



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5
Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202
E-mail: morgan.evans@hamilton.ca or jamila.sheffield@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
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APPLICATION NO.: HM/A-19:259

APPLICANTS: Zelinka Priamo Ltd. c/o Katelyn Crowley on behalf of the owner
CP Reit Ontario Properties Limited Trustee

SUBJECT PROPERTY: Municipal address **1579 Main St. W., City of Hamilton**

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

ZONING: "C6" (District Commercial (C4) Zone

PROPOSAL: To permit a Seasonal Garden Centre, including tents, accessory to the existing Retail Store (Fortino's) notwithstanding that:

1. The Seasonal Garden Centre shall be permitted to occupy a maximum of 15.4% of the total number of parking spaces provided instead of the requirement that Seasonal Garden Centre shall not occupy more than 10% of the total number of provided parking spaces.

NOTE:

- i) The Seasonal Garden Centre occupies 87 parking spaces of the 567 parking spaces provided on the site.

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

DATE: Thursday, July 9th, 2020

TIME: 3:55 p.m.

PLACE: Via video link or call in (see attached sheet for details)
To be streamed at www.hamilton.ca/committeeofadjustment
for viewing purposes only

PUBLIC INPUT

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

Orally: If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

MORE INFORMATION

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

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

DATED: June 23rd, 2020.

Original Signed

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.

6. Nature and extent of relief applied for:
Relief form the Zoning By-law to permit a temporary garden centre to make use of more
than 10% of the provided parking spaces on the site. The garden centre will operate April 15th-July 15th annually.
The temporary tents make use of 87 parking spaces where it is only permitted to occupy 56 spaces.
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7. Why it is not possible to comply with the provisions of the By-law?
Due to the standard size of the garden centre which has been in operation for 15 years,
the garden centre is not able to be relocated on the site in an area which takes up less than
87 spaces. The temporary tent use is compliant with all other provisions of the Zoning By-law
according to Section 4.18 c).
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8. Legal description of subject lands (registered plan number and lot number or other
 legal description and where applicable, street and street number):
1579 Main Street West, Hamilton
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9. PREVIOUS USE OF PROPERTY
- Residential ☐ Industrial ☐ Commercial ☒
 Agricultural ☐ Vacant ☐
 Other ☐
- 9.1 If Industrial or Commercial, specify use
Retail - Grocery Store
- 9.2 Has the grading of the subject land been changed by adding earth or other
 material, i.e. has filling occurred?
 Yes ☐ No ☒ Unknown ☐
- 9.3 Has a gas station been located on the subject land or adjacent lands at any time?
 Yes ☐ No ☒ Unknown ☐
- 9.4 Has there been petroleum or other fuel stored on the subject land or adjacent
 lands?
 Yes ☐ No ☒ Unknown ☐
- 9.5 Are there or have there ever been underground storage tanks or buried waste on
 the subject land or adjacent lands?
 Yes ☐ No ☒ Unknown ☐
- 9.6 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 ☐
- 9.7 Have the lands or adjacent lands ever been used as a weapon firing range?
 Yes ☐ No ☒ Unknown ☐
- 9.8 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 ☐
- 9.9 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 ☐

