



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

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

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.:	SC/A-23:248	SUBJECT PROPERTY:	68 CENTENNIAL PARKWAY S, STONE CREEK
ZONE:	"GC-55(T)" (General Commercial)	ZONING BY-LAW:	Zoning By-law former City of Stoney Creek 3692-92, as Amended 17-211

APPLICANTS: **Owner:** 2450129 ONTARIO INC.
 Agent: ARCADIS PROFESSIONAL SERVICES INC. C/O MIKE CROUGH

The following variances are requested:

1. Professional office use shall be permitted.

PURPOSE & EFFECT: To permit the establishment of a professional office;

Notes:

1. It is noted that special exception GC-55(T) permits only a medical clinic, retail stores, and convenience food stores.

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:

DATE:	Thursday, October 19, 2023
TIME:	10:25 a.m.
PLACE:	Via video link or call in (see attached sheet for details)
	2nd floor City Hall, room 222 (see attached sheet for details), 71 Main St. W., Hamilton
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th 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 SC/A-23:248, you must submit a written request to 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 or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



 Subject Lands

DATED: October 3, 2023

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.



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

E-mail: cofa@hamilton.ca

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 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

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. 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.

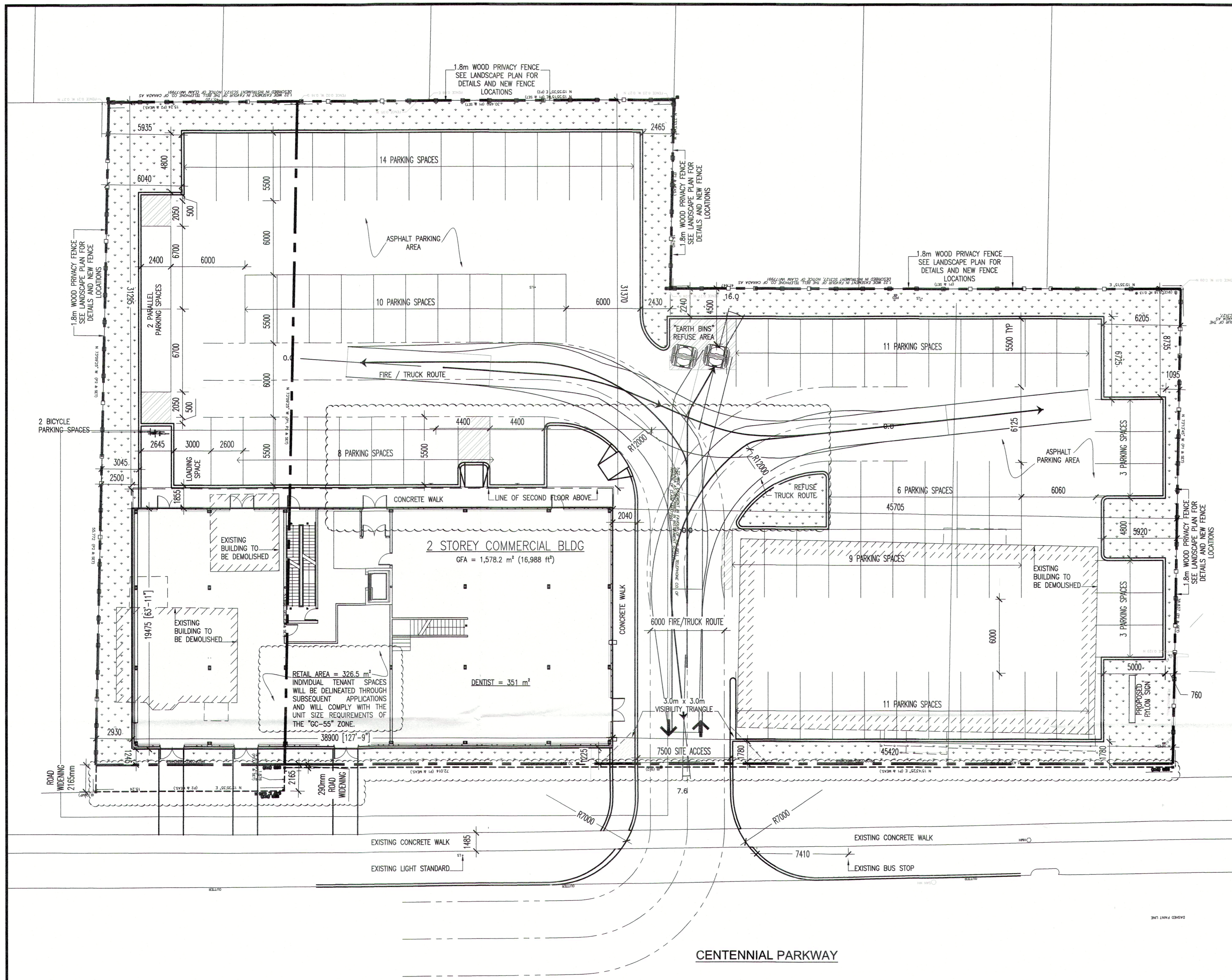
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

2. In person Oral Submissions

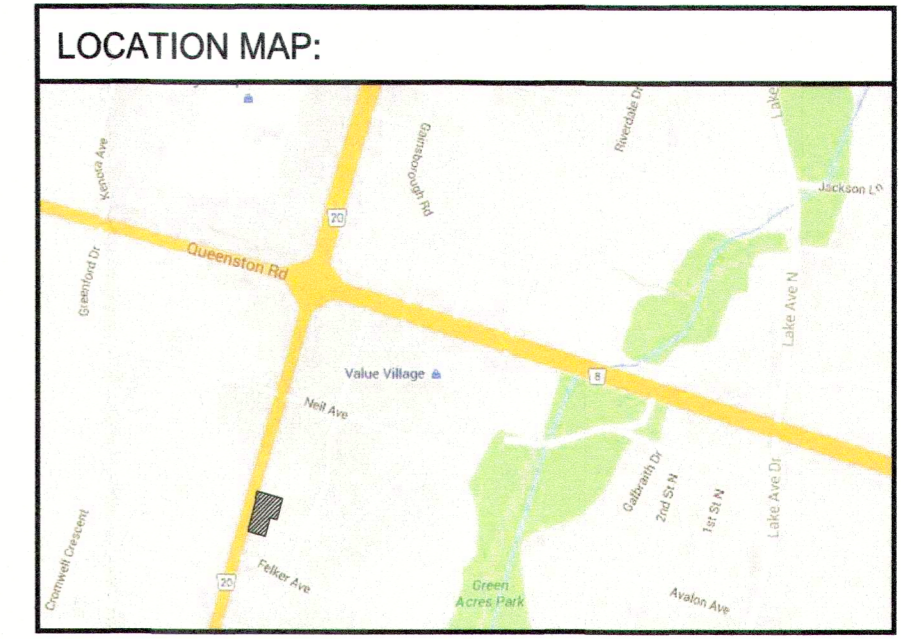
Interested members of the public, agents, and owners who wish to participate in person must sign in at City Hall room 222 (2nd floor) no less than 10 minutes before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca 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.



- ### GENERAL NOTES:
- ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR OF PLANNING, PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT.
 - FIRE ROUTE SIGNS AND 3-WAY FIRE HYDRANTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENSE OF THE OWNER.
 - MAIN DRIVEWAY DIMENSIONS AT THE PROPERTY LINE BOUNDARIES ARE PLUS OR MINUS 7.5 m UNLESS OTHERWISE STATED.
 - ALL DRIVEWAYS FROM THE PROPERTY LINES FOR THE FIRST 7.5 m SHALL BE WITHIN 5% MAXIMUM GRADE, THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADES.
 - THE APPROVAL OF THIS PLAN DOES NOT 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, SEWER AND WATER PERMITS, ROAD CUT PERMITS, RELOCATION OF SERVICES, APPROACH APPROVAL PERMITS, ENCROACHMENT AGREEMENTS (IF REQUIRED), COMMITTEE OF ADJUSTMENT.
 - ABANDONED ACCESSES MUST BE REMOVED AND THE CURB AND BOULEVARD RESTORED WITH SOD AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE TRAFFIC AND ENGINEERING SECTION, PUBLIC WORKS DEPARTMENT.
 - FOR VISIBILITY TRIANGLES AT THE VEHICULAR ACCESS POINTS, THE FOLLOWING NOTE TO BE PROVIDED: "3.0 METRE BY 3.0 METRE VISIBILITY TRIANGLES IN WHICH THE MAXIMUM HEIGHT OF ANY OBJECTS OR MATURE VEGETATION IS NOT TO EXCEED A HEIGHT OF 0.70 METRES ABOVE THE CORRESPONDING PERPENDICULAR CENTERLINE ELEVATION OF THE ADJACENT STREET."
 - PROPOSED FENCING SHALL CONFORM TO THE CITY'S FENCE BY-LAW No. 10-142.
 - THIS PROPERTY IS ELIGIBLE FOR WEEKLY COLLECTION OF GARBAGE, RECYCLING, ORGANICS, AND LEAF YARD WASTE THROUGH THE CITY OF HAMILTON SUBJECT TO COMPLIANCE WITH SPECIFICATIONS INDICATED BY THE PUBLIC WORKS DEPARTMENT AND SUBJECT TO COMPLIANCE WITH THE CITY'S SOLID WASTE MANAGEMENT BY-LAW 09-067, AS AMENDED.
 - SHARPS, HAZARDOUS WASTE AND PATHOLOGICAL WASTE AS DESIGNATED BY O. REG. 347 UNDER THE ENVIRONMENTAL PROTECTION ACT ARE PROHIBITED FROM COLLECTION, COLLECTION AND DISPOSAL OF THESE MATERIALS MUST BE ARRANGED BY A PRIVATE CONTRACTOR.
 - LIGHTING MUST BE DIRECTED ON-SITE AND MUST NOT SPILL OVER TO ADJACENT PROPERTIES OR STREETS. MUST PROVIDE HOUSE SHIELDS WHERE NEEDED, TO COMPLETELY ELIMINATE GLARE TO ADJACENT PROPERTIES.
 - UNION GAS: UNION GAS HAS SERVICE LINES RUNNING WITHIN THE AREA WHICH MAYOR MAY NOT BE AFFECTED BY THE DEVELOPMENT. SHOULD THE SITE PLAN IMPACT THE SERVICES IT MAY BE NECESSARY TO RELOCATE THE LINES, ANY SERVICE LOCATION WOULD BE AT THE COST OF THE PROPERTY OWNER.
 - ALL SIGNS SHALL COMPLY TO SIGN BY-LAW No. 10-197
- ### ELECTRA UTILITIES
- RELOCATION, MODIFICATION, OR REMOVAL OF ANY EXISTING HYDRO FACILITIES, SHALL BE AT THE OWNERS EXPENSE.
 - DO NOT EXCAVATE WITHIN 2.0m OF HYDRO POLE OR ANCHORS.
 - EXCAVATION WITHIN 1.0m OF UNDERGROUND HYDRO PLANT IS NOT PERMITTED UNLESS APPROVAL IS GRANTED BY A HORIZON UTILITIES REPRESENTATION AND IS PRESENT TO PROVIDE DIRECT SUPERVISION.
 - ELECTRA UTILITIES MUST BE CONTACTED IF REMOVAL, ISOLATION OR RELOCATION OF EXISTING PLANT IS REQUIRED, ALL COSTS ASSOCIATED WITH THIS WORK WILL BE AT THE OWNERS EXPENSE.



LEGEND:

SYMBOL	DESCRIPTION
	PROPERTY LINE
	DEMOLITION OF EXISTING FEATURE
	FIRE ROUTE
	NEW CONTINUOUS CONCRETE CURBING. SEE CIVIL ENG. DWGS. FOR DETAILS.
	NEW BUILDING AREA
	NEW LANDSCAPING
	NO PARKING, PAINTED LINES.
	DIRECTION OF TRAFFIC
	APPROXIMATE BUILDING ENTRANCE LOCATION

SITE STATISTICS:

	REQUIREMENTS	PROPOSED	COMPLIANCE
ZONING DESIGNATION	'cc-55(1)' ZONE, MODIFIED	'cc-55(1)' ZONE, MODIFIED	-
MIN. LOT AREA	N/A	4,045 m²	-
MIN. LOT FRONTAGE	45 m	87.216 m	Y
MAX. LOT COVERAGE	50%	18.7%	-
BUILDING AREA (BLDG. FOOTPRINT)	N/A	758 m² (8,159 ft²)	-
GROSS FLOOR AREA	N/A	BASEMENT = 439 m² (4,725 ft²) 1ST FLOOR = 758 m² (8,159 ft²) 2ND FLOOR = 816 m² (8,783 ft²) TOTAL = 2,013 m² (24,668 ft²)	-
BUILDING USES	MEDICAL CLINIC (MAX GFA 1,203 m²); RETAIL STORES (MAX GFA 100 m²); COMMERCIAL FOOD STORE (MAX GFA 75 m²); TOTAL GFA OF ALL ACCESSORY USES OF RETAIL & COMMERCIAL FOOD STORES COMBINED SHALL NOT EXCEED 402 m².	MEDICAL AREA = 439 m² (4,725 ft²) RETAIL = 326.5 m² (3,514 ft²) MEDICAL = 351 m² (3,778 ft²) COMMERCIAL FOOD STORES COMBINED = 816 m² (8,783 ft²)	-
MINIMUM YARD REQUIREMENTS	FRONT YARD = 1.2 m; SIDE YARD = 1.5 m; FLANKAGE YARD = 6.0 m; REAR YARD = 9.0 m, 15 m ABUTTING A RESIDENTIAL ZONE.	SIDE YARD (N) = 2.5 m; REAR YARD (E) = 31.3 m; SIDE YARD (S) = 45.7 m; FRONT YARD (W) = 1.2 m	Y
MAXIMUM BUILDING HEIGHT	11 m	10.32m FROM AVERAGE GRADE, 2 STOREY	Y
LANDSCAPING	10% OF THE LOT AREA LANDSCAPE STRIPS = -1.2m ALONG THE BUILDING -1.5m ALONG THE PARKING -2.5m AT NORTH SIDE YARD & 0.76m AT SOUTH SIDE YARD ADJACENT TO RM ZONE -2.2m AT THE EAST SIDE YARD ADJACENT TO R2, EXCEPT 1.8m TO A GRADE RELATED RETAINING WALL ALONG WITH A 1.8m VISUAL BARRIER ADJACENT TO EVERY PORTION OF ANY ZONE OTHER THAN A COMMERCIAL OR INDUSTRIAL ZONE.	15.8 m (51.8 m) OF TOTAL LOT AREA LANDSCAPE STRIPS = -1.225m ALONG THE BUILDING -1.25m ALONG THE PARKING -2.25m AT NORTH SIDE YARD & 0.76m AT SOUTH SIDE YARD ADJACENT TO THE RM ZONE -2.24m AT THE EAST SIDE YARD ADJACENT TO R2, EXCEPT 1.8m TO A GRADE RELATED RETAINING WALL ALONG WITH A 1.8m VISUAL BARRIER ADJACENT TO EVERY PORTION OF ANY ZONE OTHER THAN A COMMERCIAL OR INDUSTRIAL ZONE.	Y
PARKING	RETAIL = NO PARKING REQUIRED MEDICAL = 1/16th OF GFA TOTAL NO. OF PARKING SPACES REQUIRED = 73 DIM REQD FOR 90° = 2.6 x 5.5m DIM REQD FOR OTHER THAN 90° = 4.4 x 5.5m FOR BARRIER FREE 1 SPACES REQD FOR BUILDINGS BETWEEN 1,000 m² - 1,999 m², DIMENSION = 3.0 x 5.5m	PROPOSED PARKING STALL SIZE = 2.6 x 5.5m FOR 90° = 2.4 x 6.0m FOR OTHER THAN 90° = 4.4 x 5.5m FOR BARRIER FREE 78 SPACES PROVIDED ON SITE	Y
LOADING SPACE	DESIGNATED BARRIER FREE PARKING SPACES	1 SPACE @ 3.0m x 5.5m 2 SPACES @ 4.4m x 5.5m	Y

LETTER OF UNDERTAKING

FILE NO. DA-17-207 RE: 68, 88 & 72 CENTENNIAL PARKWAY SOUTH, HAMILTON
 I, **MIKE CROUGH**, the owner of the land, hereby undertake and agree without reservation:
 (a) To comply with all the content of this plan and drawing and not to vary therefrom.
 (b) 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 2018.01.15.
 (c) 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; and
 (d) In the event that the Owner does not comply with the plan dated 2017.09.07, 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.
 (e) Caution: Notwithstanding current surface conditions, the property has been determined to be an area of archaeological potential. Although an archaeological assessment is not required by the City of Hamilton, the proposed is cautioned that during development activities, should deeply buried archaeological materials be found on the property the Ontario Ministry of Tourism, Culture and Sport (MTCOS) should be notified immediately (416-314-7143). In the event that human remains are encountered during construction, the proponent should immediately contact both MTCOS and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Small Business and Consumer Services (416-326-8392).
 (f) That the owner agrees to affix the physical municipal number (88) of the building in a manner that is visible from the street, or a sign at the front entrance with either the municipal number (88) or the full address (68 Centennial Parkway South).
 (g) That the owner provide a centralized mail facility of their own expense.
 Dated this 1st day of August 2018.
 Witness (signature) _____ Owner(s) (signature) **MIKE CROUGH**
 Witness (print) **MIKE CROUGH** Owner (print) **MIKE CROUGH**
 Address of Witness **360 UPPER ST. JAMES ST.**

NO DRAWING DIVISION SHALL BE VIEWED INDEPENDENTLY. CONTRACTOR AND ALL SUB CONTRACTORS TO REVIEW AND BE FAMILIAR WITH ENTIRE DRAWING SET.

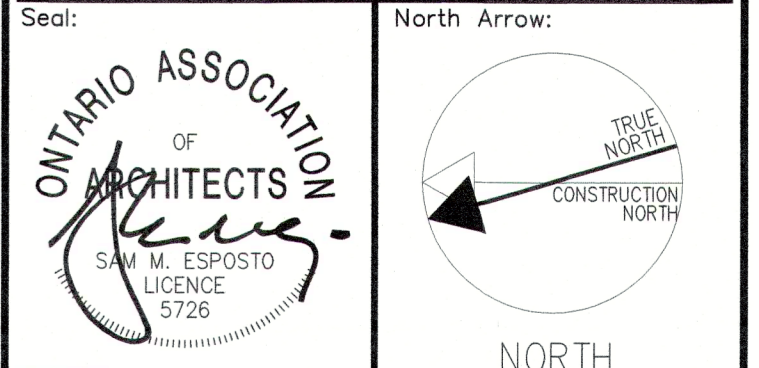
Revisions

No.:	For:	Date:
CITY (11)	REZONING RESUBMISSION	2018.04.24
CITY (10)	REZONING RESUBMISSION	2018.04.03
CITY (9)	REZONING RESUBMISSION	2018.01.29
CONSULT(8)	REVIEW	2018.01.15
CONSULT(7)	REZONING APPLICATION	2017.09.07
CONSULT(D)	FOR REVIEW	2017.07.14
CITY (C)	FOR CLIENT REVIEW	2017.03.20
CITY (6)	REZONING APPLICATION	2017.01.09
CITY (5)	REZONING APPLICATION	2017.01.03
CITY (4)	TRUCK ROUTE DETAILS	2016.12.02
CITY (3)	REZONING APPLICATION	2016.07.06
CLIENT (B)	FOR COORDINATION	2016.05.13
CLIENT (A)	FOR COORDINATION	2016.04.27
CITY (2)	REZONING APPLICATION	2016.04.17
CITY (1)	REZONING APPLICATION	2016.04.14
CITY (0)	REZONING APPLICATION	2016.04.01

Issue Table

Note:
 CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND CONTRACTOR SHALL REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH WORK. DO NOT SCALE DRAWINGS.
 CONTRACTORS AND SUBCONTRACTORS SHALL USE THIS DRAWING IN CONJUNCTION WITH OTHER DISCIPLINARY ENGINEER DRAWINGS AND TENANT FIT-UP DRAWINGS.
 THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSE UNTIL ISSUED FOR CONSTRUCTION BY DESIGN PROFESSIONAL UNDER ISSUE COLUMN.

CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE CONSULTANTS AND SHALL NOT BE USED OR REPRODUCED WITHOUT AUTHORIZATION BY THE CONSULTANTS.
 ALL DRAWINGS ARE TO BE REVIEWED AS A FULL PACKAGE SET.



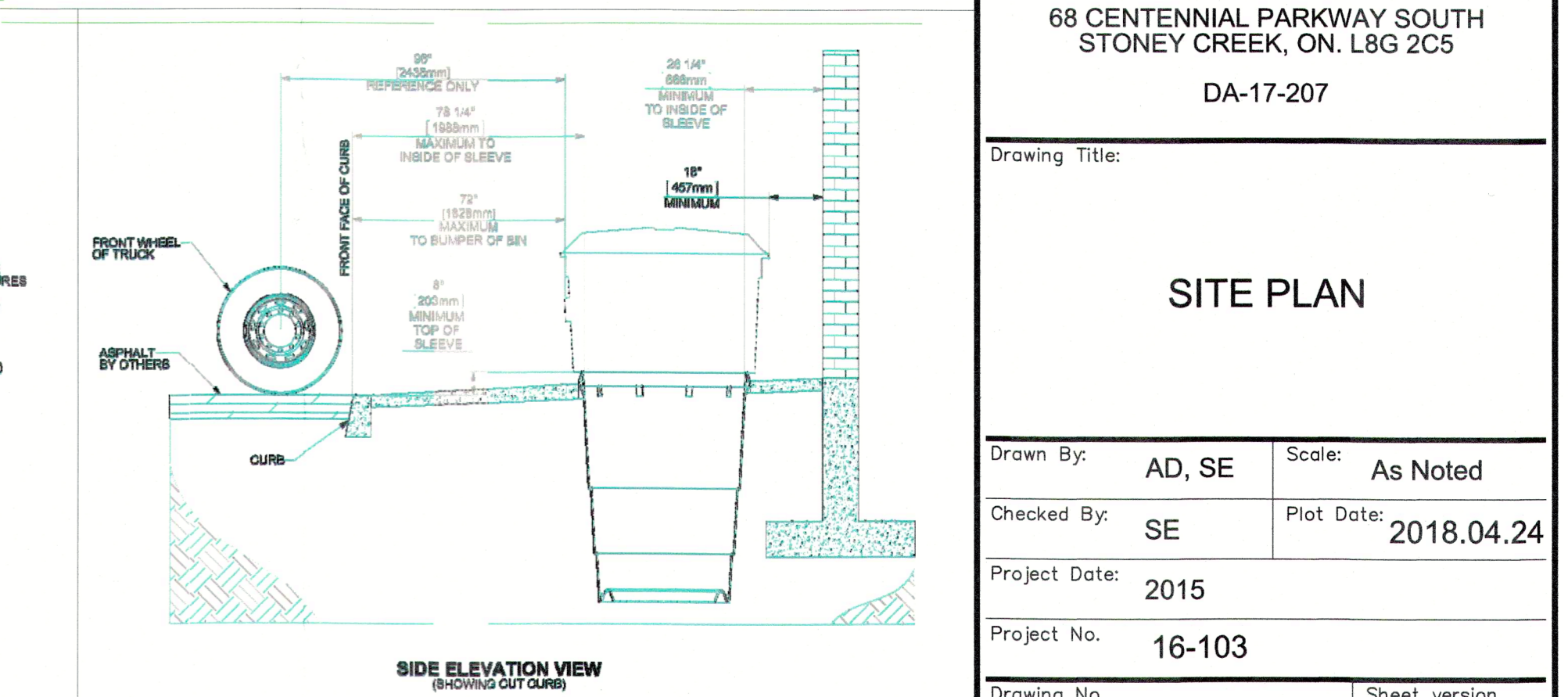
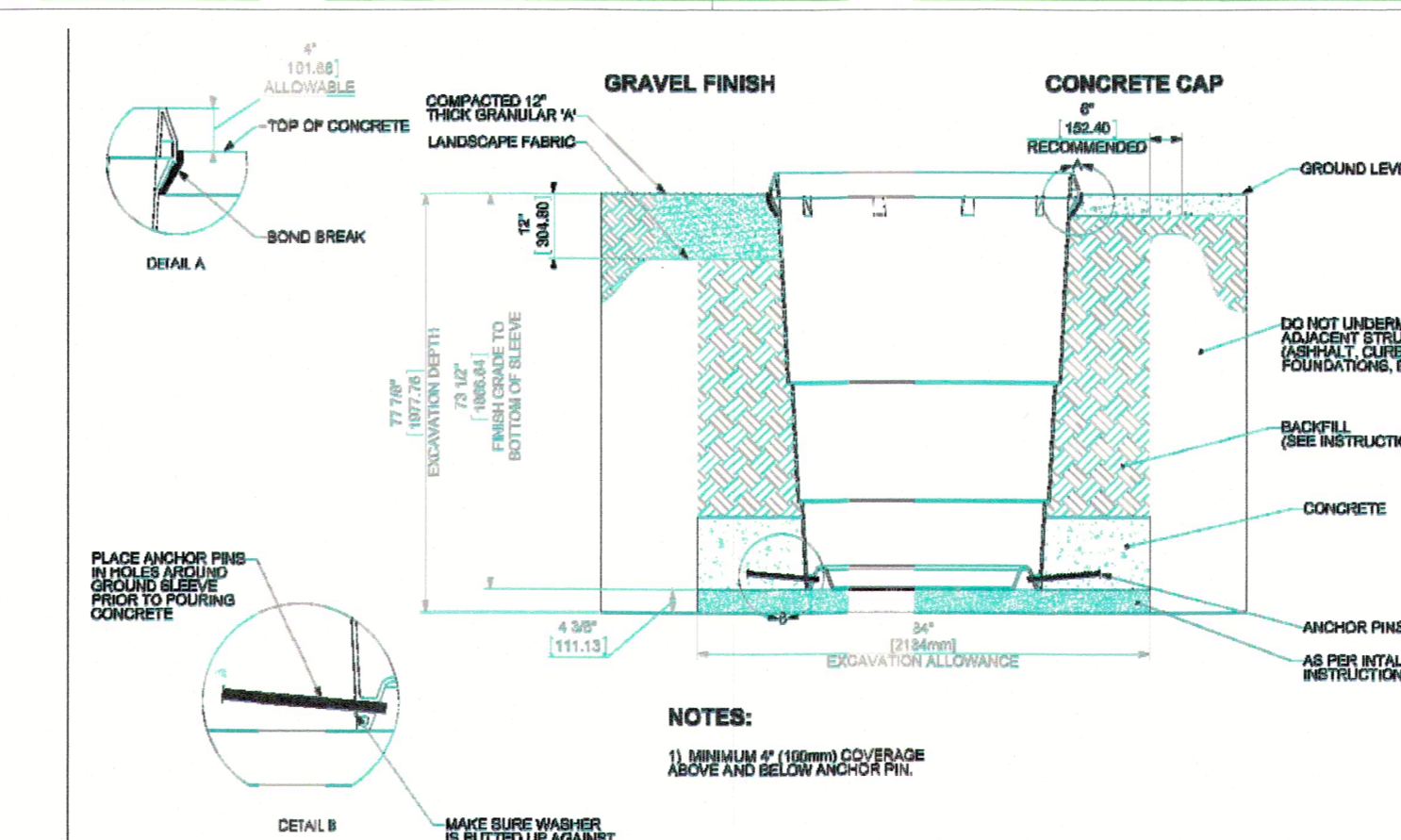
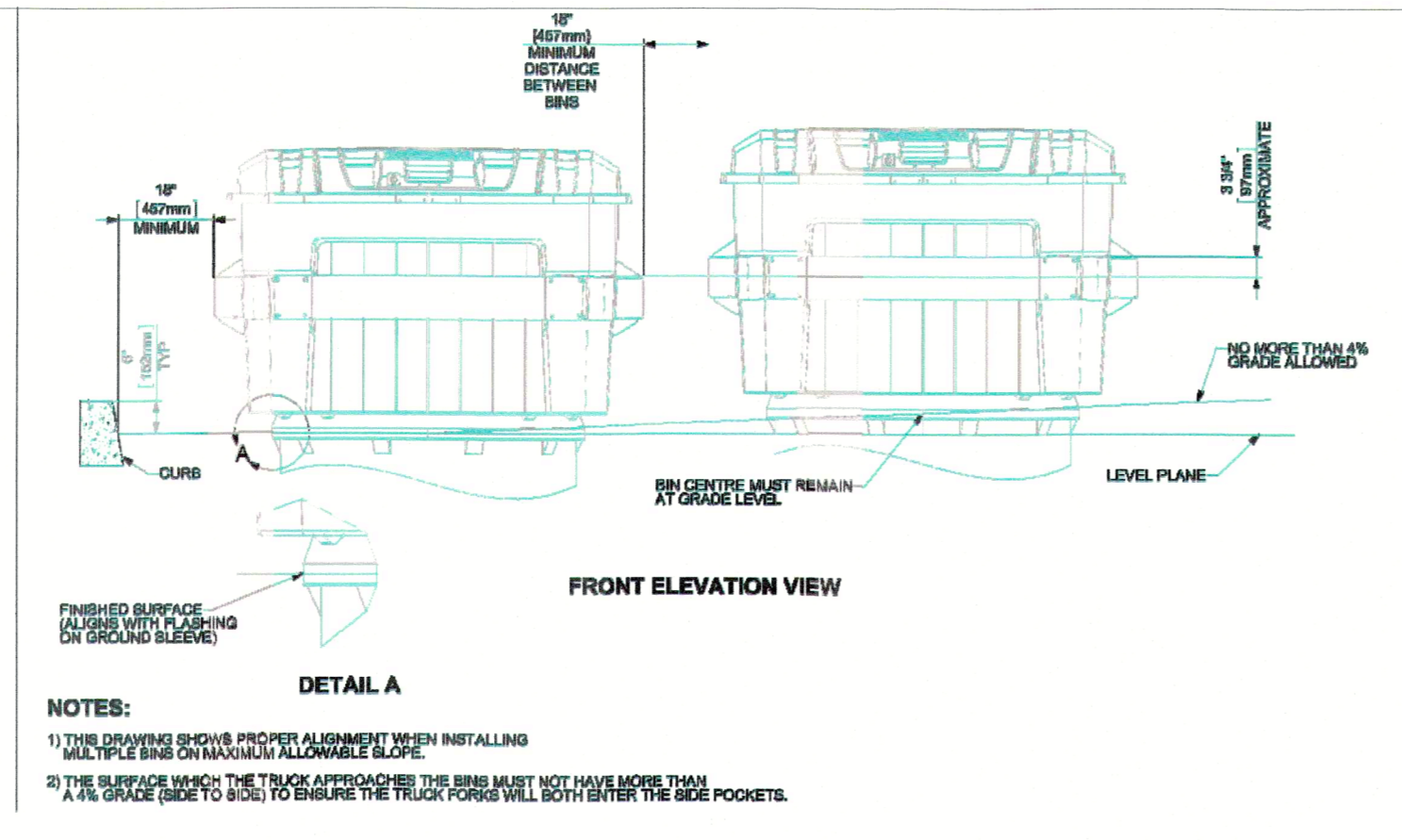
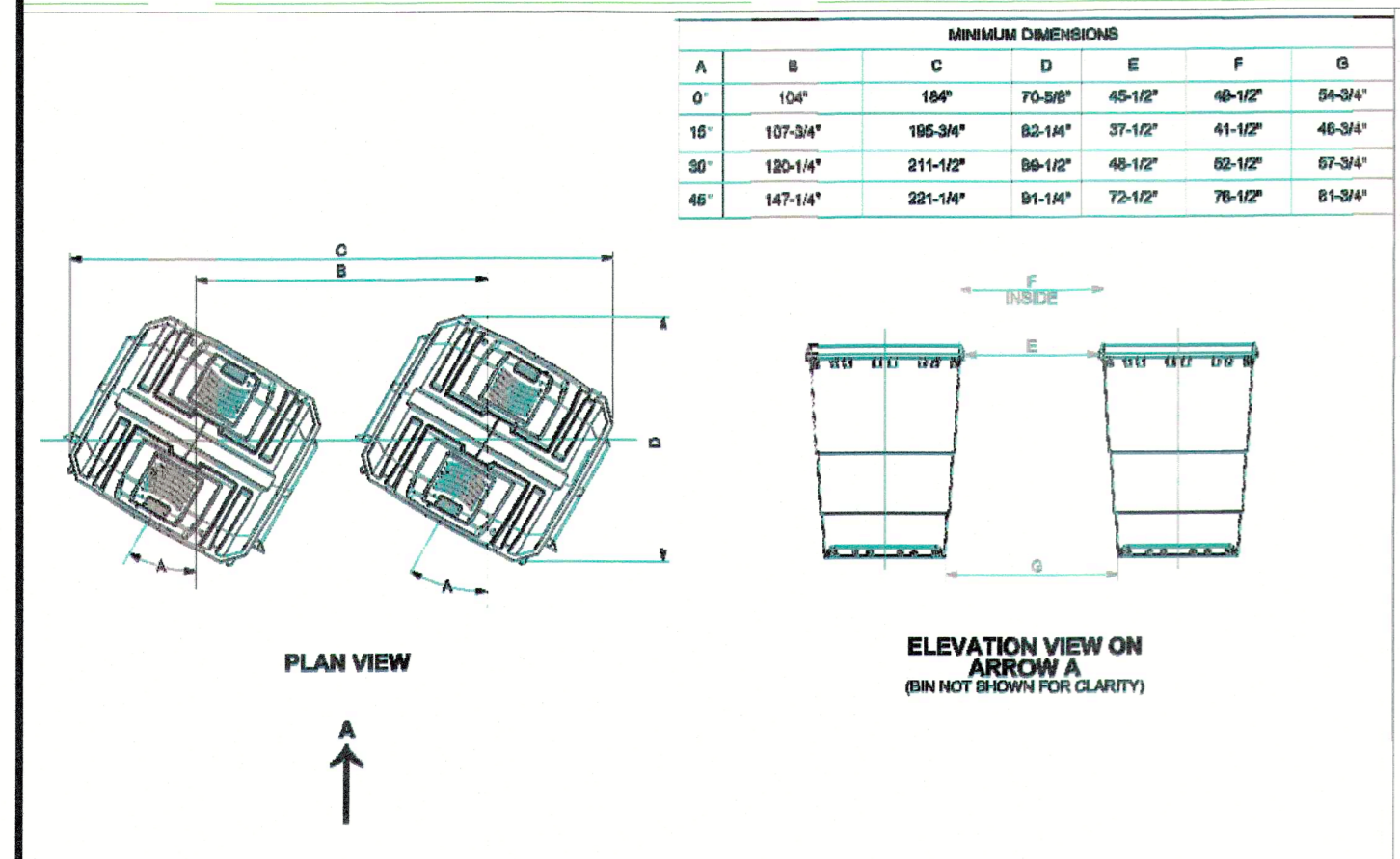
Architect:
SAM ESPOSTO ARCHITECT INC.
 548 UPPER JAMES ST. HAMILTON, ON. L9C 2Y4
 T. 905.383.7500 F. 905.383.5700

Project:
2 STOREY COMMERCIAL BUILDING
 68 CENTENNIAL PARKWAY SOUTH
 STONEY CREEK, ON. L8G 2C5
 DA-17-207

Drawing Title:
SITE PLAN

Drawn By: **AD, SE** Scale: **As Noted**
 Checked By: **SE** Plot Date: **2018.04.24**
 Project Date: **2015**
 Project No. **16-103**
 Drawing No. **16-103** Sheet version.

1 SITE PLAN
 A1.0 SCALE: 1:200



2 EARTH BIN: ANGLED INSTALLATION
 A1.0 SCALE: 1:50

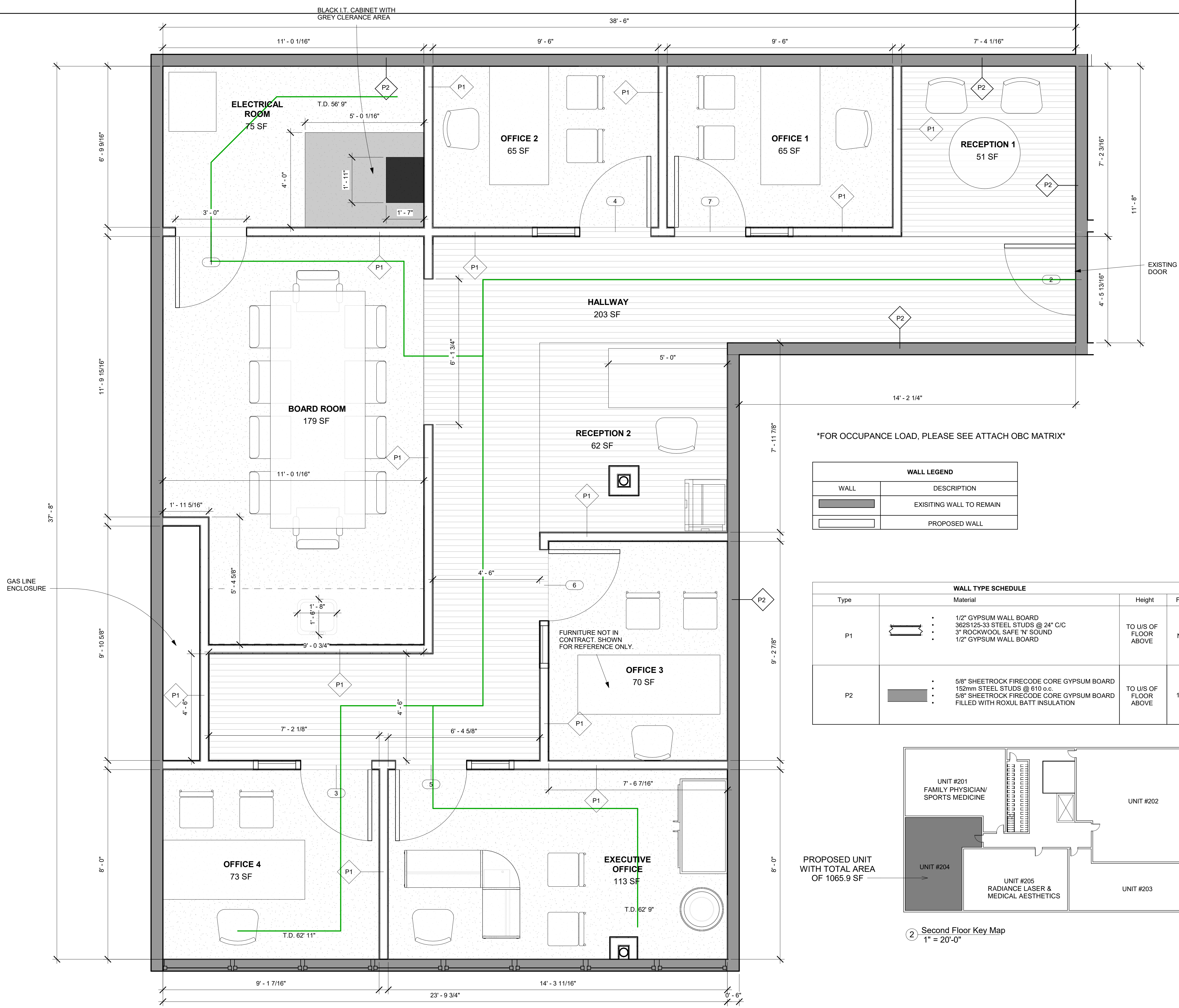
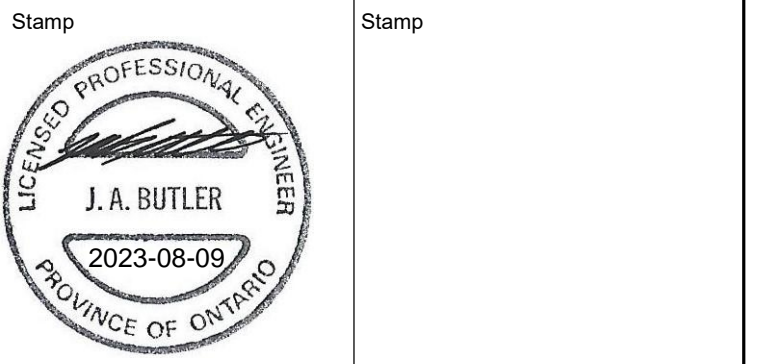
3 EARTH BIN: FRONT ELEV W/ SLOPE
 A1.0 SCALE: 1:50

4 EARTH BIN: CROSS SECTION
 A1.0 SCALE: 1:50

5 EARTH BIN: SIDE ELEV LAYOUT
 A1.0 SCALE: 1:50

A1.0 **11**

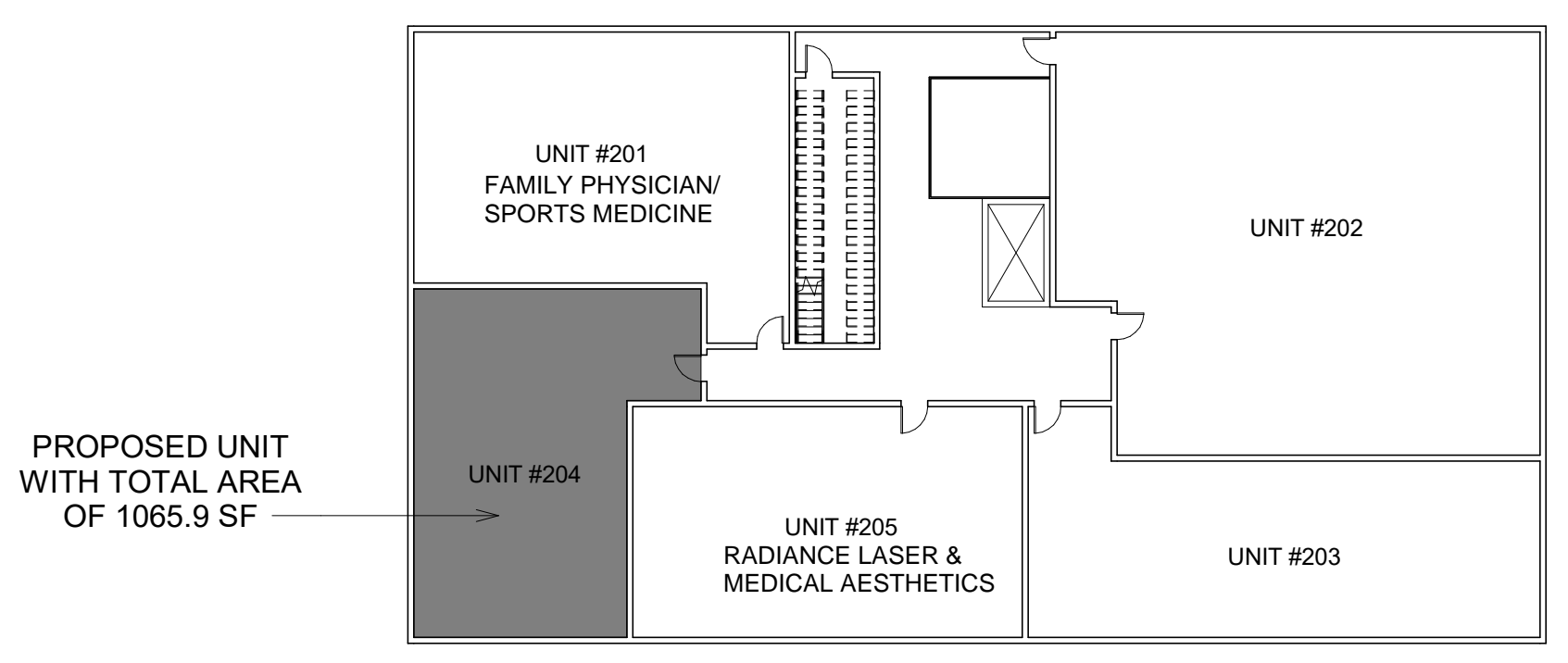
DRAWINGS ARE NOT TO BE SCALED
ORIGINAL SHEET SIZE - 24" x 36"



FOR OCCUPANCE LOAD, PLEASE SEE ATTACH OBC MATRIX

WALL LEGEND	
WALL	DESCRIPTION
	EXISTING WALL TO REMAIN
	PROPOSED WALL

WALL TYPE SCHEDULE			
Type	Material	Height	F.R./STC
P1	<ul style="list-style-type: none"> 1/2" GYPSUM WALL BOARD 362S125-33 STEEL STUDS @ 24" C/C 3" ROCKWOOL SAFE 'N' SOUND 1/2" GYPSUM WALL BOARD 	TO U/S OF FLOOR ABOVE	N.A. / 50
P2	<ul style="list-style-type: none"> 5/8" SHEETROCK FIRECODE CORE GYPSUM BOARD 152mm STEEL STUDS @ 610 o.c. 5/8" SHEETROCK FIRECODE CORE GYPSUM BOARD FILLED WITH ROXUL BATT INSULATION 	TO U/S OF FLOOR ABOVE	1 HR / 50



② Second Floor Key Map
1" = 20'-0"

① Second Floor
1/2" = 1'-0"

- PRELIMINARY FOR REVIEW
- ISSUED FOR TENDER
- ISSUED FOR PERMIT 23.07.24
- ISSUED FOR CONSTRUCTION

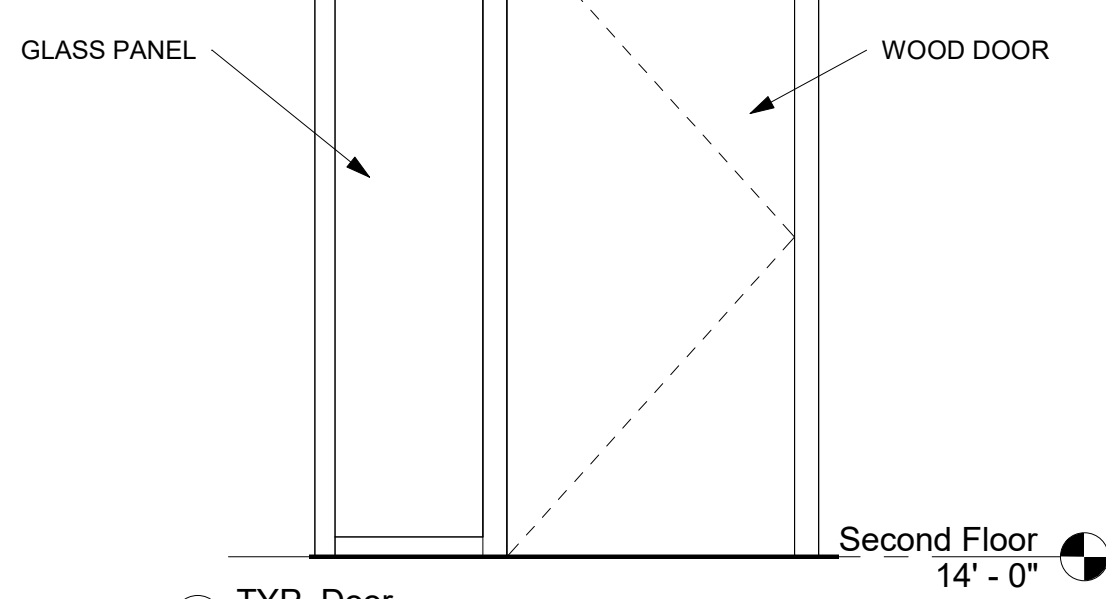
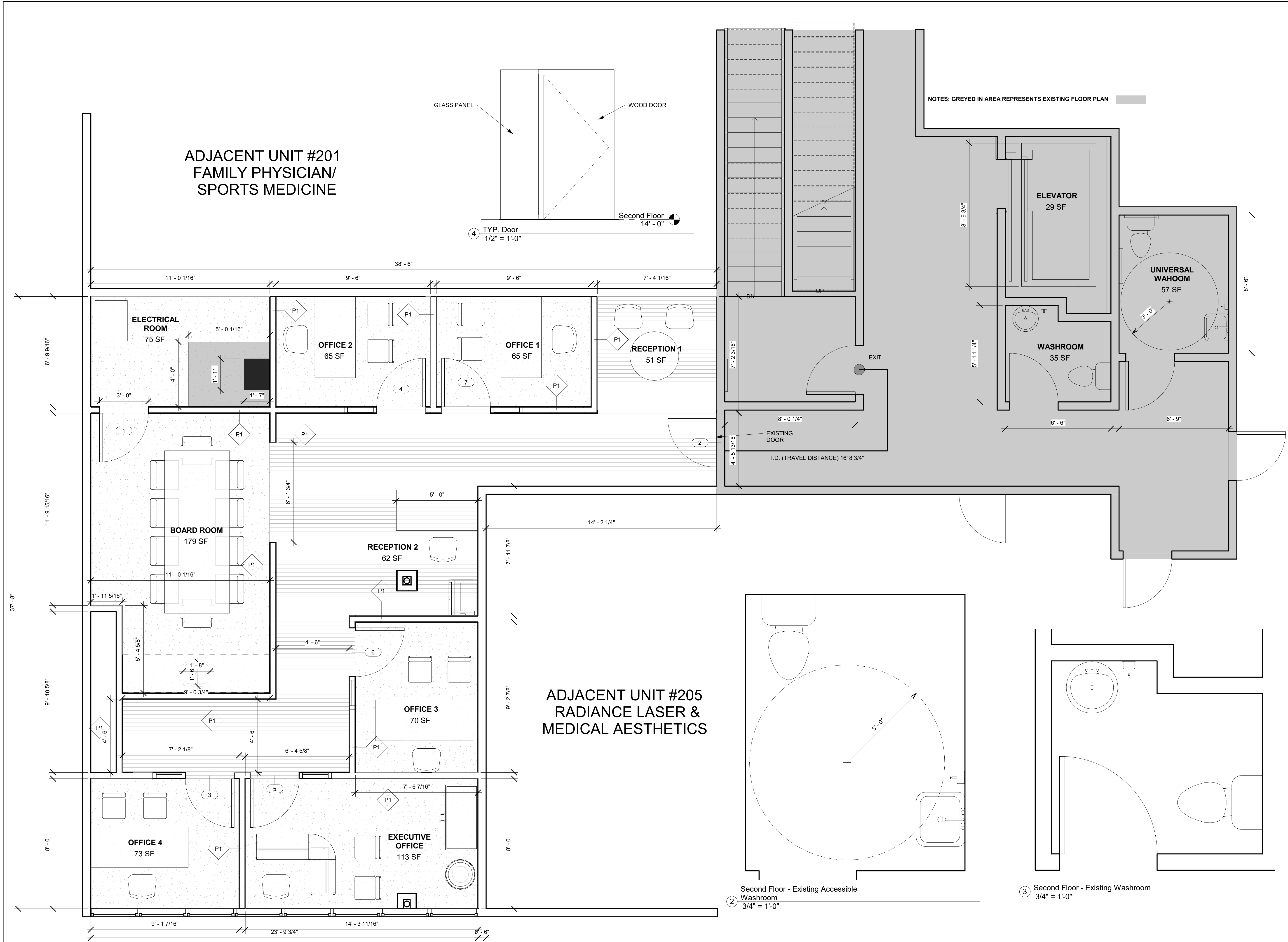
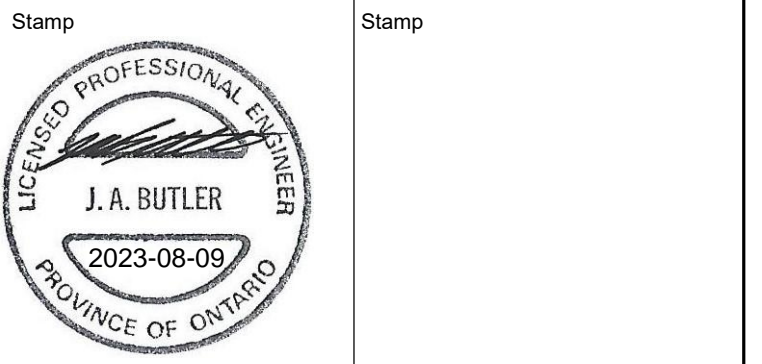
This Drawing is the exclusive property of Paulsan Construction Inc. and the reproduction of any part without prior written consent of this office is strictly prohibited.

REVISIONS	No.	DATE	BY
Revised Office Layout	1	23.05.18	BM
Addition of Key Map	2	23.08.09	BM
Addition of Fire Ratings	3	23.08.09	BM

Project
68 Centennial Parkway

SECOND FLOOR PLAN

Project Number	23-078	Scale	As Indicated
Date	05/18/23	Sheet No.	
Drawn by	BM		
Checked by	PM		A1



NOTES: GREYED IN AREA REPRESENTS EXISTING FLOOR PLAN

- PRELIMINARY FOR REVIEW
- ISSUED FOR TENDER
- ISSUED FOR PERMIT 23.08.09
- ISSUED FOR CONSTRUCTION

This Drawing is the exclusive property of Paulsan Construction Inc. and the reproduction of any part without prior written consent of this office is strictly prohibited.

REVISIONS	No.	DATE	BY

Project
68 Centennial Parkway

EXTENDED SECOND FLOOR

Project Number	23-078	Scale	As Indicated
Date	06/13/23	Sheet No.	
Drawn by	Designer		
Checked by	Checker		A2

1 Second Floor Layout
3/8" = 1'-0"

2 Second Floor - Existing Accessible Washroom
3/4" = 1'-0"

3 Second Floor - Existing Washroom
3/4" = 1'-0"

Arcadis Inc.
360 James Street North – Suite 200
Hamilton
Ontario L8L 1H5
Canada
Phone: 905-546-1010 ext. 63139
www.arcadis.com



Ms. Jamila Sheffield
Committee of Adjustment – Secretary Treasurer
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

Subject: 68 Centennial Parkway South, Stoney Creek – Minor Variance Application

Date: September 15, 2023

Dear Ms. Sheffield,

On behalf of our client, 2450129 Ontario Inc., please accept the following letter and accompanying materials as an application for a Minor Variance for the property municipally known as 68 Centennial Parkway South, Stoney Creek, With this submission we provide:

- One (1) Completed and signed minor variance application form
- One (1) cheque in the amount of \$3,735.00 made payable to the City of Hamilton
- One (1) copy of the site plan prepared by Sam Esposito Architects Inc, dated 2018-04-24
- One (1) copy of the tenant floor plans, prepared by Paulson Construction Inc, dated 2023-08-09
- One (1) copy of the tenant description of service offerings

Our client is seeking to add a 'Professional Office' as a permitted use to the list of permitted use outlined in Section 8.3.8 of the Zoning By-law, in order to permit an insurance agent office on the second floor of the existing building. The current site-specific zone, obtained through a combined Official Plan and Zoning By-law Amendment under Files UHOPA-16-17 and ZAC-16-043 respectively, permits a Medical Clinic use with associated permissions for retail and convenience food. While the proposed use is not permitted in the site-specific zone General Commercial (GC) Zone it is permitted in the parent GC Zone and the applicable Official Plan designations. The use is minor in size (i.e., less than 100 m²), and will operate in a harmonious manner with the permitted uses in the existing Medical Clinic building as well as the immediate context. As such, this is a routine minor variance, and our submission reflects same.

Site Location and Context

The subject property is municipally known as 68 Centennial Parkway South, Stoney Creek and is located on the east side of Centennial Parkway South, north of Felker Avenue. The subject property is legally described as PART LOT 19 RCP 1419 PART 2 PLAN 62R12226, PART LOT 20 RCP 1419 PART 8 PLAN 62R12226; PART LOT 1 PLAN 945 PART 3 & 5 PLAN 62R12226 STONEY CREEK SAVE & EXCEPT PARTS 1-3 PLAN 62R20814; S/T SC3127 CITY OF HAMILTON.



Figure 1: Aerial Image of Subject Property (Source: GeoWarehouse) (Note: This image reflects the previous site development prior to the existing Medical Clinic construction)

The subject property is currently occupied by a two-storey Medical Clinic in accordance with the site-specific zoning permissions. The existing plaza includes, but is not limited to, the following uses:

- Eye-ology – Optometrist and Eyewear Store
- Sense of Hearing – Audiologist office
- Remedy's Rx – Pharmacy
- Fraccaro Dental Group – Dentist office



Figure 2: Street View of Subject Property (Source: Google Maps) (Note: This illustrates the current Medical Clinic development)

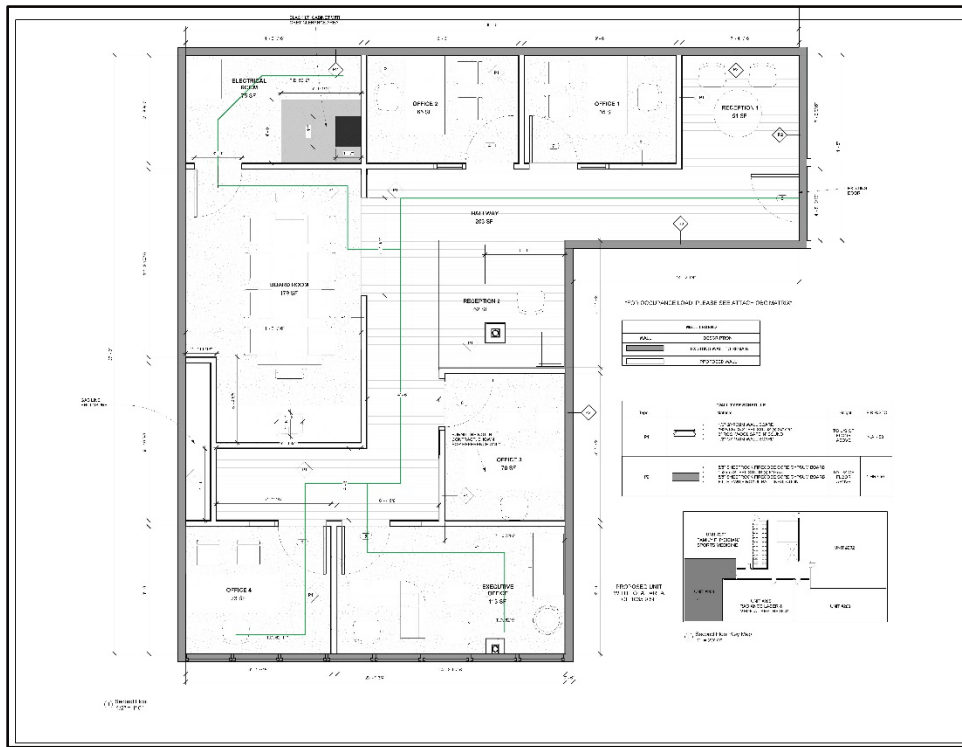


Figure 3: Second Floor Plan (Source: Paulsan Construction Inc. - Drawings)

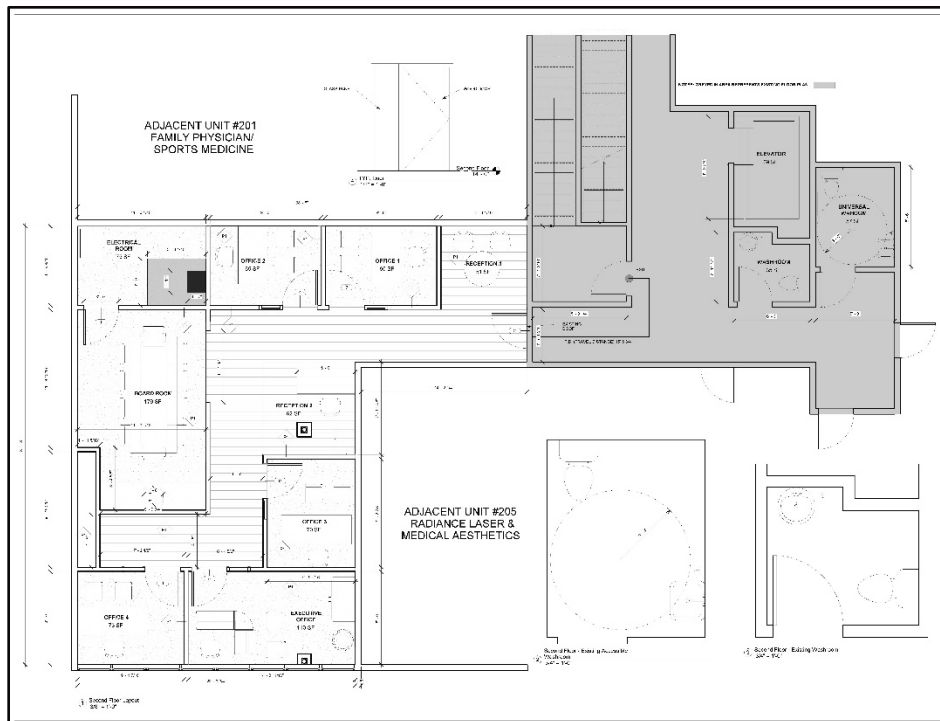


Figure 4: Extended Second Floor Plan (Source: Paulsan Construction Inc. - Drawings)

Proposed Minor Variance

The subject property is currently Zoned 'General Commercial' with a Special Exception (GC-55(T)) as per Schedule A, Map No. 5 of the Stoney Creek Zoning By-law No. 3692-92 (the "Zoning By-law"). The permitted uses for this site-specific zone include:

- Medical Clinic, provided the maximum floor area – gross leasable does not exceed 1,203 square metres;
- Retail Stores, provided the maximum gross floor area does not exceed 100 square metres; and,
- Convenience Food Stores, excluding the sale of pharmaceutical drugs, provided the maximum gross floor area does not exceed 75 square metres.

Based on our review and interpretation of the Zoning By-law, the following variance has been identified as requiring relief from the provisions of the Zoning By-law:

1. To permit a 'Professional Office' use within the subject property, whereas the site-specific Zoning By-law provisions do not permit such a use as per Section 8.3.8 of the By-law.

Planning Act Section 45 (1) Compliance

Section 45 (1) of the *Planning Act* permits the Committee of Adjustment to grant Minor Variances from the Zoning By-law provided that they meet what is known at the four (4) tests. The four tests are:

1. Is the variance minor in nature?
2. Is the variance desirable and appropriate?
3. Does the variance maintain the general intent and purpose of the Official Plan? and,
4. Does the variance maintain the general intent and purpose of the Zoning By-law?

The following section will provide an analysis of the proposed variance against the four tests.

Variance 1: Professional Office Use

The proposed added use would require a variance to permit an insurance office or 'Professional Office' use to the list of permitted uses under the GC-55 exception.

1. Is the Variance Minor in Nature?

The consideration of the term minor in this context would depend on the impact the proposed variance would have on the surrounding lands and uses, as well as the functioning of the site itself. It is not anticipated that the proposed Professional Office use would have any negative impacts on the surrounding uses or lands, nor the site itself. No physical changes to the exterior of the existing structure are proposed through this variance, as the proposed works require minor internal reconfigurations only. Further, the proposed use is not anticipated to require any additional parking to be added to the site, as the site-specific provisions require parking to be provided at a ratio of 1 space per 16 m² of Gross Leasable Area ("GLA"), whereas the standard parking provisions for a Business, Professional and Medical Office not located in a Shopping Centre require 1 space for each 30 m² of Gross Floor Area ("GFA"). As the GFA and GLA for this specific proposal are the same, the required parking is therefore less. Lastly, the proposed use is small scale in nature, with the total GFA being approximately 99 m² and expected employee count to be up to 5 persons. The use is intended to operate during the hours of Monday – Friday from 9:00 am to 5:30 pm, closed on weekends.

Therefore, it is our opinion that the proposed variance is minor in nature.

2. Is the Variance Desirable and Appropriate?

The proposed 'Professional Office' use represents an appropriate use of the existing unit space within the Medical Clinic, and will not require any physical changes to the site or property. The proposed added use is compatible with the surrounding uses and would be considered appropriate and desirable for the subject property. It broadens the existing use permissions to a minor degree, in keeping with the standard use permissions of the parent Zone. The existing building operates in the same fashion as a 'Professional Centre' where a mixing of uses and professions operate harmoniously.

3. Does the Variance meet the general intent and purpose of the Official Plan?

The subject property is designated as 'Neighbourhoods' as per Schedule E-1 of the Urban Hamilton Official Plan and 'Local Commercial' as per Map B.7.2-1 – Land Use Plan of the Old Town Secondary Plan. This land use designation permits a range of retail and service commercial uses along with a number of ancillary uses. The proposed 'Professional Office' use would be considered a commercial use and would therefore meet the general intent and purpose of the Official Plan. As per 7.2.4.1 a) of Volume 2 of the UHOP, Section E.3.8 applies to all lands designed Local Commercial on Map B.7.2-1. Policy E.3.8.2 states that office uses, amongst other uses, shall be permitted.

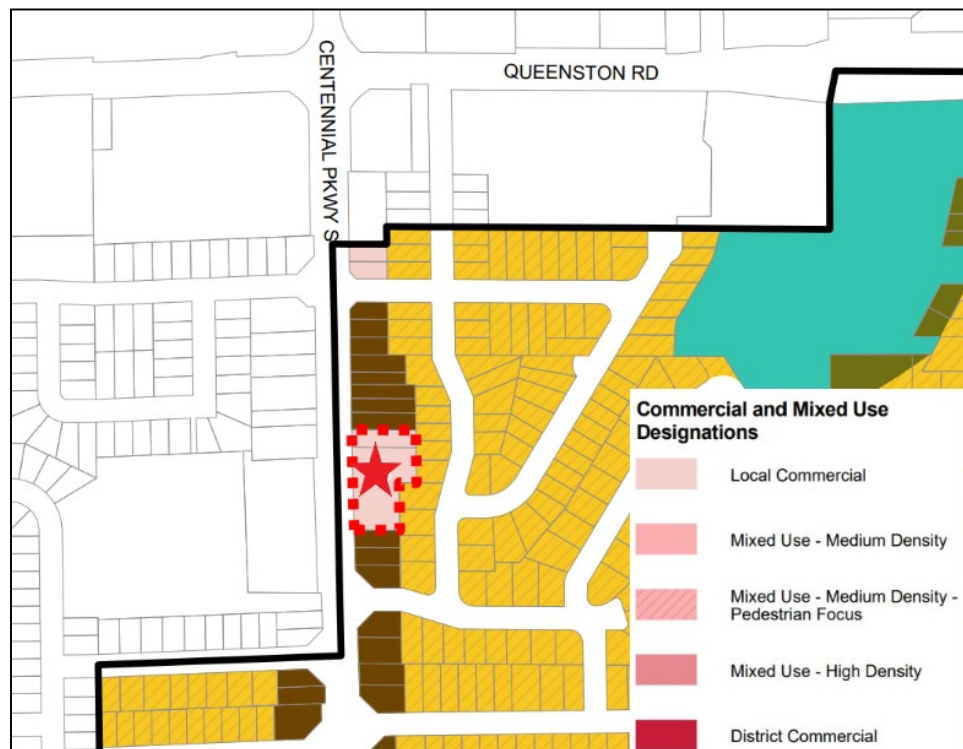


Figure 5: Excerpt of UHOP – Old Town Land Use Plan

Ms. Jamila Sheffield
City of Hamilton
September 15, 2023

4. Does the Variance meet the general intent and purpose of the Zoning By-law?

The subject property is zoned as a 'General Commercial' with a special exception (GC-55(T)) that limits the number of permitted uses for the subject property. However, the overarching GC Zone does permit a 'Professional or Business Office' in the list of permitted uses under Section 8.3.2. This Zone implements and conforms to the UHOP. Therefore, it is our opinion that the proposed variance would continue to meet the general intent and purpose of the parent Zoning By-law, which is to provide adequate use permission opportunities on appropriate sites based on a range of factors, including suitability of the lands and/or structures, access, servicing, compatibility, and overall planned function of the area. The proposed variance will implement and/or conform to the general intent of the Zoning By-law.

Conclusion and Recommendations

Based on our review of the existing context, the proposed variance, and applicable planning policy and legislation, it is our opinion that the proposed application should be approved. The proposed variance complies with, conforms to and implements the requirements of the Planning Act, the UHOP, and the Zoning By-law and the variance meets the four tests as required under the Planning Act.

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

Regards,

ARCADIS



Mike Crough, MCIP RPP
Principal – Planning



Ritika Nair
Planner



Hamilton

Committee of Adjustment

City Hall, 5th Floor,

71 Main St. W.,

Hamilton, ON L8P4Y5

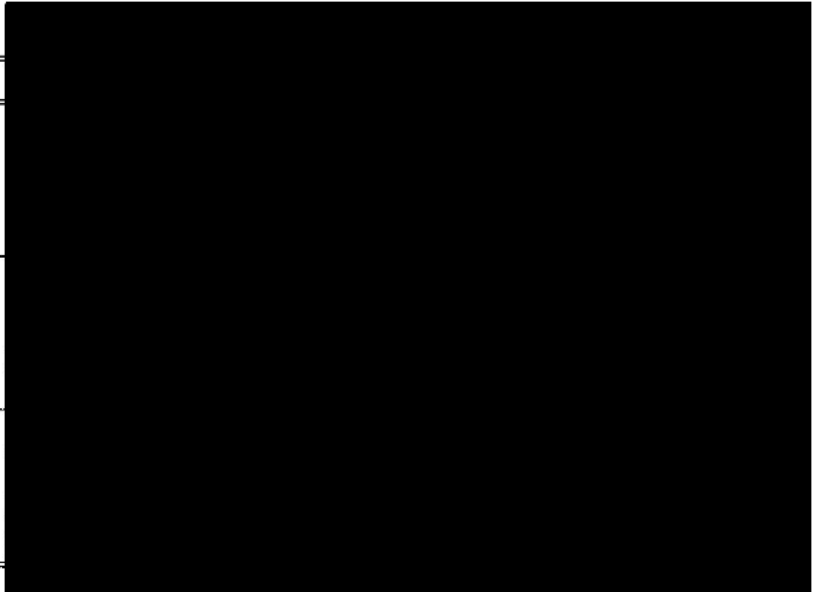
Phone: (905) 546-2424 ext. 4221

Email: cofa@hamilton.ca

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

1. APPLICANT INFORMATION

	NAME
Registered Owners(s)	2450129 ONTARIO INC.
Applicant(s)	Arcadis Professional Services (Canada) Inc. c/o Mike Crough
Agent or Solicitor	Same as above



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



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	68 Centennial Parkway South		
Assessment Roll Number	251800339018800		
Former Municipality	Stoney Creek		
Lot	PT Lot 19/20/1	Concession	
Registered Plan Number	RCP 1419/ PL945	Lot(s)	1
Reference Plan Number (s)	62R20814	Part(s)	19 & 20

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:

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:

To add a use normally permitted in the standard GC Zone. Please see attached justification 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 see attached justification 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
87.2 m	55.8 m	4045 m ²	+/- 36 m

All dimensions and metrics taken from site plan as prepared by Sam Esposito Architects Inc, dated 2018/04/24

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
Medical Clinic	1.22	31.3 m (to overhang)	2.5/45.4 m	

Proposed: N/A

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction

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
Medical Clinic	758 m2	2013 m2	2	+/- 10.32 m

Proposed: N/A

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height

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 right of way
 municipal road, seasonally maintained other public road
 municipal road, maintained all year _____
- 4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):
 Professional Office use - Insurance Agent
- 4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):
 Single detached dwellings (north, east, south); Retirement home (west)

7 HISTORY OF THE SUBJECT LAND

- 7.1 Date of acquisition of subject lands:
 Feb 9, 2016
- 7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
 Medical Clinic; single detached residential
- 7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
 Medical Clinic
- 7.4 Length of time the existing uses of the subject property have continued:
 Approx 3.5 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) Local Commercial (SSP D)

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

Please see attached justification letter.

7.6 What is the existing zoning of the subject land? ZAC-16-043

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: ZAC-16-043

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: _____

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: 0

8.2 Number of Dwelling Units Proposed: 0

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

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
 - Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
 - Minimum Distance Separation Formulae (data sheet available upon request)
 - Hydrogeological Assessment
 - Septic Assessment
 - Archeological Assessment
 - Noise Study
 - Parking Study
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