



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
CORRECTED

Minor Variance

You are receiving this notice because you are either:

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

APPLICATION NO.:	SC/A-23:120	SUBJECT PROPERTY:	1290 SOUTH SERVICE ROAD, STONEY CREEK
ZONE:	"C5 & 562" (Mixed Use Medium Density)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended

APPLICANTS: **Owner:** WINONA POINT JOINT VENTURE INC.
Agent: ARCADIS IBI GROUP C/O JARED MARCUS

The following variances are requested:

1. A minimum parking ratio of 1.15 shall be permitted per dwelling unit for a multiple dwelling instead of the minimum 1.25 parking spaces required per dwelling unit for a multiple dwelling.
2. A vent shaft or exterior staircase from the underground garage shall be permitted to be located as 2.3m from the Vince Mazza Way street line instead of the minimum 3.0m setback required.
3. A porch and associated stairs shall be permitted to be located as close as 5.1m from the Winona Road street line instead of the minimum 5.5m setback required.
4. A porch and associated stairs shall be permitted to be located as close as 1.3m from the Vince Mazza Way street line instead of the minimum 1.5m setback required.

PURPOSE & EFFECT: To facilitate the development of 22 new buildings consisting of 454 dwelling units along with commercial gross floor area.

Notes:

These variances are necessary to facilitate Site Plan Control application DA-22-081.

The applicant requested a variance to permit a porch encroachment of 2.0m to the South Service Road; however, this variance is not required as there is no minimum yard requirement from the South Service Road street line.

The applicant shall ensure that the finished floor elevation of any dwelling unit shall be a minimum of 0.9m above grade; otherwise, further variances shall be required.

The applicant shall ensure that a balcony maintains a minimum setback of 6.0m from the Winona Road Street line and maintains a setback of 2.0m from the Vince Mazza Way street line; otherwise, further variances shall be required.

The applicant shall ensure that Building 1D maintains a minimum façade height of 5.0m; otherwise, further variances shall be required.

The applicant shall ensure that the maximum building height of 16.0m is in compliance for the entire proposal; otherwise, further variances shall be required.

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 29, 2023
TIME:	10:50 a.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/committeefadjustment

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

- Visit www.hamilton.ca/committeefadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

PUBLIC INPUT

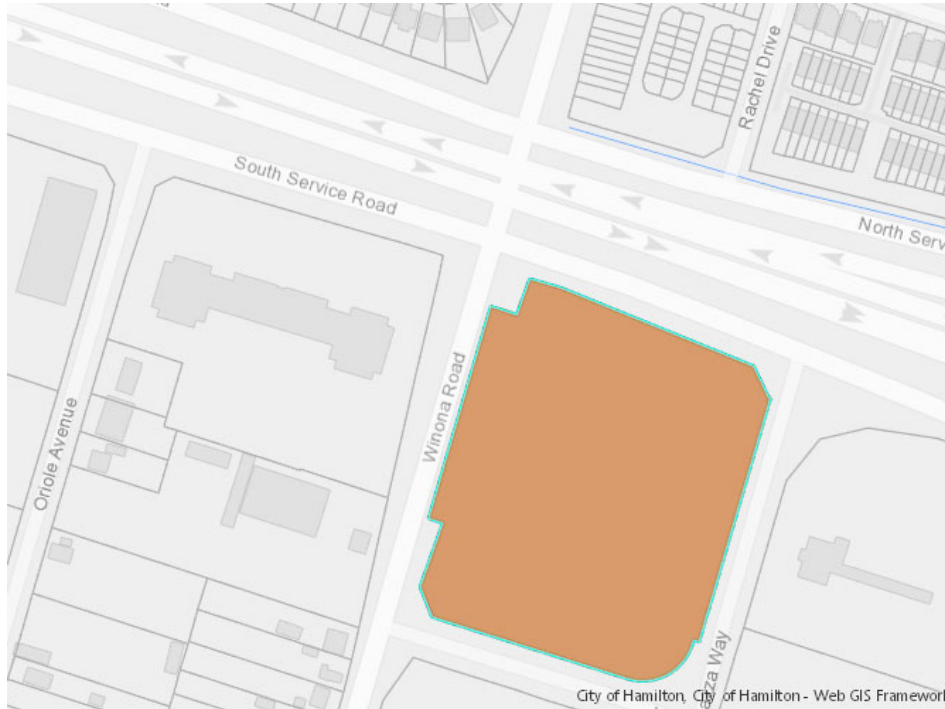
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

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 and instructions for check in to participate in person.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding SC/A-23:120, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer 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.



 **Subject Lands**

DATED: June 13, 2023

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.



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

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.

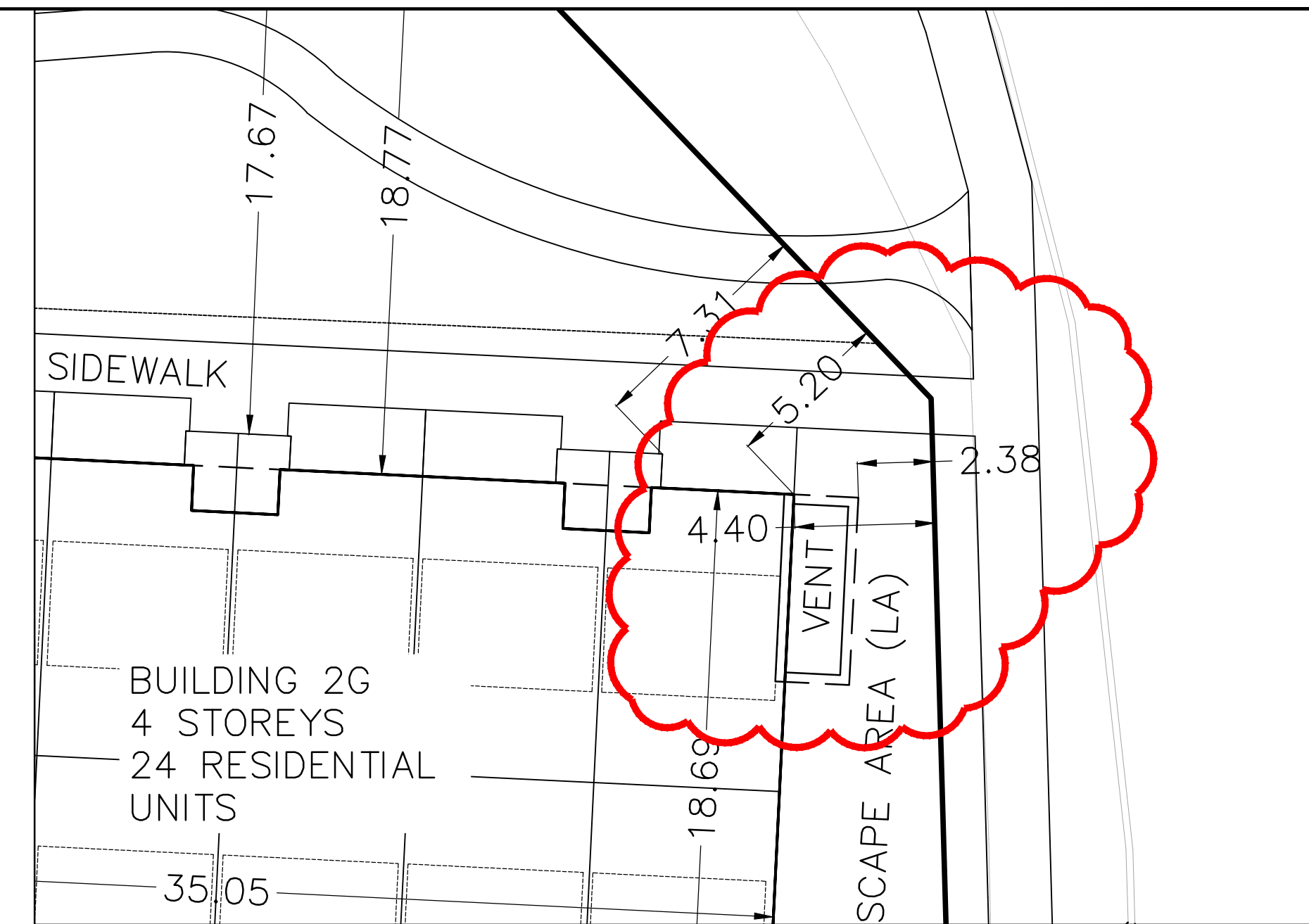
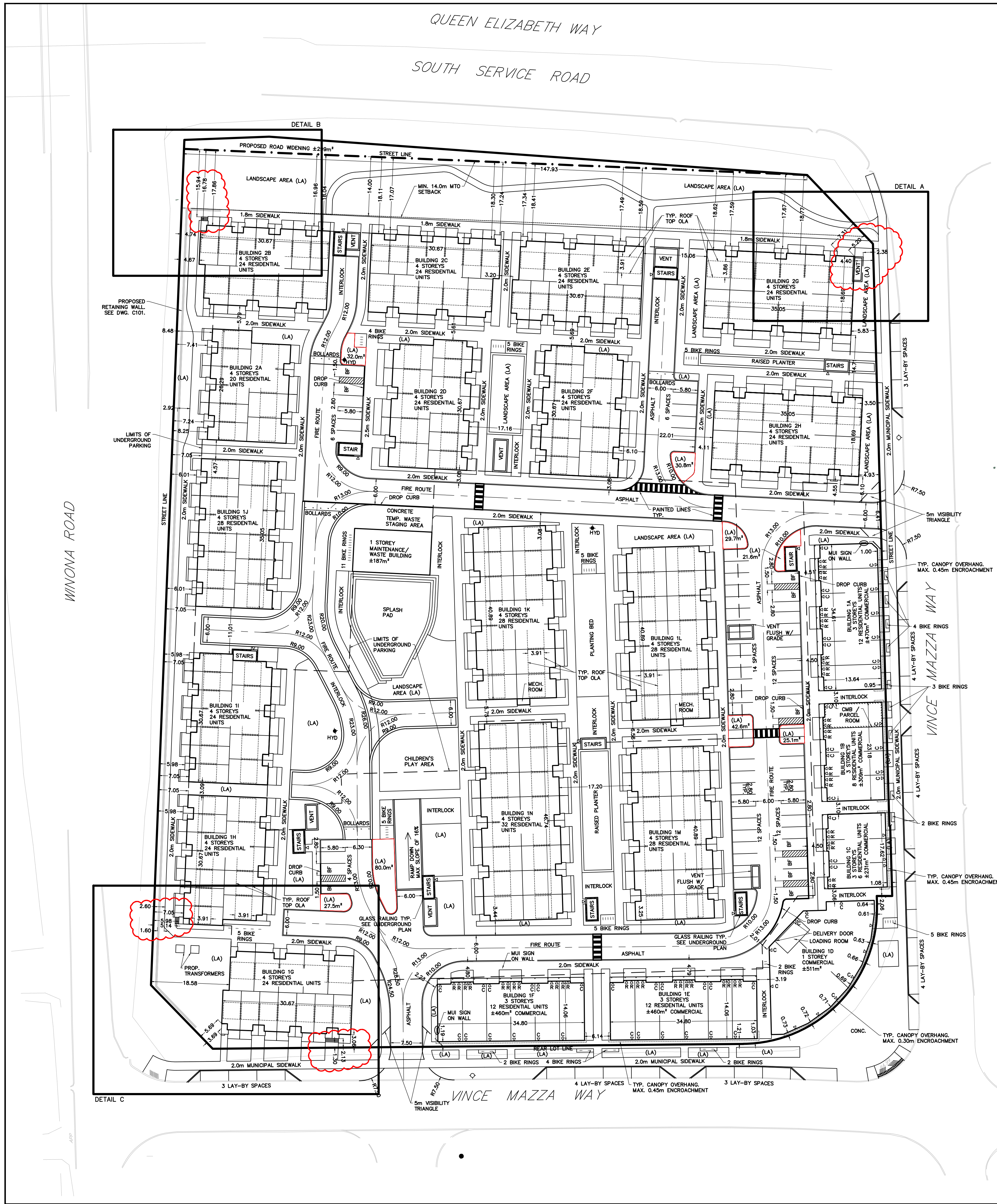
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

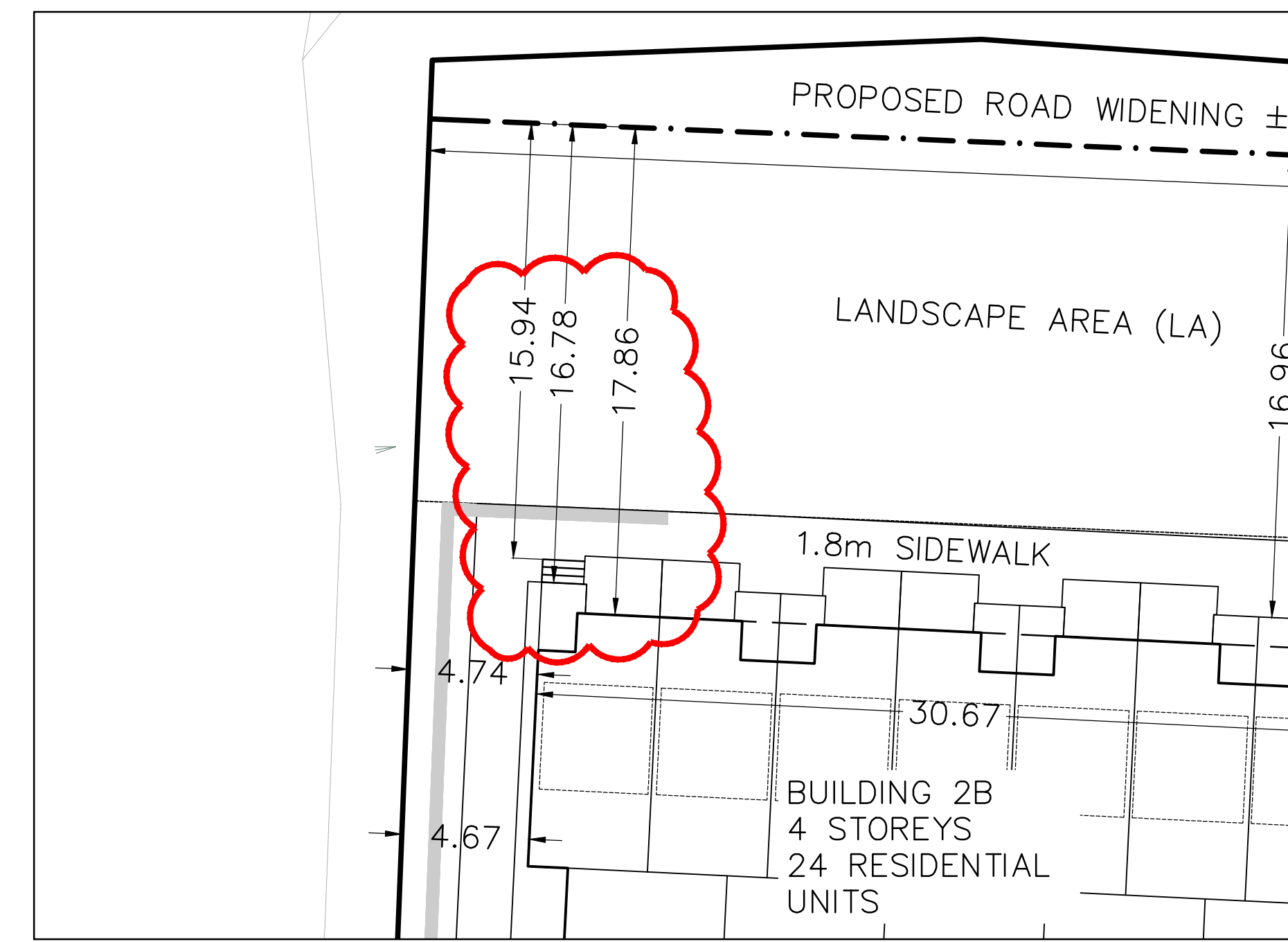
Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

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.

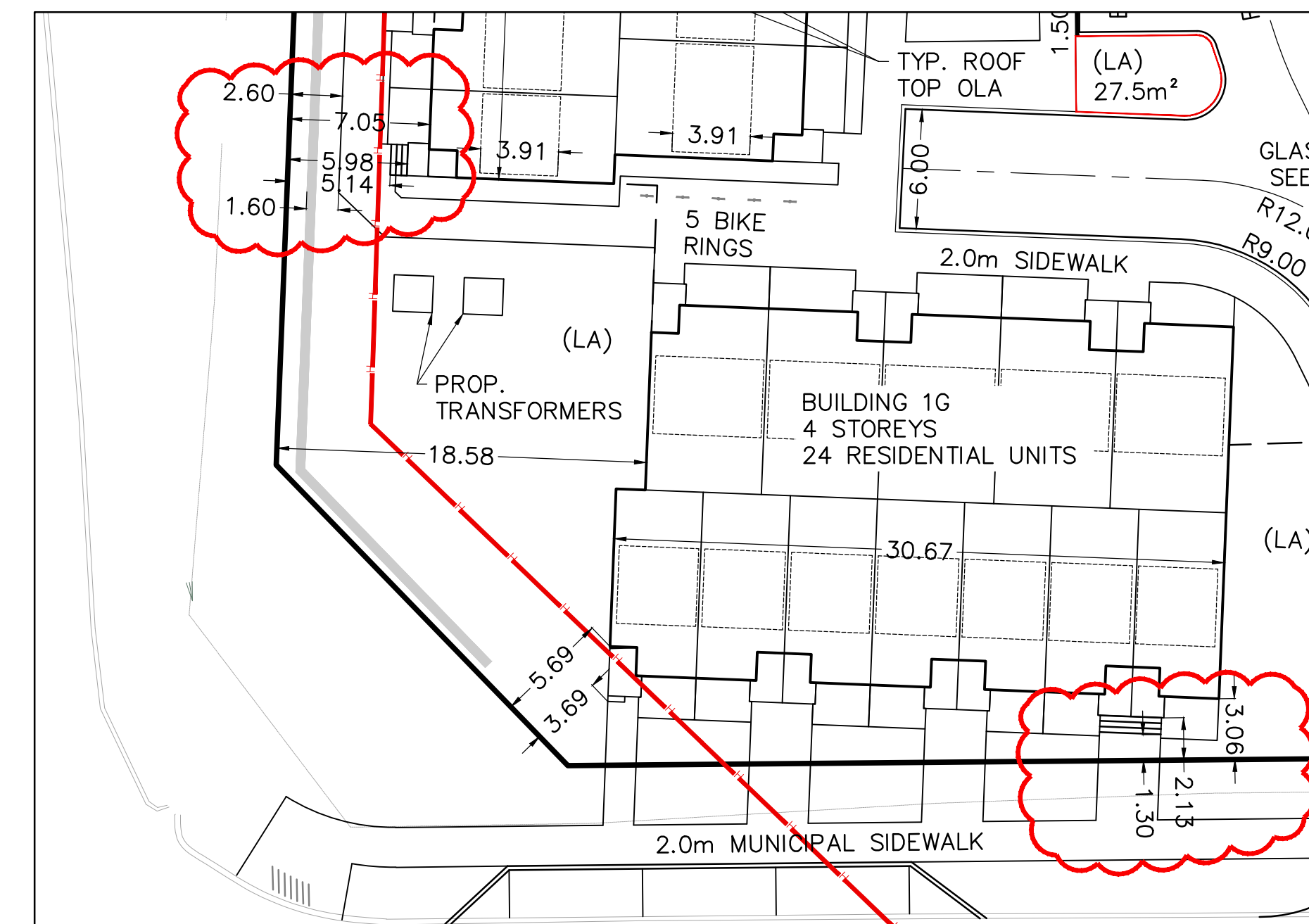
Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly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



DETAIL A



DETAIL B



DETAIL C

CLIENT
WINONA POINT VENTURE INC.

13 WINDWARD DRIVE, SUITE 501
GRIMSBY, ON L3M 0J4

COPYRIGHT
This drawing has been prepared solely for the intended use. This any reproduction or distribution for any purpose other than authorized by IBI Group is prohibited. Where dimensions shall have precedence over stated dimensions, contractors shall verify and be responsible for any variations from the dimensions and conditions shown on the drawings. Shop drawings shall be submitted to IBI Group for general conformance before proceeding with fabrication.

IBI Group Professional Services (Canada) Inc.
is a member of the IBI Group of companies

ISSUES	No.	DESCRIPTION	DATE
	1	FIRST OPAZBA SUBMISSION	2020-12-16
	2	SECOND OPAZBA SUBMISSION	2021-06-03
	3	THIRD OPAZBA SUBMISSION	2021-08-27
	4	FOURTH OPAZBA SUBMISSION	2021-10-27
	5	FIRST SITE PLAN SUBMISSION	2022-03-24
	6	FIRST SPA CLEARANCE	2022-07-29
	7	SECOND SPA CLEARANCE	2022-11-16
	8	THIRD SPA CLEARANCE	2023-03-21

NOT FOR CONSTRUCTION

KEY PLAN

LEGEND
FOR COMMERCIAL AND MIXED USE BUILDINGS 1A TO 1F
 ▲ R - RESIDENTIAL ENTRANCES
 ▲ C - COMMERCIAL ENTRANCES

SOURCE
BUILDING DESIGN LAYOUT AND SITE DESIGN PROVIDED BY KNYMH.

TOPOGRAPHIC AND BOUNDARY SURVEY INFORMATION OBTAINED FROM A.T. McLAREN DWG No. 36499, DATED NOVEMBER 3, 2020.

BENCH MARK NOTE:
STATION NUMBER 00819748494
CONCRETE BRIDGE CARRYING GLOVER ROAD OVER QEW, 1.8km EAST OF CONCRETE BRIDGE CARRYING FRUITLAND ROAD (HAMILTON-WENTWORTH REGIONAL ROAD 55) OVER QEW IN THE TOWN OF STONEY CREEK AND 0.8km WEST OF McNEILLY ROAD. TABLE IS SET HORIZONTALLY IN NORTH FACE OF SOUTH CONCRETE ABUTMENT, 34cm EAST OF N.W. CENTRELINE OF EASTBOUND LANE OF QEW. ELEVATION = 84.254

True North

IBI GROUP
Suite 200 - 360 James Street North
Hamilton ON L8L 1H5 Canada
tel: 905.546.1010 fax: 905.546.1011
ibigroup.com

PROJECT
WINONA POINT
1290 SOUTH SERVICE ROAD and 5 & 23
VINCE MAZZA WAY,
STONEY CREEK

PROJECT NO: 126584
SCALE: 1:500
DRAWN BY: J.MARCUS
CHECKED BY: T.TUCKER
PROJECT MGR: J.MARCUS
APPROVED BY: J.ARIENS

SHEET TITLE
SITE PLAN
DA-22-081

SHEET NUMBER
SP1.0

ISSUE
7

File Location: \\1126584_Winona_Point\7_0_Production\7_03_Design\17_Plan\17_Sheets\126584SP.dwg Last Saved: May 3, 2023, 11:31:42 AM by Jared Marcus



ARCADIS
200 East Wing – 360 James Street North
Hamilton ON L8L 1H5 Canada
tel 905 546 1010
arcadis.com

May 2, 2023

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

Dear Ms. Sheffield:

**1290 SOUTH SERVICE ROAD, STONEY CREEK
MINOR VARIANCE APPLICATION**

On behalf the property owners, Winona Point Joint Venture Inc., we are pleased to submit a Minor Variance application for the above noted property.

The subject lands are part of an ongoing Site Plan Control application (DA-22-081) which would permit a mixed-use development consisting of 454 townhouse units and approximately 2,241sq.m of commercial GFA. The existing approval requires a minimum of 1.25 and a maximum of 1.5 parking spaces per residential unit. The current Site Plan application proposes 572 residential parking spaces. This Minor Variance application is requesting a reduction to the minimum parking requirement which would permit 1.15 parking spaces per residential unit for a total reduction of 45 parking spaces.

In addition to the reduced parking ratio, the application also requests an increase to the encroachment of the porch and stairs into a required yard abutting a streetline, and a reduction in the setback from a streetline for a vent or exterior staircase.

In support of the application please find enclosed the following information:

- One (1) digital copy of the completed Minor Variance application form;
- One (1) digital copy of the Site Plan drawing; and,
- One (1) digital copy of the Parking Justification Study.

Please note that the application review fee will be submitted under separate cover.

Should you require any additional information please do not hesitate to contact the undersigned.

Yours truly,

Arcadis

Jared Marcus, CPT
Associate, Manager – Planning

Cc: Winona Point Joint Venture Inc.

PARKING JUSTIFICATION STUDY

**MIXED-USE DEVELOPMENT
WINONA ROAD**

CITY OF HAMILTON

PREPARED FOR:

WINONA POINT JOINT VENTURE INC.

PREPARED BY:

**C.F. CROZIER & ASSOCIATES INC.
2800 HIGH POINT DRIVE, SUITE 100
MILTON, ON L9T 6P4**

MAY 2023

CFCA FILE NO. 1239-5705

The material in this report reflects best judgment in light of the information available at the time of preparation. Any use which a third party makes of this report, or any reliance on or decisions made based on it, are the responsibilities of such third parties. C.F. Crozier & Associates Inc. accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions based on this report.

Please Contact cofa@hamilton.ca for full document



APPLICATION FOR A MINOR VARIANCE/PERMISSION
 UNDER SECTION 45 OF THE *PLANNING ACT*

1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS
Registered Owners(s)		
Applicant(s)		
Agent or Solicitor		

1.2 All correspondence should be sent to Purchaser Owner
 Applicant Agent/Solicitor

1.3 Sign should be sent to Purchaser Owner
 Applicant AgentSolicitor

1.4 Request for digital copy of sign Yes* No

If YES, provide email address where sign is to be sent _____

1.5 All correspondence may be sent by email Yes* No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	1290 South Service Road and 5 & 23 Vince Mazza Way		
Assessment Roll Number			
Former Municipality	Stoney Creek		
Lot		Concession	
Registered Plan Number	310	Lot(s)	78 & 79, Pt. Lots 69-77,
Reference Plan Number (s)		Part(s)	

2.2 Are there any easements or restrictive covenants affecting the subject land?

Yes No

If YES, describe the easement or covenant and its effect:

3. PURPOSE OF THE APPLICATION

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

To reduce the parking ratio to a minimum of 1.15 parking spaces per residential unit;
 To permit a vent shaft or exterior staircase from the underground garage that projects greater than 0.15m above grade to be located 2.2m from a street line.
 To permit a porch and stair encroachment into a required yard of 1.9m to Winona Road, 1.8m to Vince Mazza Way and 2.0m to South Service Road.

Second Dwelling Unit Reconstruction of Existing Dwelling

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

3.3 Is this an application 45(2) of the Planning Act.

Yes No

If yes, please provide an explanation:

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
Varies	+/-211.7m	+/-35,330sq.m	Varies

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
None				

Proposed: See enclosed Site Plan drawing DA-21-081

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction

4.3. Particulars of all buildings and structures on or proposed for the subject lands (attach additional sheets if necessary):

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
None				

Proposed: See enclosed Site Plan drawing DA-21-081

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height

- 4.4 Type of water supply: (check appropriate box)
 publicly owned and operated piped water system
 privately owned and operated individual well

- lake or other water body
 other means (specify)

- 4.5 Type of storm drainage: (check appropriate boxes)
 publicly owned and operated storm sewers
 swales

- ditches
 other means (specify)

4.6 Type of sewage disposal proposed: (check appropriate box)

publicly owned and operated sanitary sewage

system privately owned and operated individual

septic system other means (specify) _____

4.7 Type of access: (check appropriate box)

provincial highway

right of way

municipal road, seasonally maintained

other public road

municipal road, maintained all year _____

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):
Stacked Townhouses and Commercial

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):
Vacant

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

2011

7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)

Vacant

7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)

Vacant

7.4 Length of time the existing uses of the subject property have continued:

Unknown

7.5 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) Medium Density Residential 2

Please provide an explanation of how the application conforms with the Official Plan.

7.6 What is the existing zoning of the subject land? C5, 562

7.8 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-21-008

7.9 Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?

Yes No

If yes, please provide the file number: _____

7.10 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 Doesn't apply anymore per Bill 23

7.11 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.

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 0

8.2 Number of Dwelling Units Proposed: 454

8.3 Additional Information (please include separate sheet if needed):

The development has been approved through UHOPA-21-004 and ZAC-21-008, and conditionally approved under Site Plan application DA-22-081.

The current development proposal includes 588 parking spaces; 16 for the proposed commercial uses and 572 for residential, which is a ratio of 1.26 spaces per residential unit.

The proposed variance seeks to reduce the residential parking ratio to 1.20 spaces per unit, or 545 parking spaces.

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
 - Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
 - Minimum Distance Separation Formulae (data sheet available upon request)
 - Hydrogeological Assessment
 - Septic Assessment
 - Archeological Assessment
 - Noise Study
 - Parking Study
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