



Hamilton

**COMMITTEE OF ADJUSTMENT**

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

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

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>SC/A-23:283</b>	<b>SUBJECT PROPERTY:</b>	466-490 Highway 8, Stoney Creek
<b>ZONE:</b>	"I3" (Major Institutional)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:** Owner: Rykka Care Centres GP Inc.  
Agent: T. Johns Consulting Group c/o Katelyn Gillis

The following variances are requested:

1. A minimum side yard setback abutting a street of 3.0 metres shall be provided whereas the by-law requires a minimum side yard setback abutting a street of 3.5 metres.

**PURPOSE & EFFECT:** As to permit the construction of a four-storey, 224-bed long term care facility.

**Notes:** N/A

**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:

<b>DATE:</b>	<b>Thursday, December 7, 2023</b>
<b>TIME:</b>	<b>12:15 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>
	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <b><a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a></b>

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

## SC/A-23:283

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> 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-23:283, you must submit a written request to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

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](mailto: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: November 21, 2023

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Jamila Sheffield,  
Secretary-Treasurer  
Committee of Adjustment

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



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E-mail: [cofa@hamilton.ca](mailto: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](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

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

### Oral Submissions

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](mailto: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 (2<sup>nd</sup> 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](mailto:cofa@hamilton.ca) or by phone at 905-546-2424 ext. 4221.

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





NTS

**PARKING CALCULATION**  
PARKING REQUIREMENTS FROM ZONING BY-LAW 05-200

- PARKING REQUIRED FOR STONEY CREEK - MAJOR INSTITUTIONAL
- SECTION 5.6 of ZBL 05-200 for LONG TERM CARE FACILITY REQUIRES 1 SPACE FOR 3 BEDS. 224 BEDS RESULTING IN 56 SPACES (224/3 = 75)
  - SECTION 5.5 OF ZBL 05-200 REQUIRES BARRIER FREE PARKING FOR EVERY 50 - 100 PARKING SPACES 3 SPACES REQUIRED.
  - PARKING PROVIDED  
70 STANDARD SPACES  
5 BARRIER FREE SPACES  
TOTAL - 75 SPACES

SITE STATISTICS			
OFFICIAL PLAN DESIGNATION	NEIGHBOURHOODS		
ZONING	MAJOR INSTITUTIONAL (I3, 744, H36)		
PROPOSED USE	LONG TERM CARE FACILITY		
REGULATION	REQUIREMENT	ACTUAL	CONFORMITY
EXISTING LOT AREA	N/A	19,169.4 m <sup>2</sup> (206,344 sf)	N/A
NET LONG TERM CARE LOT AREA	N/A	12,973.65 m <sup>2</sup> (139,647 sf)	N/A
MIN. LOT WIDTH	30.0 m	46.3 m	CONFORMS
MIN. FRONT YARD	N/A	9.2 m	CONFORMS
MIN. HYPOTENUSE YARD	1.8 m	3.27 m	CONFORMS
MIN. SIDE YARD	3.5 m	3.29 m	DOES NOT CONFORM
MIN. INTERIOR SIDE YARD	7.0 m	10.8 m	CONFORMS
MAXIMUM BUILDING HEIGHT	18.0 m	14.60 m	CONFORMS
MINIMUM LANDSCAPED AREA	10% OF THE LTC LOT AREA = 1,297 m <sup>2</sup>	3,391.7 m <sup>2</sup> = 26.14%	CONFORMS
MINIMUM LANDSCAPED AREA OF PARKING ISLANDS	10% OF PARKING AND ACCESS AREA = 1,823.5 m <sup>2</sup> x 0.1 = 182.35 m <sup>2</sup>	LANDSCAPED AREA = 619.15 m <sup>2</sup> 619.15 / 1,823.5 * 100 m <sup>2</sup> = 33.9%	CONFORMS
NUMBER OF RESIDENTS	N/A	LONG TERM CARE FACILITY: 224 RESIDENTS	N/A
PARKING AISLE WIDTH	6.0 m MIN.	6.0 m	CONFORMS
PARKING SPACE SIZE	3.0 m x 5.8 m MIN.	3.0 m x 5.8 m	CONFORMS
ACCESSIBLE PARKING SPACE SIZE	4.4 m x 5.8 m MIN.	4.4 m x 5.8 m INCLUDING HALF OF A 1.5 M ACCESS AISLE CONFORMS TO O.REG 191/11	CONFORMS
PARKING	LTC-1 FOR EACH 3 RESIDENT BEDS BARRIER FREE - 4% OF TOTAL # OF SPACES (PART OF REQUIRED PARKING CALCULATION)	224 BEDS = 75 PS	CONFORMS

**SITE PLAN NOTES - MUNICIPAL**

- All work involved in the construction, relocation, repair of municipal services for the project shall be to the satisfaction of the Direction of Planning and Chief Planner, Planning and Economic Development Department.
- Fire Route Signs and 3-Way Fire Hydrants shall be established to the satisfaction of the City Fire Department and at the expense of the owner.
- Main driveway dimensions at the property line boundaries are plus or minus 7.5 m unless otherwise stated.
- All driveways from property lines for the first 7.5 m shall be within 5% maximum grade, thereafter, all driveways shall be within 10% maximum grades.
- The approval of the 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 Permit  
- Approach Approval Permit  
- Committee of Adjustment  
- Sewer and Water Permit  
- Relocation of Services  
- Encroachment Agreements (if required)
- Abandoned accesses must be removed and the curb and boulevard restored with sod at the Owner's expense to the satisfaction of the Geomatics and Corridor Management Section, Public Works Department.
- For visibility triangles at the vehicular access points, the following note is to be provided: "5.0 metre by 5.0 metre visibility triangles in which the maximum height of any object or mature vegetation is not to exceed a height of 0.60 metres above the corresponding perpendicular centreline elevation of the adjacent street."
- Proposed signage shall conform to the City's Sign By-law No. 10-197.
- Lighting must be directed on site and must not spill over to adjacent properties or streets.
- The Long-Term Care Facility development is ineligible for municipal waste collection service. The collection of waste materials is required through a private waste hauler. Participation in waste diversion programs including recycling collection and organic waste collection is encouraged. All waste must be stored and collected on private property according to the City of Hamilton's Solid Waste Management By-law 20-221.
- A minimum 1.2 metre separation must be provided within the City's road allowance are between driveways, a fence, and any pole, utility, fire hydrant, tree sign, etc. Any costs for traffic signs or utility relocated are the sole responsibility of the Applicant / Owner. It is the Applicant's responsibility to coordinate with the appropriate departments ahead of time.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) and gas pipelines before beginning construction by contacting Ontario One Call at 1-800-400-2255.

**UNDERTAKING**

RE: \_\_\_\_\_ File No. \_\_\_\_\_

I, (We) \_\_\_\_\_, the owner(s) of the land, hereby undertake and agree without reservation,

- To comply with all the content of this plan and drawing and not to vary therefrom;
- 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 \_\_\_\_\_;
- 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 in this plan and drawing, including removal of snow from access ramps and driveways, parking and loading areas and walkways;
- 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;
- That the Owner agrees to physically affix the municipal number or full address to the building or on a sign in accordance with the City's Sign By-law, near the entrance in a manner that is visible from the street;
- The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada. The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost;
- Enbridge Gas Inc. does have service lines running within the area which may or may not be affected by the proposed Site Plan. Should the proposed site plan impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any Service relocation required would be at the cost of the Owner.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Witness (signature) \_\_\_\_\_ Owner(s) (signature) \_\_\_\_\_

Witness (print) \_\_\_\_\_ Owner(s) (print) \_\_\_\_\_

Address of Witness \_\_\_\_\_



**Prints issued to**

Particulars	No.	Date	By
FIRST ISSUED	1	18/08/24	JRJ
PLANNER FOR RE-ZONING	2	18/11/21	DDML
REISSUED FOR RE-ZONING	3	20/07/22	DDML
OWNER FOR INTERNAL REVIEW	4	22/03/02	DDML
CofH for WAIVER OF FORMAL MEETING	5	23/01/05	MR
MLTC FOR PPS	6	23/02/14	DDML
PLANNER FOR SPA	7	23/03/10	DDML
MLTC FOR PPS RESPONSE #1	8	23/03/23	DDML
CM RFP	9	23/04/12	MR
MLTC for WD SUBMISSION	10	23/04/28	MR
COST ESTIMATE B	11	23/05/01	MR
CM for BID	12	23/07/10	MR
MLTC for WD RESPONSE #2	13	23/07/13	MR
PLANNER FOR SPA REVIEW	14	23/07/20	MR
RESPONSE TO CITY'S COMMENTS #1	15	23/07/24	MR
MLTC for RECORD	16	23/08/02	MR
PLANNER FOR MINOR VARIANCE	17	23/10/18	MR

**Revisions to drawing**

All previous issues of this drawing are superseded.

**MMC ARCHITECTS**

Brantford Studio  
127 Brant Ave., Brantford, ON N3T 3H5  
519.756.6331 1.877.789.6662  
www.mmc.on.ca

**ONTARIO ASSOCIATION OF ARCHITECTS**

Professional Seal of Miles Lander, Licence 5005

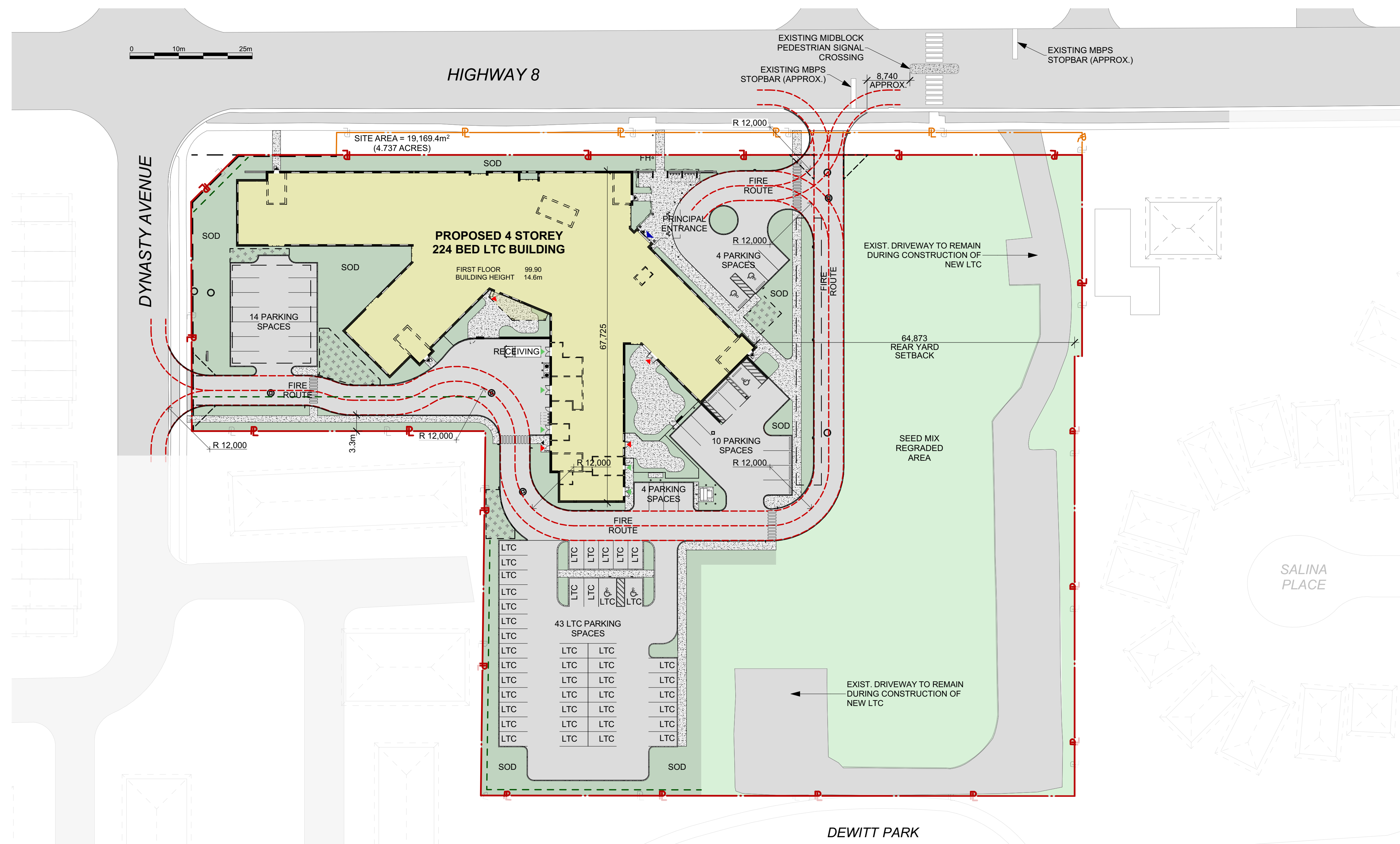
PLAN NORTH

**Responsive Group**

**PINE VILLA LONG-TERM CARE HOME**

466-490 HIGHWAY 8 STONEY CREEK, ONTARIO

Project number	Date issued	Scale
<b>1738</b>		1:500
Drawn by	Date	
ME/IR/KO/KH	2023-10-18	
Sheet title	Drawing no.	
<b>CONTEXT SITE PLAN</b>	<b>A100</b>	



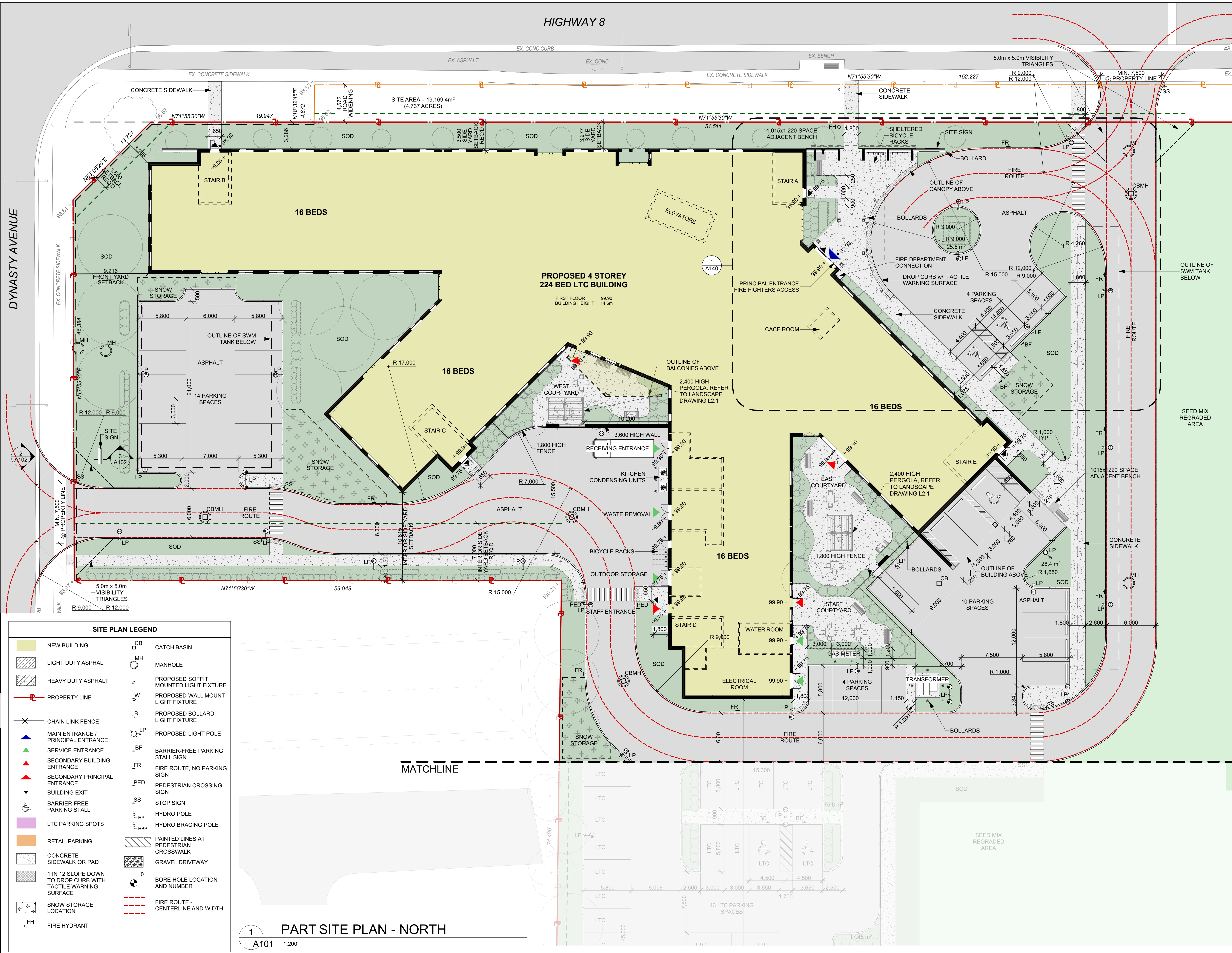
**SITE PLAN LEGEND**

[Green Box]	NEW BUILDING	[CB]	CATCH BASIN
[Light Blue Box]	LIGHT DUTY ASPHALT	[MH]	MANHOLE
[Dark Blue Box]	HEAVY DUTY ASPHALT	[S]	PROPOSED SOFFIT MOUNTED LIGHT FIXTURE
[Red Line]	PROPERTY LINE	[W]	PROPOSED WALL MOUNT LIGHT FIXTURE
[X]	CHAIN LINK FENCE	[B]	PROPOSED BOLLARD LIGHT FIXTURE
[Blue Triangle]	MAIN ENTRANCE / PRINCIPAL ENTRANCE	[LP]	PROPOSED LIGHT POLE
[Green Triangle]	SERVICE ENTRANCE	[BF]	BARRIER-FREE PARKING STALL SIGN
[Red Triangle]	SECONDARY BUILDING ENTRANCE	[FR]	FIRE ROUTE, NO PARKING SIGN
[Red Triangle]	SECONDARY PRINCIPAL ENTRANCE	[PED]	PEDESTRIAN CROSSING SIGN
[Black Triangle]	BUILDING EXIT	[SS]	STOP SIGN
[Wheel Icon]	BARRIER FREE PARKING STALL	[HP]	HYDRO POLE
[Green Box]	LTC PARKING SPOTS	[HBP]	HYDRO BRACING POLE
[Orange Box]	RETAIL PARKING	[Painted Lines]	PAINTED LINES AT PEDESTRIAN CROSSWALK
[Grey Box]	CONCRETE SIDEWALK OR PAD	[Gravel]	GRAVEL DRIVEWAY
[Slope Icon]	1 IN 12 SLOPE DOWN TO DROP CURB WITH TACTILE WARNING SURFACE	[Bore Hole]	BORE HOLE LOCATION AND NUMBER
[Snow Icon]	SNOW STORAGE LOCATION	[Dashed Line]	FIRE ROUTE - CENTERLINE AND WIDTH
[FH]	FIRE HYDRANT		

**SITE PLAN NOTES**

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





**Prints issued to**

Particulars	No.	Date	By
OWNER FOR INTERNAL REVIEW	1	22/03/02	DDML
MLTC FOR PPS	2	23/02/14	DDML
PLANNER FOR SPA	3	23/03/10	DDML
MLTC FOR PPS RESPONSE #1	4	23/03/23	DDML
CM RFP	5	23/04/12	MR
MLTC for WD SUBMISSION	6	23/04/28	MR
COST ESTIMATE B	7	23/05/01	MR
CM for BID	8	23/07/10	MR
MLTC for WD RESPONSE #2	9	23/07/13	MR
PLANNER FOR SPA REVIEW	10	23/07/20	MR
RESPONSE TO CITY'S COMMENTS #1	11	23/07/24	MR
MLTC for RECORD	12	23/08/02	MR
PLANNER FOR MINOR VARIANCE	13	23/10/18	MR

**Revisions to drawing**

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

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 127 Brant Ave., Brantford, ON N3T 3H5  
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 www.mmmc.on.ca

**ONTARIO ASSOCIATION OF ARCHITECTS**  
 BRITAIN COLONIAL MILES LANDER LICENCE 5005

Project title  
**Responsive Group**  
**PINE VILLA LONG-TERM CARE HOME**  
 466-490 HIGHWAY 8 STONEY CREEK, ONTARIO

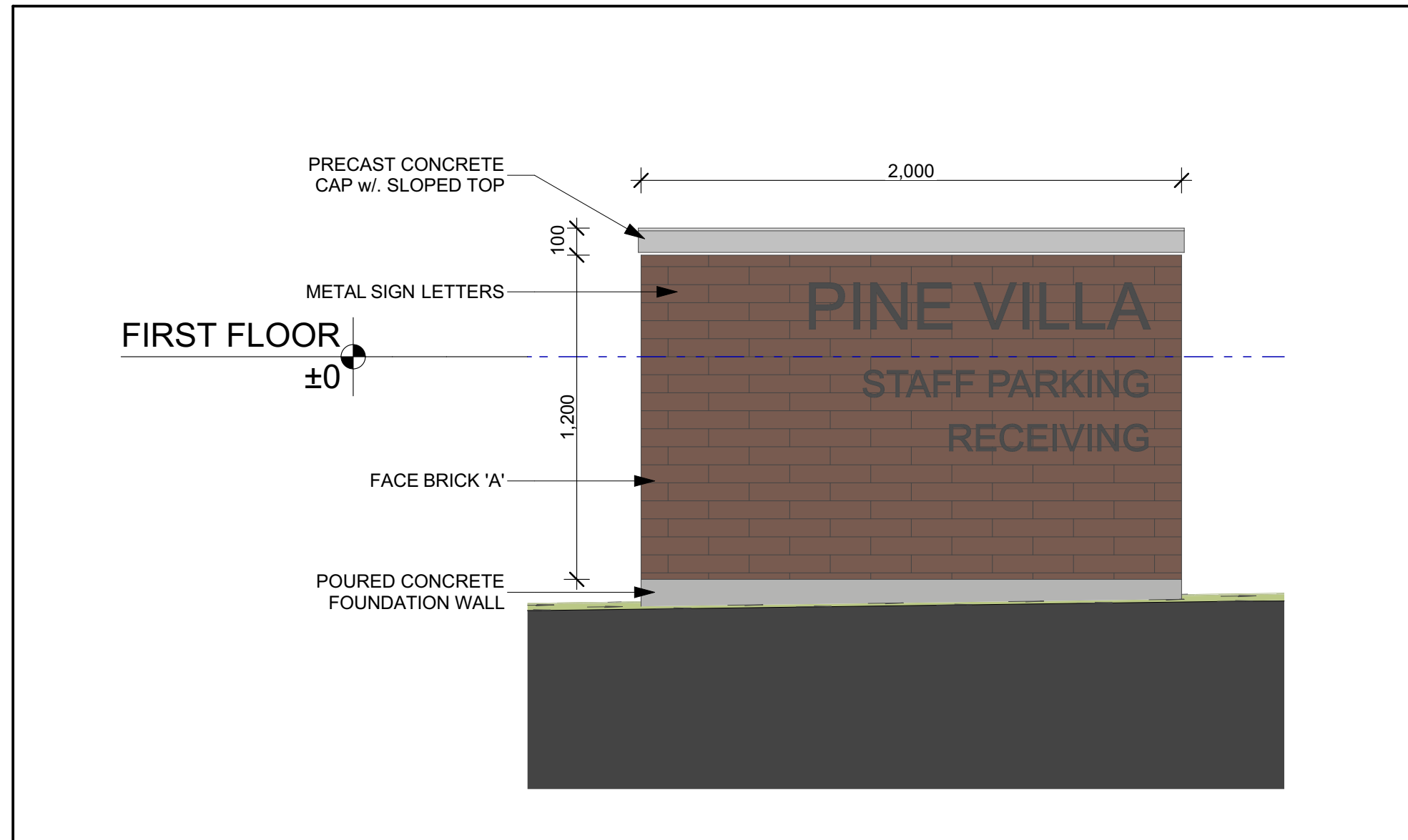
Project number	Date issued	Scale
<b>1738</b>		1:200, 1:1.7
Sheet title	Drawn by	Date
<b>SITE PLAN - NORTH</b>	ME/IR/KO/KH	2023-10-18
	Drawing no.	
	<b>A101</b>	

- SITE PLAN LEGEND**
- NEW BUILDING
  - LIGHT DUTY ASPHALT
  - HEAVY DUTY ASPHALT
  - PROPERTY LINE
  - CHAIN LINK FENCE
  - MAIN ENTRANCE / PRINCIPAL ENTRANCE
  - SERVICE ENTRANCE
  - SECONDARY BUILDING ENTRANCE
  - SECONDARY PRINCIPAL ENTRANCE
  - BUILDING EXIT
  - BARRIER FREE PARKING STALL
  - LTC PARKING SPOTS
  - RETAIL PARKING
  - CONCRETE SIDEWALK OR PAD
  - 1 IN 12 SLOPE DOWN TO DROP CURB WITH TACTILE WARNING SURFACE
  - SNOW STORAGE LOCATION
  - FIRE HYDRANT
  - CATCH BASIN
  - MANHOLE
  - PROPOSED SOFFIT MOUNTED LIGHT FIXTURE
  - PROPOSED WALL MOUNT LIGHT FIXTURE
  - PROPOSED BOLLARD LIGHT FIXTURE
  - PROPOSED LIGHT POLE
  - BARRIER-FREE PARKING STALL SIGN
  - FIRE ROUTE, NO PARKING SIGN
  - PEDESTRIAN CROSSING SIGN
  - STOP SIGN
  - HYDRO POLE
  - HYDRO BRACING POLE
  - PAINTED LINES AT PEDESTRIAN CROSSWALK
  - GRAVEL DRIVEWAY
  - BORE HOLE LOCATION AND NUMBER
  - FIRE ROUTE - CENTERLINE AND WIDTH

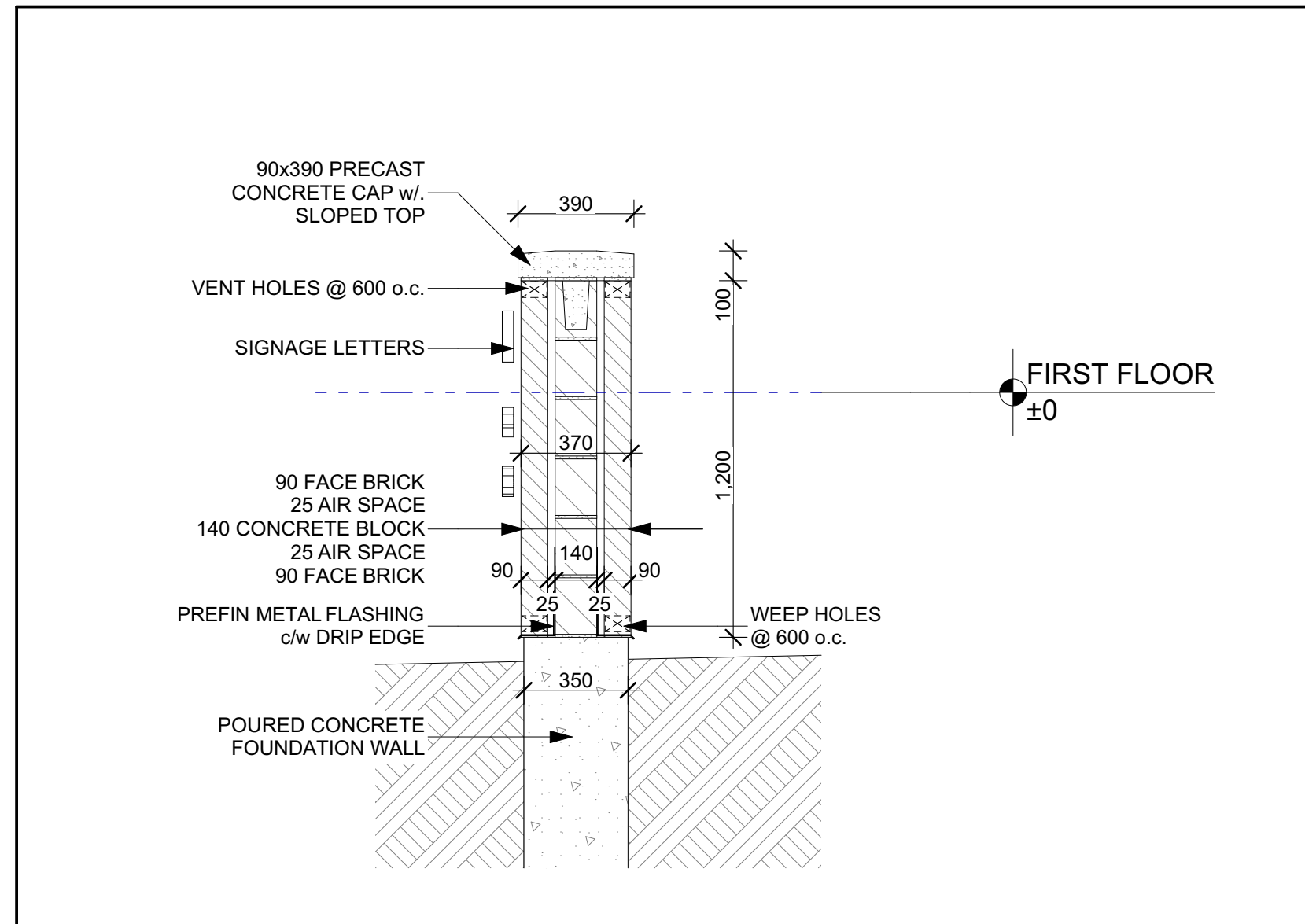
**PART SITE PLAN - NORTH**  
 1 A101 1:200



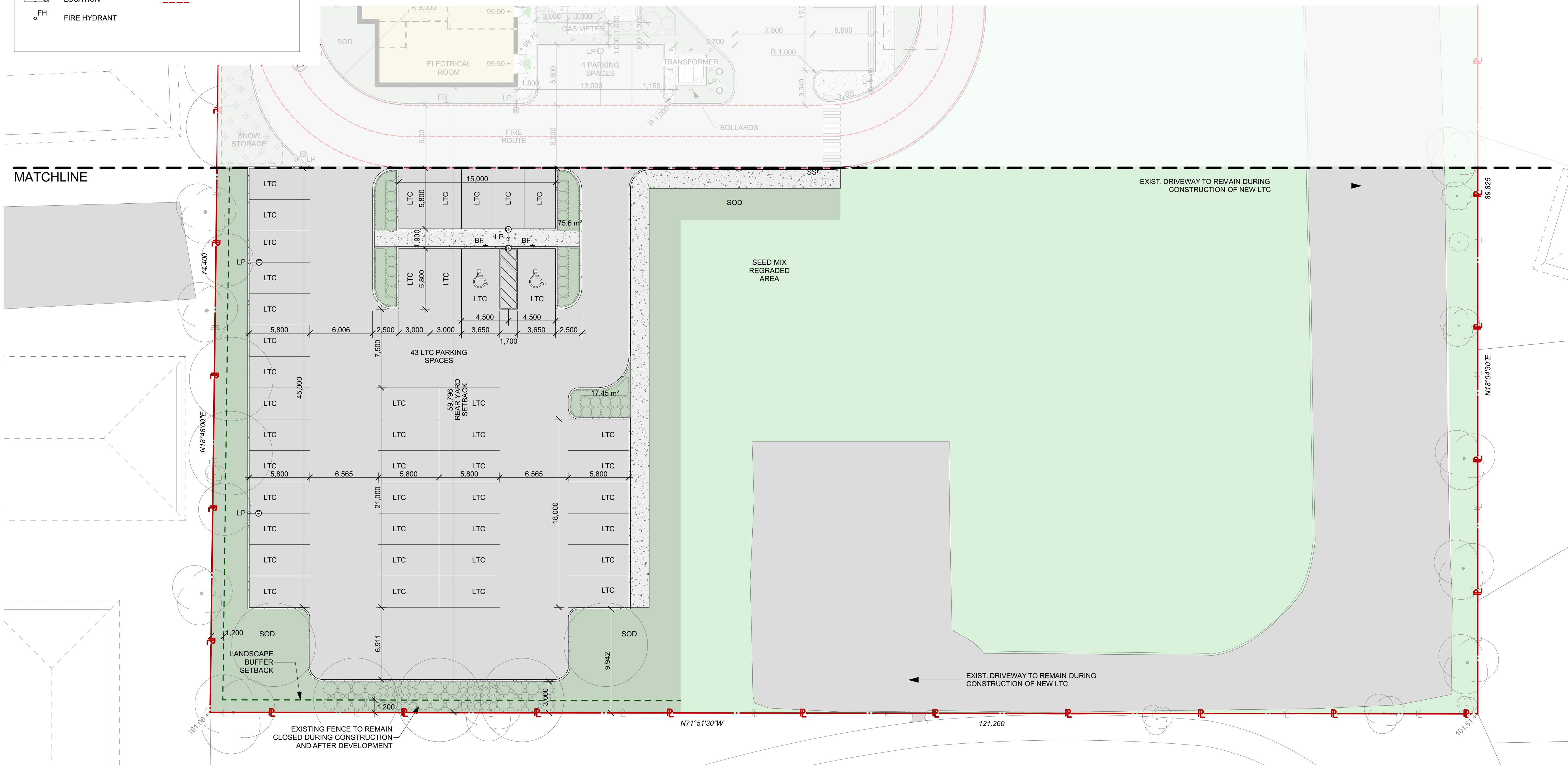
SITE PLAN LEGEND			
	NEW BUILDING		CATCH BASIN
	LIGHT DUTY ASPHALT		MANHOLE
	HEAVY DUTY ASPHALT		PROPOSED SOFFIT MOUNTED LIGHT FIXTURE
	PROPERTY LINE		PROPOSED WALL MOUNT LIGHT FIXTURE
	CHAIN LINK FENCE		PROPOSED BOLLARD LIGHT FIXTURE
	MAIN ENTRANCE / PRINCIPAL ENTRANCE		PROPOSED LIGHT POLE
	SERVICE ENTRANCE		BARRIER-FREE PARKING STALL SIGN
	SECONDARY BUILDING ENTRANCE		FIRE ROUTE, NO PARKING SIGN
	SECONDARY PRINCIPAL ENTRANCE		PEDESTRIAN CROSSING SIGN
	BUILDING EXIT		STOP SIGN
	BARRIER FREE PARKING STALL		HYDRO POLE
	LTC PARKING SPOTS		HYDRO BRACING POLE
	RETAIL PARKING		PAINTED LINES AT PEDESTRIAN CROSSWALK
	CONCRETE SIDEWALK OR PAD		GRAVEL DRIVEWAY
	1 IN 12 SLOPE DOWN TO DROP CURB WITH TACTILE WARNING SURFACE		BORE HOLE LOCATION AND NUMBER
	SNOW STORAGE LOCATION		FIRE ROUTE - CENTERLINE AND WIDTH
	FIRE HYDRANT		



2 ELEVATION - DYNASTY AVE SIGN  
A101 | A102 1:20



3 SECTION - DYNASTY AVE SIGN WALL  
A101 | A102 1:20



1 PART SITE PLAN - SOUTH  
A102 1:200

**Prints issued to**

Particulars	No.	Date	By
PLANNER FOR SPA	1	23/03/10	DDML
CM RFP	2	23/04/12	MR
MLTC for WD SUBMISSION	3	23/04/28	MR
COST ESTIMATE B	4	23/05/01	MR
CM for BID	5	23/07/10	MR
MLTC for WD RESPONSE #2	6	23/07/13	MR
PLANNER FOR SPA REVIEW	7	23/07/20	MR
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**Revisions to drawing**

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

**MMMC ARCHITECTS**  
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 127 Brant Ave., Brantford, ON N3T 3H5  
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 www.mmmc.on.ca

**ONTARIO ASSOCIATION OF ARCHITECTS**  
 BRANTFORD DISTRICT MEMBER  
 LICENCE 9005

PLAN NORTH

Project title  
**Responsive Group**  
**PINE VILLA LONG-TERM CARE HOME**  
 466-490 HIGHWAY 8 STONEY CREEK, ONTARIO

Project number	Date issued	Scale
1738	ME/IR/KO/KH	1:200, 1:20
Sheet title	Drawn by	Date
SITE PLAN - SOUTH	ME/IR/KO/KH	2023-10-18
	Drawing no.	
	<b>A102</b>	

October 18, 2023

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

Dear Ms. Sheffield,

**RE: Minor Variance Application**  
**460-499 Highway No. 8, Stoney Creek**

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T. Johns Consulting Group (“T. Johns Consulting”) has been retained by Rykka Care Centres GP Inc. to submit a Minor Variance application on their behalf to facilitate the final site plan approval of DA-23-042 to construct a new 4-storey, 224-bed Long-Term Care Facility on lands municipally referred to as 460-499 Highway No. 8, Stoney Creek.

**Minor Variance Application**

Through Conditionally Approved Site Plan DA-23-042, a zoning review was completed and identified a non-conformity of the side yard setback to a street being 3.0m instead of 3.5m in result of a 4.57m wide right-of-way widening. As such, a minor variance is required. Refer to the submitted site plan and planning rationale for additional information and details related to the proposed variance.

Please find the electronically enclosed documents in support of the application:

- Minor Variance Application with signatures;
- Copy of a cheque in the amount of \$3,735.00 made payable to the City of Hamilton;
- Planning Rationale prepared by T. Johns Consulting Group dated October 18, 2023;
- Architectural Site Plans prepared by MMMC Architects issued October 18, 2023.

Should you have any questions or require additional information, please do not hesitate to contact Katelyn Gillis at (905) 574-1993 ext. 207 or [kgillis@tjohnsconsulting.com](mailto:kgillis@tjohnsconsulting.com).

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



Katelyn Gillis, BA  
Senior Planner

Cc: Rykka Care Centres GP Inc. c/o Greg Bowman



T. Johns Consulting Group Ltd. (“T. Johns Consulting”) has prepared this Planning Rationale in support of the Minor Variance application for 466-490 Highway No. 8, Stoney Creek (“subject lands”). The requested variance is required to facilitate the final approval of the Conditionally Approved Site Plan Control application DA-23-042.

### **Description of Subject Lands**

The subject lands are comprised of four lots municipally known as 466, 478, 482, and 490 Highway No. 8. The subject lands are located on the southeast corner of Highway No. 8, east of Dynasty Avenue. Collectively the subject lands are an irregular shape with an approximate area of  $\pm 1.9$  hectares and an approximate frontage of  $\pm 180$  metres on Highway No. 8 and  $\pm 56$  metres on Dynasty Avenue. The site is currently occupied by the Pine Villa Care Centre and the Skyway Chapel Church.

### **Planning Status**

An Urban Hamilton Official Plan Amendment (UHOPA-18-015) was passed by Council on August 13, 2021 (OPA No. 153) which established the land use of the subject lands as “Institutional.” The proposed long-term care facility is a permitted use.

A Zoning By-law Amendment (ZAC-18-059) was passed by Council on August 13, 2021 (By-Law No. 21-133). The subject lands are zoned “Major Institutional (I3, 744, H36) Zone, Modified”, in the Comprehensive City of Hamilton Zoning By-law No. 05-200. The proposed long-term care facility with site specific regulations is permitted.

As noted, the subject lands are currently being processed per Conditionally Approved Site Plan Control application DA-23-042.

### **Proposed Development**

Rykkka Care Centre proposes to demolish the existing buildings on-site and redevelop the lands with a new four (4)-storey, 224-bed long-term care facility with 75 surface parking spaces. The intention of redevelopment is to build a new long-term care facility that meets Provincial design standards. Two (2) driveway access points are proposed; one (1) access off Highway 8 and one (1) access off Dynasty Avenue. Outdoor amenity space, landscaping and pedestrian walkways are included throughout.

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

One (1) Minor Variance is being sought from Zoning By-law No. 05-200 in result of a required right-of-way widening of Highway No. 8. The variance is as follows:

	<b><u>Zoning By-law No. 05-200</u></b>	<b><u>Purpose</u></b>
<b>1</b>	Schedule “C”: Special Exceptions 744 c) i) 1.	To allow a minimum side yard of 3.0 metres abutting a street whereas 3.5 metres is required.

## Planning Rationale to Support the Variance

**VARIANCE 1. To allow a minimum side yard of 3.0 metres abutting a street whereas 3.5 metres is required.**

### **Why is it not possible to comply with the provision of the by-law?**

A 4.57m right-of-way widening on Highway No. 8 was confirmed through the site plan approval process. The site design was reviewed and due to constraints of development including existing development, required parking, and circulation for safe maneuvering, a 0.5 metre reduction of the street line setback from 3.5 metres to 3.0 metres is required.

### **1. Conformity to the intent of the *Urban Hamilton Official Plan***

The subject lands are designated “Institutional” which permits a long-term care facility. The proposed development will contribute to the City’s goals of providing a range of housing types and allowing residents to age in place. The proposed development will conform to the urban design policies of the UHOP with a massing and building height that is appropriate for the urban context along Highway No. 8. The proposed 3.0 metre setback from the Highway No. 8 street line accommodate robust on-site landscaping in addition to the proposed street trees within the right-of-way widening, as demonstrated on the landscape plans. The proposed reduction of the street line setback maintains the intent of the UHOP.

### **2. Conformity to the intent of the Zoning By-law**

The minimum side yard provision is intended to ensure that buildings are sufficiently set back from the road to maintain the privacy of residents, mitigate impacts of development on pedestrian spaces, and allow for sufficient landscaping abutting the public realm. Landscape plans have been reviewed and demonstrate that the reduced setback will facilitate robust on-site landscaping in combination with new street trees which will provide privacy of residents on the ground floor and enhance the public realm with a high quality building design. The variance maintains intent of the Zoning By-law.

### **3. Is the variance minor?**

The variance is minor as there will still be sufficient space for landscaping within the street yard that will maintain the ground-floor privacy of future residents and enhance the pedestrian experience along Highway No. 8.



**4. Is the variance desirable for the development of the property?**

The variance is desirable as it will allow for efficient use of urban lands to facilitate a modern long-term care facility that will increase the City's capacity of beds. The proposed overall site design achieves the urban design goals of the City and provides sufficient on-site amenity and parking.

**Conclusion**

The requested variance will help respond to the growing need for long term care beds in the community. The variance maintains the intent of the UHOP and Zoning By-law No. 05-200, is minor, and is desirable. The requested variance is appropriate for the subject lands and represents good land use planning.

Respectfully Submitted,  
**T. Johns Consulting Group Ltd.**



**Katelyn Gillis, BA**  
Senior Planner



Hamilton

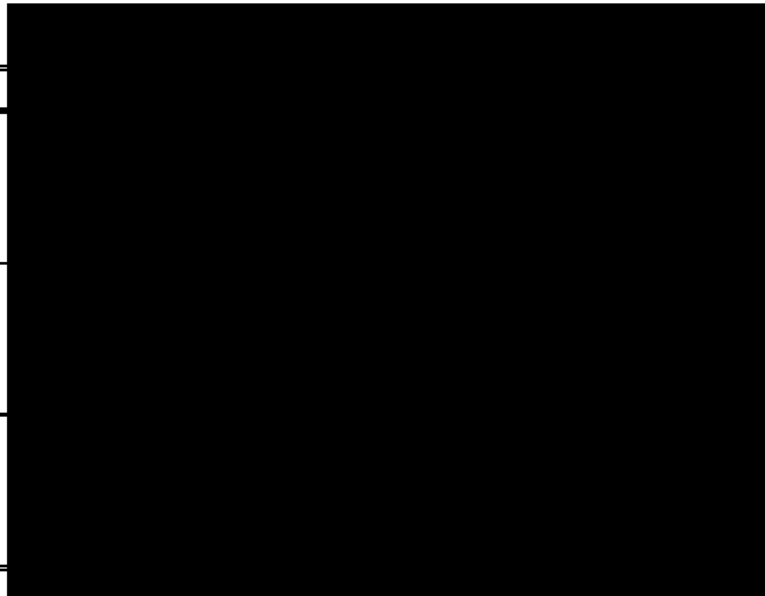
Committee of Adjustment  
City Hall, 5<sup>th</sup> Floor,  
71 Main St. W.,  
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221  
Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

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

**1. APPLICANT INFORMATION**

	NAME
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			
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number		Lot(s)	
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:

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

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

Proposed:

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

Proposed:

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
  - municipal road, seasonally maintained
  - municipal road, maintained all year
  - right of way
  - other public road
- \_\_\_\_\_

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

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

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

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

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

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

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) \_\_\_\_\_

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

7.6 What is the existing zoning of the subject land? \_\_\_\_\_

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: \_\_\_\_\_

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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

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: \_\_\_\_\_

8.2 Number of Dwelling Units Proposed: \_\_\_\_\_

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



## 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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