



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: 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-20:258

APPLICANTS: Owner: GPM Real Property Ltd.
Agent: Steven Albanese

SUBJECT PROPERTY: Municipal address **1575 Upper Ottawa St., Hamilton**

ZONING BY-LAW: Zoning By-law 05-200, as Amended by By-Law 17-240 and 19-062

ZONING: C7, 600 district (Arterial Commercial (C7) zone)

PROPOSAL: To permit the existing shopping centre to continue to remain notwithstanding that:

1. A maximum combined gross floor area for Retail of 2,150m² for each lot shall be permitted instead of the required maximum combined gross floor area for Retail of 1,500m² for each lot.
2. Notwithstanding Section 5.6 c) "Parking Schedules", parking space regulations for this shopping centre shall be based on a "shopping centre" regulations which requires: 0 parking spaces for less than 450m² of gross floor area; one (1) parking space for each 17.0m² of gross floor area between 450m² and 4,000m²; and, one (1) parking space for each 50.0m² of gross floor area greater than 4,000m² instead of the required parking spaces being based on individual uses within each of the buildings as required pursuant to Section 5.6 c) prior to passage of Amending By-law No. 17-240.

NOTE:

- i) Be advised that Amending By-law No. 17-240 was passed on November 8, 2017 which changed the zoning of this property from "M-11" and "M-12" under Hamilton Zoning By-law No. 6593 to "C7, 600" under Hamilton Zoning By-law No. 05-200. However, there are portions of Amending By-law No. 17-240 which are still under appeal to the Local Appeal Planning Tribunal (LPAT); therefore, it is not yet final. As such, the proposed development is reviewed under the regulations contained within Hamilton Zoning By-law 05-200, except where portions of these regulations are still under appeal by By-law No. 17-240 both the existing and proposed Zoning By-law regulations will be examined with the more restrictive zoning regulation being applied. An exception to this policy is for Building Permits, which are reviewed under the former existing Zoning and/or Zoning By-law regulation until such time that Amending By-law No. 17-240 comes fully into force. Once By-law No. 17-240 is approved in its entirety by the Local Appeal Planning Tribunal (LPAT), the zoning and regulations under this By-law will be applicable.

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- ii) If Variance # 2 is approved, a minimum of two hundred and thirty-four (234) parking spaces will be required for the total gross floor area of 5,261m² for Buildings A, B and C. A total of two hundred and sixty-three (263) parking spaces are shown which will conform to the shopping centre parking regulations. Be advised that the Minor Variance Sketch indicates a total of 256 parking spaces being provided; however, when all the parking spaces shown are added, a total of 263 parking spaces are actually shown.

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

DATE: Thursday, January 21st, 2021
TIME: 2:00 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.

Important note: *If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent does not make written submission to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal (LPAT) may dismiss the appeal.*

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: January 5th, 2021.

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.

SKETCH MAP
1575
UPPER OTTAWA STREET
PART OF LOT 4, CONCESSION 8,
TOWNSHIP OF BARTON, REGIONAL
MUNICIPALITY OF HAMILTON,
WENTWORTH
PARTS 2 & 3, 62R-4920

**Land Subject to
Minor Variance
Application**

256 Total Parking Spaces:
249 Parking Spaces
(2.7m x 6.0m)

**7 Accessible
Parking Spaces
(Meets minimum
requirements of
2.7m x 6.0m)**

#	DATE	BY	DESCRIPTION

DRAWING ISSUE RECORD

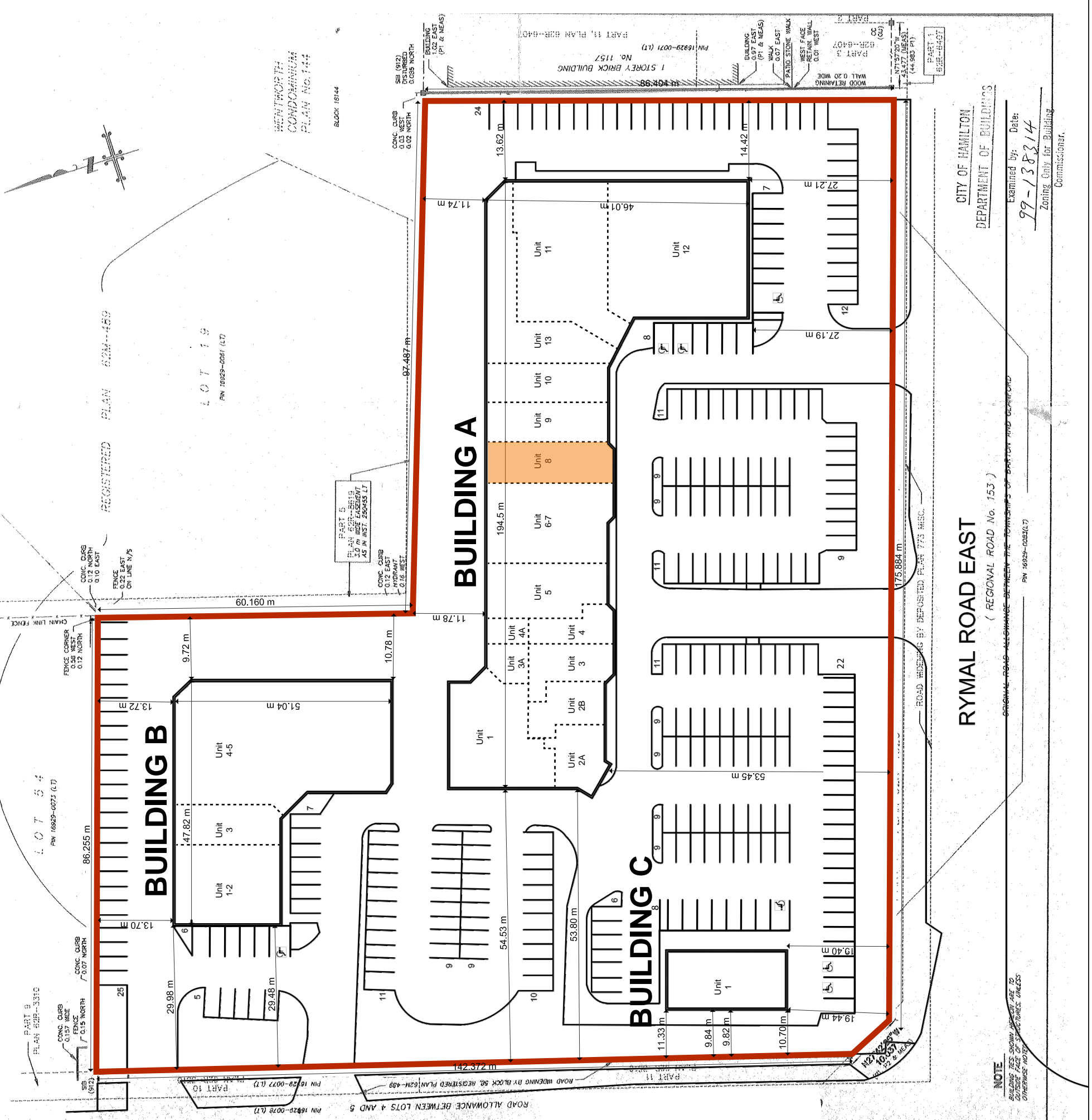
APPROVALS

IBI
Toronto ON
55 St. Clair Avenue West
M4V 2Y7 Canada

PROJECT NO:
DRAWN BY: RS
CHECKED BY: AQ
PROJECT MGR: SA
APPROVED BY: SA
SHEET TITLE: MINOR VARIANCE SKETCH

SHEET NUMBER: SKETCH-1
ISSUE: 01

True North
1:800,000



CITY OF HAMILTON
DEPARTMENT OF BUILDINGS
Examined by: Date:
99-138314
Zoning Only for Building
Commissioner

RYMAL ROAD EAST
(REGIONAL ROAD No. 153)
ORIGINAL ROAD ALLOWANCE BETWEEN THE TOWNSHIPS OF BARTON AND CLAYTON

NOTE
BUILDING FEES SHOWN HEREIN ARE TO
OUTSIDE FACE OF STRUCTURES, UNLESS
OTHERWISE NOTED

SURVEYOR'S REAL PROPERTY REPORT (PART 1)
 PLAN OF SURVEY OF
PART OF LOT 4
CONCESSION 8
 KNOWN AS MUNICIPAL No. 1575 UPPER OTTAWA STREET
 IN THE GEOGRAPHIC TOWNSHIP OF BARTON
 BEING IN THE
CITY OF HAMILTON
 REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH

SCALE: 1:500
 0 5 10 15 20 30 40 metres
 MACKAY, MACKAY & PETERS LIMITED - 1999

ALL RIGHTS RESERVED NO PORTION OF THIS PLAN MAY BE REPRODUCED
 IN ANY FORM WITHOUT WRITTEN PERMISSION FROM MACKAY, MACKAY & PETERS LTD.

NOTE
 MACKAY, MACKAY & PETERS LIMITED grants UPPER MALL GROUP ["The Client(s)"] their solicitor and other
 related parties permission to use "Original Copies" of the Surveyor's Real Property Report in
 transactions involving "The Client(s)".

"METRIC" DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND
 CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

LEGEND:
 ■ DENOTES A SURVEY MONUMENT FOUND
 □ DENOTES A SURVEY MONUMENT PLANTED
 SIB DENOTES STANDARD IRON BAR
 SSB DENOTES SHORT STANDARD IRON BAR
 IB DENOTES IRON BAR
 R DENOTES ROUND
 CC DENOTES CUT CROSS
 CP DENOTES CONCRETE PIN
 WIT DENOTES WITNESS
 (OU) DENOTES ORIGIN UNKNOWN
 P1 DENOTES PLAN BY A. J. CLARKE, O.L.S. DATED JAN. 2, 1990
 P2 DENOTES DEPOSITED PLAN 62R-4920
 S12 DENOTES S. CLARKE, O.L.S.
 R17H DENOTES REGION OF HAMILTON-WENTWORTH

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH
 THE SURVEY ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT
 AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON THE 13th. DAY OF JULY, 1999.

JULY 14th, 1999
 DATE

D.A. Lammont
 DAVID A. LAMMONT
 ONTARIO LAND SURVEYOR

BEARING REFERENCE
 BEARINGS ARE ASTROMERIC AND ARE REFERRED
 TO THE EAST LIMIT OF UPPER OTTAWA STREET
 AS SHOWN ON DEPOSITED PLAN 62R-4920,
 HAVING A BEARING OF N 16° 32' 30"E.

ASSOCIATION OF ONTARIO
 LAND SURVEYORS
 PLAN SUBSCRIPTION FORM
 1248447

THIS PLAN IS NOT VALID
 UNLESS IT IS AN EMBOSSED
 ORIGINAL COPY
 ISSUED BY THE SURVEYOR

Plot date: 1999/7/19 - 11:42
 CAD FILE: BARTON\CON\1575\UPPERMALL\SR1575.PLT
 Regulation 103B, Section 25(3)

Examined by: Date: 99-138214
 Zoning Only for Building
 Commissioners.

MACKAY MACKAY & PETERS LIMITED
 ONTARIO LAND SURVEYORS
 ESTABLISHED 1906
 SUITE 700, UNION GAS BUILDING
 20 HUGHSON STREET SOUTH
 HAMILTON, ONTARIO L8N 2A1
 PHONE: (905) 526-7471
 FAX: (905) 526-0787

