



Hamilton

## COMMITTEE OF ADJUSTMENT

City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: [cofa@hamilton.ca](mailto: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

<b>APPLICATION NO.:</b>	<b>HM/A-22:402</b>	<b>SUBJECT PROPERTY:</b>	999 UPPER WENTWORTH STREET, HAMILTON, L9A 4X5
<b>ZONE:</b>	"C4" (Mixed Use High Density)	<b>ZONING BY-LAW:</b>	Zoning By-law City of Hamilton 05-200, as Amended

**APPLICANTS:** Owner: The Cadillac Fairview Corporation Limited  
Agent: Bousfields Inc. – D. Falletta

The following variances are requested:

1. Motor Vehicle Show room Definition, for the purposes of Special Exception 302 Pursuant to Hamilton Zoning By-law 05-200 shall mean an establishment located within a building where motor vehicles are displayed for the purpose of sale or leasing, and may include service bays, accessory retailing of souvenir merchandise and storage of motor vehicles instead of, Shall mean an establishment located within a building where motor vehicles are displayed for the purpose of sale or leasing, and may include service bays, accessory retailing of souvenir merchandise and storage of motor vehicles and shall not include a Motor Vehicle Service Station.
2. The use of Motor Vehicle Service Station in conjunction with a Motor Vehicle Show room shall be permitted.

**PURPOSE & EFFECT:** To facilitate the implementation of the proposed Tesla Centre, operating as a sales gallery and service centre within the existing mall building footprint;

**Notes:**

**This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.**

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

<b>DATE:</b>	<b>Thursday, February 2, 2023</b>
<b>TIME:</b>	<b>2:55 p.m.</b>
<b>PLACE:</b>	<b>Via video link or call in (see attached sheet for details)</b>

	<b>2<sup>nd</sup> floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton</b>
	<b>To be streamed (viewing only) at</b> <a href="http://www.hamilton.ca/committeeofadjustment">www.hamilton.ca/committeeofadjustment</a>

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

- Visit [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)
- Visit Committee of Adjustment staff at 5<sup>th</sup> floor City Hall, 71 Main St. W., Hamilton
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

## **PUBLIC INPUT**

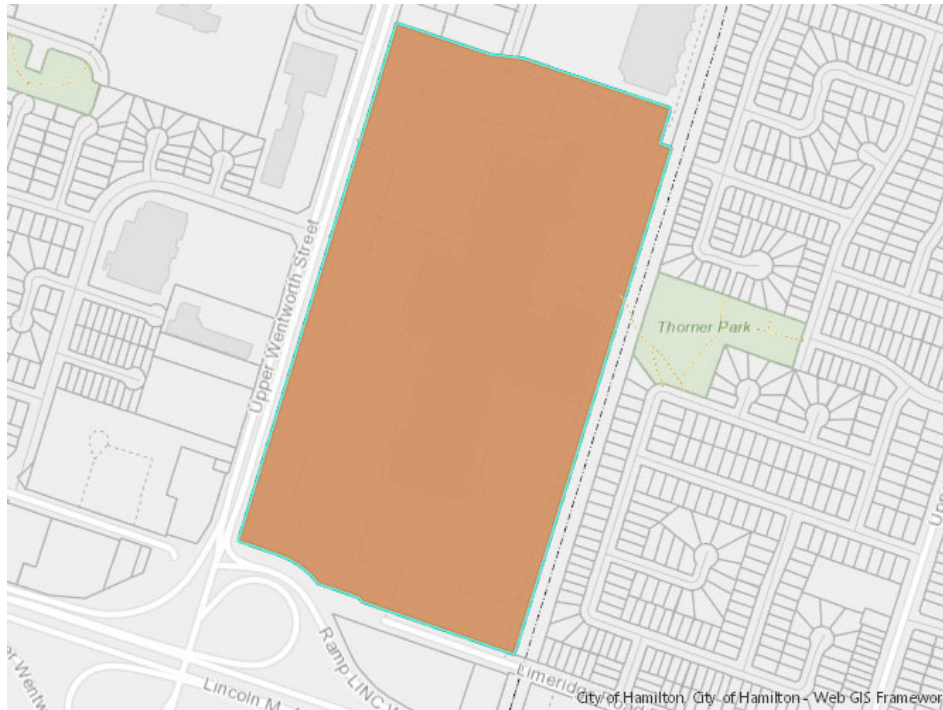
**Written:** If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

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

## **FURTHER NOTIFICATION**

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-22:402, you must submit a written request to [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



 **Subject Lands**

DATED: January 17, 2023

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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, and may include posting electronic versions.

## **PARTICIPATION PROCEDURES**

### **Written Submissions**

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comment packages are available two days prior to the Hearing and are available on our website: [www.hamilton.ca/committeeofadjustment](http://www.hamilton.ca/committeeofadjustment)

### **Oral Submissions**

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

#### **1. Virtual Oral Submissions**

**Interested members of the public, agents, and owners must register by noon the day before the hearing to participate Virtually.**

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email [cofa@hamilton.ca](mailto:cofa@hamilton.ca). The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

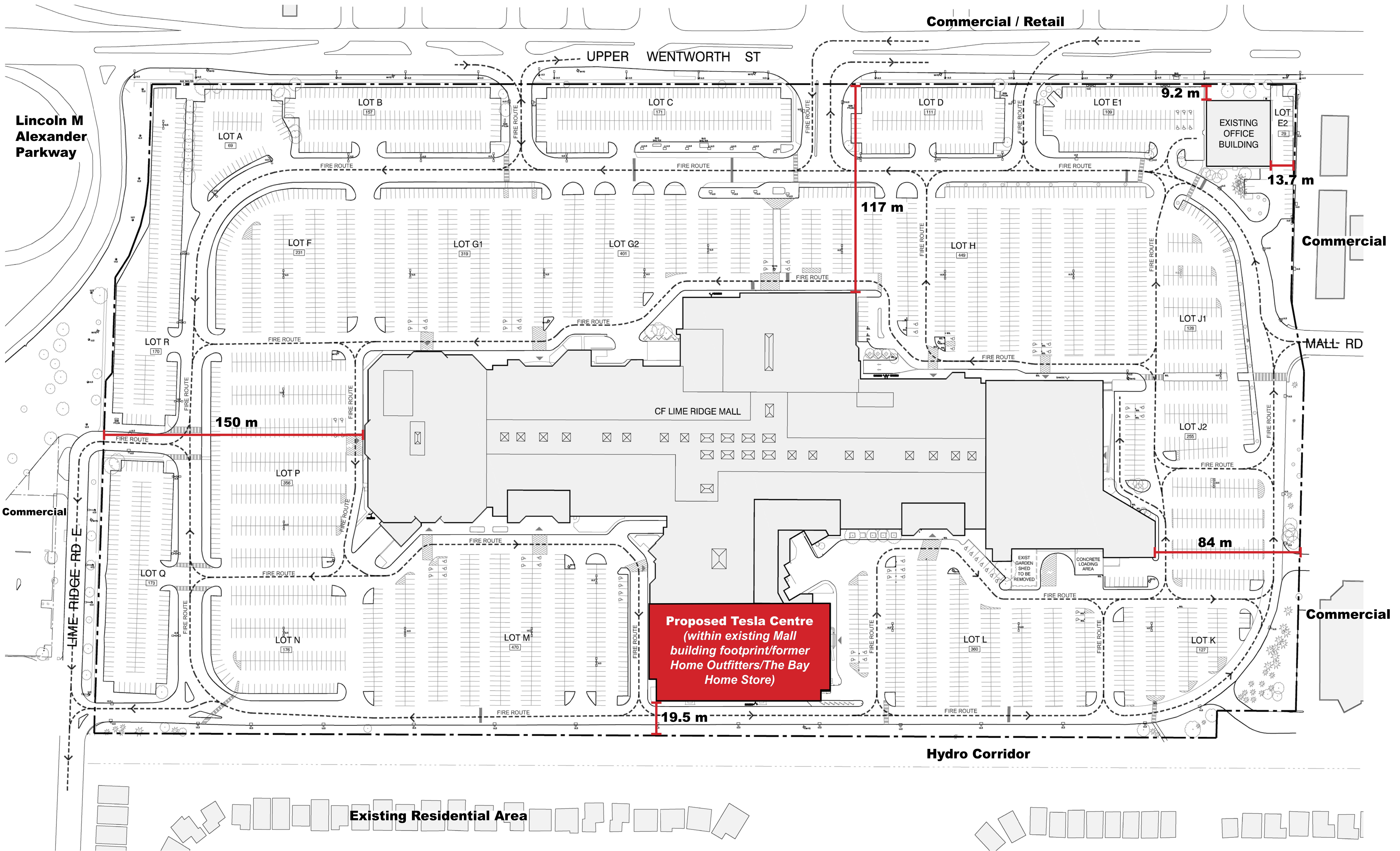
#### **2. In person Oral Submissions**

**Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2<sup>nd</sup> floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.**

We hope this is of assistance and if you need clarification or have any questions, please email [cofa@hamilton.ca](mailto:cofa@hamilton.ca) or by phone at 905-546-2424 ext. 4221.

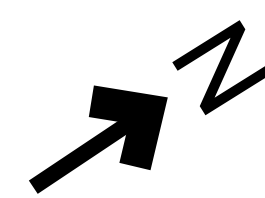
Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.





999 Upper Wentworth Street  
December 14, 2022

Not to scale







December 8, 2022

Jamila Sheffield  
Secretary Treasurer, Committee of Adjustment  
City of Hamilton  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton, ON L8P 4Y5

Via email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

Dear Jamila,

**Re: Minor Variance Application**  
**CF Lime Ridge Mall - 999 Upper Wentworth Street, Hamilton**

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## **1.0 OVERVIEW**

We are the planning consultants to The Cadillac Fairview Corporation (the “**owner**”), with respect to their property located at 999 Upper Wentworth Street in the City of Hamilton (the “subject site”), more commonly known as CF Lime Ridge Mall.

On behalf of the owners, we are pleased to submit a Minor Variance application for the subject site to facilitate the development of a Tesla Centre within the existing mall footprint and specifically in the former Home Outfitters/The Bay Home Store unit. In support of the application, the following will provide a description of the site and surrounding area, the requested minor variances, and our planning opinion on the requested variances.

## **2.0 SITE AND SURROUNDINGS**

The subject site is currently occupied by the CF Lime Ridge Mall, a 2-storey major regional shopping centre with a wide variety of commercial and retail tenants and a 4-storey office building located at the northwest corner of the site. The mall building is generally located at the centre of the site, which is approximately 25.1 hectares (62.1 acres) in size, with surface parking and surrounding private access roads.

In terms of surrounding uses, the subject site is immediately surrounded by:

- low-rise commercial, restaurant and office uses including a large-format grocery store (Fortinos) with a large surface parking lot to the north;
- several low-rise retail plazas (along the western side of Upper Wentworth Street) accommodating commercial, restaurant, and retail uses to the west;
- the Lincoln M. Alexander Parkway to the south; and
- a hydro corridor, Thorner Park, and low-rise residential single-detached dwellings to the east.

On October 25, 2022, the owners submitted a Site Plan Approval application for the northern portion of the mall to demolish the existing vacant retail space (former Sears), replace it with a new food hall and retail/restaurant uses, and introduce new residential uses in the form of two (2) 13-storey buildings.

### **3.0 PROPOSAL**

The proposal is for a new Tesla Centre to be located within the existing mall footprint in the portion of mall that was previously occupied by the former Home Outfitters/Bay Home Store on the second floor.

Tesla produces electric vehicles that solely use electricity and no gasoline. Tesla vehicles do not have internal combustion engines (ICE), thus vehicles do not have fuel tanks, use oil, exhaust systems, transmission or many of the other components that require the storage and use of hazardous materials on site or traditional vehicle ventilation.

The proposed Tesla Centre would include the sale of new and pre-owned vehicles, the sale of related parts and accessories, and *Motor Vehicle Service Station* uses including but not limited to:

- Software updates;
- Tire replacement/balancing/alignment;
- Paint-less bolt on panel replacement and/or dent removal (only replacing doors or the rear hatch, no typical body work or painting will be performed);
- Topping off water and/or refrigerant to cool the battery; and
- Occasional battery replacement (batteries are completely enclosed and don't release chemical vapours. When replaced, there are four points to

uncouple the battery from the vehicle and then it is sent to one of Tesla's remanufacturing locations for refurbishment.

**Attachment 1** is a letter from Kyle Mazzone, a Senior Real Estate Manager with Tesla, which confirms the range of services offered at the Tesla Centre and that the proposed use would generate approximately 50 new jobs.

#### **4.0 PLANNING POLICY OVERVIEW**

##### ***Urban Hamilton Official Plan***

The subject site is designated *Mixed Use – High Density* as identified on Schedule E – 1 – Urban Land Use Designations in the Urban Hamilton Official Plan (“UHOP”) and located within a *Sub-Regional Service Node* as shown on Schedule E: Urban Structure. The *Mixed Use – High Density* designation permits a broad range of uses including commercial uses (such as auto and home centres), institutional uses, recreational uses, hotels, and residential uses. Policy E.4.5.5 of the UHOP outlines the permitted uses, however “auto and home centres” is an undefined term.

##### ***City of Hamilton Zoning By-law 05-200***

The site is subject to the City of Hamilton Zoning By-law No. 05-200, as amended. The subject site is currently zoned Mixed Use High Density (C4) with site-specific exception 302. The parent C4 Zone permits a full range of commercial and residential uses including a *Motor Vehicle Gas Bar*.

Under the site-specific exception 302, a “*Motor Vehicle Show Room*” is permitted, which is defined for the purposes of exception 302 as:

*“an establishment located within a building where motor vehicles are displayed for the purpose of sale or leasing, and may include service bays, accessory retailing of souvenir merchandise and storage of motor vehicles and shall not include a motor vehicle service station”.*

#### **5.0 REQUESTED MINOR VARIANCES**

A Minor Variance Application is required to facilitate the use of the proposed Tesla Centre. The minor variances being sought in support of the proposal are shown below:



**1. By-law No. 05-200, Schedule C, Special Exception No. 302 b)**

The Motor Vehicle Show Room definition for the purpose of Special Exception No. 302 shall mean an establishment located within a building where motor vehicles are displayed for the purpose of sale or leasing, and may include service bays, accessory retailing of souvenir merchandise and storage of motor vehicles ~~and shall not include a Motor Vehicle Service Station.~~

**2. By-law No. 05-200, Schedule C, Special Exception No. 302 c)**

The following uses shall also be permitted:

i) Motor Vehicle Showroom;

ii) Educational Establishment and;

**iii) Motor Vehicle Service Station in conjunction with a Motor Vehicle Show Room.**

**6.0 PLANNING ANALYSIS**

It is our opinion that the requested variances, both individually and cumulatively, satisfy the four tests set out in Section 45(1) of the *Planning Act*, namely: (1) they maintain the general intent and purpose of the Official Plan; (2) they maintain the general intent and purpose of the Zoning By-law; (3) they are desirable for the appropriate development and use of the lands; and (4) they are minor in nature.

With respect to each of the aforementioned four tests, we offer the following opinion and analysis.

**(1) Maintains the general intent and purpose of the Official Plan**

The Official Plan provides that *Mixed Use – High Density* designation polices permit a broad range of uses including commercial, institutional, recreational, and residential.

As mentioned above, the subject site is also located within one of the City's two Sub-Regional Service Nodes. As per Policy E.2.3 of the UHOP, Urban Nodes are intended to provide for a broad range and mix of uses in an area of higher density and activity than surrounding neighbourhoods and shall perform as vibrant, mixed-use areas with a large and diverse population. Policy E.3.2.2 requires that Sub-Regional Service Nodes provide a range of uses that allow for access to housing, jobs, services, and recreation in close proximity to each other and may be accessible by higher order transit. Policy E.2.3.2.4 also requires that Sub-Regional Service Nodes function as

employment centres, providing a range of employment largely in population servicing offices, retail, personal services, and local institutions.

Within the *Mixed Use – High Density* designation, Policy E.4.5.5.a) permits a range of commercial uses, specifically “auto and home centres”, which is an undefined term in the UHOP. This is consistent with numerous *Mixed Use – Medium Density* and *Mixed Use – High Density* land uses across the City that currently include *Motor Vehicle Service Station* uses, including:

- Summit Park – Walmart, Canadian Tire, Brian’s Tire, etc.
- Centennial Parkway/QEW Node – Walmart, Mr. Lube, dealerships, etc.
- Upper James – dealerships, etc.
- Centre on Barton – Canadian Tire, Walmart, etc.
- Meadowlands – Costco, Shell, etc.

In our opinion, the proposed *Motor Vehicle Service Station* use in conjunction with a permitted *Motor Vehicle Show Room* is permitted in the *Mixed Use – High Density* designation and is consistent with many developed *Mixed Use – High Density* lands in the City and, as such, maintains the general intent and purpose of the Official Plan.

## **(2) Maintains the general intent and purpose of the Zoning By-law**

With respect to the proposed *Motor Vehicle Show Room* and *Motor Vehicle Service Station* use, the C4 zone site-specific exception 302 permits a *Motor Vehicle Show Room*, however, a *Motor Vehicle Service Station* is explicitly prohibited.

The Commercial and Mixed Use zones of Zoning By-law 05-200 align with the Commercial and Mixed Use designations in the UHOP. In this regard, the Neighbourhood Commercial (C2), District Commercial (D6) and Arterial Commercial (C7) Zones all permit motor vehicle uses, including a *Motor Vehicle Service Station*, which aligns with the UHOP land use policies of the *Local Commercial*, *District Commercial* and *Arterial Commercial* designations.

Both the *Mixed Use – Medium Density* and *Mixed Use – High Density* designation of the UHOP do not explicitly permit a motor vehicle service station and instead permits “auto and home centres” and “gas bars”. Yet the Mixed Use Medium Density (C5) Zone specifically permits *Motor Vehicle Service Stations*.

It is unclear why *motor vehicle service stations* are not permitted in the parent *Mixed Use – High Density (C4) Zone*, especially since they are specifically permitted in the C5 Zone, which is born from the *Mixed Use – Medium Density* designation that has the same commercial land use permissions (i.e. permissions for auto and home centres) as the *Mixed Use – High Density* designation.

In our opinion, the purpose and intent of the Zoning By-law is to establish a range of permitted principal and accessory uses that, among other things, implements the UHOP. As the “auto and home centres” uses, as established in the UHOP, include *Motor Vehicle Service Station* uses, since they are specifically permitted in the C4 Zone, it is our opinion that the proposed minor variance maintains the general intent and purpose of the Zoning By-law.

### **(3) Desirable and appropriate for the development of the land**

In our opinion, the proposal would allow for a vacant portion of the mall to be redeveloped with a use that is permitted in the UHOP and maintains the intent of the Zoning By-law. Furthermore, there is an existing *Motor Vehicle Service Station* use on the subject site, being the Active Green + Ross, which is a legally established non-conforming use.

In our opinion, the variances being requested are desirable and appropriate for the development of the land as it will allow for the continuation of the subject site to serve the local and regional community with commercial and retail services as well as continue to provide a range and mix of employment opportunities. Furthermore, as the *Motor Vehicle Service Station* use is proposed to only be permitted in conjunction with a permitted *Motor Vehicle Show Room* use, it is desirable and appropriate for the development of the land.

### **(4) Minor in nature**

An assessment of the requested variances against the test of “minor” is not solely a numerical assessment but also involves an assessment of impact. The requested variances would facilitate the construction of the Tesla Centre within the existing mall footprint and no new structures or additions are proposed. The proposed *Motor Vehicle Service Station* use conforms to the UHOP, will be in conjunction with a permitted *Motor Vehicle Show Room* thereby maintaining the primary commercial function. Furthermore, it is our opinion that the proposed variances are minor, since they would



result in a use that is subordinate to a permitted use and currently exists on the subject site.

### **7.0 SUMMARY OPINION**

Based on the foregoing, it is our opinion that the requested variances satisfy the four-part test set out in the Planning Act, represents good planning, and will contribute to the ongoing evolution of the CF Lime Ridge Mall in a manner that is compatible, appropriate, and will help contribute to the long-term viability of the mall as an important regional node and community amenity. Therefore, we respectfully request that the Committee of Adjustment approve the application.

Accordingly, and in support of the requested minor variance application please find enclosed the following:

- Completed Application Form; and
- Supporting Letter from Tesla, dated December 2, 2022

The required application fee is forthcoming under separate cover.

We trust that the foregoing is satisfactory. However, if you have any questions or require additional information, please do not hesitate to contact the undersigned.

Yours very truly,

**Bousfields Inc.**



David Falletta, MCIP, RPP



Ashley Paton, MCIP, RPP

DF:ap: jobs

Attachments (2)



**December 2, 2022**

**Michael Peiser**  
**Senior Director, Development**  
**The Cadillac Fairview Corporation Limited**  
**20 Queen St. West, Toronto, Ontario M5H 3R4**

**Tesla Center at Lime Ridge Mall, Hamilton, ON**

Dear Michael,

As you know, Tesla has recently signed a non-binding Letter of Intent with Cadillac Fairview to build a Tesla Center at Lime Ridge Mall, Hamilton, ON.

The site will be operating as a sales gallery and service center and will be the largest of its kind in Canada at 60,000 square feet.

The Tesla Center will be built-out in the former "The Bay Home / Home Outfitters" premises within the mall's existing building footprint. Tesla produces electric vehicles that solely use electricity and no gasoline. Tesla vehicles do not have internal combustion engines (ICE), thus vehicles do not have fuel tanks, use oil, exhaust systems, transmission or many of the other components that require the storage and use of hazardous materials on site or traditional vehicle ventilation.

The service work at this location will be standard servicing of electric vehicles, including software updates, tire replacement, tire balancing, alignment, paint-less bolt on panel replacement and/or dent removal (only replacing doors or the rear hatch, no typical body work or painting will be performed), topping off of water and/or refrigerant to cool the battery, and an occasional battery replacement. Our batteries are completely enclosed and don't give off any chemical vapors. When replaced, there are four points to uncouple the battery from the vehicle and then it is sent to one of our Remanufacturing locations for refurbishment.

Expected hours of operation for this Tesla Center are Monday through Saturday from 8:00AM to 7:00PM and on Sundays from 11:00AM to 6:00PM. Total employee count is expected to be about 50 employees.

Time is of the essence, which is why CF Lime Ridge is strategically positioned, given that it already has "Motor Vehicle Show Room as a permitted use. As we will be servicing and repairing electric vehicles, in addition to the sale of electric vehicles, we want to ensure that this is a permitted use. The timing of the minor variance will be a major deciding factor of Tesla investment in Hamilton.

Should you have any questions, or require additional information, please do not hesitate to contact me.

Thank you,

*Kyle Mazzone*

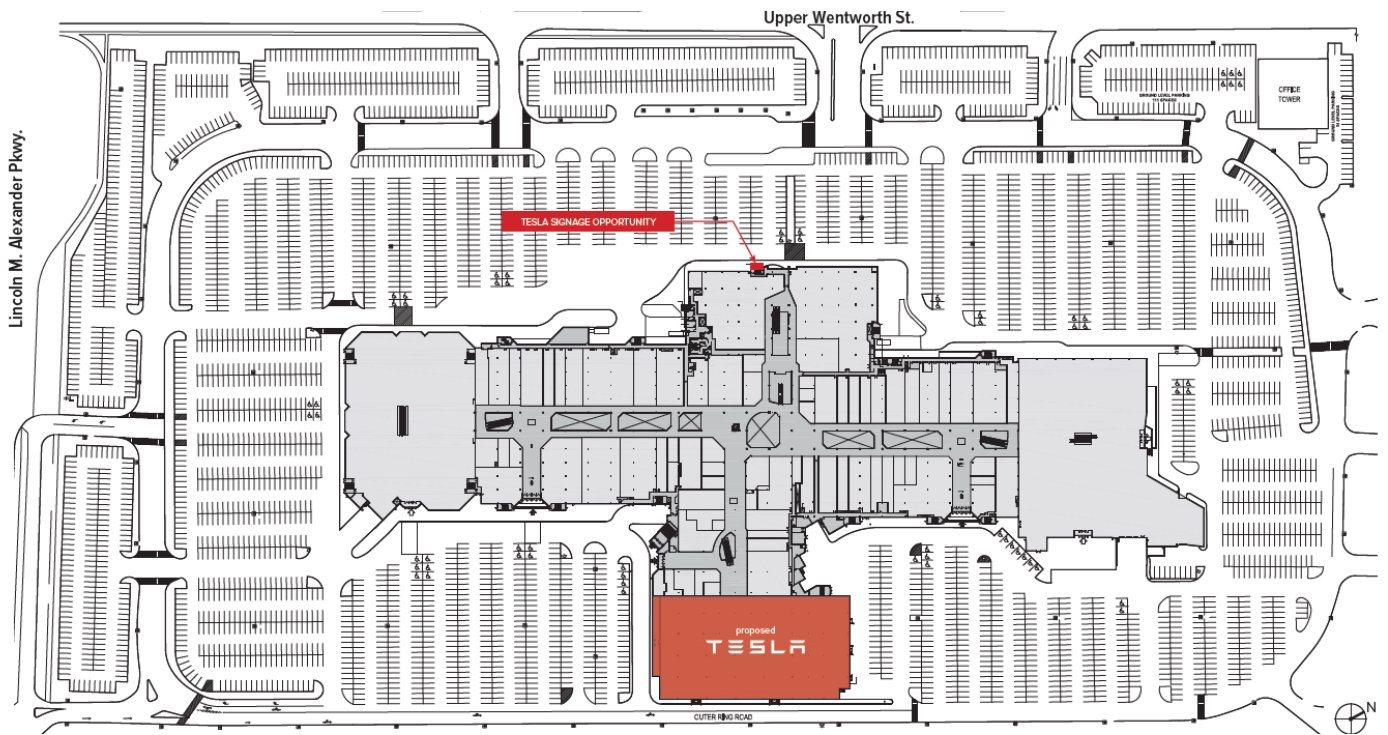
**Kyle Mazzone | Sr. Real Estate Manager, Canada**

1636 W 4<sup>TH</sup> AVE, VANCOUVER, BC

604-789-8483

KMAZZONE@TESLA.COM

## Proposed Location Plan







**Committee of Adjustment**  
 City Hall, 5<sup>th</sup> Floor,  
 71 Main St. W.,  
 Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221  
 Email: [cofa@hamilton.ca](mailto:cofa@hamilton.ca)

## APPLICATION FOR A MINOR VARIANCE/PERMISSION UNDER SECTION 45 OF THE PLANNING ACT

### 1. APPLICANT INFORMATION

	NAME	MAILING ADDRESS
<b>Registered Owners(s)</b>	The Cadillac Fairview Corporation Limited	
<b>Applicant(s)</b>	Same as Owner	
<b>Agent or Solicitor</b>	Bousfields Inc. c/o David Falletta	

- 1.2 All correspondence should be sent to ☒ Owner ☐ Applicant  
☒ Agent/Solicitor
- 1.2 All correspondence should be sent to ☐ Purchaser ☒ Owner  
☐ Applicant ☒ Agent/Solicitor
- 1.3 Sign should be sent to ☐ Purchaser ☐ Owner  
☐ Applicant ☒ Agent/Solicitor
- 1.4 Request for digital copy of sign ☒ Yes\* ☐ No  
 If YES, provide email address where sign is to be sent apaton@bousfields.ca
- 1.5 All correspondence may be sent by email ☒ Yes\* ☐ No  
 If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

### 2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	999 Upper Wentworth Street		
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

2.2 Are there any easements or restrictive covenants affecting the subject land?

☐ Yes ☒ No

If YES, describe the easement or covenant and its effect:

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### 3. PURPOSE OF THE APPLICATION

**Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled**

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

Please refer to the attached planning letter

☐ Second Dwelling Unit

☐ Reconstruction of Existing Dwelling

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

Please refer to the attached planning letter

3.3 Is this an application 45(2) of the Planning Act.

☐ Yes

☒ No

If yes, please provide an explanation:

### 4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
663 m (Upper Wentworth) 22 m (Mall Road) 198 m (Limeridge Road E)	366 m	25.1 ha	~36.6 m (Upper Wentworth) ~22 m (Mall Road) ~26.7 (Limeridge Road E)

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Shopping Centre	~117 m (western lot line)	19.5 m (east lot line)	~150 m (south lot line) ~84 m (north lot line)	1981
Office	9.2 m	>300 m	13.7 m (north lot line)	

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
No changes to Shopping Centre or Office				

4.3. Particulars of all buildings and structures on or proposed for the subject lands (attach additional sheets if necessary):

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Shopping centre		94,598 sq m	2	
Office		5,572 sq m	4	

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
No changes				

4.4 Type of water supply: (check appropriate box)

- ☒ publicly owned and operated piped water system  
☐ privately owned and operated individual well

- ☐ lake or other water body  
☐ other means (specify)

4.5 Type of storm drainage: (check appropriate boxes)

- ☒ publicly owned and operated storm sewers  
☐ swales

- ☐ ditches  
☐ other means (specify)

4.6 Type of sewage disposal proposed: (check appropriate box)



- ☒ publicly owned and operated sanitary sewage system  
☐ privately owned and operated individual septic system  
☐ other means (specify) \_\_\_\_\_

4.7 Type of access: (check appropriate box)

- ☐ provincial highway  
☐ municipal road, seasonally maintained  
☒ municipal road, maintained all year

- ☐ right of way  
☐ other public road

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):  
Shopping Centre, Office, Motor Vehicle Service Station in conjunction with a Motor Vehicle Show Room

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):  
Hydro Corridor (east), commercial and Lincoln Alexander Parkway (south), commercial/retail (north), commercial/retail (west)

## 7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:  
1983

7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
Commercial/Retail

7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)  
Shopping Centre, Office

7.4 Length of time the existing uses of the subject property have continued:  
40+ years

7.5 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): \_\_\_\_\_

Rural Settlement Area: \_\_\_\_\_

Urban Hamilton Official Plan designation (if applicable) Mixed Use - High Density

Please provide an explanation of how the application conforms with the Official Plan.

7.6 What is the existing zoning of the subject land? Mixed Use High Density (C4), exception 302

7.8 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:

Based on the City's development application map: HM/A-06:200, A-85:181, A-81:103, A-97:204

- 
- 7.9 Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?

☐ Yes ☒ No

If yes, please provide the file number:

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- 7.10 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

- 7.11 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.

## 8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: \_\_\_\_\_

8.2 Number of Dwelling Units Proposed: \_\_\_\_\_

8.3 Additional Information (please include separate sheet if needed):