



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-22:62

APPLICANTS: Agent T. Johns Consulting
Owner Hamilton Urban Core Community Health Centre &
1598540 Ontario Inc.

SUBJECT PROPERTY: Municipal address **430-436 Cannon St. E., Hamilton**

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

ZONING: "C2" (Neighbourhood Commercial) district

PROPOSAL: To permit the construction of a two storey Social Services Establishment building as per Site Plan Application DA-21-010, notwithstanding that;

1. A minimum 0.0m yard shall be permitted from the Cannon Street lot line instead of the minimum 1.5m yard required from a street line.
2. No principal entrance shall be permitted to be maintained on the ground floor façade closest to the street whereas the zoning By-law requires that a principal entrance is located on the ground floor façade that is setback closest to a street.
3. Parking spaces shall be permitted to be located a distance of 1.0m from the Cannon Street lot line and a distance of 1.0m from the Ashley Street lot line instead of the minimum 3.0m setback required from a street line.
4. A planting strip having a minimum width of 1.0m shall be permitted between the Cannon Street line and the parking spaces and to permit no planting strip between the Ashley Street line and the parking spaces instead of the minimum required 3.0m wide planting strip between the street line and parking spaces.
5. A minimum thirty-four (34) parking spaces shall be permitted instead of the minimum forty-eight (48) parking spaces required for the proposed Social Service Establishment.

Notes: The proposal is subject to Site Plan Application DA-21-010.

The applicant shall ensure that an access driveway having a minimum width of 5.5m is provided for the 60° angled parking; otherwise, further variances shall be required.

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

DATE: Thursday, April 7th, 2022
TIME: 3:25 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: March 22nd, 2022.

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.

EXIT

ENTRANCE

BARRIER FREE ENTRANCE

LIMIT OF CONTRACT

CONSTRUCTION HOARDING

EXISTING TO BE REMOVED

TREE PROTECTION

FIRE HYDRANT

MANHOLE
(REFER TO SITE SERVICES DWGS)

NEW BUILDING

NEW SOD

NEW PLANTING BED

BARRIER FREE WALK
WAY c/w COLOURED
CONCRETE AND SLIP
RESISTANT DETECTABLE
SURFACE

BOLLARD

BUILDING MOUNTED
EXTERIOR LIGHT

EXISTING MANHOLE TO
REMAIN AS IS

EXISTING CATCH BASIN TO
REMAIN AS IS (REFER TO
SITE SERVICES DWG)

EXISTING LIGHT
STANDARD TO REMAIN
AS IS

EXISTING LIGHT
STANDARD TO BE
REMOVED

EXISTING STEEL POST
TO REMAIN AS IS

EXISTING SIGN TO
REMAIN AS IS

LIGHT STANDARD
(REFER TO ELECTRICAL DWGS)

EXISTING STREET
LIGHT TO REMAIN AS IS

EXISTING HYDRO POLE
TO REMAIN AS IS

TREE

EX. TREE TO REMAIN

EXISTING BOLLARD
TO REMAIN AS IS

CATCH BASIN
(REFER TO SITE SERVICES
DWGS)

1. THIS DRAWING SHALL BE READ IN CONJUNCTION WITH THE LANDSCAPE STRUCTURAL, CIVIL, MECHANICAL, ELECTRICAL DRAWINGS AND THE SPECIFICATIONS. ALL WORK TO BE COORDINATED AND VERIFIED PRIOR TO CONSTRUCTION.

2. CONTRACTOR IS RESPONSIBLE FOR VISITING THE SITE TO VERIFY ALL SITE DIMENSIONS, SPOT ELEVATIONS AND REPORT ANY DISCREPANCIES TO THE CONSULTANTS PRIOR TO CONSTRUCTION.

3. REPLACE, REPAIR AND MAKE GOOD ALL EXISTING CONCRETE SIDEWALKS, ASPHALT ROAD AND SODDED AREAS THAT ARE DAMAGED AS A RESULT OF THE WORK. THIS INCLUDES ANY AREAS DAMAGED OUTSIDE THE LIMIT OF CONTRACT. CONTRACTOR IS TO DOCUMENT EXISTING SITE CONDITIONS WITH PHOTOGRAPHS BEFORE START OF CONSTRUCTION AND SUBMIT COPIES TO THE CONSULTANT.

4. CONTRACTOR IS RESPONSIBLE FOR MAINTAINING ACCESS AND EGRESS TO ALL EXISTING BUILDINGS, WALKWAYS, LANES, ROADS AND PARKING LOTS IN THE SURROUNDING AREA. COORDINATE ALL BUILDING MATERIAL AND EMPLOYEE DROP OFFS TO ALLOW CONTINUED USE OF ROADS / FIRE ROUTES LOADING ZONES AT ALL TIMES.

5. CONTRACTOR IS RESPONSIBLE FOR REMOVAL OF ALL DEMOLISHED MATERIALS AND DEBRIS FROM THE SITE, UNLESS DIRECTED OTHERWISE. DEBRIS WILL BE REMOVED ON AN ONGOING BASIS AND NOT ALLOWED TO ACCUMULATE.

ELEVATION OF PROPOSED BUILDING BASED ON TOPOGRAPHIC SURVEY COMPLETED BY LEJAN LAND SURVEYING INC. ON JULY 24, 2020. JOB NO. 20-063

UNDERTAKING

RE: 430 & 436 CANNON STREET EAST

FILE No. (DA-21-010)

a.

b.

c.

d.

e.

f.

g.

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.

TO DISPLAY THE MUNICIPAL NUMBER(430) OR FULL ADDRESS (430 CANNON STREET EAST) 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.

OWNER SIGNATURE _____

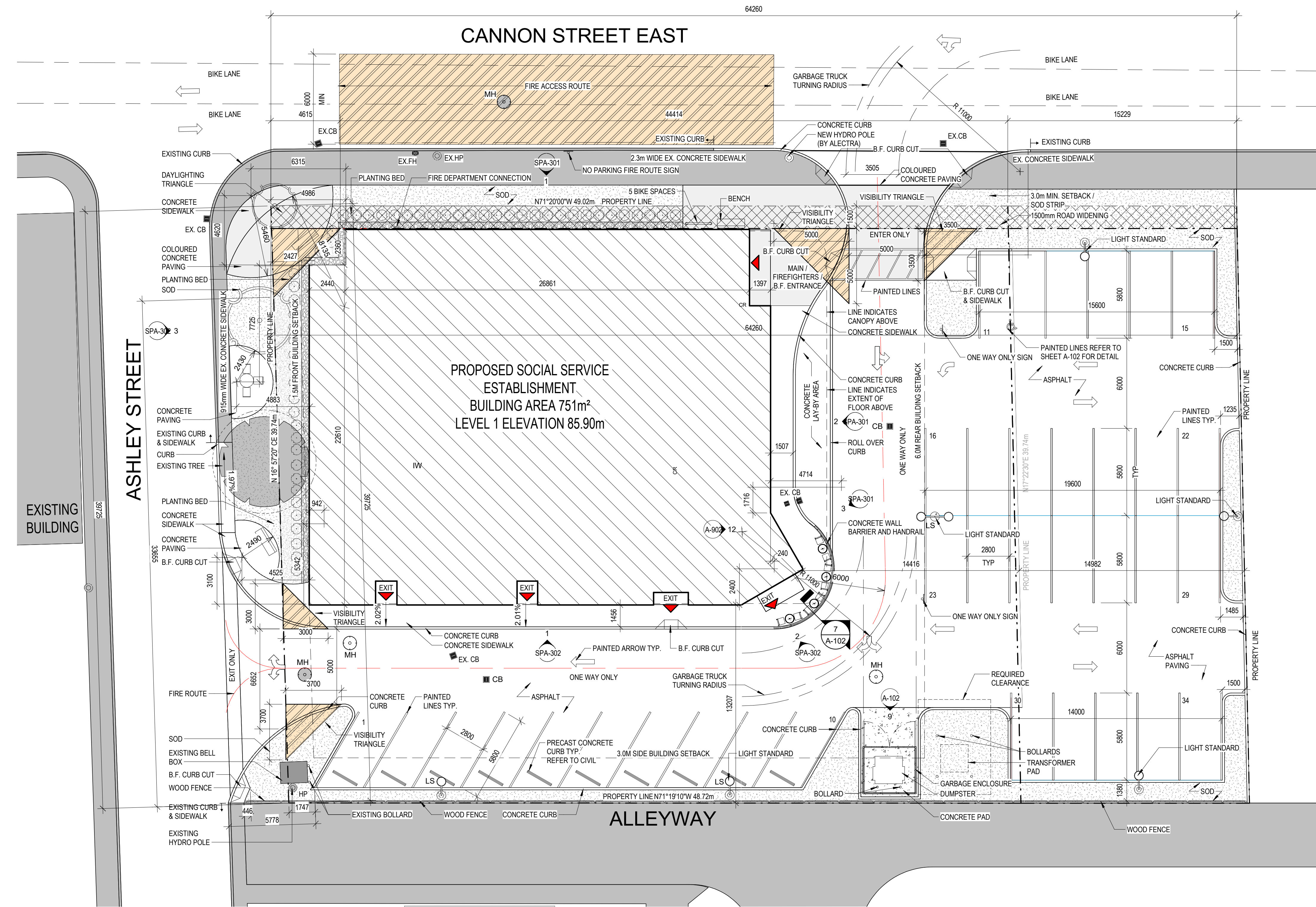
WITNESS SIGNATURE _____

DATED THIS _____ DAY OF _____ 2021

ADDRESS OF WITNESS _____

SITE LEGEND SPA

NOTE: REFER TO LANDSCAPE PLAN FOR DETAIL LAYOUT.



SITE PLAN
1:150

NEIGHBORHOOD COMMERCIAL (C2) ZONE			
SECTION 10 OF THE CITY OF HAMILTON COMPREHENSIVE ZONING BY-LAW 05-200			
PROVISIONS	REQUIRED	PROPOSED	CONFORMITY
PERMITTED USE	SOCIAL SERVICES ESTABLISHMENT	SOCIAL SERVICES ESTABLISHMENT	YES
MIN. BUILDING SETBACK FROM A STREET LINE	1.5m	1.5m (ASHLEY ST) 0.0m (CANNON ST)	YES NO
MAX. BUILDING SETBACK FROM A STREET LINE	3.0m EXCEPT WHERE VIABILITY TRIANGLE IS REQUIRED FOR A DRIVEWAY ACCESS	1.5m	YES
MIN. REAR YARD	6.0m	14.4m	YES
MIN. INTERIOR SIDE YARD	1.5m	13.2m	YES
MAX. HEIGHT	11.0m	10m	YES
MAX. LOT AREA	5,000m²	2545.47m²	YES
MIN. PLANTING STRIP	ABUTTING RESIDENTIAL OR INSTITUTIONAL ZONE, AND NOT A LANE WAY, 1.5m WIDE	ABUT A LANE WAY	N/A
VISUAL BARRIER	REQUIRED ALONG A PROPERTY LINE ABUTTING A RESIDENTIAL, INSTITUTIONAL, DOWNTOWN (D5, D6) ZONE	N/A	N/A
BUILT FORM - NEW DEVELOPMENT			
ROOFTOP MECHANICAL	LOCATED & OR SCREENED FROM VIEW OF ABUTTING STREET	LOCATED & SCREENED FROM VIEW OF ABUTTING STREET	N/A
MIN GROUND FLOOR FACADE FOR CORNER LOT	≥ 50% OF ALL LOT LINES ALONG A STREET = 103.99m / 2 = 52m	55.77m (53.63%)	YES
PARKING SPACES	SHALL NOT BE PERMITTED WITHIN GROUND FLOOR FACADE & FRONT / FLANKAGE LOT LINE	NOT BETWEEN BUILDING FACADE & FRONT / FLANKAGE LOT LINES	YES
PRINCIPAL ENTRANCE	MIN. ONE TO BE PROVIDED WITHIN GROUND FLOOR FACADE THAT IS SET BACK CLOSET TO A STREET & BE ACCESSIBLE FROM THE BUILDING FACADE WITH DIRECT ACCESS FROM PUBLIC SIDEWALK	PRINCIPAL ENTRANCE PROVIDED WITHIN GROUND FLOOR FACADE & ACCESSIBLE WITH DIRECT ACCESS FROM PUBLIC SIDEWALK	NO
PARKING - SECTION 5			
MIN. PARKING SPACES	1 PER 30.0m² OF GFA = 1,450m² / 30 = 48 SPACES	34 SPACES ON SITE	YES
NOTE: OFF SITE PARKING AGREEMENT WITH 440 CANNON EAST REQUIRED			
MIN. PARKING SPACES SIZE	2.8m x 5.8m	2.8m x 5.8m	YES
MIN. BARRIER FREE PARKING SPACES	1-49 SPACES = 1 SPACE	1 SPACES	YES
MIN. BARRIER FREE PARKING SPACE SIZE	4.4m x 5.8m	4.4m x 5.8m	YES

ZONING CHART
1:1

HAMILTON URBAN
CORE COMMUNITY
HEALTH CENTRE

tillmann
architects ruth
robinson

ONTARIO ASSOCIATION
OF
ARCHITECTS

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2	Issued for SPA Re-Submission	2022.01.19
1	Re-issued for Site Plan Approval	2021.11.03
No.	ISSUED FOR	DATE

DRAWING TITLE:
PHASE 2 - SITE PLAN

DRAWN:	MAN	SCALE:	As indicated	PROJECT NO:	2426-20 (aTRR)
CHECKED:	MCM	DATE:	December 20, 2021		

SPA-101
DA - 21 - 010

	GROSS FLOOR AREA	TOTAL LOT AREA	BUILDING FOOTPRINT	LANDSCAPE AREA	PAVED AREA
REQUIRED	2000m² MAX	5000m² MAX	N/A	N/A	N/A
PROVIDED	1428m²	2545.47m² / 100%	751m² / 28.6%	243.76m² / 9.6%	1279.83m² / 50.28%
<h2 style="text-align: center; margin: 0;">SITE STATISTICS CHART</h2>					



B.F PARKING SIGNAGE

FIRE ROUTE SIGNAGE

1. ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR OF PLANNING AND CHIEF PLANNER. PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT.
 2. FIRE HOUSING SIGNS AND 3-WAY FIRE HYDRANTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENSE OF THE OWNER.
 3. MAIN DRIVEWAY DIMENSIONS AT THE PROPERTY LINE BOUNDARIES ARE PLUS OR MINUS 7.5m UNLESS OTHERWISE STATED.
 4. THE FOLLOWING TRIANGLES AT THE VEHICULAR ACCESS POINTS THE FOLLOWING NOTICE TO BE OBSERVED:
"5m by 5m FOR THE WEST SIDE OF THE CANNON STREET ENTRANCE & 3.5m X 3.5m FOR THE EAST (3m By 3m FOR THE NORTH SIDE OF THE ASHLEY ST. ACCESS DRIVEWAY & 3.7m by 3.7m FOR THE SOUTH SIDE OF ASHLEY ST ACCESS DRIVEWAY) VISIBILITY TRIANGLES IN WHICH THE MAXIMUM HEIGHT OF ANY OBJECTS OR OBSTACLES TO BE MAINTAINED AT A HEIGHT OF 0.60m ABOVE THE CORRESPONDING PERPENDICULAR CENTERLINE. ELEVATION OF THE ADJACENT STREET."
 5. ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5m SHALL BE WITHIN 5% MAXIMUM GRADE. THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADES
 6. REMOVAL OF THE EXISTING DRIVEWAY SHALL 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 PERMITS
 - * APPROACH APPROVAL PERMITS
 - * COMMITTEE OF ADJUSTMENT
 - * SEWER AND WATER PERMITS
 - * RELOCATION OF SERVICES
 - * ENCROACHMENT APPROVALS (IF REQUIRED)
 7. ABANDONED ACCESSED MUST BE REMOVED AND THE CURB AND BOULEVARD RESTORED WITH SOD AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE CORRIDOR MANAGEMENT SECTION, PUBLIC WORKS DEPARTMENT.
 8. IF THE MUNICIPAL SIDEWALK IS DISTURBED DURING CONSTRUCTION, REPAIRS MUST BE AT THE OWNER'S EXPENSE AND MUST CONFORM TO CURRENT CITY STANDARDS.
 9. THIS DEVELOPMENT IS INELIGIBLE FOR MUNICIPAL WASTE COLLECTION. A PRIVATE WASTE HAULER MUST BE ARRANGED FOR THE REMOVAL OF ALL WASTE MATERIALS.
 10. ALL FENCING SHALL CONFORM TO HAMILTON FENCE BY-LAW NO. 10-142.
 11. ALL SIGNS SHALL CONFORM TO HAMILTON SIGN BY-LAW NO. 10-197.
 12. A MINIMUM 1.2m SEPARATION MUST BE PROVIDED WITHIN THE CITY'S ROAD ALLOWANCE AREA BETWEEN DRIVEWAYS, A FENCE AND ANY POLE, UTILITY, FIRE HYDRANT, TREE, SIGN ETC. ANY COSTS FOR TRAFFIC SIGNS OR UTILITY RELOCATIONS ARE THE SOLE RESPONSIBILITY OF THE APPLICANT / OWNER.
 13. CAUTION: NOTWITHSTANDING CURRENT SURFACE CONDITIONS, THE PROPERTY HAS BEEN DETERMINED TO BE AN AREA OF ARCHAEOLOGICAL POTENTIAL. ALTHOUGH AN ARCHAEOLOGICAL ASSESSMENT IS NOT REQUIRED FOR THIS CITY OF HAMILTON, THE PROPRIETOR IS CAUTIONED THAT DURING DEVELOPMENT ACTIVITIES, SHOULD DEEPLY BURIED ARCHAEOLOGICAL MATERIALS BE FOUND ON THE PROPERTY THE ONTARIO MINISTRY OF HERITAGE, SPORT, TOURISM AND CULTURE INDUSTRIES (HMSTCI) SHOULD BE NOTIFIED IMMEDIATELY (416.212.7486). IN THE EVENT OF ANY REMAINING CONCERN ENCOUNTERED DURING THE CONSTRUCTION, THE PROPRIETOR SHOULD IMMEDIATELY CONTACT BOTH HMSTCI AND THE REGISTRAR OR DEPUTY REGISTRAR OF THE CEMETERIES REGULATION UNIT OF THE MINISTRY OF SMALL BUSINESS AND CONSUMER SERVICES (416.212.7499).
 14. UNION GAS
 - * UNION GAS HAS SERVICE LINES RUNNING WITHIN THE AREA WHICH MAY OR MAY NOT BE AFFECTED BY THE DEVELOPMENT. SHOULD THE SITE PLAN IMPACT THE SERVICES IT MAY BE NECESSARY TO RELOCATE LINES, ANY SERVICE RELOCATION WOULD BE AT THE COST OF THE PROPERTY OWNER.
- ALECTRA UTILITIES
1. RELOCATION, MODIFICATION, OR REMOVAL OF ANY EXISTING HYDRO FACILITIES SHALL BE AT THE OWNERS EXPENSE.
 2. DO NOT EXCAVATE WITHIN 2m OF HYDRO POLE OR ANCHORS
 3. EXCAVATION WITHIN 1m OF EXISTING HYDRO POLE IS NOT PERMITTED UNLESS APPROVAL IS GRANTED BY HORIZON UTILITIES REPRESENTATIVE AN IS PRESENT TO PROVIDE DIRECT SUPERVISION. COST ASSOCIATED WITH THIS TASK SHALL BE AT THE OWNERS EXPENSE.
 4. ALECTRA UTILITIES MUST BE CONTACTED IF REMOVAL ISOLATION OR EXCAVATION OF EXISTING PIPES IS REQUIRED. ALL COST ASSOCIATED WITH THIS WORK SHALL BE THE OWNERS EXPENSE.

SITE PLAN NOTES



**HAMILTON URBAN
CORE COMMUNITY
HEALTH CENTRE**



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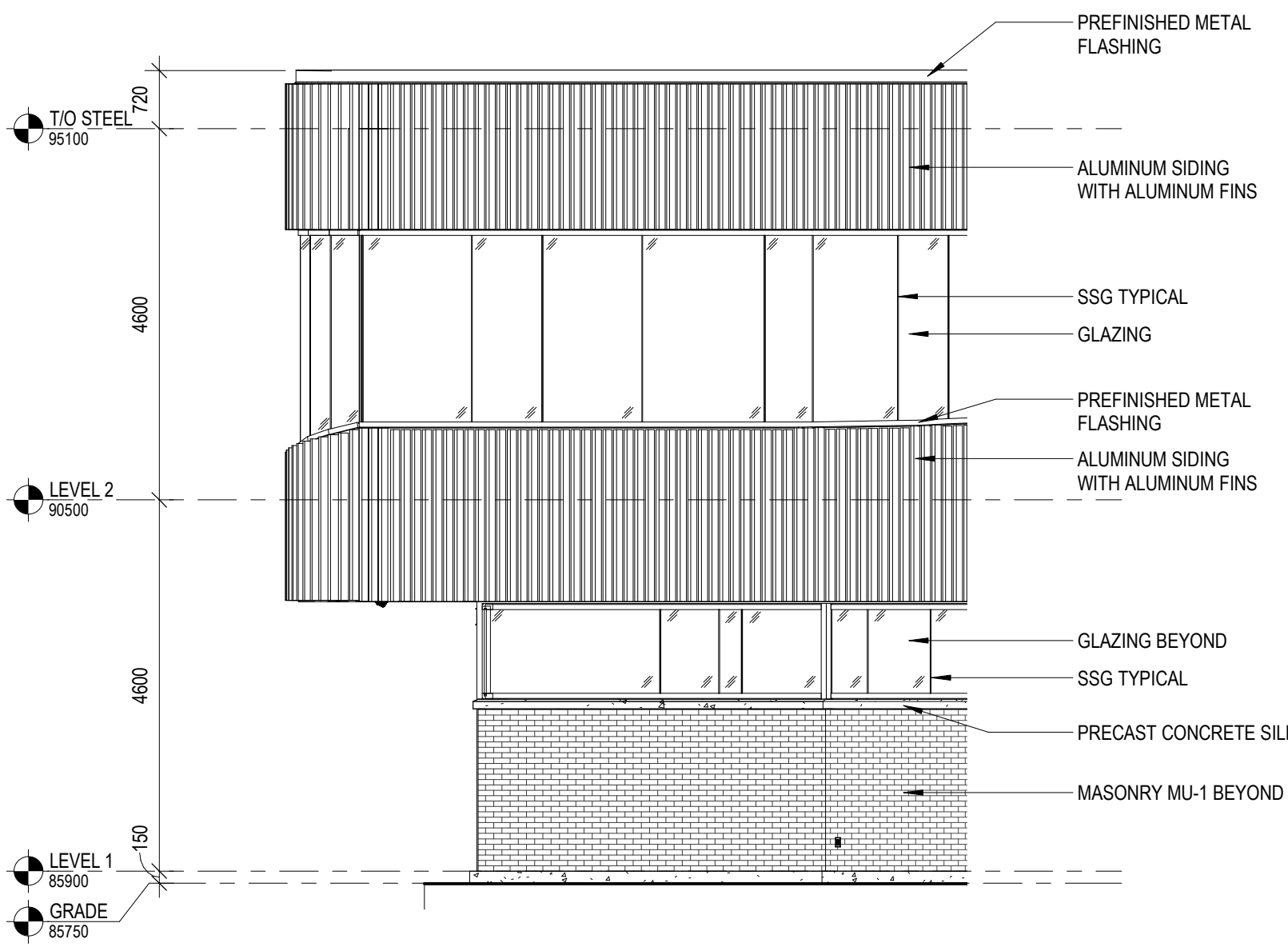
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DRAWING TITLE:

**SPA -102 440 CANNON
STREET**

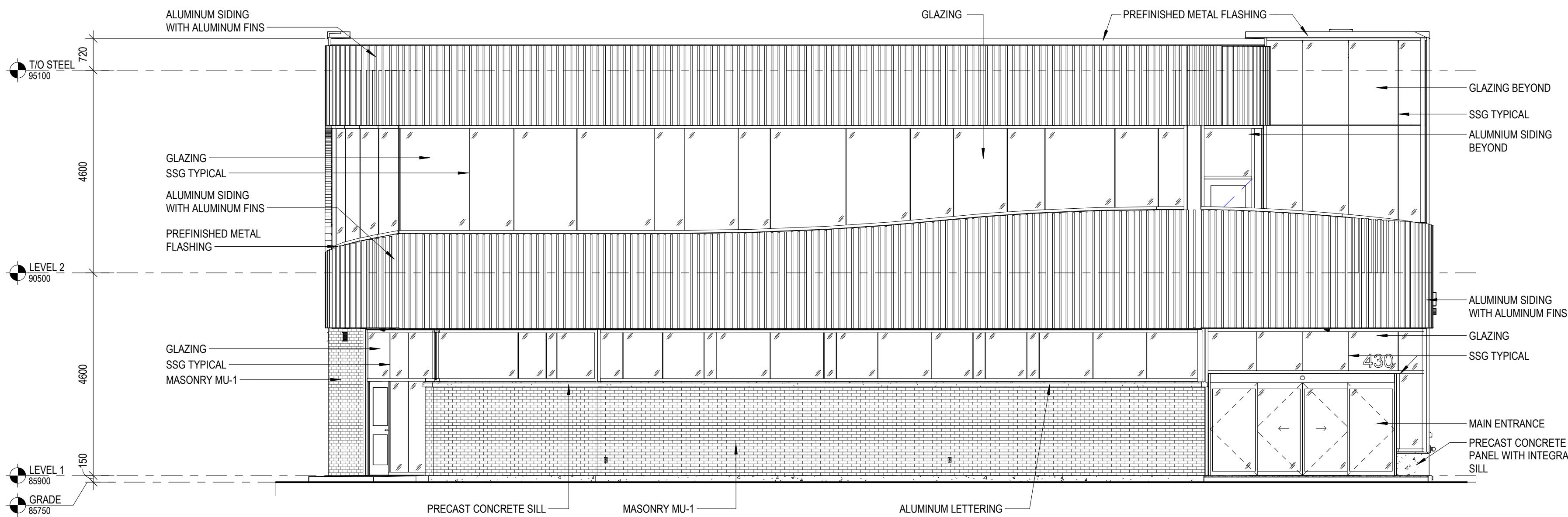
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CHECKED: MCM	DATE: December 20, 2021	

SPA-102



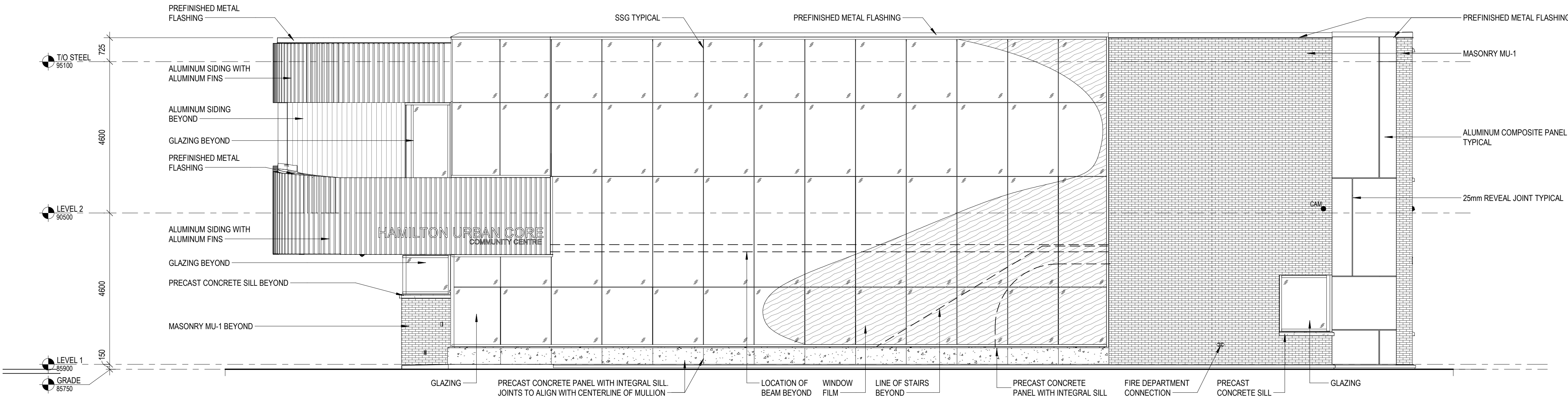
PARTIAL EAST ELEVATION

1 : 75
ALL GLAZING TO BE
GL-1 UNLESS NOTED
OTHERWISE



EAST ELEVATION

1 : 75
ALL GLAZING TO BE
GL-1 UNLESS NOTED
OTHERWISE



NORTH ELEVATION

1 : 75
ALL GLAZING TO BE
GL-1 UNLESS NOTED
OTHERWISE



HAMILTON URBAN
CORE COMMUNITY
HEALTH CENTRE

tillmann
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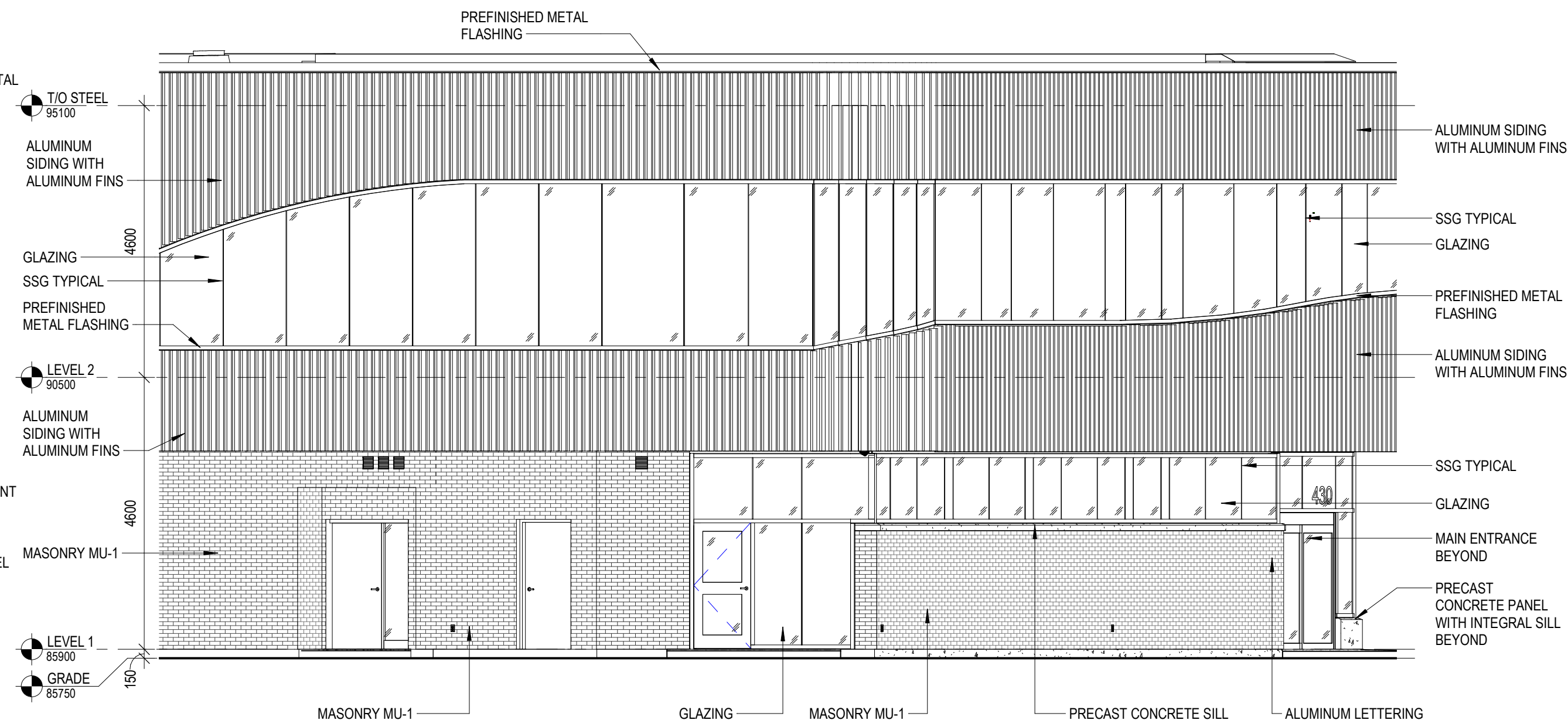
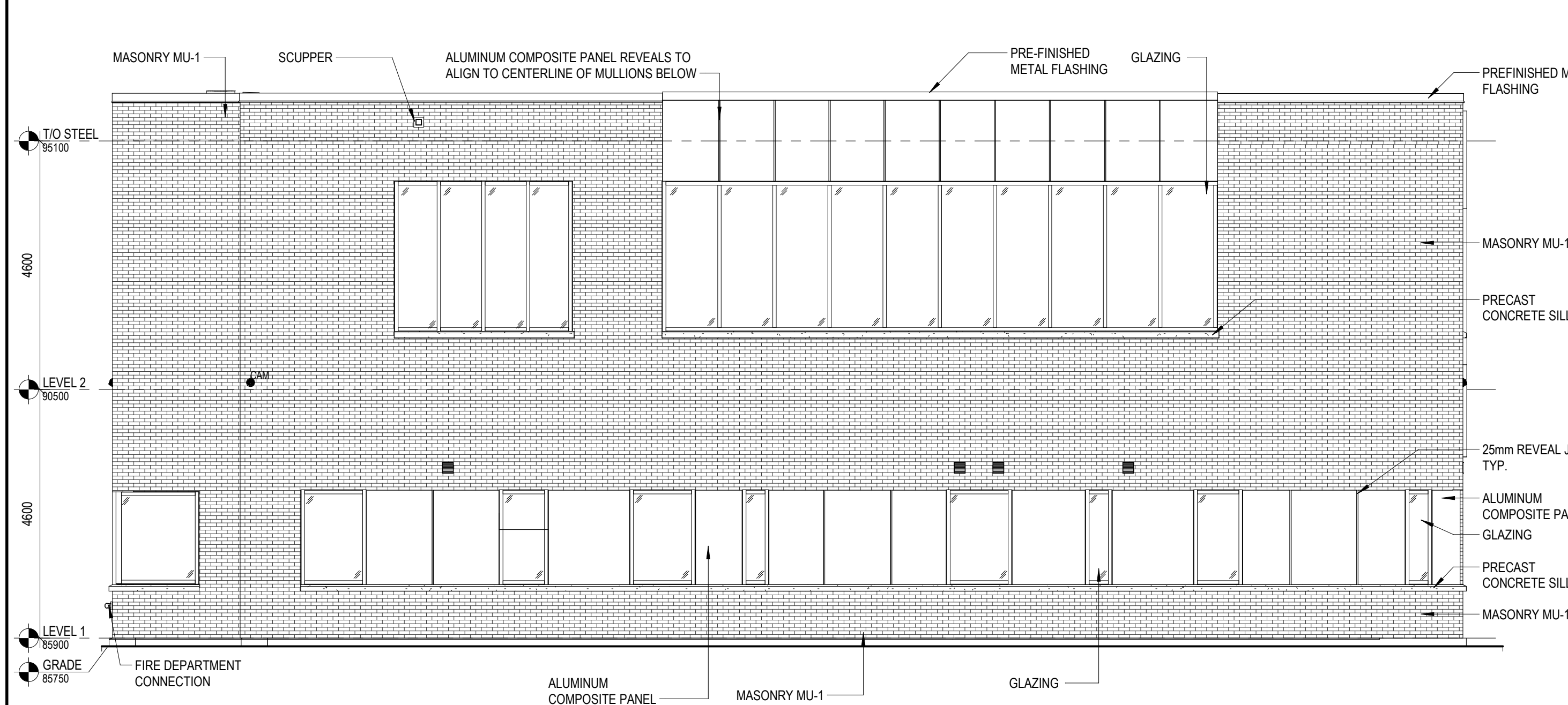
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ELEVATIONS

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CHECKED:	MCM	DATE:	December 20, 2021		

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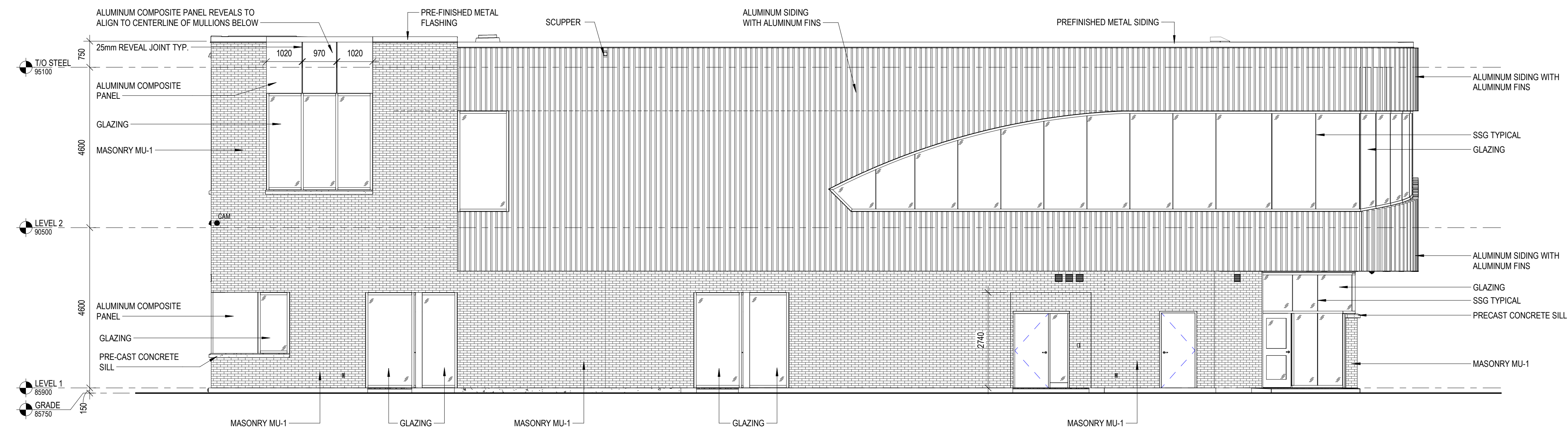
PARTIAL SOUTHEAST ELEVATION

1 : 75
ALL GLAZING TO BE
GL-1 UNLESS NOTED
OTHERWISE

WEST ELEVATION

1 : 75

ALL GLAZING TO BE
GL-1 UNLESS NOTED
OTHERWISE



SOUTH ELEVATION

1 : 75

ALL GLAZING TO BE
GL-1 UNLESS NOTED
OTHERWISE



HAMILTON URBAN
CORE COMMUNITY
HEALTH CENTRE

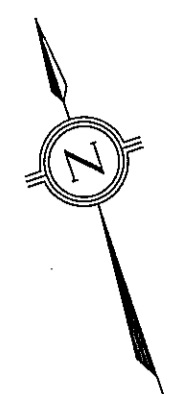
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ELEVATIONS		
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MAN	1 : 75	2426-20 (aTRR)
CHECKED:	DATE:	
MCM	December 20, 2021	

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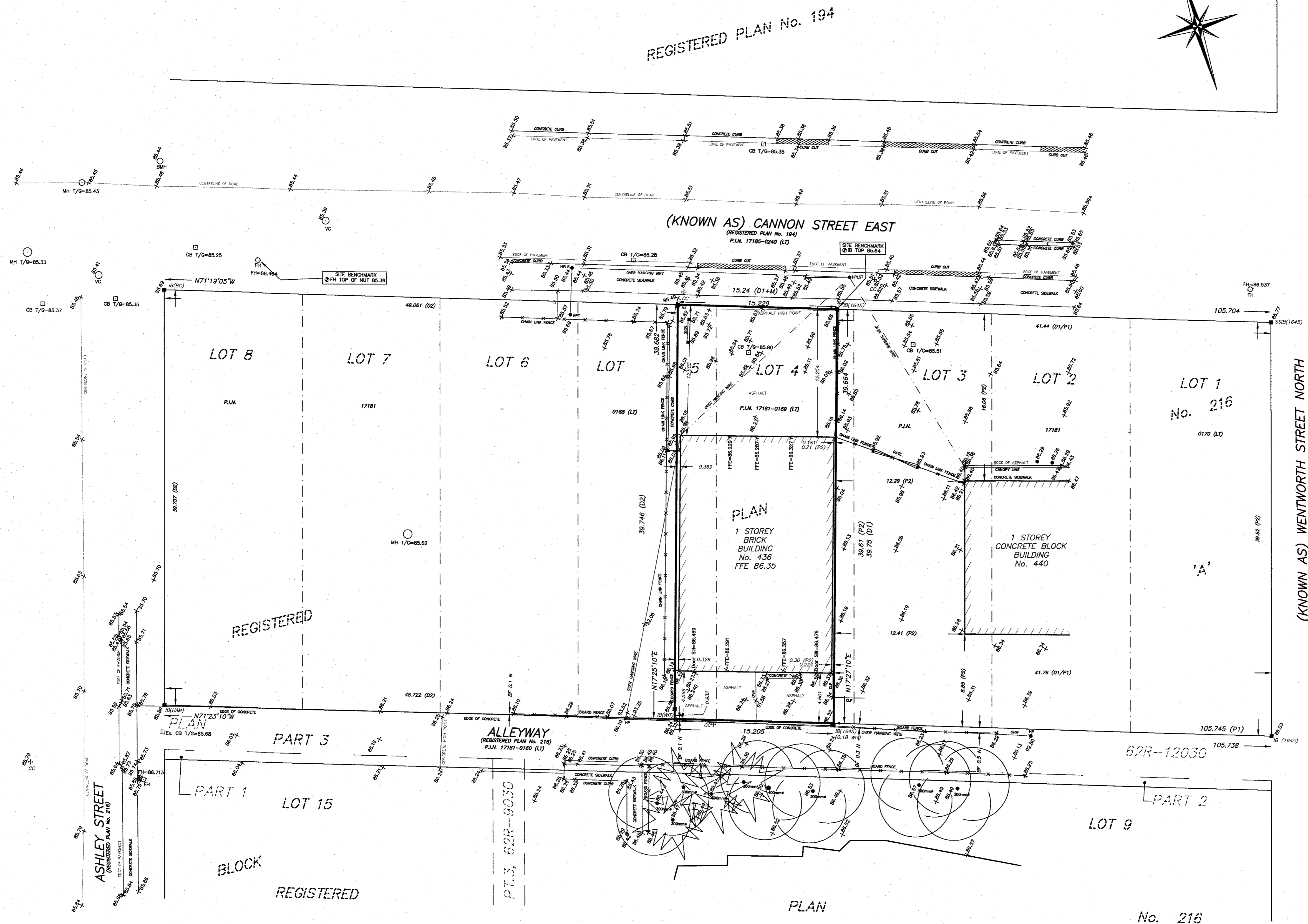
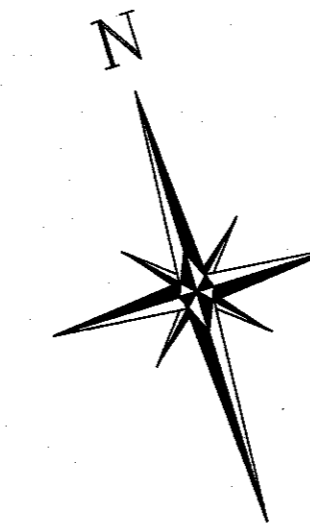
**ASSOCIATION OF ONTARIO
LAND SURVEYORS**
PLAN SUBMISSION FORM.
2131782



**THIS PLAN IS NOT VALID
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ISSUED BY THE SURVEYOR**

*In accordance with
Regulation 1028, Section 29(3)*

 <p>Barich Grenkie Surveying Ltd.</p> <p>297 HWY No. 8 (UNIT 101) - STONEY CREEK, ON L6G 1E5 (905) 662-6767</p> <p>A DIVISION OF GEOMAPLE</p>	DWN BY: EWA
	CHK BY: MD
	JOB No. 20-276



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	
Registered Owners(s) 1. 430 Cannon St. E., Hamilton 2. 436 Cannon St. E., Hamilton	<div></div>
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: <div>N/A</div>
----	--

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:

10.2.3.a.i To allow a minimum 0 metre setback from the Cannon Street East street line; 10.2.3.i.vii To allow no principal entrance on the ground floor façade closest to the street; 5.1.a.v.a To allow a parking space 1.0 metre from the Ashley Street street line; 5.1.a.v b To allow no planting strip between the parking area and the Ashley Street street line; 5.1.a.v.a To allow a parking space 1.0 metre from the Cannon Street East street line; 5.1.a.v.b To allow a 1.0 metre planting strip between the parking area and the Cannon Street East street line.; 5.6.c To allow 34 on-site parking spaces (1 space/ 42m2) for a Social Service Establishment use whereas 48 on-site parking spaces (1 space/ 30m2) is required.

☐ Second Dwelling Unit ☐ Reconstruction of Existing Dwelling

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

Refer to Planning Rationale.

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**):

Lots 5, 6, 7, 8 & Part of Lot 4
Block 'A'
Registered Plan 216
In the City of Hamilton
Municipally known as 430 & 436 Cannon Street East

7. PREVIOUS USE OF PROPERTY

Residential ☐ Industrial ☐ Commercial ☒

Agricultural ☐ Vacant ☒

Other _____

8.1 If Industrial or Commercial, specify use ^{430: Vacant, previously occupied by a taxi dispatch centre and surface parking}
436: Motor vehicle repair shop

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?

Phase I & II ESA completed by DST Consulting Engineers (July 2017)
Current use for 436 Cannon St E still applies

- 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 ☒

Submitted with Site Plan (DA-21-010)

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.

February 14, 2022

Date

Signature Property Owner(s)

Hamilton Urban Core Community
Health Centre c/o Nhlaloenhle Ndawana

Print Name of Owner(s)

Signature Property Owner(s)

1598540 Ontario Ltd. c/o Jonathon MacNamara

Print Name of Owner(s)

10. Dimensions of lands affected:
- | | 430 Cannon St. E. | 436 Cannon St. E. |
|-----------------|------------------------|-------------------------|
| Frontage | 39.74 m (Ashley St.) | 15.23 m |
| Depth | 49.06 m | 39.75 m |
| Area | ± 1,941 m ² | ± 604.47 m ² |
| Width of street | | |
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:
- | 430 Cannon St. E.: Vacant | 436 Cannon St. E. |
|---------------------------|-----------------------|
| | Height: Single storey |
| | Width: 14.65 m |
| | Length: 22.65 m |
- Proposed:
- | |
|--|
| Height: 10 m (two stories) |
| Width: ± 31 m |
| Length: ± 25 m |
| Ground Floor Area: 751 m ² |
| Gross Floor Area: 1,450 m ² |
12. Location of all buildings and structures on or proposed for the subject lands; (Specify distance from side, rear and front lot lines)

Existing:

430 Cannon St. E.: Vacant	436 Cannon St. E.
	Front (north): 12.5 m
	Side (east): 0.21 m
	Rear (south): 4.6 m
	Side (west): 0.4 m

Proposed:

Front Lot Line (Cannon St. E.): 0.0 m
Front Lot Line (Ashley St.): 1.5 m
Rear Lot Line: 14.4 m
Side Lot Line: 13.2 m

13.

Date of acquisition of subject lands:
430 Cannon St E: May 2018, 436 Cannon St E: HUC under contract to purchase.
14.

Date of construction of all buildings and structures on subject lands:
436 Cannon St E: vacant 430 Cannon St E: unknown.
15.

Existing uses of the subject property (single family, duplex, retail, factory etc.):
430: Vacant (buildings demolished approx. 2021); 436: Motor vehicle repair shop
16.

Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Multiple-dwelling residential (towns and multi-unit building) to the south; Commercial to the east at 440 Cannon St. E. (Big Bee Convenience)
17.

Length of time the existing uses of the subject property have continued:
430: Vacant since 2021; 436: Unknown
18.

Municipal services available: (check the appropriate space or spaces)
Water Yes Connected Yes
Sanitary Sewer Yes Connected Yes
Storm Sewers Yes
19.

Present Official Plan/Secondary Plan provisions applying to the land:
Designated "Neighbourhoods" in the Urban Hamilton Official Plan
20.

Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Neighbourhood Commercial (C2) Zone of City of Hamilton Comprehensive Zoning By-law No. 05-200
21.

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:
- 21.1

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
- 21.2

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.
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 (please include separate sheet if needed)
Subject to conditionally approved Site Plan Control (DA-21-010)
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.

T. Johns Consulting Group Ltd. (“T. Johns”) was been retained as of September 24, 2020, by Hamilton Urban Core Community Health Centre (“HUCCHC”) to assist in processing a Site Plan application. As a result of that application, a number of variances have been identified. The following services as a Planning Rationale Report in support of the Minor Variance application for 430 Cannon Street East, Hamilton (“subject lands”).

The Applicant, Hamilton Urban Core Community Health Centre (“HUCCHC”), is a non-profit organization that provides social service and primary health care to Hamilton residents. Programs and services offered include health & wellness programs; therapeutic and supportive counselling; population health programs and recreation; client education and support programs, personal development programs; community development programs; and parenting and family support. There are no overnight accommodations. HUCCHC is one of Ontario’s 76 Community Health Centres and provides multi-disciplinary interprofessional health care framed by the social determinants of health to improve the independence, economic self-sufficiency, social and health development of citizens.

Description of Subject Lands

430 and 436 Cannon Street East (“subject lands”) are two properties that will be consolidated under one owner. Together, they are a corner property located at the southeast corner of Cannon Street East and Ashley Street in Hamilton’s Landsdale neighbourhood. The subject lands have an approximate land area of 2,545.47 m² and 59.64 metre frontage onto Cannon St E and 39.74 metre frontage onto Ashley Street. By Zoning By-law No. 05-200 definition, the front lot line is Ashley Street. The site abuts a City assumed laneway to the south. 430 Cannon St E is vacant but were previously occupied by one (1) building, known to be used for a Taxi Stand with related surface parking. 436 Cannon St E is an existing Motor Vehicle Repair use which is legal non-conforming. 430 Cannon St E currently has two (2) existing curb cuts/accesses; one (1) from Cannon Street East and one (1) from Ashley Street. 436 Cannon St E has one (1) curb cut/access from Cannon St E. The subject lands are well serviced by transit (HSR Route #3) and on an established bicycle route (Refer to Figure 1 – Site Location).

City of Hamilton Planning Status

The *Urban Hamilton Official Plan, Volume 1* designates the subject lands “Neighbourhoods” which permits community facilities and services such as social service establishments.

The *City of Hamilton Zoning By-law No. 05-200* zones the subject lands “Neighbourhood Commercial (C2) Zone”. The C2 Zone permits a “Social Service Establishment” use. The proposed use is permitted on the subject lands.

Figure 1 - Site Location



Proposed Development

HUCCHC has operated at a leased location at 71 Rebecca Street, Hamilton since 1996. 71 Rebecca Street is being redeveloped by the landowner and therefore, HUCCHC was provided notice that their tenancy would not continue. As a result HUCCHC was tasked with finding a new, permanent location that permitted their Social Service Establishment use with funding from the Ontario Ministry of Health. The new location being 430 & 436 Cannon Street East, Hamilton. The proposed development is currently being reviewed through a City of Hamilton Site Plan Control process and received Conditional Approval in June 2021 (DA-21-010).

HUCCHC is proposing to redevelop the subject lands for a 2-storey building with a height of 10 metres that will be used for a “Social Service Establishment” use (**refer to submitted Elevations**). The proposed total gross floor area is $\pm 1,450$ square metres (15,607 square feet). The site layout is premised on a one-way site circulation; inbound from Cannon Street East and outbound onto Ashley Street and utilizes the general location of existing accesses to 430 Cannon St E. The proposed use is supported by thirty-four (34) on-site parking spaces. The site will be serviced by private waste removal services (**Refer to submitted Site Plan**).

The site design of the two properties has been based on meeting the required 1.5m right-of-way widening along Cannon Street East, and the required 4.57 metre x 4.57 metre daylight triangle at the corner of Cannon Street East and Ashley Street. In addition, the proposed development is a Ministry of Health funded project and is subject to defined criteria for development including a minimum gross floor area of the building to accommodate the proposed use.

Summary of the Variances

Seven (7) Minor Variances are being sought from the former City of Hamilton Zoning By-law No. 05-200 to facilitate the proposed 2-storey social services establishment on the subject lands. The requested minor variances are as follows:

	<u>Zoning By-law No.</u> <u>05-200 Section</u>	<u>Purpose</u>
1	10.2.3.a.i	To allow a minimum 0 metre setback from the Cannon Street East street line, whereas a minimum 1.5 metre setback from a street line is required.
2	10.2.3.i.vii	To allow no principal entrance on the ground floor façade closest to the street, whereas a principal entrance on the ground floor façade closest to the street is required.
3	5.1.a.v.a	To allow a parking space 1.0 metre from the Ashley Street street line, whereas no parking space shall be located within 3.0 metres of a street line.
4	5.1.a.v.b	To allow no planting strip between the parking area and the Ashley Street street line, whereas a minimum 3.0 metre wide planting strip is required.
5	5.1.a.v.a	To allow a parking space 1.0 metre from the Cannon Street East street line, whereas no parking space shall be located within 3.0 metres of a street line.

6	5.1.a.v.b	To allow a 1.0 metre planting strip between the parking area and the Cannon Street East street line, whereas a minimum 3.0 metre wide planting strip is required.
7	5.6.c	To allow 34 on-site parking spaces (1 space/ 42m ²) for a Social Service Establishment use whereas 48 on-site parking spaces (1 space/ 30m ²) is required.

PLANNING RATIONALE TO SUPPORT THE VARIANCES

Overall Conformity to the Urban Hamilton Official Plan

The *Urban Hamilton Official Plan, Volume 1* (UHOP) designates the subject lands “Neighbourhoods” (Schedule E-1), along a Minor Arterial (Schedule C), being Cannon Street East, and west of a Minor Arterial, being Wentworth Street North. The subject lands are 550 metres east of the Downtown Urban Growth Centre Node and 580 metres north of King Street East, being a Primary Corridor with a planned higher order transit (Schedule E).

Chapter B: Community Facilities/Services

3.5.1 Policy Goals

3.5.1.1 Create a vibrant, active and supportive City by providing community facilities/services that support a high quality of life for all residents.

3.5.1.2 Achieve equitable and efficient access, distribution, and integration of community facilities/services which meet the needs of people of all ages, backgrounds, and capabilities throughout all stages of their lives and across the City.

3.5.1.3 Provide community facilities/services in an efficient sustainable manner that optimizes their use, minimizes their environmental impacts, and promotes their flexibility to adapt to changing needs.

3.5.2 General Policies Privately and Publicly Owned or Operated Community Facilities/Services

3.5.2.1 All new public buildings which are publicly or privately owned and/or operated community facilities:

b) shall be easily accessible by walking, cycling, and public transit where provided;

Chapter E: Neighbourhoods

The following goals apply to the Neighbourhoods land use designation:

3.1.1 Develop compact, mixed use, transit-supportive, and active transportation friendly neighbourhoods.

3.1.2 Develop neighbourhoods as part of a complete community, where people can live, work, shop, learn, and play.

E.3.2 Neighbourhoods Designation - General Policies

3.2.3 The following uses shall be permitted on lands designated Neighbourhoods on Schedule E-1 - Urban Land Use Designations:

- c) local community facilities/services;*

Scale and Design

3.2.6 Supporting uses such as local commercial, community facilities/services, and open space and parks, should be clustered to create a focal point for the neighbourhood and to facilitate access by all forms of transportation.

3.2.7 The City shall require quality urban and architectural design. Development of lands within the Neighbourhoods designation shall be designed to be safe, efficient, pedestrian oriented, and attractive, and shall comply with the following criteria:

- c) Adequate and direct pedestrian access and linkages to community facilities/services and local commercial uses shall be provided.*
- d) Development shall improve existing landscape features and overall landscape character of the surrounding area.*
- e) Development shall comply with Section B.3.3 - Urban Design Policies and all other applicable policies.*

3.2.8 Proposals for supporting uses, except local commercial uses, within the Neighbourhoods designation shall be evaluated on the following criteria:

- a) compatibility with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking, and landscaping;*
- b) access to a collector or major or minor arterial road shall be preferred;*
- c) provision of adequate off-street parking with appropriate buffering and landscaping from residential uses;*

3.2.11 To maintain existing neighbourhood character and to provide for pedestrian friendly environments, reduced right-of-way widths may be permitted in accordance with Section C.4.5 - Roads Network.

E.3.10 Community Facilities/Services

Function

3.10.1 Community facilities/services uses include public and private uses serving the cultural, religious, health, welfare, and educational needs of a neighbourhood. Community facilities/services may include community and recreation centres, arenas, parks, healthcare and social service facilities, long term care

facilities, day care centres, seniors' centres, emergency medical services, fire services, police services, cultural facilities, places of worship, museums, schools, universities and colleges, and libraries. (OPA 64)

3.10.4 The City shall collaborate with other community facilities/services organizations to facilitate the provision of a wide range of services in close proximity to residents.

B.3.3 Urban Design

3.3.1 Urban Design Goals The following goals shall apply in the urban area:

3.3.1.1 Enhance the sense of community pride and identification by creating and maintaining unique places.

3.3.1.2 Provide and create quality spaces in all public and private development.

3.3.1.3 Create pedestrian oriented places that are safe, accessible, connected, and easy to navigate for people of all abilities.

3.3.1.4 Create communities that are transit-supportive and promote active transportation.

3.3.1.5 Ensure that new development is compatible with and enhances the character of the existing environment and locale.

3.3.1.6 Create places that are adaptable and flexible to accommodate future demographic and environmental changes.

3.3.1.10 Create urban places and spaces that improve air quality and are resistant to the impacts of climate change

3.3.2.4 Quality spaces physically and visually connect the public and private realms. Public and private development and redevelopment should create quality spaces by:

a) organizing space in a logical manner through the design, placement, and construction of new buildings, streets, structures, and landscaping;

d) creating a continuous animated street edge in urban environments;

3.3.2.5 Places that are safe, accessible, connected and easy to navigate shall be created by using the following design applications, where appropriate:

a) connecting buildings and spaces through an efficient, intuitive, and safe network of streets, roads, alleys, lanes, sidewalks, and pathways;

b) providing connections and access to all buildings and places for all users, regardless of age and physical ability;

c) ensuring building entrances are visible from the street and promoting shelter at entrance ways;

3.3.2.9 Urban design plays a significant role in the physical and mental health of our citizens. Community health and well-being shall be enhanced and supported through the following actions, where appropriate:

- a) creating high quality, safe streetscapes, parks, and open spaces that encourage physical activity and active transportation;*

Planning Response to Overall Intent of the Official Plan for All Variances:

The proposed community facility and service, being a Social Service Establishment is a permitted use (E.3.2.3.c, E.3.10.1) that will support the overall Neighbourhood in a location that is close to residents and very accessible from other areas of the City (E.3.10.4). The proposed development will replace two (2) auto-centric uses historic to the neighbourhood, being a former taxi hub and an existing vehicle repair shop, both of which are no longer in keeping with the pedestrian-oriented and sustainable vision for the Neighbourhood Commercial lands.

The subject lands front onto Cannon Street East (E.3.2.8.b) which is an established minor arterial road fronted with a mix of uses and provides connectivity to a number of uses including local commercial, community service and residential uses (E.3.2.6). The proposed building is of high quality urban and architectural design that provides a compatible scale and a logical site organization with direct pedestrian connections via walkways (e.3.2.7, E.3.2.8). Landscaping including decorative shrubs and street trees will be included within the site design to enhance the existing streetscape and contribute to the urban canopy (E.3.2.7.d). An appropriate number of on-site parking spaces are proposed on a site located in proximity to high levels of transit, bike and walking infrastructure (Paradigm Transportation, 2022) (E.3.5.2.1.b, E.3.2.8.c). A proposed planting strip abutting the existing City assumed laneway buffers and maintains an appropriate distance between the parking area and existing residential to the north on Ashley Street (E.3.2.8.c).

The proposed development will contribute to an enhanced streetscape with a building that has been designed to address the existing right-of-way frontages of both Cannon St E and Ashley St, with minimum or reduced street line setbacks and activated facades via glazing and interior building design. The proposed building has been designed to provide barrier free access with a sheltered entry in an intuitive way-finding location, adjacent to the drop-off area, to promote a sense of place (B.3.3).

Overall, the proposed redevelopment for a 2-storey social services establishment within the Landsdale neighbourhood, including a reduction in the setback of the building to Cannon St E, location of the front door, reduction in the setback and landscape between parking to Cannon St E and Ashley St and the number of parking on-site parking spaces is aligned with the UHOP's goals and policies for more complete, sustainable and enhanced Neighbourhoods. Therefore, the proposed variances conform to the intent of the UHOP.

The remainder of this report will serve to identify each variance and address the three (3) remaining tests in keeping with the Planning Act criteria.

VARIANCE 1. To allow a minimum 0 metre setback from the Cannon Street East street line, whereas a minimum 1.5 metre setback from a street line is required.

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

The proposed redevelopment is impacted by a number of physical limitations. The proposed redevelopment is a Ministry of Health funded project, which implements a minimum gross floor area for the building. The proposed 0.0 metre setback from Cannon St E is to account for a 1.5 metre right-of-way widening along Cannon St E.

PLANNING RATIONALE TO SUPPORT VARIANCE 1:

1. Conformity to the intent of the Zoning By-law

The intent of a minimum street line setback is to establish space between a building's façade to accommodate landscaping, canopies, encroachments, etc. The proposed 0.0 metre setback is in result of a required 1.5 metre right-of-way widening along Cannon Street East which will establish a new property line. The proposed building proposes landscape and placemaking elements within the future ROW for public use to be implemented through an Encroachment Agreement. The building's architectural design does not require encroachments into the ROW for eaves, etc.

The proposed setback from the Cannon Street street line is consistent with the existing setbacks on the street which generally range from 0.0 metres to 3.0 metres and overall streetscape.

2. Is the variance minor?

The requested variance to reduce the setback to the Cannon St street line from 1.5m to 0.0m and is minor as it will continue to allow an activated and articulated façade without adversely impacting the pedestrian experience.

3. Is the variance desirable for the development of the property?

The variance is desirable as it will allow for the building to proceed as designed in coordination with the Provincial Ministry of Health and dedicate lands to the City for the public right-of-way. The proposed variance will maintain the “build-to” streetscape while enhancing the neighbourhood character with and activated, social services use. The proposed building will continue to delineate the street while providing a built-form that is respectful of the existing neighbourhood character.

VARIANCE 2. To allow no principal entrance on the ground floor façade closest to the street, whereas a principal entrance on the ground floor façade closest to the street is required.

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

The principal entrance is proposed at the northeast corner of the building and not within the ground floor façade closest to the street. Policy B.3.3.2.5 of the Urban Hamilton Official Plan promotes safe, accessible, connected and easy to navigate spaces, with building entrances that are visible from the street and promoting shelter at entrance ways. The proposed principal entrance, while located at the corner of the building facing eastward, it is very close to the street and highly visible complete with features including a 3.75 metre deep canopy overhang for a weather protected entrance without encroaching onto the public right-of-way. The proposed canopy is an important architectural design feature of the building's identity. The interior function of the building is thoughtfully designed to provide a welcoming and safe environment to clients. The proposed principle building entrance adjacent to the drop-off area allows for a logical wayfinding circulation complete with direct sidewalk connections.

PLANNING RATIONALE TO SUPPORT VARIANCE 2:

4. Conformity to the intent of the Zoning By-law

The intent of the principal building entrance being from the Cannon St E façade is to promote an activated façade with logical wayfinding into the building. The proposed location of the principal building entrance provides is in an intuitive location by being located at the corner of the building with direct sidewalk connections. The proposed design is aligned with applicable urban design policies in that the entrance is designed to have more presence on the street with the use of a drop-off area, covered entry to protect from weather elements and direct sidewalk connections to the public realm. The Cannon St E façade will be activated with a high percentage of glazing and architectural detail. The elevations are subject to approval per DA-21-010.

5. Is the variance minor?

The variance is minor as architectural and site planning details provide a logical wayfinding connection to the principal entrance. The proposed location of the principal entrance will have presence on the street.

6. Is the variance desirable for the development of the property?

The variance is desirable for the development of the property as it provides a more secure and sensitive entrance into the social service establishment. The proposed location of the principal entrance allows for a sheltered and weather protected area with an architecturally unique design element to the overall building design.

VARIANCE 3. To allow a parking space 1.0 metre from the Ashley Street street line, whereas no parking space shall be located within 3.0 metres of a street line.

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

In order to maximize the efficiency of the subject lands while conforming to Ministry space allocation requirements of the building, some of the parking is proposed to be at a 45 degree angle to accommodate as much parking on-site as can reasonably function. In result, a pinch-point of less than 3.0 metre is created at the Ashley St frontage.

VARIANCE 4. To allow no planting strip between the parking area and the Ashley Street street line, whereas a minimum 3.0 metre wide planting strip is required.

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

The proposed variance to allow no planting strip between the parking area and the Ashley Street street line is required as a result of Variance 3 and the existing utility box (i.e. Bell) and hydro pole which is proposed to be maintained as existing. To facilitate the proposed development and maximize the number of on-site parking, one of parking space is partially located within 1.0 metres of Ashley Street. As such, a 3.0 metre wide planting strip cannot be accommodated between the parking space and Ashley Street.

PLANNING RATIONALE TO SUPPORT VARIANCE 3 & 4:

1. Conformity to the intent of the Zoning By-law

The intent of the parking space setback of 3.0 metres and planting strip is to ensure parking can be screened from the public realm. The proposed variances along Ashley Street maintain the intent of the zoning by-law by having limited parking presence on the Ashley St. frontage, as only one (1) parking space is partially within 3.0 metre of the street with the rest of the parking adjacent to the interior side lot line abutting the laneway. Further, it allows the existing Bell box and hydro pole to be maintained. The bell box will not encroach within a 3.7m x 3.7m visibility triangle at the driveway. Sod will be planted where possible. Final Landscape plans will be approved through DA-21-010.

The Ashley St. frontage will be enhanced with a 1.5 metre building setback that can accommodate landscaping and a delineated building edge with an activated west-facing façade.

2. Is the variance minor?

The requested variance is minor as parking adjacent to Ashley St. is minimized and landscaping is provided where feasible on-site. Although not a zoning requirement, a 1.0 metre wide planting strip is proposed between the parking area and laneway to maximize on-site landscaping. The overall impact of this variance is minor and is further offset by the additional planting strip that has been proposed, enhancing the current condition. Landscaping will be approved per DA-21-010.

3. Is the variance desirable for the development of the property?

The variance is desirable as it allows for the efficient redevelopment of urban lands for the proposed social service establishment and will maximize the number of on-site parking spaces and landscaping, while maintaining safe circulation and maneuvering.

VARIANCE 5. To allow a parking space 1.0 metre from the Cannon Street East street line, whereas no parking space shall be located within 3.0 metres of a street line.

VARIANCE 6. To allow a 1.0 metre planting strip between the parking area and the Cannon Street East street line, whereas a minimum 3.0 metre wide planting strip is required.

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

The proposed variances to allow a 1.0 metre setback between parking and the street line and a 1.0 metre planting strip between the parking area and the street line is requested as a result of two site constraints; the 1.5 metre widening along Cannon Street East and the resulting depth of the subject lands.

PLANNING RATIONALE TO SUPPORT VARIANCES 5 & 6:

1. Conformity to the intent of the Zoning By-law

The intent of the parking space setback of 3.0 metres and planting strip is to ensure parking can be screened from the public realm. The proposed variances along Cannon St E maintain the intent of the zoning by-law as public asset street trees are proposed within the public right-of-way on lands dedicated to the City in addition to the 1.0 metre planting strip with low shrubbery on the subject lands.

2. Is the variance minor?

The requested variance recognizes the physical depth limitation of the site and the required 1.5 metre widening. As street trees and a narrower planting strip will be accommodated through the site plan development, the goal of the City to achieve a more pedestrian scaled and landscaped street line will be achieved. Therefore, the variance is minor.

3. Is the variance desirable for the development of the property?

The variance is desirable as it allows for the efficient redevelopment of urban lands for the proposed social service establishment and will maximize the number of on-site parking spaces with accessibility, while still achieving a buffered parking area with landscaping.

VARIANCE 7. To allow 1 parking space per 42 square metres of Social Service Establishment use (i.e. 34 spaces) whereas 1 per 30 square metres of Social Service Establishment use (i.e. 48 spaces) is required.

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

The total site area is not able to accommodate the development of a 1,450m² Social Service Establishment and 48 parking spaces while still accommodating a waste storage area and required drive aisles for a safe site circulation.

PLANNING RATIONALE TO SUPPORT VARIANCES 5 & 6:

4. Conformity to the intent of the Zoning By-law

The intent of the zoning by-law's minimum parking requirements is to ensure that a site's land use is providing enough on-site parking to meet the demand of the end-user. This is to prevent on-street parking and impacting the surrounding neighbourhood. A Parking Study has been prepared by Paradigm Transportation Consultants dated February 2022 which supports the parking reduction as HUCCHC's peak and stable demands will be met. In summary:

- Daytime Peak Demand is 30 spaces;
- Evening Peak Demand is 23 spaces.

Additionally, the site is well located within the City with land use and transit accessibility characteristics of Downtown and/or Transit Corridor sites which would require 1 space/50m² of Social Service Establishment floor area. Therefore, the proposed parking ratio of 1/42m² provides an average between a site within a highly urbanized area with a high degree of multi-modal network and transit network access and a suburban area context which is more dependent on vehicle trips.

The proposed variance to reduce parking for a total of 34 parking spaces maintains the intent of the zoning by-law. Refer to the submitted Parking Study for further detail.

5. Is the variance minor?

Yes, the variance is minor as HUCCHC's real demand will be achieved and the neighbourhood will not be adversely impacted by overspill of parking. The client group of HUCCHC often walk, bike or take transit to their services and staff parking demand will be accommodated on site. The site is accessible by alternative transportation methods including transit, walking and cycling.

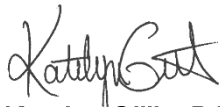
6. Is the variance desirable for the development of the property?

The variance is desirable as it will facilitate a new Social Service Establishment that will improve access to social and primary health services within an appropriate location in the neighbourhood while avoiding a surplus of parking that would result in an expansive parking area that would not be efficiently utilized. The reduction in parking spaces will achieve a compact, urban development that will support the City's sustainability goals to respond to the climate emergency by promoting the use of alternative means of transportation.

Conclusion

The proposed redevelopment of the subject lands will activate the historically auto-centric lands and enhance the existing built form of the neighbourhood with a use that is permitted and more aligned with the elements of a complete community. The proposed redevelopment will provide a permitted community use within the Landsdale neighbourhood which benefits from a high degree of walkability, bike-ability, and transit. The proposed redevelopment will provide a high-quality built form with a logical and safe site design that provides appropriate height and setbacks, as required by the C2 Zone, to the surrounding uses. The requested variances meet the intent of the UHOP, Zoning By-law No. 05-200, are minor, are desirable and represents good land use planning.

Respectfully submitted,



Katelyn Gillis, BA
Intermediate Planner



Terri Johns, MCIP, RPP
President