

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-21:400

APPLICANTS: Agent T. Johns Consulting c/o Katelyn Gillis
Owner Good Shepherd Centre c/o Alan Whittle

SUBJECT PROPERTY: Municipal address **35 Arkledun Ave., Hamilton**

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

ZONING: "I3" (Major Institutional) district

PROPOSAL: To permit the establishment of a multiple dwelling containing a total of seventy-three (73) dwelling units within the existing building notwithstanding that;

1. A stand-alone multiple dwelling shall be permitted on the lot whereas the zoning By-law only permits a multiple dwelling on the same lot as an Educational Establishment, Retirement Home or Long Term Care Facility.
2. The location of the existing building shall be permitted whereas the Zoning By-law requires a minimum 6.0m side and rear yard where a lot line abuts a Residential Zone lot line.
3. No barrier free parking spaces shall be permitted instead of the minimum two (2) barrier free parking spaces required.
4. A minimum of fifteen (15) parking spaces shall be permitted instead of the minimum seventy-three (73) parking spaces required.

Notes: No survey was submitted showing actual conditions. In addition, the sketch provided does not show setback dimensions.

The zoning By-law requires a minimum parking space size of 2.8m x 5.8m. No dimensions were shown on the submitted underground plan from which to determine compliance. Therefore, further variances may be required.

Insufficient information including no dimensions were shown on the underground floor plan from which to confirm compliance respecting all other parking regulations i.e. manoeuvring/aisle widths, wall or column obstructions, access, etc. Therefore, further variances may be required.

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

DATE: Thursday, December 9th, 2021
TIME: 3:20 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

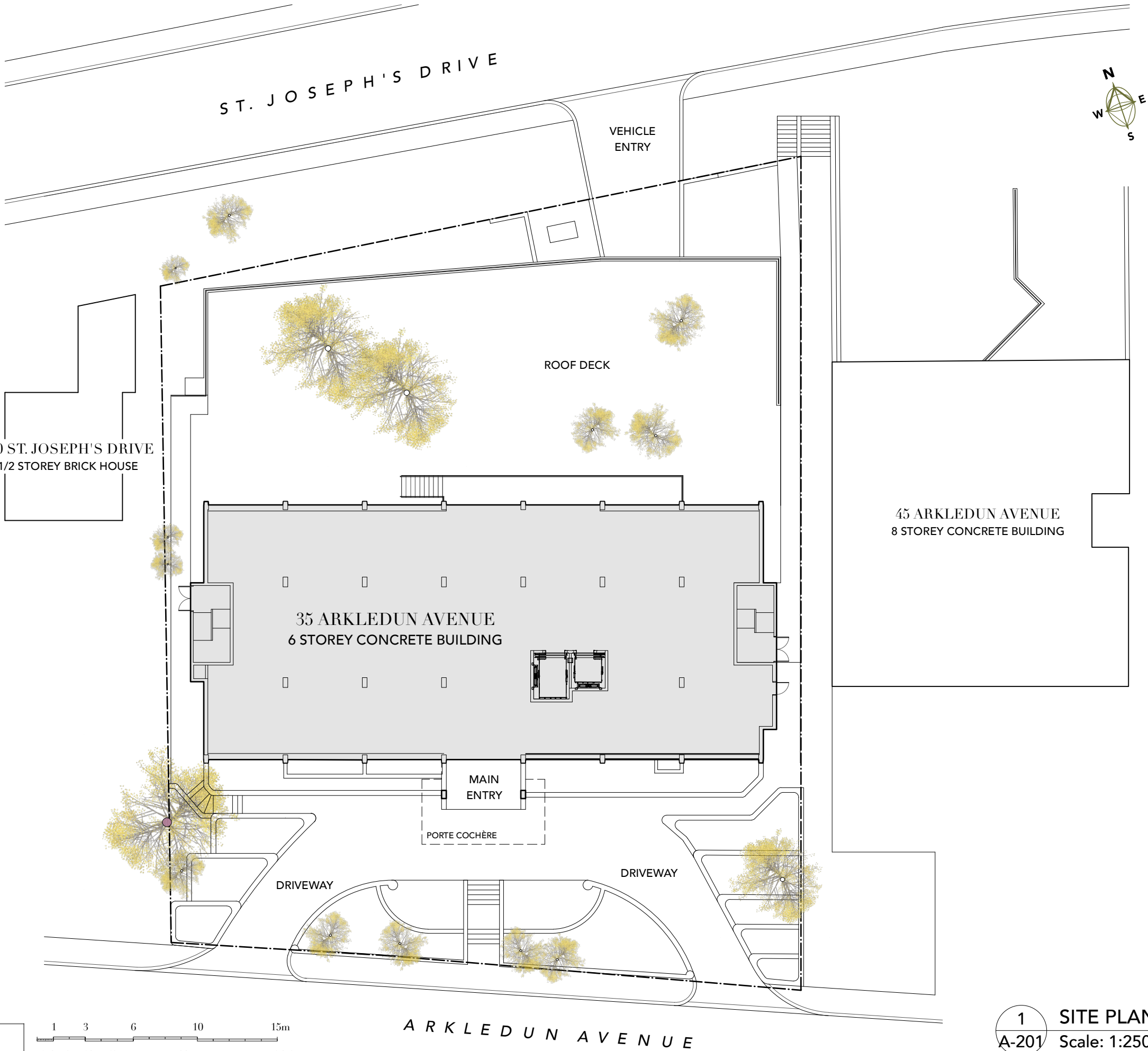
DATED: November 23rd, 2021.

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.

73 UNITS
83 BEDS

90 ST. JOSEPH'S DRIVE
2 1/2 STOREY BRICK HOUSE



1 SITE PLAN
A-201 Scale: 1:250

DO NOT SCALE DRAWINGS
PDF IS SCALED FOR 11" X 17" PAPER

CHECK ALL DIMENSIONS AT THE SITE.
REPORT ANY DISCREPANCIES TO
GOOD SHEPHERD CENTRES BEFORE
COMMENCING CONSTRUCTION.

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35 ARKLEDUN AVENUE
HAMILTON, ON L8N 2H5

SITE PLAN

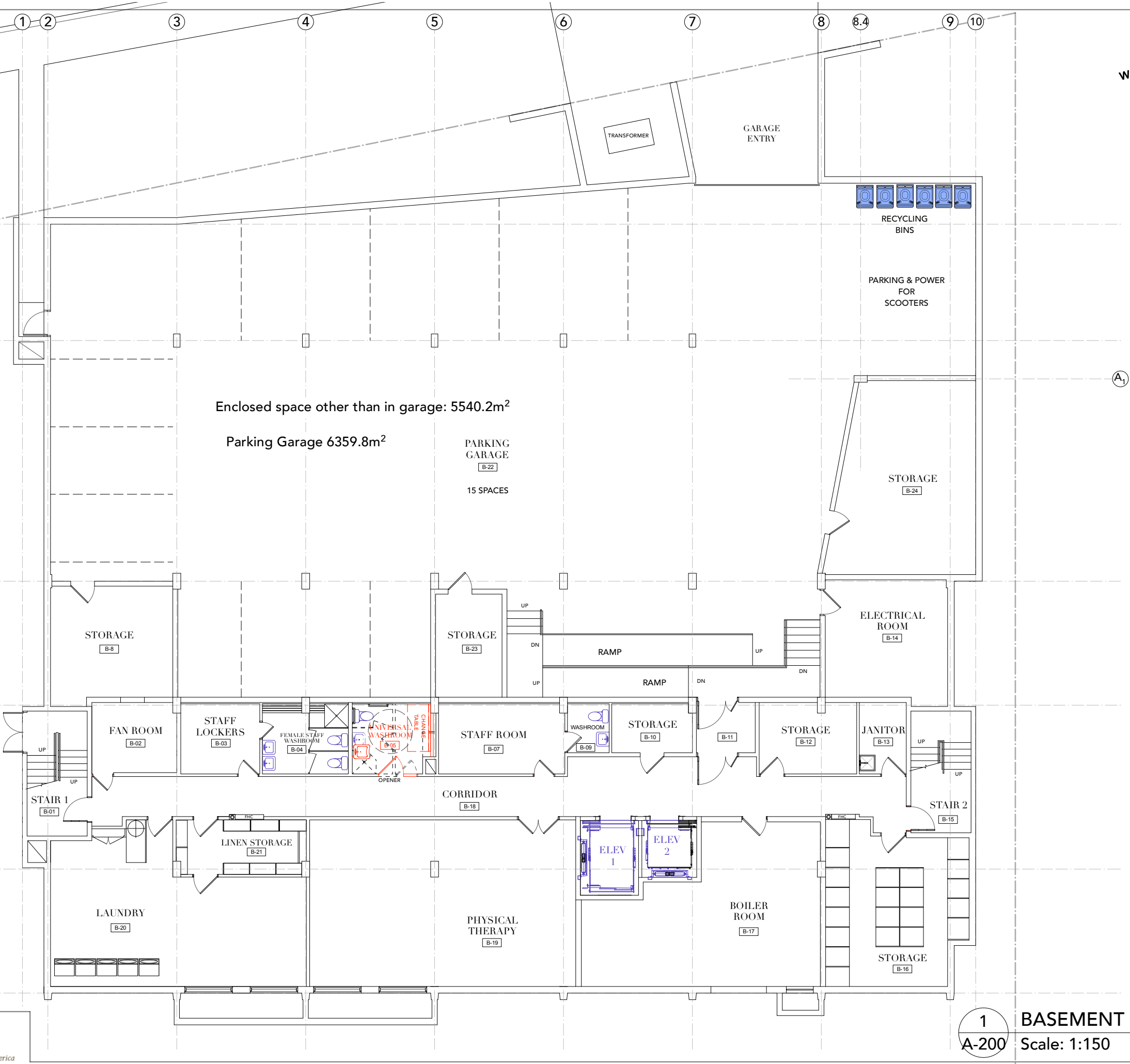
SCALE: AS NOTED	JUNE 2021
DRAWN BY: CL	CHECKED BY:
GSNPH19	A-100

REVISED AND/OR ISSUED



**GOOD SHEPHERD
CENTRES**

400 KING STREET WEST
P.O. BOX 1003
HAMILTON, ON L8N3R1



1
A-200

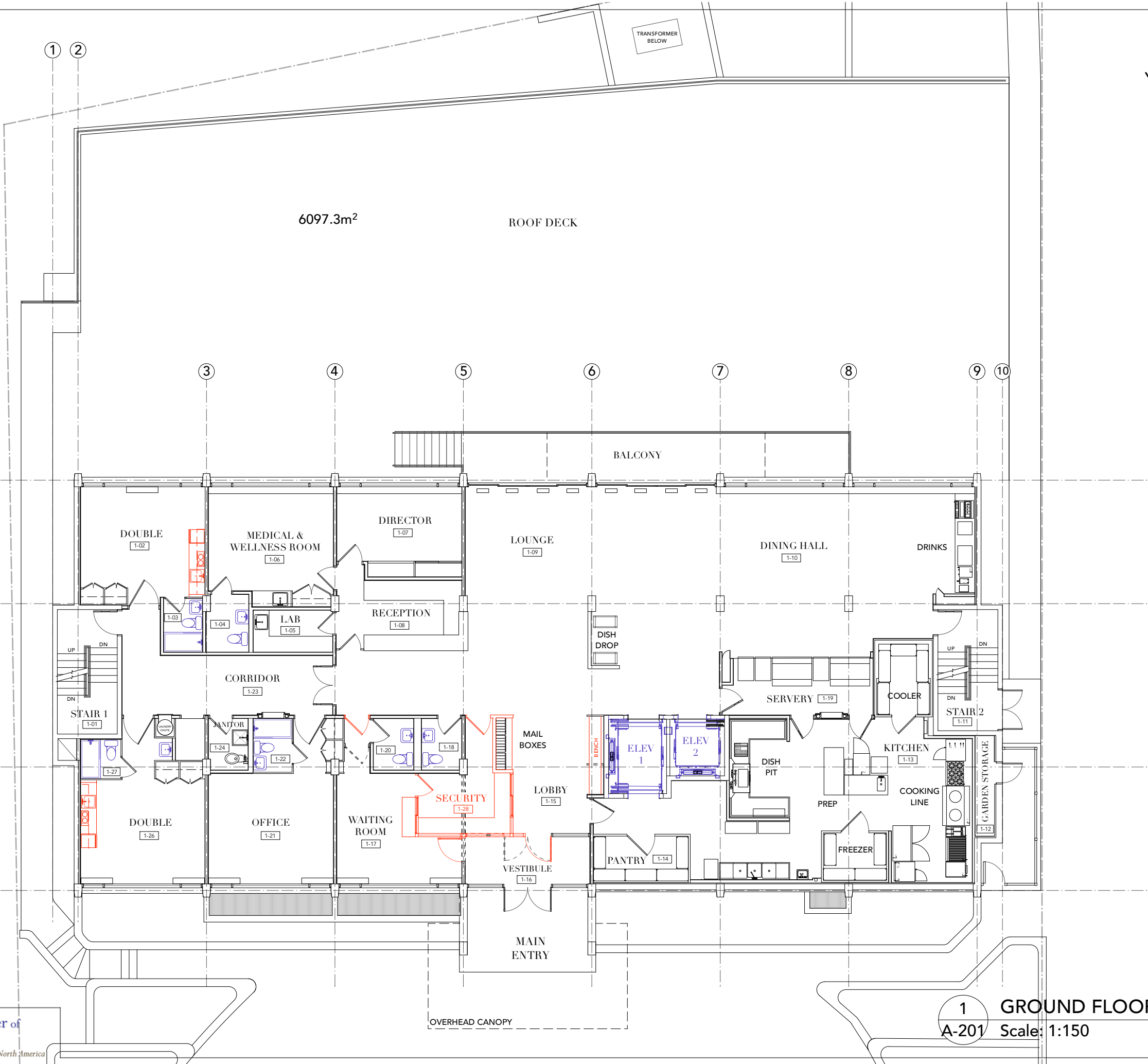
BASEMENT PLAN
Scale: 1:150

35 ARKLEDUN AVENUE HAMILTON, ON L8N 2H5 BASEMENT PLAN PARKING GARAGE	SCALE: AS NOTED	JUNE 2021
	DRAWN BY: CL	CHECKED BY:
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	REVISED AND/OR ISSUED	

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1
A-201

GROUND FLOOR PLAN
Scale: 1:150

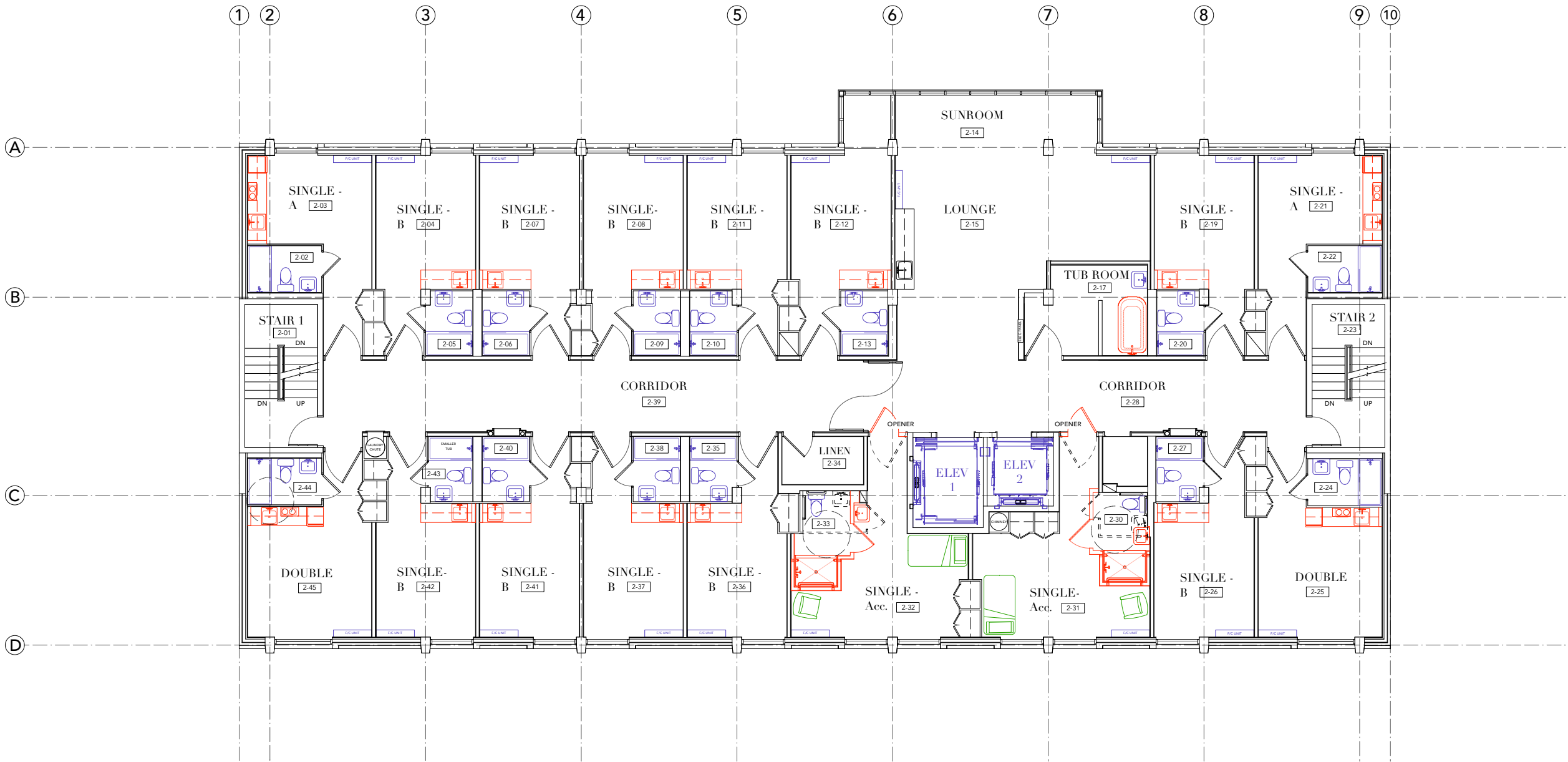
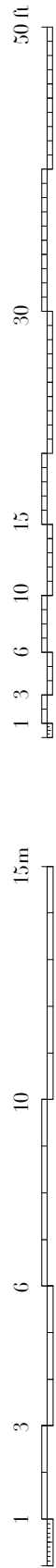
35 ARKLEDUN AVENUE HAMILTON, ON L8N 2H5	GROUND FLOOR PLAN	
	SCALE: AS NOTED	JUNE 2021
	DRAWN BY: CL	CHECKED BY:
	GSNPH19	A-201
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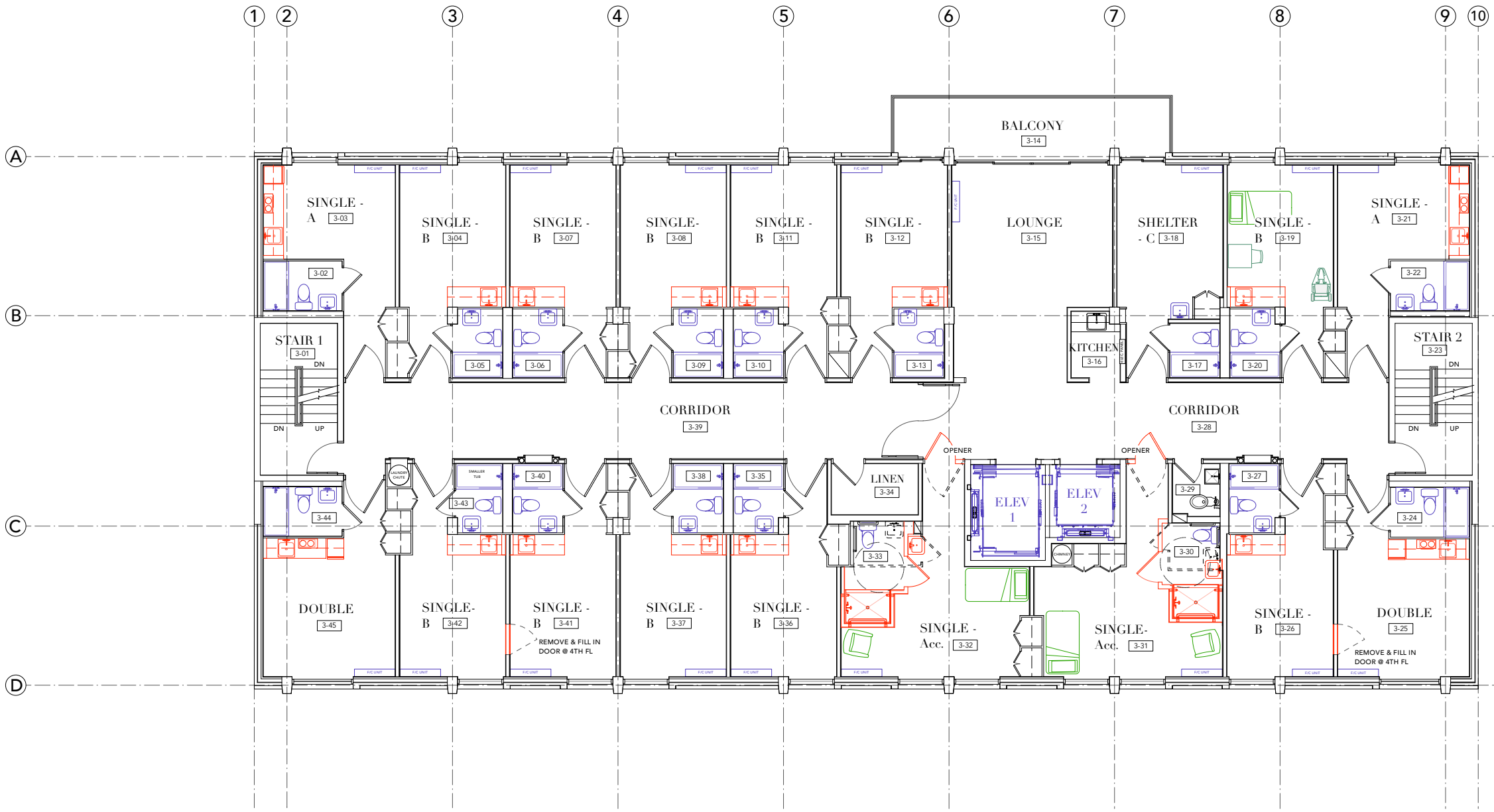


6415.2 m²

1 SECOND FLOOR PLAN
A-202 Scale: 1:150

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35 ARKLEDUN AVENUE HAMILTON, ON L8N 2H5 SECOND FLOOR PLAN	JUNE 2021	
	SCALE: AS NOTED	CHECKED BY:
	DRAWN BY: CL	
	GSNPH19	A-202
REVISED AND/OR ISSUED		



6250.7m²

1 THIRD FLOOR PLAN
A-203 Scale: 1:150

35 ARKLEDUN AVENUE HAMILTON, ON L8N 2H5		THRD FLOOR 4TH & 5TH SIMILAR	
DO NOT SCALE DRAWINGS PDF IS SCALED FOR 11" X 17" PAPER CHECK ALL DIMENSIONS AT THE SITE. REPORT ANY DISCREPANCIES TO GOOD SHEPHERD CENTRES BEFORE COMMENCING CONSTRUCTION. DRAWINGS © 2021 GOOD SHEPHERD CENTRES, HAMILTON, ON, CANADA REPRODUCTION IS PROHIBITED WITHOUT WRITTEN PERMISSION.	SCALE: AS NOTED	JUNE 2021	CHECKED BY:
	DRAWN BY: CL	GSNPH19	A-203
	REVISED AND/OR ISSUED		

**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 _____

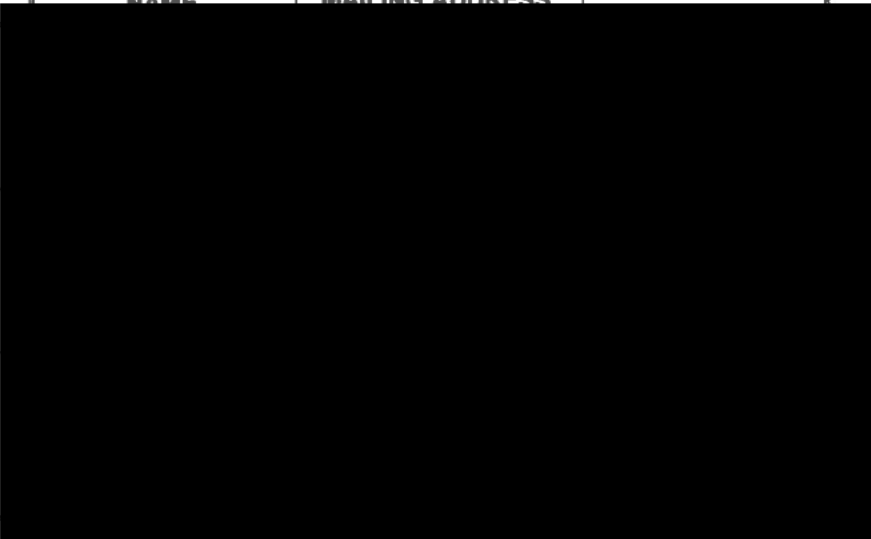
PAID _____ DATE APPLICATION DEEMED COMPLETE _____

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)		
Applicant(s)*		
Agent or Solicitor		

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:

1st Charge (bridge loan):

2nd Charge but eventual 1st:

CIBC
1 King St. W.
Hamilton, ON L8P 1A4

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

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:

To permit a stand alone multiple dwelling, to require no additional parking spaces provided that the number of parking spaces existed shall continue to be provided and maintained, and to recognize the existing yard setbacks. Please see Minor Variance Rationale for more information.

☐ Secondary Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

Please see Minor Variance Rational.

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**):

35 Arkledun Avenue, Hamilton

7. PREVIOUS USE OF PROPERTY

Residential ☐ Industrial ☐ Commercial ☐
Agricultural ☐ Vacant ☐ Other ☒

Other Institutional

- 8.1 If Industrial or Commercial, specify use _____
- 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?

Owner's knowledge

- 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.

Nov. 2, 2021
Date


Signature Property Owner(s)

Good Shepherd Centre c/o Alan Whittle
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage + 133.47 m
Depth + 171.5 m
Area + 20,475.00 m²
Width of street + 13.6 m

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: _

Stories: 6
Ground Floor Area: 6,097.3sq m
Gross Floor Area: 30,554.1sq m

Width: + 36.5 m
Length: + 16 m

Proposed

No structural changes proposed.

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

Existing:

Front Lot Line: + 11.7m
Rear Lot Line: + 13.5m
Side Lot Line (East): + 1.7m
Side Lot Line (West): + 1.8m

Proposed:

No structural changes proposed.

13. Date of acquisition of subject land
~~September 20th, 2021~~ October 29, 2021
14. Date of construction of all buildings and structures on subject lands:
1965
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
73-unit student residence.
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
To the east: Multiple dwelling
To the west: Single family dwelling
17. Length of time the existing uses of the subject property have continued:
Student residence from 2012-2020
Vacant since 2020
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|-------------------------------------|-----------|-------------------------------------|
| Water | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input checked="" type="checkbox"/> |
| Storm Sewers | <input checked="" type="checkbox"/> | | |
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:
Major Institutional (I3) Zone in City of Hamilton Comprehensive Zoning By-law No. 05-200
21. Has the owner previously applied for relief in respect of the subject property?
Yes ☐ No ☒
If the answer is yes, describe briefly.
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
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.