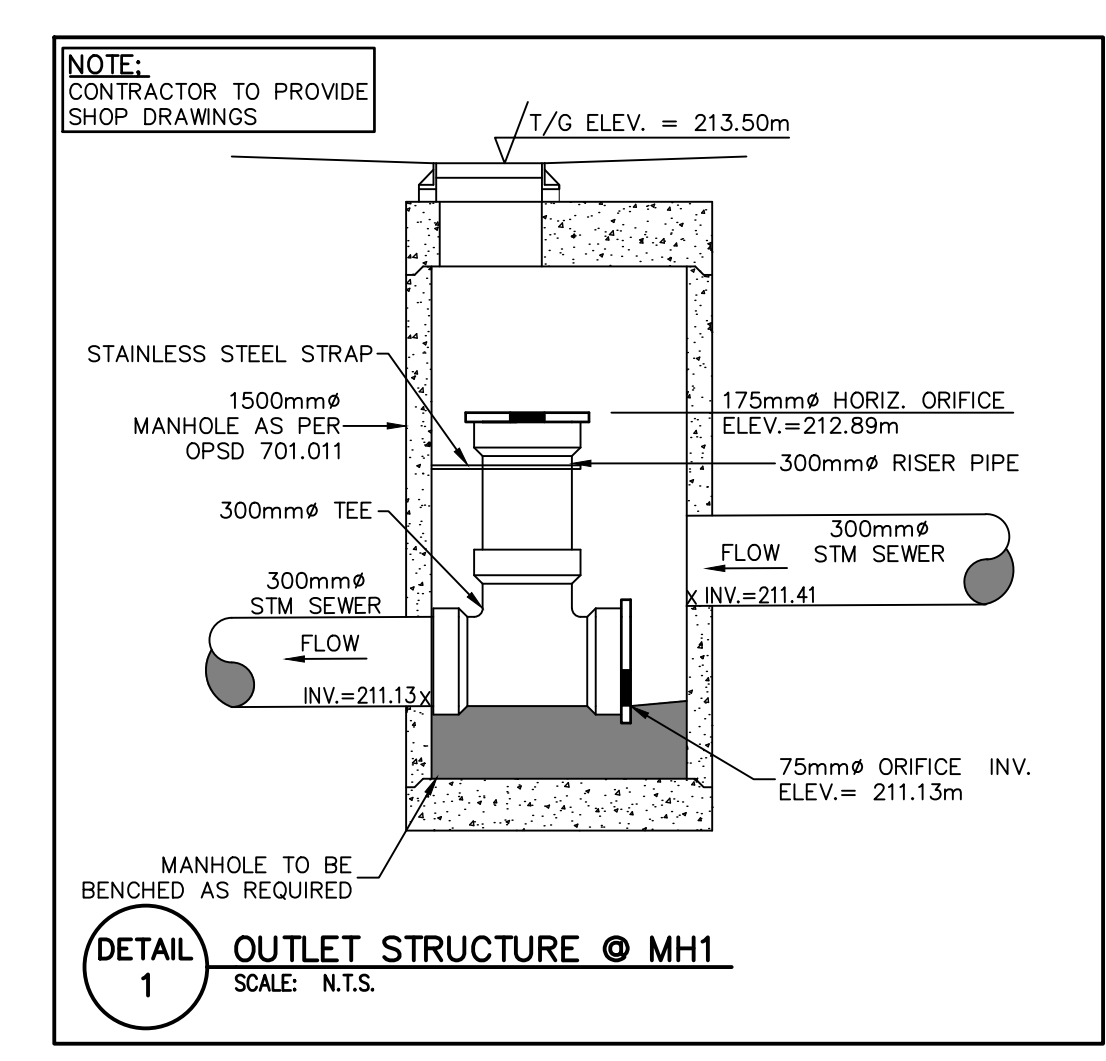
- ALONG ADJOINING PROPERTIES GRADE TO MEET EXISTING OR PROPOSED ELEVATIONS WITH SLOOED SLOPES (MIN. 3% TO 1V) AND/OR RETAINING WALLS AS SPECIFIED.
- ALL RETAINING WALLS, WALKWAYS, CURBS, ETC., SHALL BE PLACED A MIN. OF 0.45m OFF THE PROPERTY LINE. ALL WALLS 1.0M OR HIGHER SHALL BE DESIGNED BY A P.ENG.
- SHOULD A RETAINING WALL BE REQUIRED, THE TOP OF WALL ELEVATIONS SHALL BE SET 150mm ABOVE THE PROPOSED SIDE YARD SWALES.
- RETAINING WALLS 0.6m IN HEIGHT OR GREATER REQUIRE CONSTRUCTION OF A FENCE OR GUARD RAIL AT THE TOP OF THE REAR OF THE WALL. GUARDS FOR RETAINING WALLS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF EXTERIOR GUARDS AS CONTAINED IN THE ONTARIO BUILDING CODE. TOP OF FOUNDATION WALLS FOR BUILDINGS SHALL BE 150mm (MIN) ABOVE FINISHED GRADE.
- IF GRADING IS REQUIRED ON LANDS ADJACENT TO THE DEVELOPMENT WHICH ARE NOT OWNED BY THE DEVELOPER, THEN THE DEVELOPER MUST OBTAIN WRITTEN PERMISSION FROM THE ADJACENT PROPERTY OWNER TO ALLOW THE DEVELOPER TO GRADE ON THE ADJACENT LANDS, OTHERWISE RETAINING WALLS MUST BE USED.
- THE WRITTEN PERMISSION REQUIRED FROM THE ADJACENT LANDOWNER SHALL BE OBTAINED PRIOR TO ENTERING THE LANDS. SHOULD PERMISSION NOT BE OBTAINED OR IS WITHDRAWN PRIOR TO COMMENCING THE WORK, THEN THE DEVELOPER SHALL LIMIT HIS ACTIVITIES TO THE LIMITS OF THE DEVELOPMENT SITE.
- DRIVEWAY AND DRIVEWAY APPROACHES SHALL BE LOCATED SUCH THAT HYDRO VAULTS AND OTHER STREET FURNITURE ARE A MIN. OF 1.2m FROM THE PROJECTIONS OF THE OUTSIDE GARAGE WALLS.
- ANY CHANGES IN GRADES AND CATCH BASINS REQUIRE THE APPROVAL OF THE CITY'S MANAGER OF DEVELOPMENT ENGINEERING.

SILTATION AND EROSION CONTROL

- SILTATION CONTROL BARRIERS SHALL BE PLACED AS DETAILED.
- ALL SILTATION CONTROL MEASURES SHALL BE CLEANED AND MAINTAINED AFTER EACH RAINFALL AS DIRECTED AND TO THE SATISFACTION OF THE CITY OF HAMILTON AND/OR THE HAMILTON CONSERVATION AUTHORITY.
- ADDITIONAL SILT CONTROL LOCATIONS MAY BE REQUIRED AS DETERMINED BY THE ENGINEER, THE CITY OF HAMILTON AND/OR THE HAMILTON CONSERVATION AUTHORITY.
- ALL EROSION AND SEDIMENT CONTROL DEVICES MUST BE INSTALLED PRIOR TO DEVELOPMENT AND MAINTAINED THROUGHOUT THE CONSTRUCTION PROCESS, UNTIL ALL DISTURBED AREAS HAVE BEEN RE-ESTABLISHED.
- ALL EROSION AND SEDIMENT CONTROL DEVICES SHOULD BE INSPECTED MINIMUM WEEKLY, AFTER EVERY RAINFALL AND MAINTAINED AND CLEANED AS REQUIRED.
- THE OWNER IS RESPONSIBLE FOR THE REMOVAL OF ALL MUD AND DEBRIS THAT ARE TRACKED ONTO THE ROADWAYS FROM VEHICLES ENTERING AND LEAVING THE CONSTRUCTION SITE. THE OWNER SHALL, UPON VERBAL AND/OR REQUEST BY THE CITY, IMMEDIATELY PROCEED WITH THE CLEANUP OPERATION AT THEIR EXPENSE. SHOULD THE OWNER FAIL TO MAINTAIN THE ROAD AS DIRECTED, THE CITY WILL HAVE THE CLEANING CARRIED OUT, AND DRAW ON THE SECURITY FOR COSTS AND/OR LAY CHARGES.

COMPACTION REQUIREMENTS

- UNLESS OTHERWISE NOTED OR DIRECTED BY THE GEOTECHNICAL CONSULTANT, THE FOLLOWING SHALL APPLY.
- ALL BEDDING AND BACKFILL MATERIAL, ROAD SUB-GRADES AND GENERALLY ALL MATERIAL USED FOR LOT GRADING AND FILL SECTIONS, ETC., SHALL BE COMPACTED TO MIN. 98% SPD. ALL MATERIAL SHALL BE PLACED IN LAYERS NOT EXCEEDING 300mm LIFTS.
 - ALL GRANULAR ROAD BASE MATERIALS SHALL BE COMPACTED TO 98% SPD.
 - FOR ALL SEWERS AND WATERMANS IN FILL SECTIONS, THE COMPACTION SHALL BE CERTIFIED BY A GEOTECHNICAL ENGINEER PRIOR TO LAYING OF PIPE.



BENCHMARK NOTE:
MONUMENT 001975U143
IGH TENSION HYDRO TOWER ALONG SCENIC DRIVE, 0.3 KM NORTH OF MOHAWK ROAD, TABLE IN TOP OF NORTHEASTERLY CONCRETE TOWER PIER, 12.5 M WEST OF CENTRE LINE OF SCENIC DRIVE, 33 CM EAST OF STEEL LEG, 24 CM FROM EDGE OF PIER, 1 M BELOW ROAD LEVEL.
ELEVATION: 203.871 metres CGVD-1928:1978

NOTES TO CONTRACTOR:

- CONTRACTORS AND SUBCONTRACTORS SHALL NOT SCALE FROM THIS DRAWING.
- ANY INCONSISTENCIES AND OMISSIONS FOUND ON THE DRAWINGS MUST BE REPORTED TO THE ENGINEER FOR CLARIFICATION BEFORE COMMENCING THE WORK.
- PRIOR TO THE START OF CONSTRUCTION, THE CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND ELEVATIONS AND REPORT ALL FINDINGS TO THE ENGINEER. ONCE CONSTRUCTION HAS COMMENCED, THE CONTRACTOR ACCEPTS RESPONSIBILITY FOR ALL DIMENSIONS, ELEVATIONS, AND SITE CONDITIONS.
- THE POSITIONS OF POLE LINES, CONDUITS, WATERMANS, SEWERS AND OTHER UNDERGROUND AND OVER-GROUND UTILITIES AND STRUCTURES ARE NOT NECESSARILY SHOWN ON THE DRAWINGS. WHERE SHOWN ON THE DRAWING, THE ACCURACY OF THE POSITION OF SUCH UTILITIES AND STRUCTURES IS NOT GUARANTEED. BEFORE STARTING WORK, THE CONTRACTOR SHALL INFORM THEMSELVES OF THE EXACT LOCATION OF ALL SUCH UTILITIES AND STRUCTURES AND ASSUME ALL LIABILITY FOR DAMAGE TO THEM.
- ALL DRAWINGS REMAIN THE PROPERTY OF THE ENGINEER AND SHALL NOT BE REPRODUCED, REVISED, OR REVISED WITHOUT THE WRITTEN CONSENT OF S. LLEWELLYN AND ASSOCIATES LIMITED.

NO.	DATE	BY	REVISIONS
DESIGN	AS	CHK'D	SN
DRAWN	AS	CHK'D	SN

May 24, 2022

APPROVALS

STAMP

LICENSED PROFESSIONAL ENGINEER
S. J. NELSON
100229748
May 24/22
PROVINCE OF ONTARIO

S. LLEWELLYN & ASSOCIATES LIMITED
CONSULTING ENGINEERS
Tel. (905) 631-6978
Website: www.slo.on.ca
email: info@slo.on.ca

3228 South Service Road, Suite #105 East Wng, Burlington, Ont., L7N 3H8

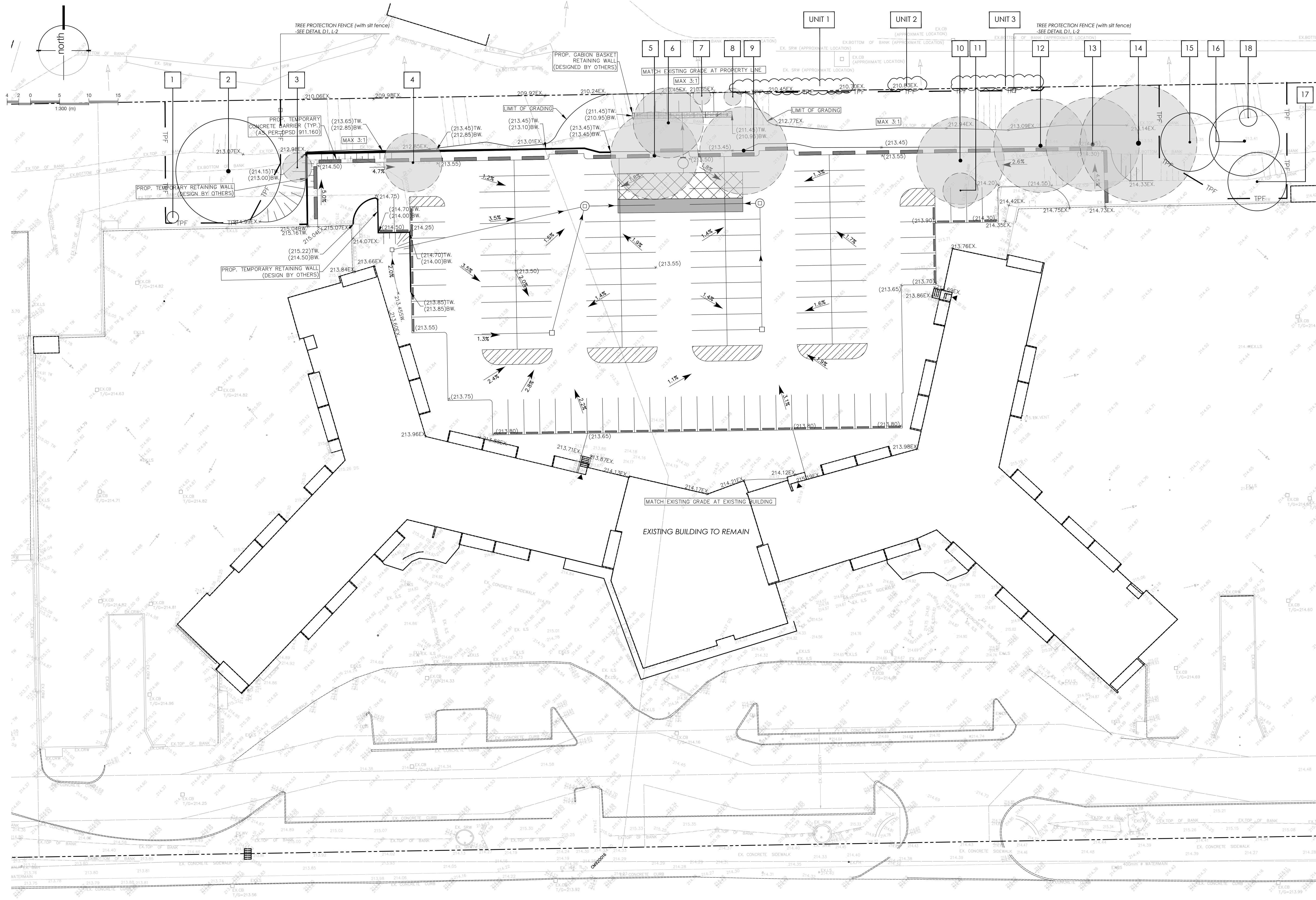
CLIENT
URBAN SOLUTIONS INC.
242 MAIN STREET EAST, HAMILTON, ONTARIO
C/O EFFORT TRUST

PROJECT NAME
750-790 MOHAWK ROAD WEST
HAMILTON, ONTARIO

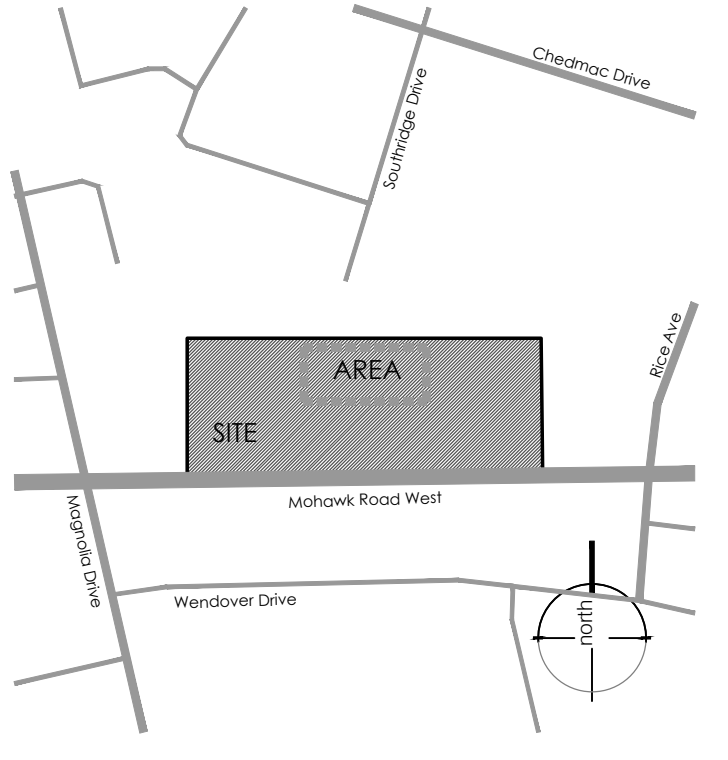
TITLE
GENERAL NOTES AND DETAILS

PROJECT No. 22045
DRAWING No. C103

SCALE 1:300



KEY MAP - N.T.S.



- LEGEND**
- property line
 - 2 existing tree number (refer to chart)
 - existing vegetation to remain
 - existing vegetation to be removed
 - existing elevations
 - (213.65)⁺ proposed elevations
 - TPF tree protection fence (with silt fence) - see detail D1, L-2

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

NOTE:
Vegetation inventory undertaken by Carleigh Pope, ISA Certified Arborist (ON-2578A) on 2022-05-17.

REVISIONS/ SUBMISSIONS

#	DATE	DESCRIPTION
1	2022-05-25	Issued for submission



CLIENT
The Effort Trust Company
MUNICIPALITY
City of Hamilton

PROJECT
750-790 Mohawk Road West

MUNICIPAL FILE NUMBER

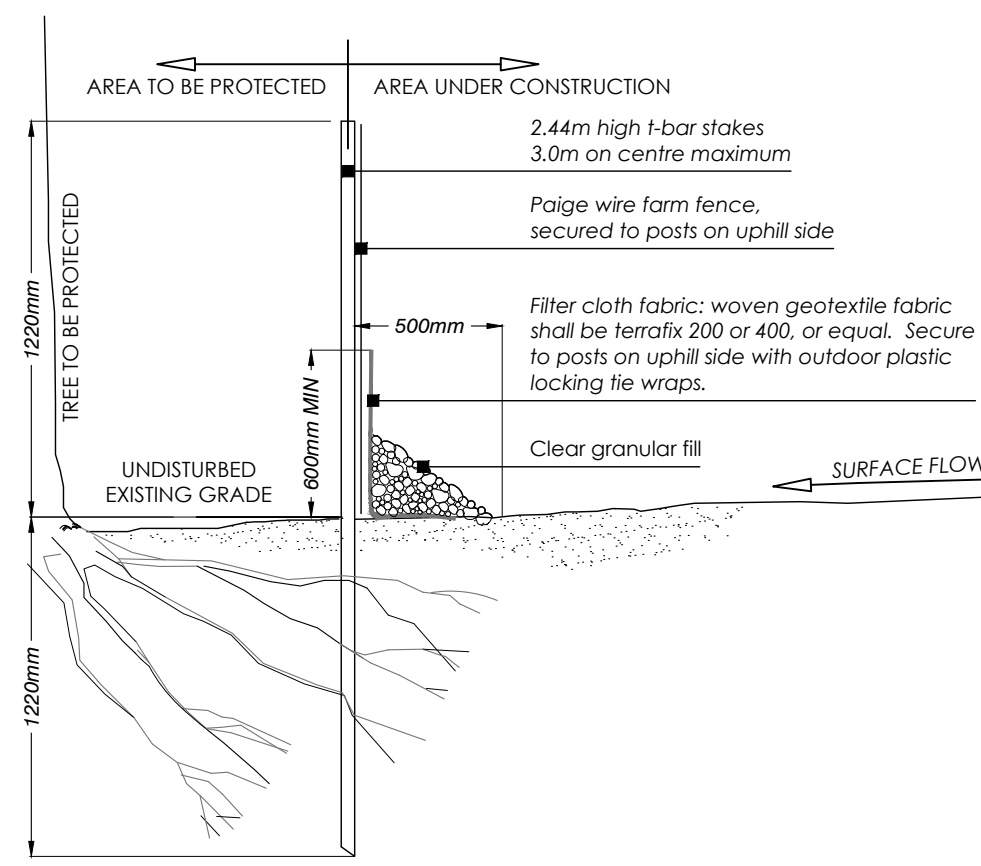
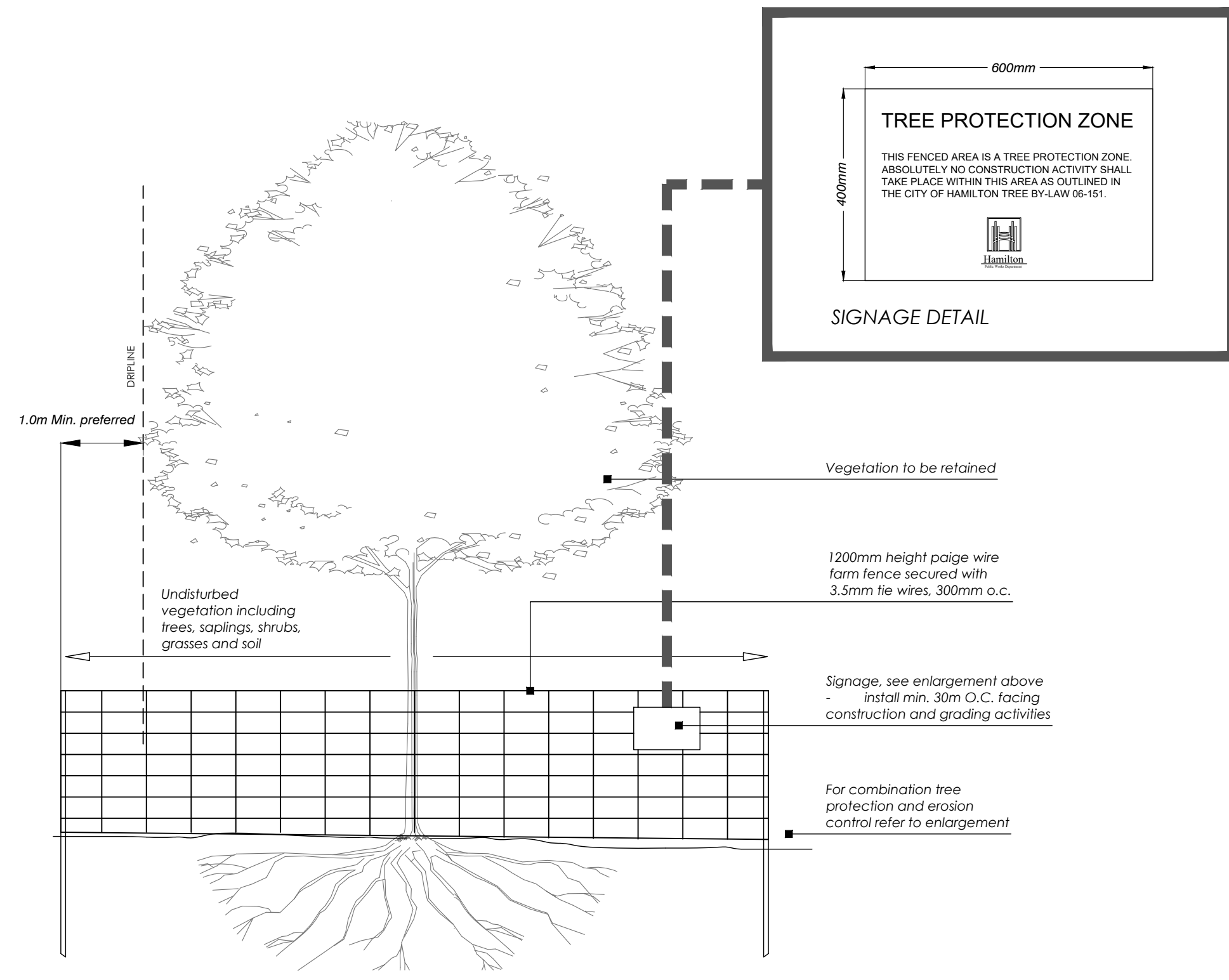
SHEET
Tree Protection Plan **L-1**

adesso design inc.
landscape architecture

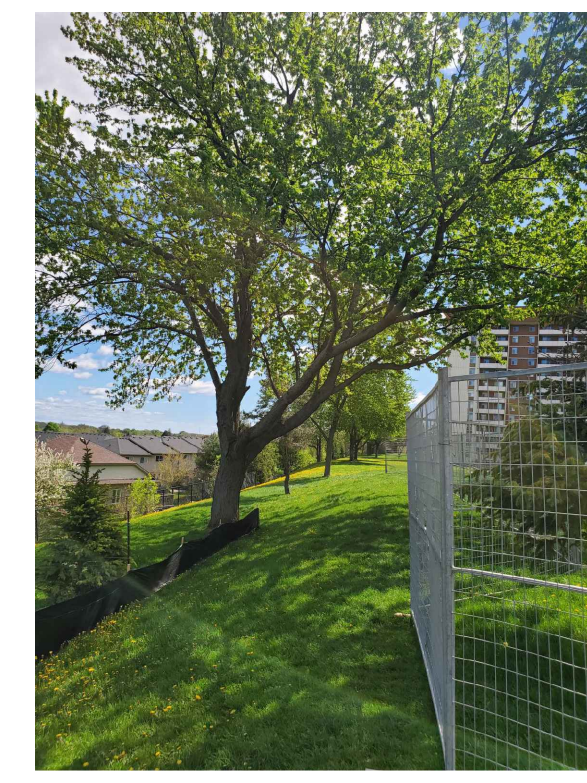
218 Locke Street South, 2nd Floor
Hamilton, ON L8P 4B4
t. 905.526.8876
www.adessodesigninc.ca

NOTE
1. A 'Verification of Tree Protection Letter' by the tree management professional is to be provided to the Director of Planning of the City of Hamilton to confirm that all tree protection measures have been installed prior to the undertaking of any grading activities.

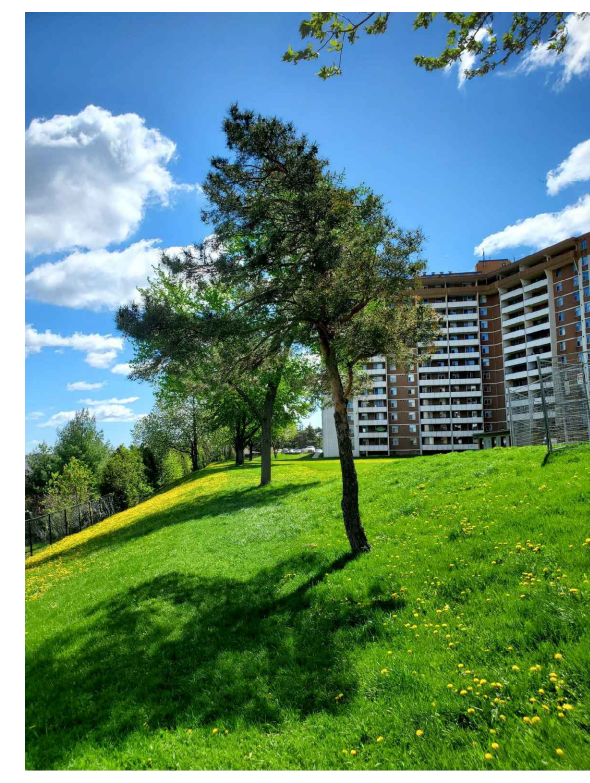
Project: 22-097, 750-790 Mohawk Road West, Hamilton, ON L8P 4B4
 Date: 2022-05-25
 Author: Carleigh Pope, ISA Certified Arborist (ON-2578A)
 Checked: Carleigh Pope, ISA Certified Arborist (ON-2578A)
 Drawn: Carleigh Pope, ISA Certified Arborist (ON-2578A)
 Scale: As Shown
 Project Manager: Carleigh Pope, ISA Certified Arborist (ON-2578A)
 Client: The Effort Trust Company
 Municipality: City of Hamilton
 Project: 750-790 Mohawk Road West
 Sheet: Tree Protection Plan L-1
 Date: 2022-05-25



- NOTES:**
- The area within the dripline of all existing trees shall be properly protected with temporary fencing.
 - The area within the protective fencing shall remain undisturbed with no construction activity, grade changes, surface treatment, compaction, or excavation. Area shall not be used for the storage of building materials or equipment access/storage or project related garbage.
 - Tree protection measures shall be installed prior to any demolition, tree removal or construction and shall remain until the completion of fine grading and sodding or seeding.
 - Prune all trees for dead, diseased, weak or hazardous branches only. Also trim back branches which will interfere with construction, prune for structural restoration where necessary.
 - No stockpiles and/or excavated material shall be placed within the tree preservation area.
 - No rigging cable shall be wrapped around or installed to trees.
 - Where root systems of protected trees are exposed directly adjacent to or damaged by construction work they are to be root pruned and the area back filled with topsoil to prevent root desiccation.
 - Any fine grading within the preservation area is to be done by hand, no heavy equipment is permitted within the preservation zone.
 - Sediment accumulations to be removed by subdivider/builder when sediment deposits reach within 150mm of top of filter fabric barrier.
 - City of Hamilton Urban Forester to be contacted and a site visit to be coordinated between the City of Hamilton, the Developer and the qualified arborist performing tree service prior to any alteration of municipal trees.
 - A copy of the approved and signed Vegetation Management Plan will be on site for the duration of construction and available upon request from the City of Hamilton Forestry & Horticulture representative.
 - This detail does not represent any particular tree species.



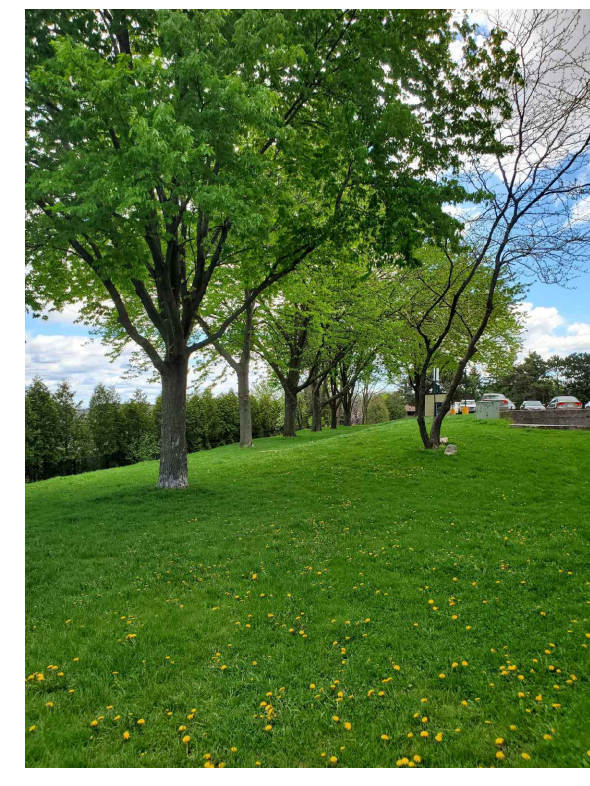
Tree #2



Trees #3-4



Trees #5-7



Trees #10-16



Units 1-3

Tree Protection Fencing (with silt fence)

SCALE: NTS

1
L-2

EXISTING VEGETATION IDENTIFICATION TABLE

Tree #	Species (Common Name)	Species (Botanical Name)	DBH (cm)	Crown Class*	Condition**	Crown Width (m)	Comments	Potential Impacts from Construction	Ownership	Recommendation
1	White Spruce	<i>Picea glauca</i>	10	D	Fair-Poor	2	poor form, weak leader, Dead/broken branches(moderate), asymmetrical canopy,	TREE NOT SURVEYED - none	Private - Subject Site	SAVE
2	Silver Maple	<i>Acer saccharinum</i>	81	D	Good	18	conflict with rubbing branches in canopy, included bark at union, Dead/broken branches(minor)	minor mtpz encroachment due to proposed grading and insufficient space for full mtpz	Private - Subject Site	SAVE
3	Scots Pine	<i>Pinus sylvestris</i>	16	D	Fair-Poor	6	poor form, Dead/broken branches(moderate), conflict with rubbing branches in canopy, asymmetrical canopy	direct conflict with proposed grading and temporary retaining wall	Private - Subject Site	REMOVE
4	Silver Maple	<i>Acer saccharinum</i>	49	D	Fair-Good	10	asymmetrical canopy, slight lean south, Poor branch taper(minor), co-dominant leaders at 6m	direct conflict with proposed parking area	Private - Subject Site	REMOVE
5	Silver Maple	<i>Acer saccharinum</i>	59	C	Good-Fair	15	asymmetrical canopy, surface roots exposed with healed wounds, Poor branch taper(moderate), suspected girdling root	direct conflict with proposed parking area	Private - Subject Site	REMOVE
6	Canada Plum	<i>Prunus nigra</i>	40, 27	C	Fair	12	included bark(moderate), Poor branch taper(moderate), poor form, conflict with rubbing branches in canopy, co-dominant leaders at 1m	direct conflict with proposed perforated subdrain and grading	Private - Subject Site	REMOVE
7	Canada Plum	<i>Prunus nigra</i>	10	C	Fair	3	conflict with existing chain link fence, poor form	TREE NOT SURVEYED - direct conflict with proposed grading	Private - Subject Site	REMOVE
8	Canada Plum	<i>Prunus nigra</i>	10	C	Fair	3	conflict with existing chain link fence, poor form	TREE NOT SURVEYED - direct conflict with proposed grading	Private - Subject Site	REMOVE
9	Silver Maple	<i>Acer saccharinum</i>	44	D	Good	15	asymmetrical canopy, Poor branch taper(minor), surface roots exposed with healed wounds, included bark(minor)	TREE NOT SURVEYED - direct conflict with proposed parking area	Private - Subject Site	REMOVE
10	Silver Maple	<i>Acer saccharinum</i>	48	D	Good-Fair	15	epicormic branching(minor), Dead/broken branches(minor), included bark(minor), HSW at base	direct conflict with proposed parking area	Private - Subject Site	REMOVE
11	Thornless Honeylocust	<i>Gleditsia triacanthos var. inermis</i>	18, 14	D	Fair	6	co-dominant leaders at 0.3m, poor form, epicormic branching(minor), heavily pruned, leaning south, sparse crown	TREE NOT SURVEYED - direct conflict with proposed parking area	Private - Subject Site	REMOVE
12	Silver Maple	<i>Acer saccharinum</i>	50	C	Fair	16	sparse crown, decay visible on scaffold branch, Poor branch taper(moderate), epicormic branching	direct conflict with proposed parking area	Private - Subject Site	REMOVE
13	Silver Maple	<i>Acer saccharinum</i>	67	C	Fair	16	Dead/broken branches(minor), conflict with rubbing branches in canopy, Poor branch taper(moderate), shedding collars	direct conflict with proposed parking area and grading	Private - Subject Site	REMOVE
14	Silver Maple	<i>Acer saccharinum</i>	68	C	Fair-Poor	20	poor form, Poor branch structure(severe), epicormic branching, metal stake embedded in stem	direct conflict with proposed parking area and grading	Private - Subject Site	REMOVE
15	Norway Maple	<i>Acer platanoides</i>	44	C	Fair	10	included bark at union, Dead/broken branches(minor), asymmetrical canopy, Poor branch taper(minor), Poor branch structure(minor)	none	Private - Subject Site	SAVE
16	Silver Maple	<i>Acer saccharinum</i>	62	C	Fair-Poor	12	included bark at unions, Dead/broken branches(moderate), Poor branch taper, significant branch dead	none	Private - Subject Site	SAVE
17	Silver Maple	<i>Acer saccharinum</i>	52	C	Fair	10	Dead/broken branches(moderate), included bark(moderate)	minor mtpz encroachment due to proposed grading and insufficient space for full mtpz	Private - Subject Site	SAVE
18	Siberian Crabapple	<i>Malus baccata</i>	3 x 8	C	Fair-Poor	3	Leaning east, poor form, included bark(moderate), asymmetrical canopy, co-dominant leaders at 0.5m	TREE NOT SURVEYED - none	Private - Subject Site	SAVE
UNIT 1 (28 trees)	Eastern White Cedar	<i>Thuja occidentalis</i>	9	C	Fair	1.5	20 individuals	TREES NOT SURVEYED - mtpz encroachment due to proposed grading. Root prune affected individuals as necessary	Private - Neighbouring	SAVE
			10	C	Fair	1.5	8 individuals	TREES NOT SURVEYED - mtpz encroachment due to proposed grading. Root prune affected individuals as necessary	Private - Neighbouring	SAVE
			13	C	Good	1.5	3 individuals	TREES NOT SURVEYED - none	Private - Neighbouring	SAVE
UNIT 2 (8 trees)	Eastern White Cedar	<i>Thuja occidentalis</i>	14	C	Good	1.5	3 individuals	TREES NOT SURVEYED - none	Private - Neighbouring	SAVE
			15	C	Good	1.5	2 individuals	TREES NOT SURVEYED - none	Private - Neighbouring	SAVE
			10	C	Good-Fair	1.5	6 individuals	TREES NOT SURVEYED - none	Private - Neighbouring	SAVE
UNIT 3 (14 trees)	Eastern White Cedar	<i>Thuja occidentalis</i>	11	C	Good-Fair	1.5	5 individuals	TREES NOT SURVEYED - none	Private - Neighbouring	SAVE
			12	C	Good-Fair	1.5	3 individuals	TREES NOT SURVEYED - none	Private - Neighbouring	SAVE

TOTAL TREES RECOMMENDED FOR REMOVAL: 12

TREE REMOVAL:
1. No trees shall be removed prior to municipal approvals of the Tree Management/Tree Preservation Plan.

BOUNDARY TREES:
2. Note that boundary trees are protected under the Ontario Forestry Act. Boundary trees are defined in the Forestry Act (Section 10.2) and are considered shared or co-owned property. The Forestry Act indicates that it is a prosecutable offense for one co-owner to injure or cut down a boundary tree without the other co-owner's permission.
3. Written permission from the neighbouring property owner is required prior to removal or injury of any boundary tree (shared ownership) or any tree that is not fully on the subject property.
4. An ISA certified arborist should be on site prior to any work being performed within the rootzone of a boundary or neighbouring tree to perform root pruning as required.

MIGRATORY BIRDS AND NESTS:
1. The Owner and Contractor must be aware of the Migratory Birds Convention Act, 1994 - specifically:
• No tree removal or construction activity shall contravene the Act.
• Construction activities with the potential to harm migratory birds or their nest should be restricted from March 15 to August 31.
• If work must occur during the migratory bird breeding season, a nest survey should be taken by a qualified avian biologist.
• A mitigation plan (showing active nests and appropriate buffers) may be required for review and approval by the Canadian Wildlife Services.

LEGEND
* CROWN CLASS
Dominant - (D) Emergent canopy (receives full sunlight)
Co-dominant - (C) Not fully emergent (top of canopy receives sunlight)
Intermediate - (I) Sub-canopy tree (receives partial sunlight)
** CONDITION - consideration of trunk integrity, crown structure and crown vigor
Good - few or no issues related to trunk integrity, crown structure or crown vigor
Fair - minor issues related to trunk integrity, crown structure (form, some dead or damaged branches) or crown vigor (20-80% healthy foliage)
Poor - issues with trunk integrity such as cavities or exposed dead wood, poor crown structure (poor form, no clear leader, significant dead or damaged branches) or poor crown vigor (<20% healthy foliage)

CONDITION OF TREES
The decision to remove or retain a tree is subject to the forecasted development impacts, the structural condition of the tree (e.g. cracks, cavities, decay, weak branching, leaning, hazard potential), the biological condition of the tree (e.g. pest or disease concerns, overall health) and the suitability of the tree in its location (e.g. hardness, soil conditions, salt tolerance, visual obstruction, available soil volume)

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

NOTE:
Vegetation inventory undertaken by Carleigh Pope, ISA Certified Arborist (ON-2578A) on 2022-05-17.

REVISIONS/ SUBMISSIONS

#	DATE	DESCRIPTION
1	2022-05-25	Issued for submission



CLIENT
The Effort Trust Company
MUNICIPALITY
City of Hamilton

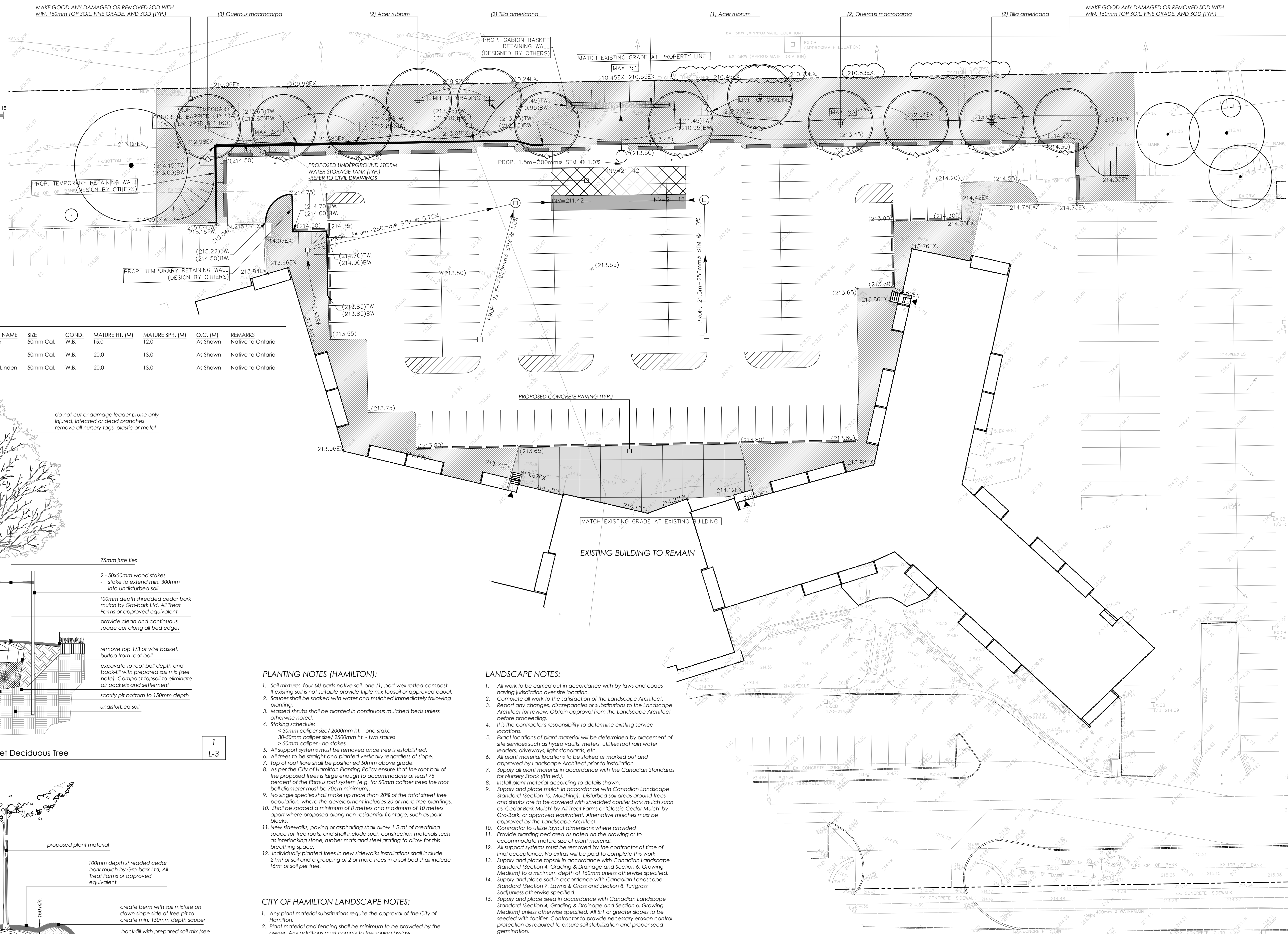
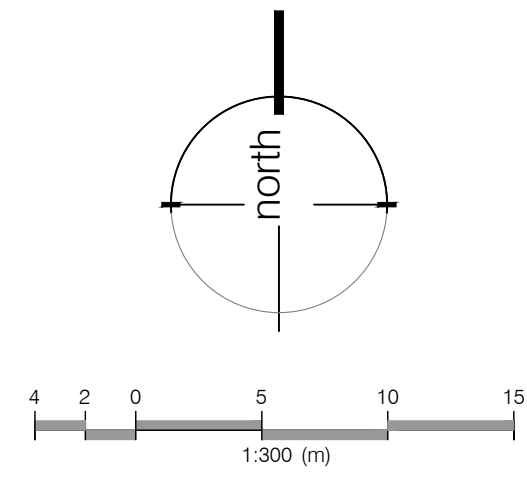
PROJECT
750-790 Mohawk Road West

MUNICIPAL FILE NUMBER

SHEET
Tree Protection Details L-2

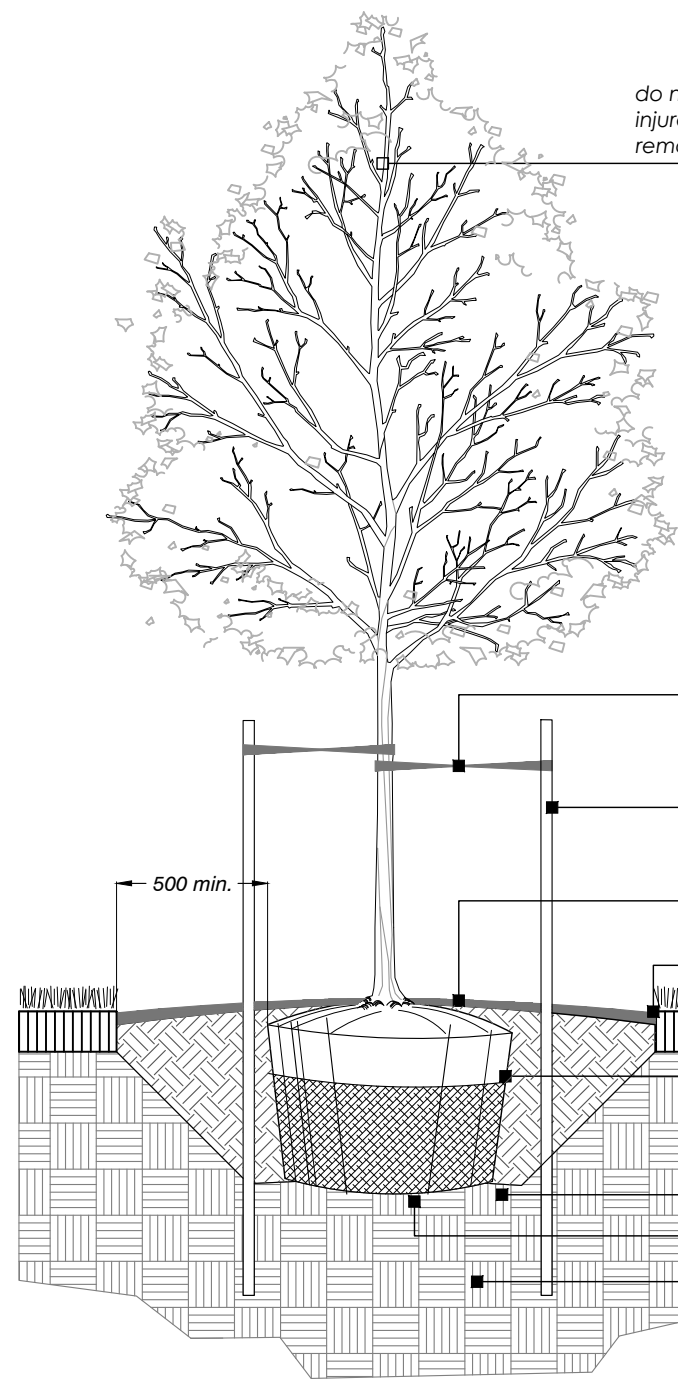
adesso design inc.
landscape architecture

218 Locke Street South, 2nd Floor
Hamilton, ON L8P 4B4
t. 905.526.8876
www.adessodesigninc.ca



PLANT SCHEDULE

TREES	BOTANICAL NAME	COMMON NAME	SIZE	COND.	MATURE HT. (M)	MATURE SPR. (M)	O.C. (M)	REMARKS
3	Acer rubrum	Red Maple	50mm Cal.	W.B.	15.0	12.0	As Shown	Native to Ontario
5	Quercus macrocarpa	Burr Oak	50mm Cal.	W.B.	20.0	13.0	As Shown	Native to Ontario
4	Tilia americana	American Linden	50mm Cal.	W.B.	20.0	13.0	As Shown	Native to Ontario



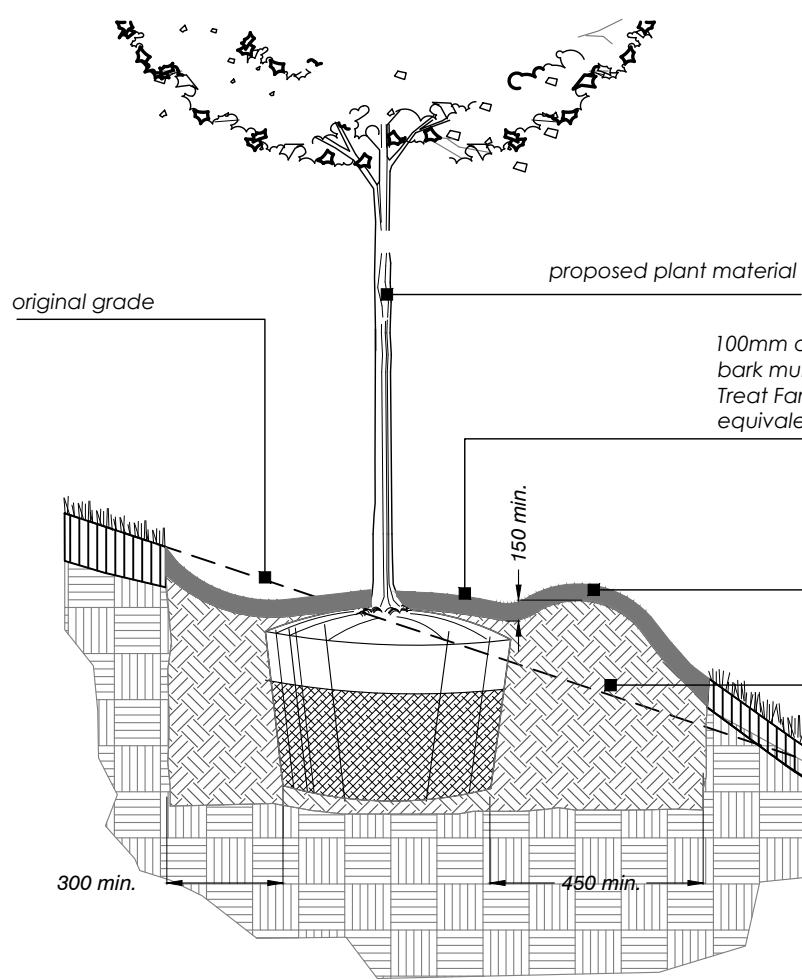
do not cut or damage leader/prune only injured, infected or dead branches
remove all nursery tags, plastic or metal

- 75mm jute ties
- 2 - 50x50mm wood stakes - stake to extend min. 300mm into undisturbed soil
- 100mm depth shredded cedar bark mulch by Gro-Bark Ltd. All Treat Farms or approved equivalent
- provide clean and continuous spade cut along all bed edges
- remove top 1/3 of wire basket, burlap from root ball
- excavate to root ball depth and back-fill with prepared soil mix (see note). Compact topsoil to eliminate air pockets and settlement
- scarify pit bottom to 150mm depth
- undisturbed soil

Balled & Burlapped/ Wire Basket Deciduous Tree

SCALE: NTS

1 L-3



- 100mm depth shredded cedar bark mulch by Gro-Bark Ltd. All Treat Farms or approved equivalent
- create berm with soil mixture on down slope side of tree pit to create min. 150mm depth saucer
- back-fill with prepared soil mix (see note) compact topsoil to eliminate air pockets and settlement
- undisturbed soil

Slope Planting

SCALE: NTS

2 L-3

PLANTING NOTES (HAMILTON):

- Soil mixture: four (4) parts native soil, one (1) part well rotted compost. If existing soil is not suitable provide triple mix topsoil or approved equal.
- Saucer shall be soaked with water and mulched immediately following planting.
- Matted shrubs shall be planted in continuous mulched beds unless otherwise noted.
- Staking schedule:
- < 30mm caliper size/ 2000mm ht. - one stake
- 30-50mm caliper size/ 2500mm ht. - two stakes
- 50mm caliper - no stakes
- All support systems must be removed once tree is established.
- All trees to be straight and planted vertically regardless of slope.
- Top of root flare shall be positioned 50mm above grade.
- As per the City of Hamilton Planting Policy ensure that the root ball of the proposed trees is large enough to accommodate at least 75 percent of the fibrous root system (e.g. for 50mm caliper trees the root ball diameter must be 70cm minimum).
- No single species shall make up more than 20% of the total street tree population, where the development includes 20 or more tree plantings.
- Shall be spaced a minimum of 8 meters and maximum of 10 meters apart where proposed along non-residential frontage, such as park blocks.
- New sidewalks, paving or asphalt shall allow 1.5 m² of breathing space for tree roots, and shall include such construction materials such as interlocking stone, rubber mats and steel grating to allow for this breathing space.
- Individually planted trees in new sidewalk installations shall include 21m² of soil and a grouping of 2 or more trees in a soil bed shall include 16m² of soil per tree.

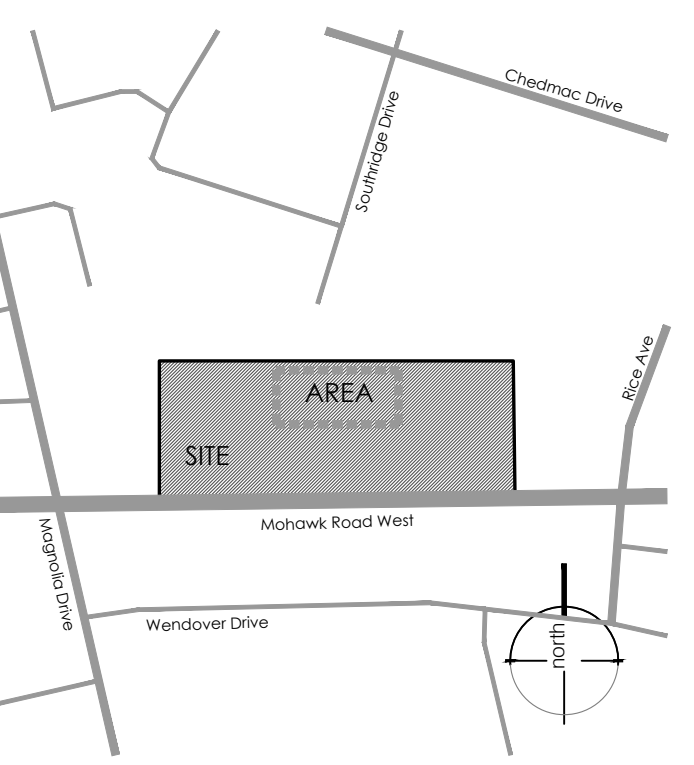
CITY OF HAMILTON LANDSCAPE NOTES:

- Any plant material substitutions require the approval of the City of Hamilton.
- Plant material and fencing shall be minimum to be provided by the owner. Any additions must comply to the zoning by-law.
- Any sodding, planting or work on lands abutting the property from the lot lines to sidewalk and curbing shall be to the satisfaction of the City of Hamilton.
- All landscaping shall be installed prior to the end of the first growing season following the start of the development.
- Unless otherwise specified all landscaped areas are to be sodded.
- Unless otherwise specified all undeveloped areas shall be undisturbed and kept free and clear of debris and maintained.

LANDSCAPE NOTES:

- All work to be carried out in accordance with by-laws and codes having jurisdiction over site location.
- Complete all work to the satisfaction of the Landscape Architect.
- Report any changes, discrepancies or substitutions to the Landscape Architect for review. Obtain approval from the Landscape Architect before proceeding.
- It is the contractor's responsibility to determine existing service locations.
- Exact locations of plant material will be determined by placement of site services such as hydro vaults, meters, utilities roof rain water leaders, driveways, light standards, etc.
- All plant material locations to be staked or marked out and approved by Landscape Architect prior to installation.
- Supply all plant material in accordance with the Canadian Standards for Nursery Stock (8th ed.).
- Install plant material according to details shown.
- Supply and place mulch in accordance with Canadian Landscape Standard (Section 10, Mulching). Disturbed soil areas around trees and shrubs are to be covered with shredded cedar bark mulch such as Cedar Bark Mulch by All Treat Farms or Classic Cedar Mulch by Gro-Bark, or approved equivalent. Alternative mulches must be approved by the Landscape Architect.
- Contractor to utilize layout dimensions where provided.
- Provide planting bed area as noted on the drawing or to accommodate mature size of plant material.
- All support systems must be removed by the contractor at time of final acceptance. No extras will be paid to complete this work.
- Supply and place topsoil in accordance with Canadian Landscape Standard (Section 4, Grading & Drainage and Section 6, Growing Medium) to a minimum depth of 150mm unless otherwise specified.
- Supply and place sod in accordance with Canadian Landscape Standard (Section 7, Lawns & Grass and Section 8, Turfgrass) Sod unless otherwise specified.
- Supply and place seed in accordance with Canadian Landscape Standard (Section 4, Grading & Drainage and Section 6, Growing Medium) unless otherwise specified. All 5:1 or greater slopes to be seeded with facier. Contractor to provide necessary erosion control protection as required to ensure soil stabilization and proper seed germination.
- All dimensions in meters unless otherwise noted.
- If discrepancies arise between plant material count shown on drawing and plant list, the drawing shall be considered correct.
- Contractor to provide minimum one (1) year warranty (including trees on municipal property) from date accepted on all work unless otherwise specified.
- Any site plan or grading and servicing shown is for information only. Refer to approved drawings.
- Not for construction unless stamped, signed and dated by Landscape Architect.
- Drawings not to be reproduced without written consent from Landscape Architect.
- Approval of landscape plan to be obtained from municipality.
- All plant material to be planted a minimum of 1.0m from any swales or ditches.
- For grading and servicing information refer to the consulting Engineer's drawings.
- For lighting information and power distribution refer to the electrical consultant's drawings.

KEY MAP - N.T.S.



LEGEND

- property line
- existing tree to remain
- proposed deciduous tree
- existing elevation
- proposed elevation
- min. 150mm topsoil, fine grade & sod
- C.I.P. concrete

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

REVISIONS/ SUBMISSIONS

#	DATE	DESCRIPTION
1	2022-05-25	Issued for submission



CLIENT
The Effort Trust Company

MUNICIPALITY
City of Hamilton

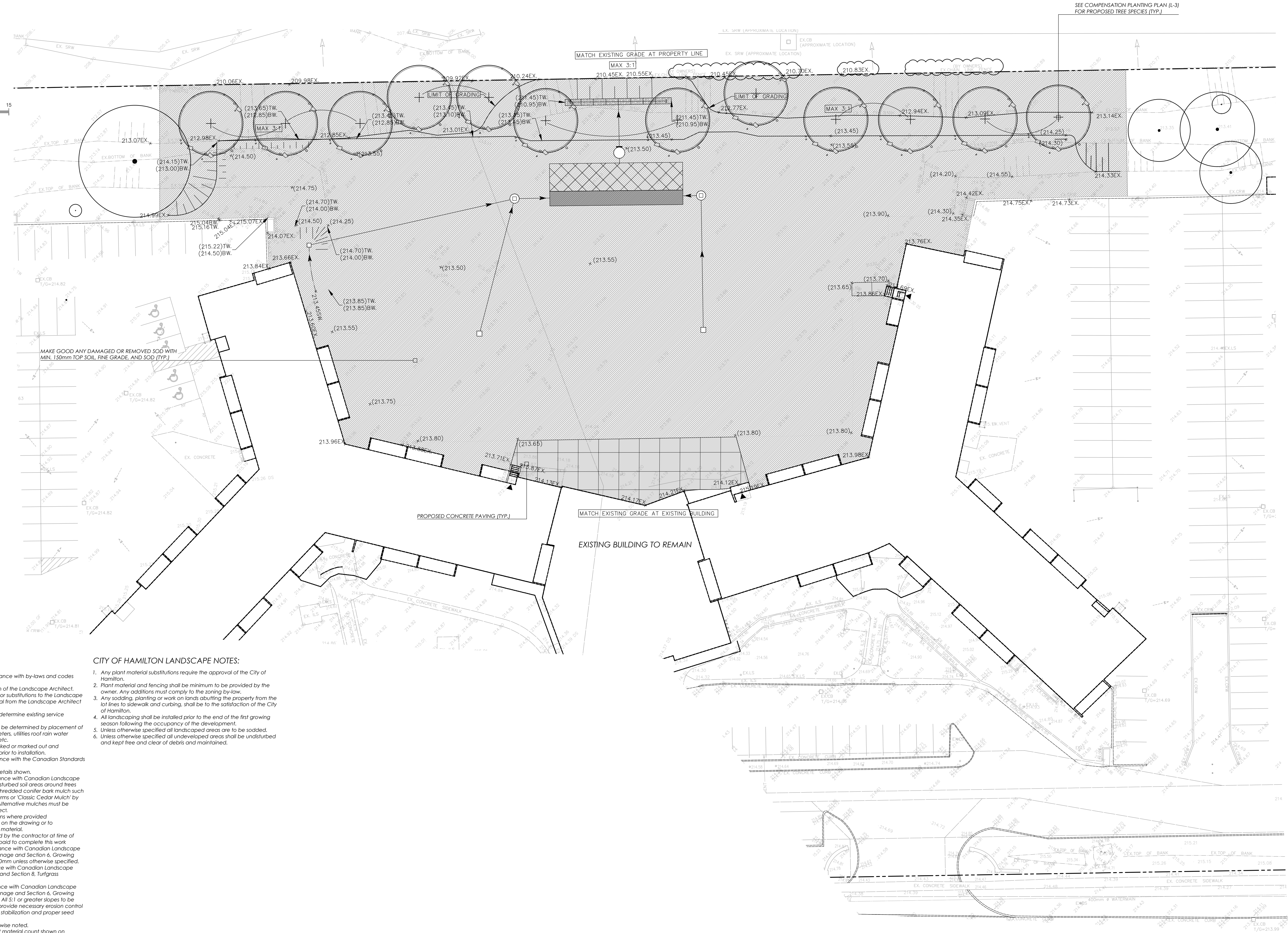
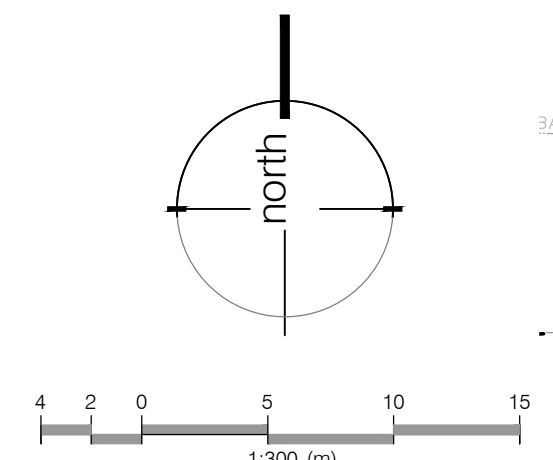
PROJECT
750-790 Mohawk Road West

MUNICIPAL FILE NUMBER

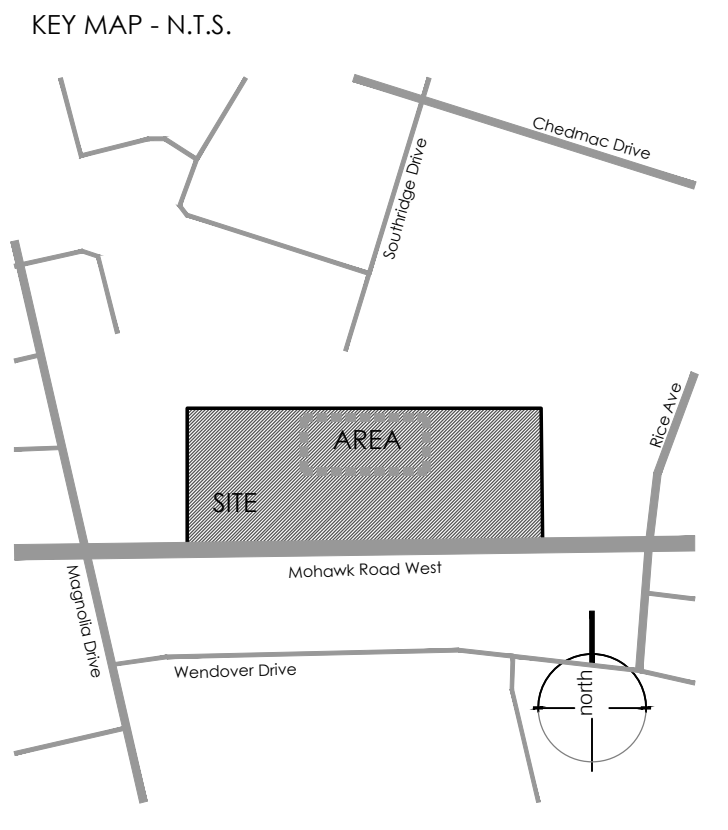
SHEET
Compensation Planting Plan **L-3**

adesso design inc.
landscape architecture

218 Locke Street South, 2nd Floor
Hamilton, ON L8P 4B4
t. 905.526.8876
www.adessodesigninc.ca



SEE COMPENSATION PLANTING PLAN (L-3) FOR PROPOSED TREE SPECIES (TYP.)



LEGEND

- property line
- existing tree to remain
- ⊕ proposed deciduous tree
- existing elevation
- (213.65)* proposed elevation
- ▨ min. 150mm topsoil, fine grade & sod
- C.I.P. concrete

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

#	DATE	DESCRIPTION
1	2022-05-25	Issued for submission



CLIENT
The Effort Trust Company
MUNICIPALITY
City of Hamilton

PROJECT
750-790 Mohawk Road West

MUNICIPAL FILE NUMBER

SHEET
Landscape Plan
Final Condition
L-4

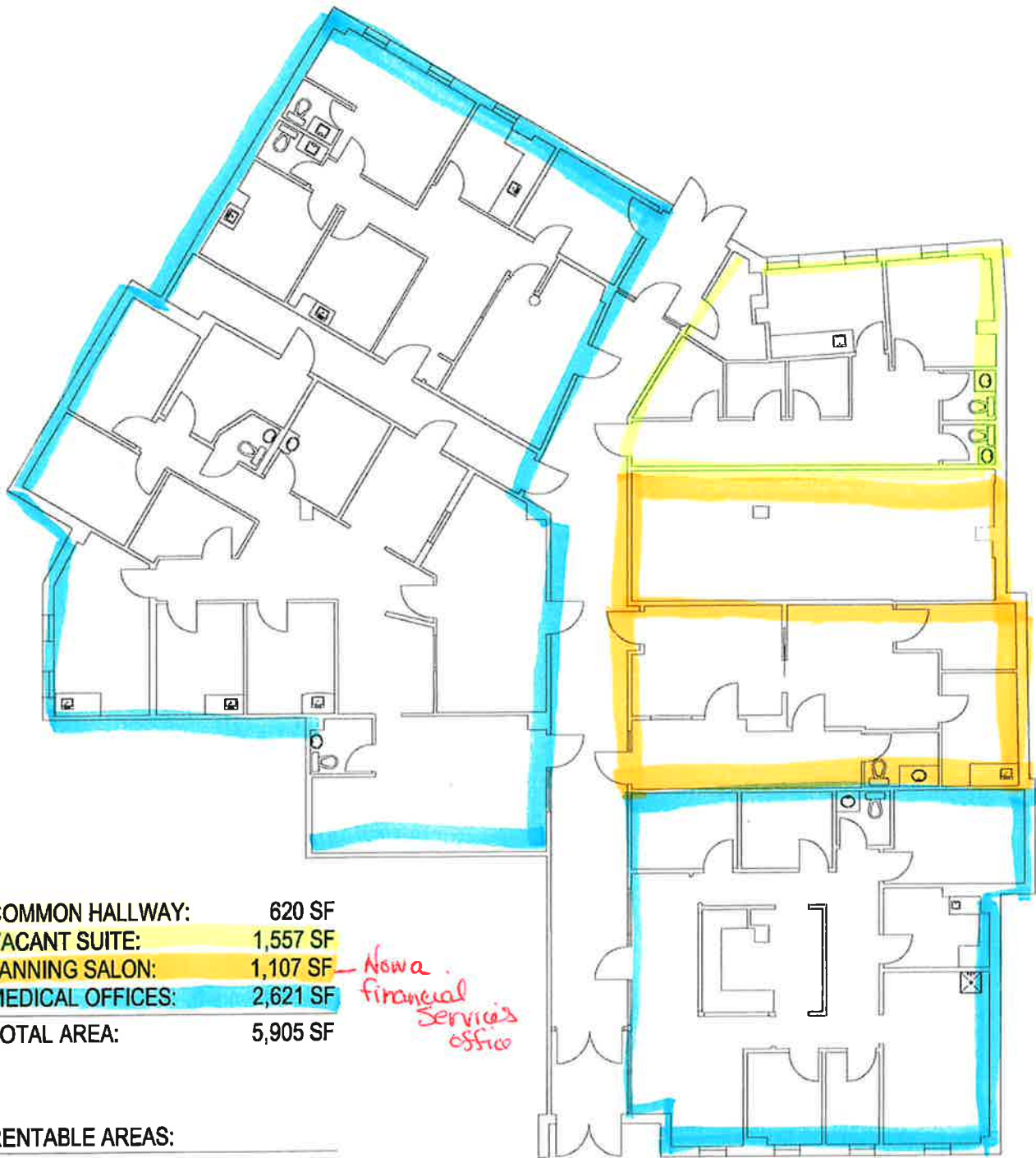
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- LANDSCAPE NOTES:**
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 - Complete all work to the satisfaction of the Landscape Architect.
 - Report any changes, discrepancies or substitutions to the Landscape Architect for review. Obtain approval from the Landscape Architect before proceeding.
 - It is the contractor's responsibility to determine existing service locations.
 - Exact locations of plant material will be determined by placement of site services such as hydrant vaults, meters, utilities roof rain water leaders, driveways, light standards, etc.
 - All plant material locations to be staked or marked out and approved by Landscape Architect prior to installation.
 - Supply all plant material in accordance with the Canadian Standards for Nursery Stock (8th ed.).
 - Install plant material according to details shown.
 - Supply and place mulch in accordance with Canadian Landscape Standard (Section 10, Mulching). Disturbed soil areas around trees and shrubs are to be covered with shredded conifer bark mulch such as 'Cedar Bark Mulch' by All Treat Farms or 'Classic Cedar Mulch' by Gro-Bark, or approved equivalent. Alternative mulches must be approved by the Landscape Architect.
 - Contractor to utilize layout dimensions where provided.
 - Provide planting bed area as noted on the drawing or to accommodate mature size of plant material.
 - All support systems must be removed by the contractor at time of final acceptance. No extras will be paid to complete this work.
 - Supply and place topsoil in accordance with Canadian Landscape Standard (Section 4, Grading & Drainage and Section 6, Growing Medium) to a minimum depth of 150mm unless otherwise specified.
 - Supply and place sod in accordance with Canadian Landscape Standard (Section 7, Lawns & Grass and Section 8, Turfgrass Sod) unless otherwise specified.
 - Supply and place seed in accordance with Canadian Landscape Standard (Section 4, Grading & Drainage and Section 6, Growing Medium) unless otherwise specified. All 5:1 or greater slopes to be seeded with turfgrass. Contractor to provide necessary erosion control protection as required to ensure soil stabilization and proper seed germination.
 - All dimensions in meters unless otherwise noted.
 - If discrepancies arise between plant material count shown on drawing and plant list, the drawing shall be considered correct.
 - Contractor to provide minimum one (1) year warranty (including trees on municipal property) from date accepted on all work unless otherwise specified.
 - Any site plan or grading and servicing shown is for information only. Refer to approved drawings.
 - Not for construction unless stamped, signed and dated by Landscape Architect.
 - Drawings not to be reproduced without written consent from Landscape Architect.
 - Approval of landscape plan to be obtained from municipality.
 - All plant material to be planted a minimum of 1.0m from any swales or ditches.
 - For grading and servicing information refer to the consulting Engineer's drawings.
 - For lighting information and power distribution refer to the electrical consultant's drawings.

- CITY OF HAMILTON LANDSCAPE NOTES:**
- Any plant material substitutions require the approval of the City of Hamilton.
 - Plant material and fencing shall be minimum to be provided by the owner. Any additions must comply to the zoning by-law.
 - Any sodding, planting or work on lands abutting the property from the lot lines to sidewalk and curbing, shall be to the satisfaction of the City of Hamilton.
 - All landscaping shall be installed prior to the end of the first growing season following the occupancy of the development.
 - Unless otherwise specified all landscaped areas are to be sodded.
 - Unless otherwise specified all undeveloped areas shall be undisturbed and kept free and clear of debris and maintained.

DATE: 2022-05-25, 11:51 AM; PROJECT: 22-097; DRAWING: L-4; SHEET: L-4; SCALE: 1:300; PROJECT LOCATION: 750-790 MOHAWK ROAD WEST, HAMILTON, ON; CLIENT: THE EFFORT TRUST COMPANY; DESIGNER: ADESSO DESIGN INC.; CHECKED: [Signature]; APPROVED: [Signature]; DATE: 2022-05-25, 11:51 AM.



COMMON HALLWAY: 620 SF
VACANT SUITE: 1,557 SF
TANNING SALON: 1,107 SF
MEDICAL OFFICES: 2,621 SF
TOTAL AREA: 5,905 SF

Now a financial Services office

RENTABLE AREAS:

VACANT SUITE: 1,740 SF
TANNING SALON: 1,237 SF
MEDICAL OFFICES: 2,928 SF

PREPARED BY:



LOCATION:

OFFICE & RETAIL AREA
770 MOHAWK ROAD WEST
HAMILTON, ONTARIO



PREPARED FOR:

EFFORT TRUST

DATE:

10 FEBRUARY 2010

FILE:

770MOHAWK.DWG

SCALE:

NTS



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	MAILING ADDRESS
Registered Owners(s)	Greti Development Co. Limited c/o Effort Trust	
Applicant(s)*	Greti Development Co. Limited c/o Effort Trust	
Agent or Solicitor	UrbanSolutions Planning & Land Development Consultants Inc.	

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:

Please refer to cover letter.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

Please refer to cover letter.

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**):

Lots 2, 3, 4 & 5, Registered Plan M-71, In the City of Hamilton
750, 760, 770, 780 & 790 Mohawk Road West, City of Hamilton

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other _____

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?

Consulted with client.

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 31, 2022
Date

for 
Signature Property Owner(s)

Great Development Co. Limited
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage Please refer to SPA-22-044
Depth _____
Area _____
Width of street _____

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: __

Please refer to SPA-22-044

Proposed

To construct a temporary parking lot between 780 and 760 Mohawk Rd W buildings to accommodate a temporary parking lot in response to emergency parking garage repairs required at 750, 760, 780 and 790 Mohawk Rd W.

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 refer to SPA-22-044

Proposed:

Please refer to SPA-22-044

13. Date of acquisition of subject lands:
Unknown
14. Date of construction of all buildings and structures on subject lands:
Unknown
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
Residential - multi unit apartments
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Residential - townhouses
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:
Multiple Dwellings (E-2 E-2/S-110), Multiple Dwellings, Lodges, Clubs, Etc.(E/S-556), Multiple Dwellings (E-2/S-110)
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:
A-15:189, A-15:188, A-78:21, A-75:168, A-75:169, A-74:162
- 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.
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)
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.



June 7, 2022

425-21

Via Email & Delivered

Ms. Jamila Sheffield
Secretary-Treasurer, Committee of Adjustment

City of Hamilton
71 Main Street West, 1st Floor
Hamilton, ON, L8P 4Y5

Dear Ms. Sheffield,

**RE: 750-790 Mohawk Road West, Hamilton (SPA-22-044)
Minor Variance Application**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultant for Greti Development Co. Ltd. c/o Effort Trust and Mr. David Horwood, the registered owner of the lands municipally known as 750-790 Mohawk Road West, in the City of Hamilton.

A Site Plan application was previously submitted to the City in order to provide a temporary parking area at-grade for 141 vehicles. This temporary parking area was specifically required to facilitate the relocation of parking spaces for multiple dwellings at 750, 760, 780, and 790 Mohawk Road West until necessary repairs are completed for the underground parking structure. Securities posted by the landowner through the Site Plan process will ensure the lands to be converted to a temporary parking area will later be restored to their original condition once the required maintenance works are finished. The Site Plan application received conditional approval on February 28th, 2022 as part of SPA-22-044 subject to conditions, including the approval of the enclosed Minor Variance application. Accordingly, we are pleased to submit the enclosed Minor Variance application package, on behalf of the Owner, to satisfy this condition of approval.

The subject lands are designated Neighbourhoods in the Urban Hamilton Official Plan and are within the Multiple Dwellings, Lodges, Clubs, Etc. "E/S-556" District, Modified in the Former City of Hamilton By-law No. 6593.

Purpose of the Application

A Minor Variance application is required to facilitate the proposed temporary parking area on the subject lands. Accordingly, this Minor Variance application is intended to achieve relief from the City of Hamilton Zoning By-law No. 6593 with respect to the Multiple Dwellings, Lodges, Clubs, Etc. "E/S-556" District, Modified as follows:

- **Variance No. 1:** To permit a parking ratio of 0.74 spaces per Class A dwelling unit, whereas 1.25 spaces per Class A dwelling unit is required;

- **Variance No. 2:** To reduce the required visitor parking ratio from 0.25 spaces per Class A dwelling unit to 0.00 spaces per Class A dwelling unit;
- **Variance No. 3:** To eliminate the required 1.25m – 2.0m visual barrier between the temporary parking spaces and the residential district to the north.
- **Variance No. 4:** To permit a temporary parking area whereas the Zoning By-law states that only uses permitted in the “E” District and commercial uses permitted in the “G” District shall be permitted pursuant to Policy 1.1 and 2a) of site specific S-556.

Analysis

To assist in the evaluation of this application, please refer to the enclosed Committee of Adjustment Sketch. Justification for the proposed variances has been provided below in accordance with Section 45(1) of the *Planning Act*:

1. Are the proposed minor variances minor in nature?

The requested variances can be considered minor in nature as they are necessary to facilitate the conditionally approved Site Plan for the subject property. The proposed development of a temporary parking lot on the site is compatible with the abutting land uses and is consistent in massing with the surrounding properties. The requested variances represent modest relief from the existing zoning regulations to permit a parking lot which is in keeping with the established built context of the area and only proposed to be a temporary site condition while necessary repairs are completed to the existing parking structure. Further, all required variances do not generate adverse impacts and maintain the overall intent of the Provincial and local policy framework. Given that all other regulations of the Zoning By-law are achieved, the request is considered to be minor in nature.

2. Is the proposed minor variance desirable for the appropriate development or use of the land, building or structure?

The requested variances will facilitate the conditionally approved Site Plan, which will result in a temporary parking area necessary to accommodate residents in existing multiple dwellings located on the subject lands. The proposed built form is in keeping with the character of the surrounding area, and represents a use of land that is temporary in nature and permitted in the Urban Hamilton Official Plan and Zoning By-law 6593. The proposed variance requests a reduction in required resident parking spaces on site, visitor parking spaces on site and removes the requirement for a visual barrier between a parking space and a residential property. Repairs need to occur on the existing underground parking structure serving the current residents on site, a temporary parking area on the property has received conditional Site Plan approval to accommodate those residents which need to relocate their vehicles during repairs. Further, variances to the required resident and visitor parking ratios will be necessary to allow for temporary parking of 141 vehicles belonging to the 750, 760, 780, and 790 Mohawk Road West properties.

Accordingly, in recognition of the vehicles relocated by the parking structure repairs, the parking ratio on the subject lands will lack conformity to the Zoning regulations temporarily and variances are required. Additionally, while it is an existing condition on site, the lack of a visual barrier along the northern property boundary must be recognized as a zoning non-conformity on the site. As such, a variance has been requested to remove the requirement for a visual barrier between the parking area and residential properties to the north. Given the existing chain link fence and 11.0 metre planting buffer between the temporary parking area, the requested variance can be considered desirable and appropriate. Therefore, as a result of the circumstantial and temporary need for the requested variances outlined above, the application can be deemed desirable and appropriate for the severance of the lands.

3. Is the proposed minor variance in keeping with the general purpose and intent of the Urban Hamilton Official Plan?

The subject lands are designated as Neighbourhoods in the Urban Hamilton Official Plan which permits multiple dwellings as a permitted use of the subject lands. The proposed construction of a temporary parking area is necessary to perform repairs to the underground parking structure of the existing multiple dwellings. Accordingly, the requested Minor Variances aid in maintaining the viability of a permitted use in the Neighbourhoods designation and are in keeping with the general purpose and intent of the Urban Hamilton Official Plan.

4. Is the proposed minor variance in keeping with the general purpose and intent of the Zoning By-law?

The subject properties are located in the “Multiple Dwellings, Lodges, Clubs, Etc. “E/S-556” District, Modified in Former City of Hamilton Zoning By-law No. 6593.

The variances requested are to accommodate the temporary parking of neighbouring dwellings while the existing parking structure on site is repaired and to remove the requirement for a 1.5 m – 2.0 m visual barrier between parking spaces and the residential properties to the north. The intent of the zoning provisions are to ensure adequate parking is provided on site for both residents and visitors and to provide for buffer between parking areas and residential properties. The requested variances will meet this intent as it will allow for an on-site parking allocation which meets both the required residential and visitor parking ratios once repairs to the existing parking structure are complete. Further, the existing condition of the site did not provide for a visual barrier. Instead, an 11.0 metre planting buffer and existing chain link fence are proposed to ensure the intent of the By-law with regard to adequate privacy and separation of parking areas and residential properties is achieved.

The proposal conforms to all other zoning provisions and therefore the overall intent of the Zoning By-law is maintained.


As such, the proposed variance satisfies the four tests outlined in Section 45(1) of the *Planning Act* as the relief requested is minor in nature, is desirable for the 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) copy of the conditionally approved Site Plan (SPA-22-044);
- One (1) copy of the Landscape Drawing Set completed by Adesso Design;
- One (1) copy of the Grading & Servicing Plans completed by S. Llewellyn & Associates;
- One (1) copy of the completed Minor Variance application form; and,
- One (1) cheque in the amount of **\$3,465.00** made payable to the City of Hamilton.

We trust that the enclosed is sufficient, however, please feel free to contact us with any questions.

Regards,
UrbanSolutions



Matt Johnston, MCIP, RPP
Principal



Scott Beedie, BURPI
Planner

cc: Mr. David Horwood (via email)
Councillor Terry Whitehead, Ward 14, City of Hamilton (cover letter only)