

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.:	A-25:131	SUBJECT PROPERTY:	707 Upper James Street, Hamilton
ZONE:	R1 (Low Density Residential)	ZONING BY-LAW:	Hamilton Zoning By-law 05-200, as Amended

APPLICANTS: Owner: Hamilton Diagnostics and Consultations Inc
Applicant: Dr. Ali T. Ghouse
Agent: Metropolitan Consulting Inc. c/o Peter De Lulio

The following variances are requested:

1. The use of a Medical Clinic shall be permitted whereas the use of a Medical Clinic is not permitted within the current zoning designation.

PURPOSE & EFFECT: To permit the establishment of a Medical Clinic use within the existing building.

Notes:

- i. It is indicated in the cover letter that no changes to the existing site conditions are proposed. As such, the submitted concept plan has not been reviewed for zoning compliance.

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, August 14, 2025
TIME:	2:20 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (71 Main St. W., Hamilton)

	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment
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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

PUBLIC INPUT

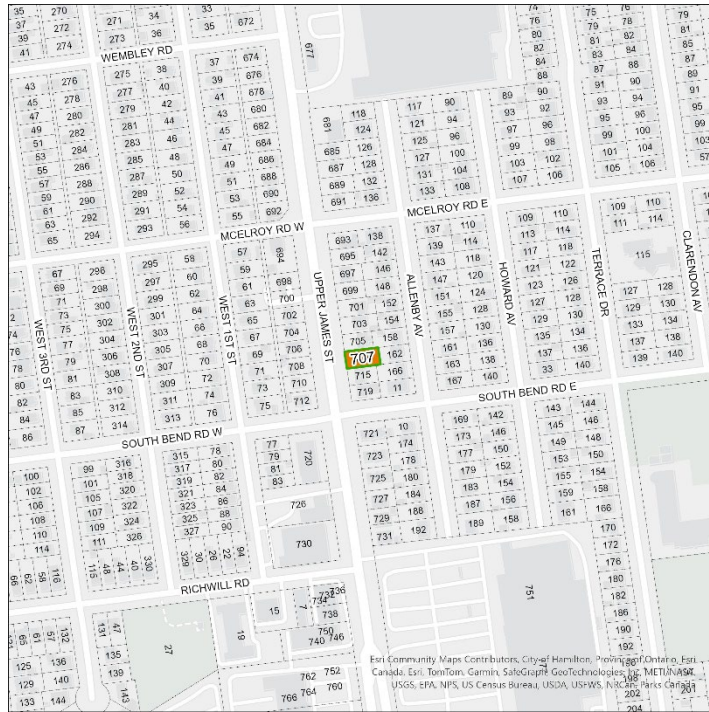
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon August 12, 2025

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, registration to participate virtually must be received no later than noon August 13, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:131, 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: July 28, 2025

**Justin Leung,
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.



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submission Ahead of the Meeting

Members of the public who wish to provide input without speaking at the Hearing may submit written comments in advance of the meeting. Comments must be received by 12:00 p.m. (noon) on the date listed on the Notice of Public Hearing.

How to Submit Written Comments:

By Email:

Send to: cofa@hamilton.ca

By Mail:

Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

All written comments received will be made available to the Committee and the public by the Tuesday prior to the Hearing.

Oral Submissions During the Hearing

Interested members of the public, agents, and owners may provide oral comments on Committee of Adjustment Hearing items either virtually via Webex (computer or phone) or by attending in person.

Speaking Time Limit:

All participants providing oral submissions, either in person or virtually are limited to a maximum of 5 minutes to speak. This is to ensure all parties have an equal opportunity to be heard and that the meeting runs efficiently.

In-Person Oral Submissions

To participate in person, attend Council Chambers on the date and time listed in the Notice of Public Hearing. You will be required to provide your name and address for the record. It is recommended you arrive at least 10 minutes prior to the scheduled start time.

Virtual Oral Submissions

To participate virtually, you must register by 12:00 p.m. (noon) on the date listed on the Notice of Public Hearing. To register, email cofa@hamilton.ca with the following information:

- Committee of Adjustment file number
- Hearing date
- Name and mailing address of each person wishing to speak
- Method of participation (phone or video), and, if applicable, the phone number to be used
- Each person must register separately

Registered participants will receive a Webex link one business day before the Hearing. Only those registered will be called upon to speak.

Presentations

All presentations are permitted at the discretion of the Committee.

Virtual Presentations:

Presenters participating virtually may be granted permission to share their screen during the Hearing. A copy of the presentation must be submitted to cofa@hamilton.ca no later than 12:00 p.m. (noon) on the business day prior to the Hearing. The submission must be one document in PDF format only.

In-Person Presentations:

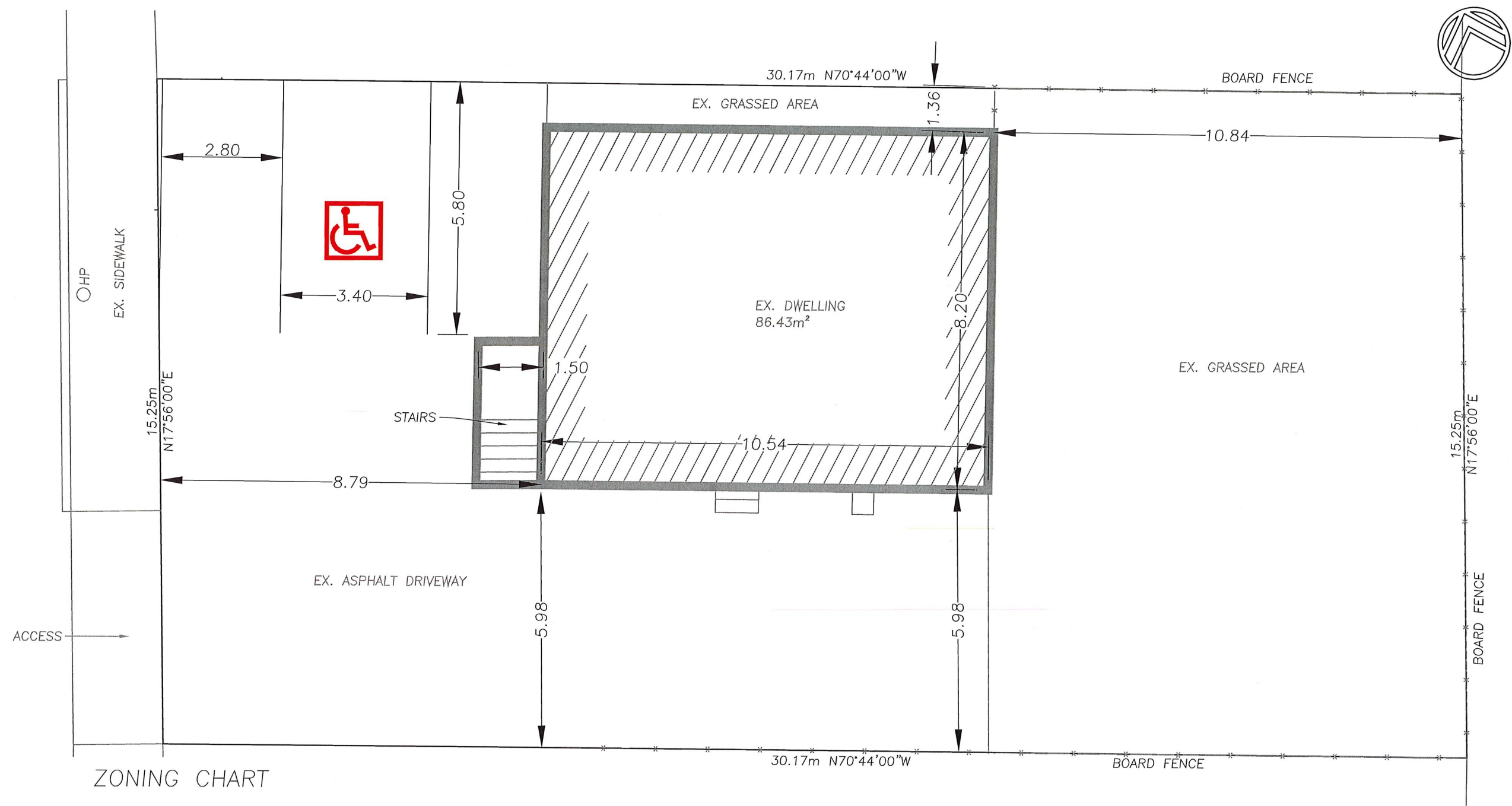
Presenters attending in person may be granted permission to use the presentation screen. Presentations must be brought on a USB device and opened by the owner/applicant. A copy of the presentation must also be sent to cofa@hamilton.ca by 12:00 p.m. (noon) on the business day prior to the Hearing in PDF format as a single document. Handouts are permitted only if the same content can be displayed on the presentation screen.

Additional Notes

- Webex (video) participation requires a compatible computer or smartphone. The necessary application must be downloaded in advance.
- It is the interested party's responsibility to ensure their device is functional and compatible prior to the Hearing.

For any questions, contact staff at cofa@hamilton.ca or call 905-546-2424 ext. 4221.

UPPER JAMES ST.



ZONING CHART

NEIGHBORHOOD COMMERCIAL (C2) ZONE

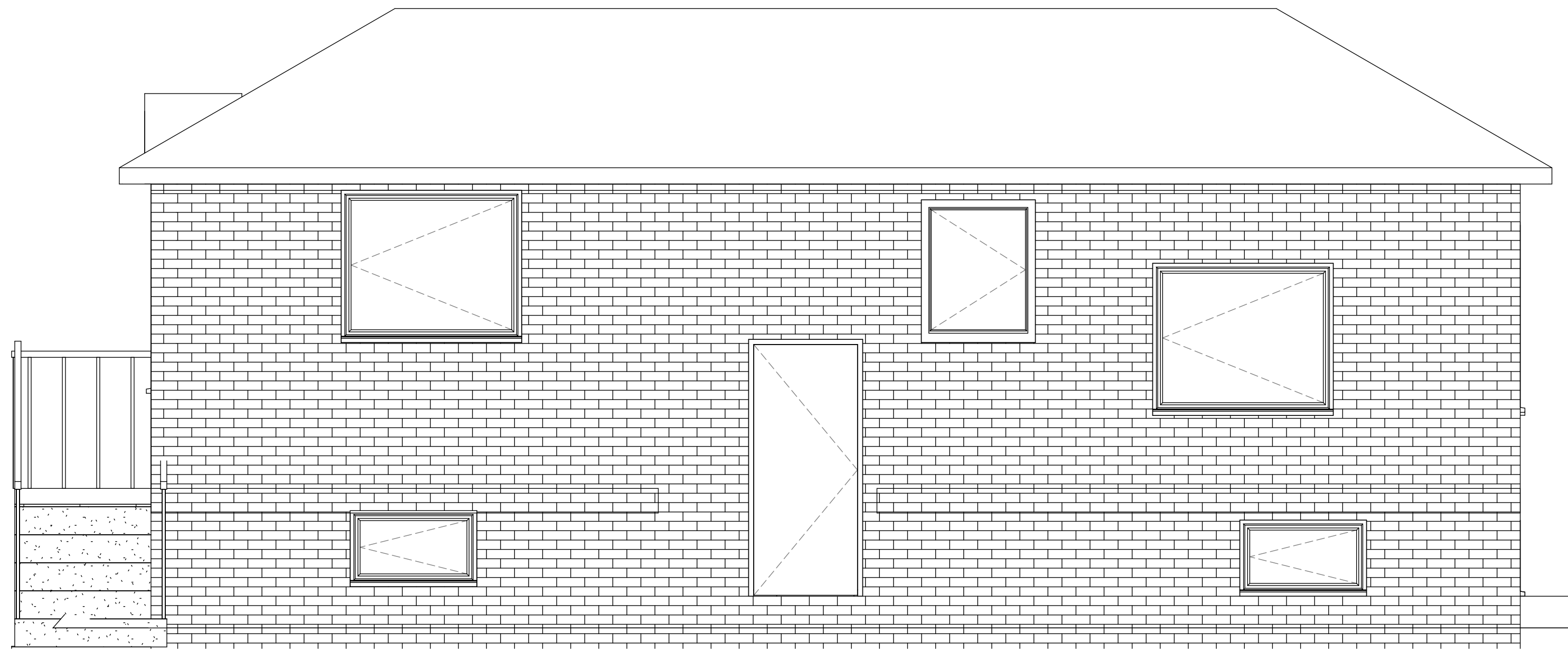
REGULATION	REQUIRED	PROPOSED
LOT AREA	0.5 ha (MAX)	0.0479 ha
FRONT YARD	1.5	8.79m
REAR YARD	7.5	10.84m
SIDE YARD	1.5/3.0	1.36/5.98
GROSS FLOOR AREA	2000m ² (MAX)	86.43m ²
BUILDING HEIGHT	11.0m	±6m
PARKING	2/100m ²	2
ACCESSIBLE PARKING	0	1

I hereby certify that this plan/report was prepared by or under the supervision of a Registered Professional Planner, within the meaning of the Ontario Professional Planners Institute Act, 1994.

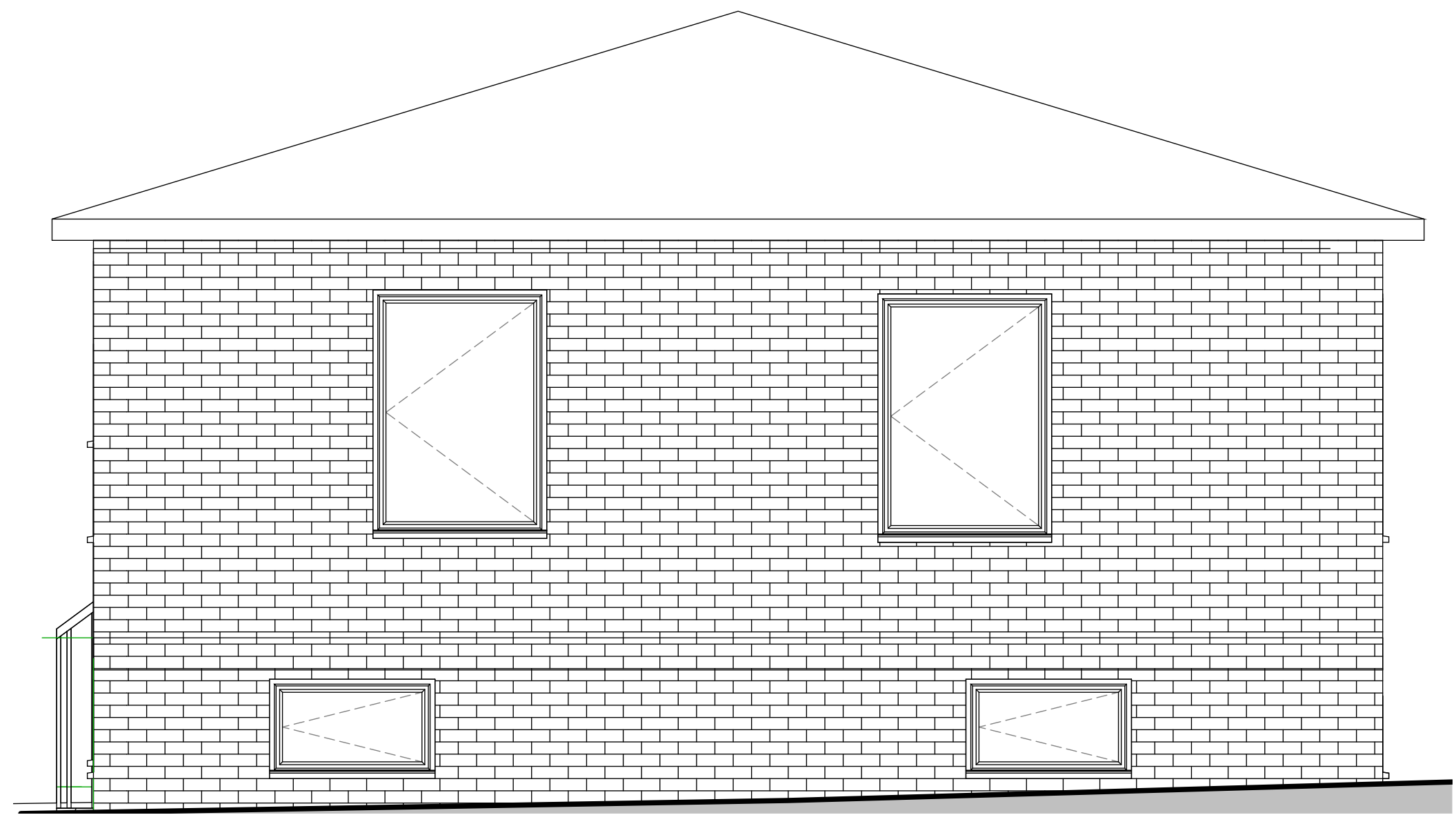
April 8, 2025
Date

Peter De Iulio
Registered Professional Planner

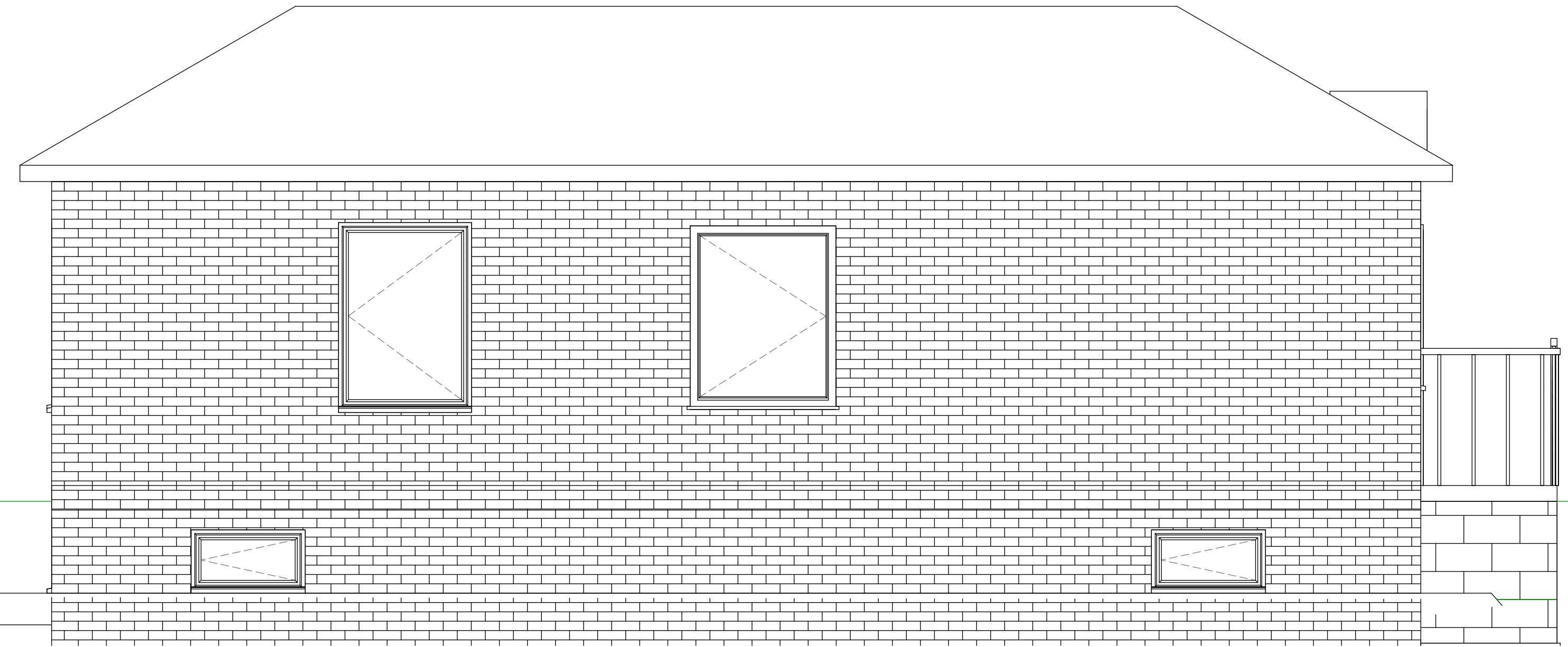
 2255 BARTON ST. E, UNIT B HAMILTON, ON, L8H 7T4 TEL. 905.578.1001 EMAIL: ENGINEERING@METROCON.CA	TITLE PROP. MEDICAL CLINIC	
	PROJECT 707 UPPER JAMES ST.	DATE APRIL 2025
DWG CONCEPT PLAN		SCALE 1:100



1 South
1:30m



2 East
1:30m



4 North
1:30m



3 West
1:30m

Rev	Description	Date

CODE	SUITABILITY DESCRIPTION
STATUS	PURPOSE OF ISSUE

PROJECT

707 Upper James Street

TITLE

Existing Elevations

CLIENT

Hamilton Diagnostics and Consultations Inc.

DRAWN BY

CHECKED BY

DATE

04/10/25

SCALE (@ A1)

1:30m

PROJECT NUMBER

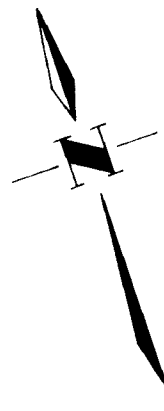
G25003

DRAWING NUMBER

A101

REV

0



McELROY ROAD EAST
(FORMERLY FRANKLIN ROAD)

SCHEDULE				
PART	LOT	REG'D PLAN	INST. N ^o	AREA
I	PART OF LOTS 14 & 33	551	36009 (REM.)	4950.64 ft ²

I REQUIRE THIS PLAN TO BE
DEPOSITED UNDER THE
REGISTRY ACT.

DATE: MARCH 30, 1985.

G. V. Consoli
G. V. CONSOLI
ONTARIO LAND SURVEYOR

PLAN 62R-7569

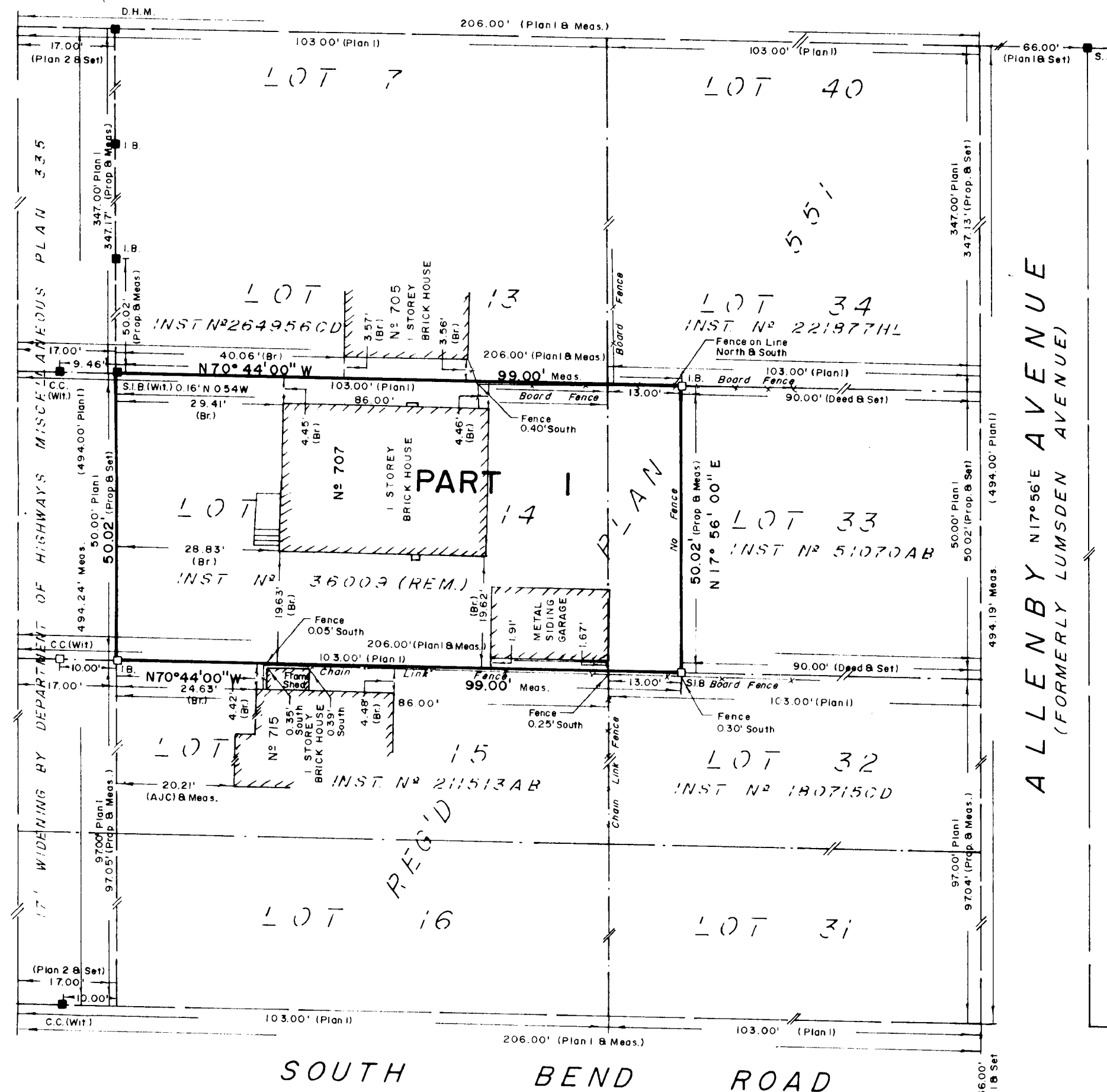
RECEIVED AND DEPOSITED

DATE: 1985 04 01

Mias
LAND REGISTRAR FOR THE
REGISTRY DIVISION OF
WENTWORTH (N^o 62)

UPPER JAMES STREET
(FORMERLY JAMES STREET)

N 17° 56' 00" E



CAUTION:

THIS PLAN IS NOT A PLAN OF SUBDIVISION
WITHIN THE MEANING OF THE PLANNING ACT.

PLAN OF SURVEY OF
PART OF LOTS 14 & 33
REGISTERED PLAN 551

(MOUNTAIN ANNEX PARK)
CITY OF HAMILTON
(FORMERLY TOWNSHIP OF BARTON)
REGIONAL MUNICIPALITY OF
HAMILTON - WENTWORTH
(FORMERLY COUNTY OF WENTWORTH)

SCALE: 1" = 20'



GUIDO CONSOLI
ONTARIO LAND SURVEYOR
1985.

BEARING NOTE:

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE
EASTERLY LIMIT OF UPPER JAMES STREET (FORMERLY JAMES
STREET) AS SHOWN ON DEPARTMENT OF HIGHWAYS MISC.
PLAN 335, HAVING A BEARING OF N17° 56' 00" E.

LEGEND:

SURVEY MONUMENT FOUND. _____
SURVEY MONUMENT PLANTED. _____
STANDARD IRON BAR. _____ S.I.B.
IRON BAR. _____ I.B.
CUT CROSS. _____ C.C.
A. J. CLARKE & ASSOCIATES, O.L.S. _____ A.J.C.
REGISTERED PLAN 551. _____ Plan 1
DEPARTMENT OF HIGHWAYS MISC. PLAN 335. _____ Plan 2
INSTRUMENT N^o 51070AB. _____ Deed
WITNESS. _____ Wit.
DEPARTMENT OF HIGHWAYS SURVEY MONUMENT. _____ D.H.M.

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE
WITH THE SURVEYS ACT AND THE REGISTRY ACT AND
THE REGULATIONS MADE THEREUNDER.
 - THE SURVEY WAS COMPLETED ON THE 28th DAY OF MARCH, 1985.

MARCH 30, 1985.
DATE

G. V. Consoli
G. V. CONSOLI
ONTARIO LAND SURVEYOR

GUIDO CONSOLI
ONTARIO LAND SURVEYOR
1 DUKE STREET, HAMILTON, ONT.
TEL. (416) 521-1535 (L8P IW9)



June 26, 2025

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

Attention: Justin Leung, Secretary Treasurer

Re: 707 Upper James Street , Hamilton

Dear Justin,

Metropolitan Consulting Inc. has been retained by Hamilton Diagnostics and Consultations Inc. (Dr. Ali Ghouse) to submit a Minor Variance Application for the property at 707 Upper James Street. The intent of the application is to permit the conversion of the existing dwelling to a medical clinic. No changes to the existing site conditions are proposed.

Enclosed are the application form, a Concept Plan, Elevations and survey.

If you have any questions or require additional information, please let me know.

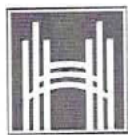
Regards,

A handwritten signature in dark ink, appearing to read 'Peter De Iulio', is written over a light blue horizontal line.

Peter De Iulio, MCIP, RPP
Manager of Planning

c.c. Dr. Ali Ghouse
Saddique Khan

Encl.



Hamilton

Committee of Adjustment

City Hall, 5th Floor,

71 Main St. W.,

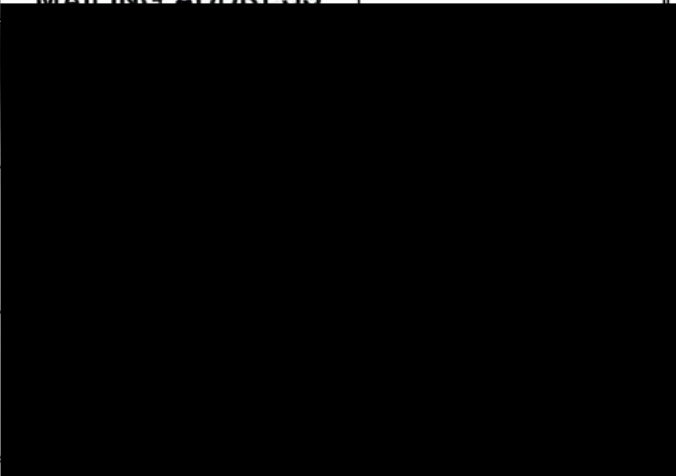
Hamilton, ON L8P4Y5

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	MAILING ADDRESS
Registered Owners(s)	Hamilton Diagnostics and CONSULTATIONS INC.	
Applicant(s)	Dr. Ali T. Ghouse (signing authority for the corporation)	
Agent or Solicitor	Metropolitan Consulting Inc. (c/o Peter De Iulio)	

1.2 Primary contact

☐ Applicant

☐ Owner

☒ Agent/Solicitor

1.3 Sign should be sent to

☒ Applicant

☐ Owner

☐ 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.

1.6 Payment type

☐ In person

☐ Cheque

☒ Credit over phone*

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	707 Upper James Street		
Assessment Roll Number			
Former Municipality	Hamilton		
Lot	14 & 33	Concession	
Registered Plan Number	551	Lot(s)	
Reference Plan Number (s)	62R-7569	Part(s)	1

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 convert the existing dwelling to a Medical Clinic.

☐ Second Dwelling Unit

☐ Reconstruction of Existing Dwelling

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

Use is not permitted in the Low Density Residential (R1) Zone in Zoning By-law No. 05-200.

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
15.25 metres	30.17 metres	460.09 square metres	30.48 metres

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
Dwelling	8.79 metres	10.84 metres	1.36m & 5.98m	

Proposed:

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
Dwelling	86.43 sq.m.	172.86 sq.m.	1	6 metres

Proposed:

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
☐ 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.):
Medical Clinic

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):
Denture Clinic (north), single detached dwelling (south, east and west)

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

March 31, 2022

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

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

7.4 Length of time the existing uses of the subject property have continued:
50+ 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) Primary Corridor (Schedule 'E') at

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

Mixed uses are permitted in the Corridors designations. It is a low rise form (1-storey only) and local commercial uses are permitted in the Neighbourhoods designation.

7.6 What is the existing zoning of the subject land? LOW DENSITY RESIDENTIAL (R1) ZONE

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: _____

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: _____

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

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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