



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-22:108

APPLICANTS: Agent Urban Solutions - M. Johnston
Owner Victoria M.D. Inc. - H. Hakimi

SUBJECT PROPERTY: Municipal address **286 Victoria Ave. N., Hamilton**

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

ZONING: "C5a" (Mixed Use Medium Density - Pedestrian Focus) district

PROPOSAL: To permit the establishment of a medical clinic within the existing building, notwithstanding that:

1. A minimum of nine (9) parking spaces shall be permitted instead of the minimum thirty- three (33) parking spaces required.

Note: The applicant requested a variance to the landscaped strip requirement. However, please note that the requested variance is not required as this property does not abut a Residential zone or an Institutional zone.

Details of the actual gross floor area of the existing building were not provided from which to determine if the requested variance is correct. Therefore, further variances may be required.

No elevation plans were provided to confirm if the proposal includes alterations to the façade of the building. The applicant shall ensure compliance for all other zoning regulations pertaining to windows, doors etc., of ground floor façade as well as obtain the proper Heritage permit.

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

DATE: Thursday, May 12th, 2022
TIME: 2:50 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:

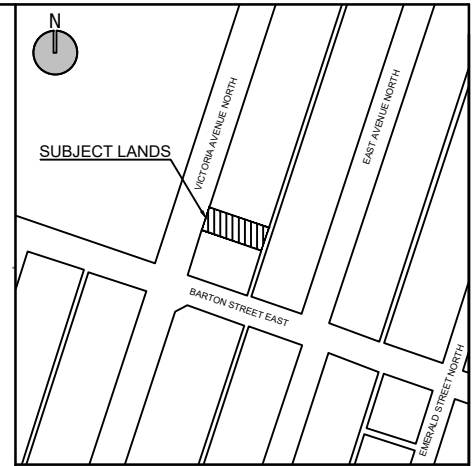
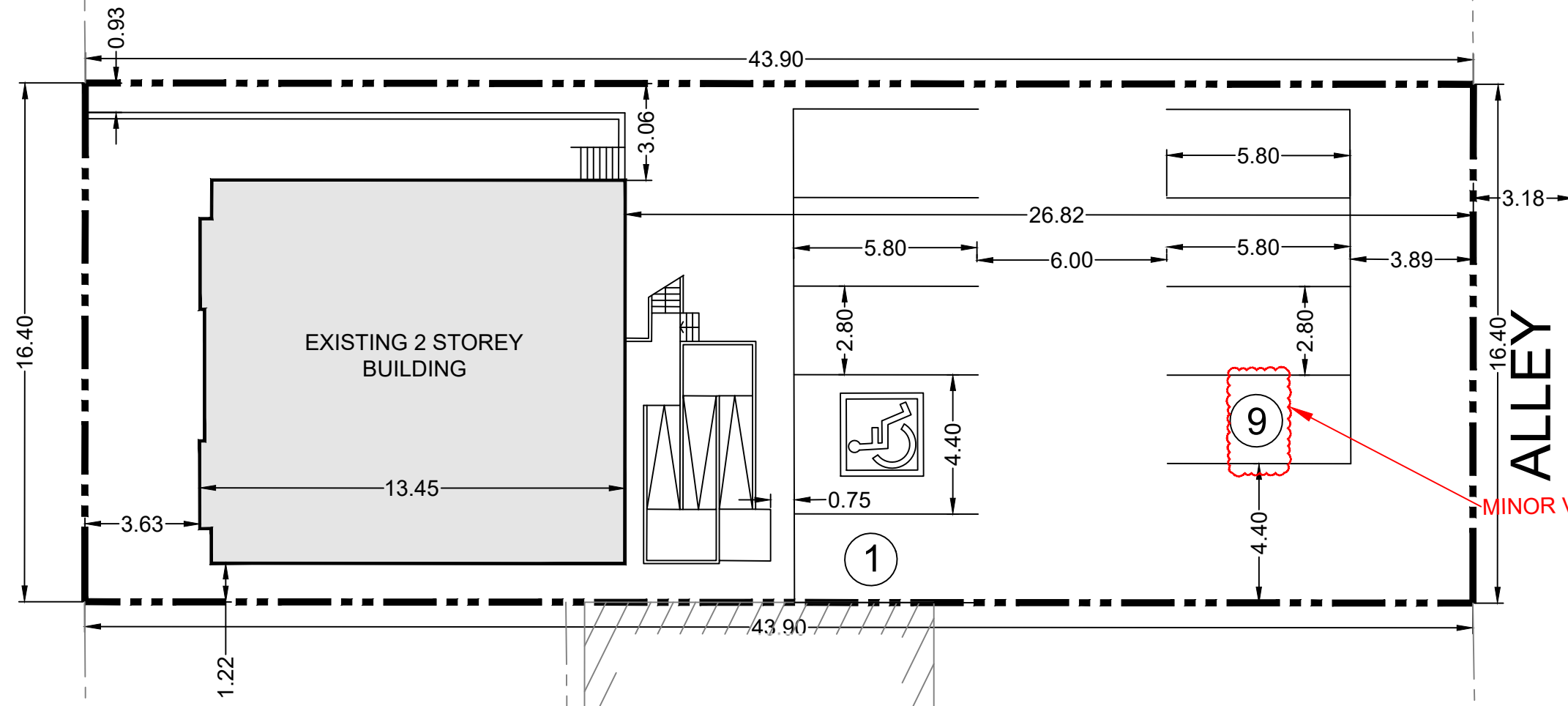
- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: April 26th, 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.

VICTORIA AVE.



KEY MAP - N.T.S.

SCALE: 1:175



LEGEND:

- SUBJECT LANDS
- ▨ EXISTING BUILDINGS

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

NOTES:
ALL DIMENSIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DESIGN BY: L. DRENNAN CHECKED BY: M. JOHNSTON
DRAWN BY: L. DRENNAN DATE: MARCH 15, 2022

URBAN SOLUTIONS
PLANNING & LAND DEVELOPMENT

3 STUDEBAKER PLACE, UNIT 1
HAMILTON, ON L8L 0C8
905-546-1087 - urbansolutions.info

PROJECT:
286 VICTORIA AVENUE NORTH
CITY OF HAMILTON

CLIENT:
ELITE DEVELOPMENTS

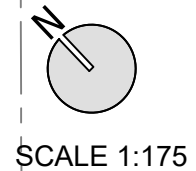
TITLE:
MINOR VARIANCE
SKETCH

U/S FILE NUMBER: 437-22 SHEET NUMBER: 1

DEVELOPMENT STATISTICS		
Zone: (C5a) Mixed Use Medium Density - Pedestrian Focus		
Item	Required	Proposed
Lot Frontage	N/A	16.4 m
Lot Area	N/A	719.96 m ²
Parking (Total)	(1 space per 16 sqm) 25 spaces	(1 space per 55 sqm) 9 spaces
Accessible	1	1
Parking Space Dimensions	2.8 m x 5.8 m	2.8 m x 5.8 m
Drive Aisle Width	3.0 m	4.40 m
Manoeuvring Aisle Width	6.0 m	6.0 m
Landscape Strip	1.5 m	0.00 m
Setbacks		
Front	3.0 m	3.63 m
Rear	7.5 m	26.82 m
Side	N/A	1.22 m
Side	N/A	3.06 m

MINOR VARIANCE NO. 2

REQUESTED VARIANCES:
VARIANCE NO. 1: TO PERMIT 9 VEHICLE PARKING SPACES.
VARIANCE NO. 2: TO PERMIT NO PLANTING/LANDSCAPED STRIP.



SCALE 1:175

March 24, 2022

437-22

Via Email & Delivered

Jamila Sheffield
Secretary Treasurer, Committee of Adjustment

City of Hamilton
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

Dear Ms. Sheffield,

**RE: 286 Victoria Avenue North, Hamilton
Minor Variance Application**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultants acting on behalf of Victoria M.D Holdings Inc, the registered owner of the lands municipally known as 286 Victoria Avenue North (subject lands). On behalf of the owner, UrbanSolutions has prepared the enclosed the Minor Variance application.

In the heart of the downtown, the subject lands are located within the 'Mixed Use Medium Density' designation in the Urban Hamilton Official Plan (UHOP). In addition to the UHOP designation, the subject lands are zoned as 'Mixed Use Medium Density - Pedestrian Focus' (C5a) under the City of Hamilton Zoning By-law No. 05-200. The subject lands are also designated 'Heritage' under the *Ontario Heritage Act, R.S.O. 1990, c. O.18*.

The intent of the applicant is to utilize the building as a medical office. Building Permit No. 20 180878 000 00 C9 triggered the need for a parking variance as per the zoning comments. The purpose of this Minor Variance application is to capture the site-specific deficiencies to facilitate the proposed development. The required minor variances include;

- **Variance No. 1:** To notwithstanding Section 5.6 (c) and permit a parking ratio of 1 space per 55m² whereas 1 space per 16m² is required.
- **Variance No. 2:** To notwithstanding Section 10.5a.1.3 (i) and permit no landscaped strip whereas 1.5m is required.


Section 45(1) of the *Planning Act, R.S.O, 1990*, as amended, requires a Minor Variance to satisfy four tests. Variances 1 and 2 reflect the existing building conditions and are necessary to facilitate the adaptive reuse of the subject lands. As such, the reduction from 1 space per 16 m² GFA (33 spaces) to 1 space per 55m² (9 spaces) and the absence of a landscape strip both satisfy the four test of Section 45(1) of the Planning Act.

In support of this submission, please find enclosed the following:

- One (1) copy of the Concept Plan prepared by UrbanSolutions;
- One (1) copy of the signed Minor Variance application form; and
- One (1) cheque for the application form for **\$3,465.00** payable to the City of Hamilton.

We trust the enclosed is in order; however, please feel free to contact the undersigned with any questions.

Regards,
UrbanSolutions



Matt Johnston, MCIP, RPP
Principal



Lindsay Nooren, MES Pl, BA (hons)
Planner

cc: Hamid Hakimi, Elite Developments (via email)
Councilor Nann, Ward 3, City of Hamilton (via email)



Committee of Adjustment
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 Hamilton, ON L8P4Y5

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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:

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:

See Cover Letter

Second Dwelling Unit Reconstruction of Existing Dwelling

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

See Cover Letter

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**):

286 Victoria Avenue, North

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial

Agricultural Vacant

Other _____

8.1 If Industrial or Commercial, specify use Medical Office

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?

Consultation with owner.

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.

MARCH 24, 2022
Date


Signature Property Owner(s)

HAMID HAWIMI
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage 16.40m
Depth 43.90m
Area 719.96m²
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:_____

See Cover Letter

Proposed

See Cover Letter

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

Existing:_____

N/A

Proposed:_____

N/A

13. Date of acquisition of subject lands:
unknown
14. Date of construction of all buildings and structures on subject lands:
1924
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
medical office
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
commercial/ office
17. Length of time the existing uses of the subject property have continued:
unknown
18. Municipal services available: (check the appropriate space or spaces)
Water Connected _____
Sanitary Sewer Connected _____
Storm Sewers
19. Present Official Plan/Secondary Plan provisions applying to the land:
Mixed Use Medium Density
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Mixed Use Medium Density Pedestrian Focus (C5a)
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)

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.