



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

CORRECTED 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-20:242

APPLICANTS: Agent Weston Consulting.
Owner Main 415 Inc

SUBJECT PROPERTY: Municipal address **415 Main St. W. Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended

ZONING: C5, E298 (05-200) & H (6593) district (Mixed Use Medium Density (05-200) & Community)

PROPOSAL: To permit the construction of a multiple dwelling, notwithstanding that:

VARIANCES TO HAMILTON ZONING BY-LAW 6593

1. A maximum building height of 25.25 metres shall be permitted, instead of a maximum permitted building height of 17.0 metres.

VARIANCES TO HAMILTON ZONING BY-LAW 05-200

1. The finished floor elevation of any dwelling unit shall be 0.0 metres above grade, instead of the minimum requirement of 0.9 metres above grade.
2. A minimum 2.0 metre setback to a street line for a building with residential units on the ground floor facing a street shall be permitted, instead of the minimum requirement of 3.0 metres.
3. The total floor area of the wholly enclosed or partially enclosed structure belonging to an amenity area shall be 14.76 percent of the floor area of the storey directly beneath, instead of the maximum 10 percent permitted.
4. The wholly enclosed or partially enclosed structure belonging to an amenity area shall be permitted to be 4.5 metres in vertical distance from the uppermost point of the building to the uppermost point of the rooftop enclosure, instead of the maximum 3.0 metres permitted.
5. A minimum rear yard of 8.7m shall be permitted for any portion of the building having a building height above 12.2m to a maximum building height of 21.75 metres whereas the zoning By-law states that the minimum building height may be equivalently increased as the yard increases beyond the minimum yard requirement when abutting a Residential or Institutional Zone for all portions of a building beyond 11.0m in height to a maximum height of 22.0m

6. Where a wall, column or any other obstruction is located abutting or within any parking space, within an above ground or underground parking structure, the minimum width of a parking space shall be increased by 0.0 metres, instead of the requirement that the minimum width of a parking space shall be increased by 0.3 metres.
7. Thirty-nine (39) parking spaces shall be provided instead of the minimum required forty-one (41) parking spaces.
8. Thirty-nine (39) parking spaces shall be provided instead of the minimum required forty-six (46) parking spaces.

NOTE:

1. Be advised that Amending By-law No. 17-240 was passed on November 8, 2017 which changed the zoning of this property from “H” (Community Shopping and Commercial) under Hamilton Zoning By-law No. 6593 to C5, E298 (Mixed Use Medium Density) under Hamilton Zoning By-law No. 05-200. However, there are portions of Amending By-law No. 17-240 which are still under appeal to the Local Appeal Planning Tribunal (LPAT); therefore, it is not yet final. As such, the proposed development is reviewed under the regulations contained within Hamilton Zoning By-law 05-200, except where portions of these regulations are still under appeal by By-law No. 17-240 both the existing and proposed Zoning By-law regulations will be examined with the more restrictive zoning regulation being applied. An exception to this policy is for Building Permits, which are reviewed under the former existing Zoning By-law regulation until such time that Amending By-law No. 17-240 comes fully into force. Once By-law No. 17-240 is approved in its entirety by the Local Appeal Planning Tribunal (LPAT), the zoning and regulations under this By-law will be applicable
2. The plans provided show a 1.8m high fence along the southerly lot line. However, no details have been provided to confirm that the fence will satisfy the requirement for a visual barrier. It should be noted that a chain link fence is not considered a visual barrier. Additional variances may be required if compliance with Section 4.19 is not possible.
3. These variances are necessary to facilitate Site Plan Application File No. DA-20-059 (20-162090)

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

DATE: Thursday, March 18th, 2021
TIME: 1:45 p.m.
PLACE: Via video link or call in (see attached sheet for details)
 To be streamed at
www.hamilton.ca/committeeofadjustment
 for viewing purposes only

PUBLIC INPUT

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

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

MORE INFORMATION

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

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

DATED: March 2nd, 2021.

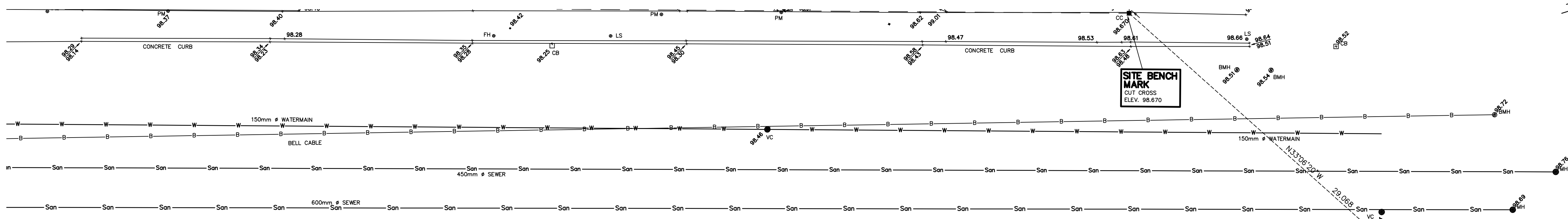
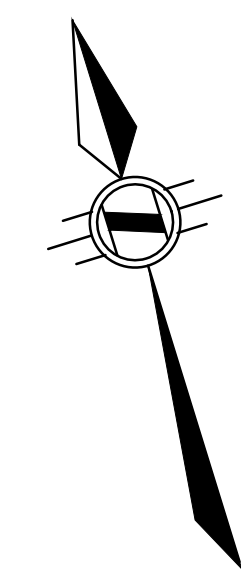
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

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.

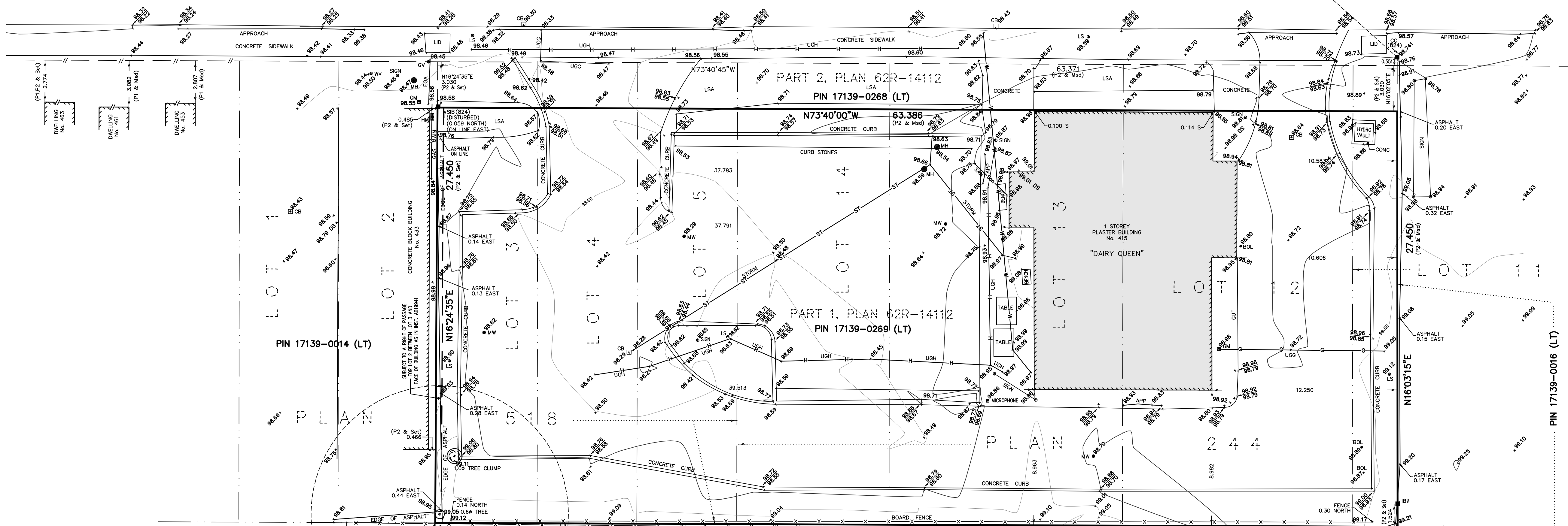
TOPOGRAPHIC SURVEY
 OF PART OF
LOTS 3, 4 & 5
 REGISTERED PLAN 518
 AND PART OF
LOTS 11, 12, 13 & 14
 REGISTERED PLAN 244
 IN THE
CITY OF HAMILTON

SCALE 1:150 METRIC

S.D. McLAREN, O.L.S. - 2019



MAIN STREET WEST
 (ORIGINAL ROAD ALLOWANCE BETWEEN CONCESSIONS 2 AND 3)



- LEGEND:**
- DENOTES MONUMENT SET
 - IB IRON BAR
 - PL PLASTIC BAR
 - CP CONCRETE PIN
 - CC CUT CROSS
 - SB STANDARD IRON BAR
 - SSB SHORT STANDARD IRON BAR
 - S24 A.T. McLAREN, O.L.S.
 - 1213 J.D. PETERS, O.L.S.
 - CU ORIGIN UNKNOWN
 - Meas MEASURED
 - P1 BA PLAN (P-2050) NOT RECD
 - P2 PLAN 62R-14112
 - WRW WOOD RETAINING WALL
 - PL PILLAR
 - HM HYDRO METER
 - GM GAS METER
 - MH MANHOLE
 - CB CATCH BASIN
 - BMH BELL MANHOLE
 - EOA EDGE OF ASPHALT
 - LSA LANDSCAPED AREA
 - UGG BURIED GAS LINE
 - OV GAS VALVE
 - BOB BOLLARD
 - DS DOOR SILL
 - LS LIGHT STANDARD
 - FH FIRE HYDRANT
 - WV WATER VALVE
 - VC VALVE CHAMBER
 - FP FLAG POLE
 - HP HYDRO POLE
 - MW MONITORING WELL
 - UGH UNDERGROUND HYDRO
 - UGG UNDERGROUND GAS
 - D DIAMETER
 - // NOT TO SCALE

BEARING NOTE:
 BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0)

NOTE:
 DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999690351

INTEGRATION DATA

POINT ID	NORTHING	EASTING
ORP @	4790194.511	590375.359
ORP @	4790219.121	590359.837

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

BENCH MARK NOTE:
 Elevations shown on this plan are geodetic and are referred to Bench Mark No. 65U-649
 City of Hamilton bench mark, House No. 34 Queen Street South, at southwest corner of intersection of George Street, plate in north brick wall at northeast corner.
 Elevation - 112.30 metres CGVD-1928

NOTE:
 UNDERGROUND SERVICE AND UTILITY LOCATIONS MUST BE VERIFIED PRIOR TO CONSTRUCTION
 INVERTS MUST BE VERIFIED PRIOR TO CONSTRUCTION

METRIC NOTE
 DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

SURVEYOR'S CERTIFICATE:
 I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON THE 16th DAY OF AUGUST, 2019
 AUGUST 28, 2019
 DATE
 S. DAN McLAREN, O.L.S.

© S.D. McLAREN, O.L.S. - 2019. NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF S.D. McLAREN, O.L.S.

A.T. McLaren Limited
 LEGAL AND ENGINEERING SURVEYS
 69 JOHN STREET SOUTH, SUITE 230
 HAMILTON, ONTARIO, L8N 2B9
 PHONE (905) 527-8559 FAX (905) 527-0032

Drawn	Checked	Crew Chief	Scale	Dwg No.
MB	RAM	MWF	1:150	36073-1



Context Plan

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 proponent is cautioned that during development activities, should deeply buried archaeological materials be found on the property the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) should be notified immediately (416-212-8886). In the event that human remains are encountered during construction, the proponent should immediately contact both MHSTCI and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services (416-212-7499)."

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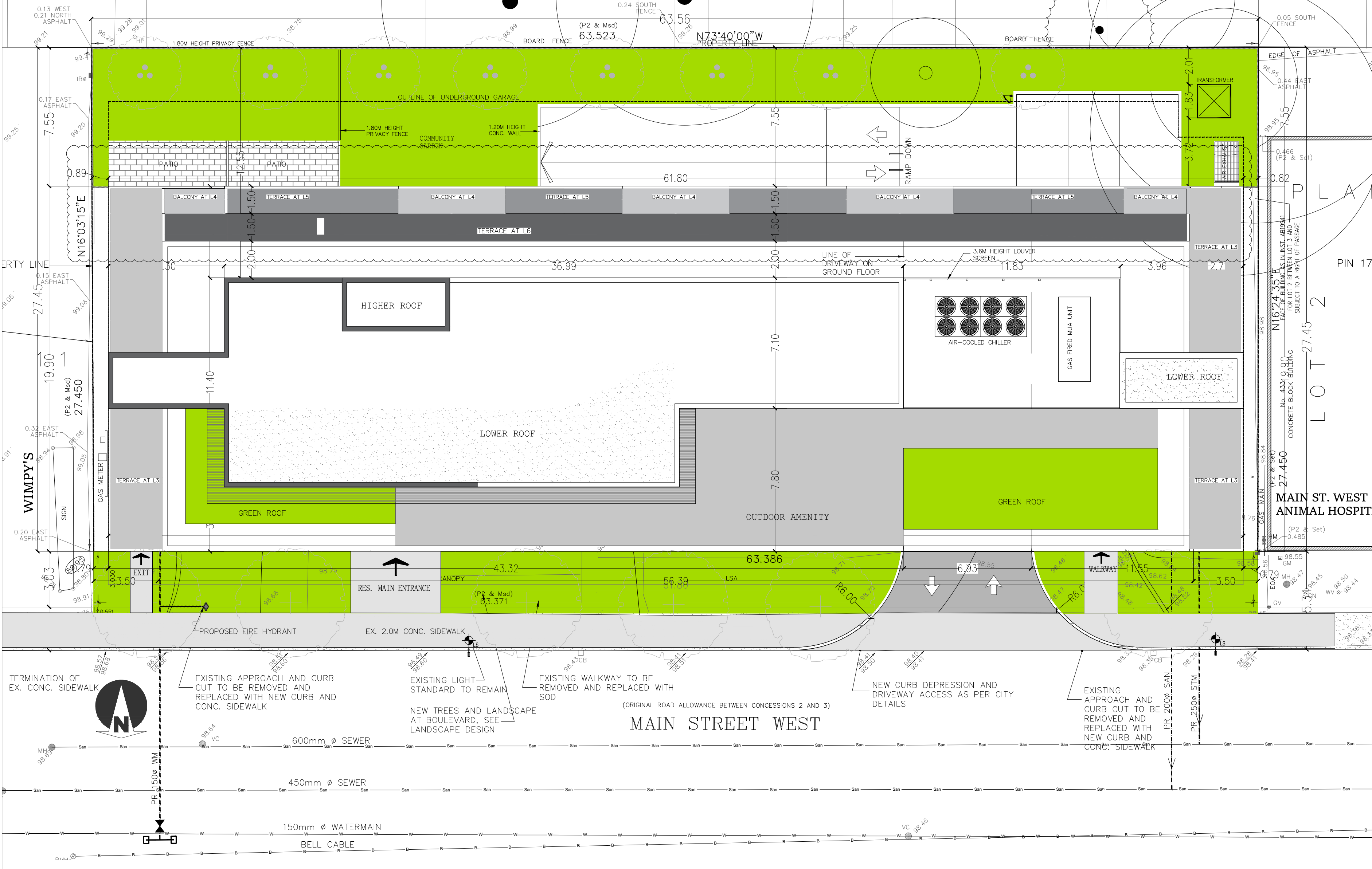
Do not scale the drawings.

This Drawing Is Not To Be Used For Construction Until Signed By The Architect.

Date:

**K
U
A**

KIRSHENBLATT URBAN ARCHITECTURE
20 De Beers Dr. Suite 516
Toronto, ON M3J 0H1



No.:	Revision:	Date:
8	Revised & Issued for C.O.A	Jan 27 21
7	Revised per Planning comments	Dec 21 20
6	Issued for C.O.A	Oct 28, 20
5	Revised & Issued for SPA & Zoning	Oct 14, 20
4	Issued for discussion	July 1, 20
3	Issued for S.P.A	April 20, 20
2	Issued for DRP	Feb 10, 20
1	Issued for Coordination	Jan 30, 20

No.	Issued For:	Date:

Site Plan

**6 Storey Condominium
415 Main St. West
Hamilton**

Project:

Scale: 1:150

Drawn by: A.G

Checked by: S.K

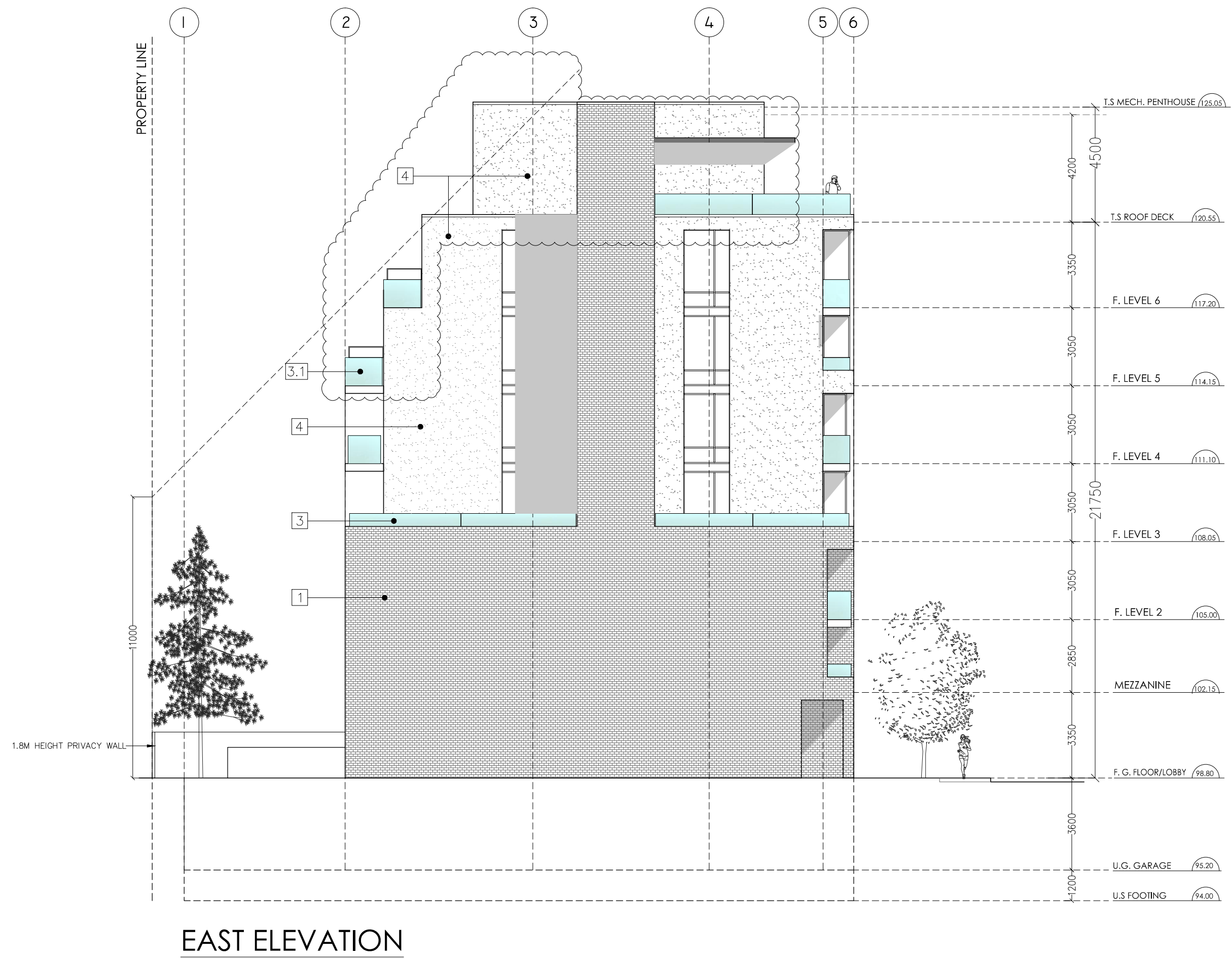
Project No.: 20205

Date: Jan 2020

Drawing No.: **A101**

EXTERIOR MATERIAL FINISH SCHEDULE:

- 1 BRICK
COLOUR: CHARCOAL GRAY
- 2 ALUM. WINDOW WALL
COLOUR: BLACK FRAME
- 3 CLEAR GLASS RAILING
- 3.1 OPAQUE GLASS RAILING AT RAER
- 4 EIFS
COLOUR: WHITE
- 5 PRE-FIN. ALUM/MTEAL SLAB EDGE COVER
COLOUR: WHITE
- 6 600MM H. PRE-FIN. ALUM/META RAILING
COLOUR: WHITE
- 7 ALUM. SHADE
COLOUR: TO MATCH WINDOW FRAMES
- 8 1.1M PRE-FIN. ALUM/METAL SEMI PRIVACY PANEL
- 9 ALUM. FINS
COLOUR: TO MATCH WINDOW FRAMES



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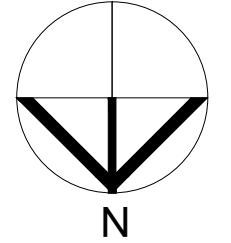
Do not scale the drawings.
This Drawing Is Not To Be Used For Construction Until Signed By The Architect. Date:

**K
U
A**
KIRSHENBLATT URBAN
ARCHITECTURE
20 De Boers Dr., Suite 516
Toronto, ON M3J 0H1

No.:	Revision:	Date:
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2	Issued for DRP	Feb 10, 20
1	Issued for Coordination	Jan 30, 20

Elevation
6 Storey Condominium
415 Main St. West
Hamilton

Scale: 1:150
Drawn by: A.G.
Checked by: S.K.
Project No.: 20205
Date: Jan 2020
Drawing No.: **A403**



EXTERIOR MATERIAL FINISH SCHEDULE:

- 1 BRICK
COLOUR: CHARCOAL GRAY
- 2 ALUM. WINDOW WALL
COLOUR: BLACK FRAME
- 3 CLEAR GLASS RAILING
- 3.1 OPAQUE GLASS RAILING AT RAER
- 4 EIFS
COLOUR: WHITE
- 5 PRE-FIN. ALUM/MTEAL SLAB EDGE COVER
COLOUR: WHITE
- 6 600MM H. PRE-FIN. ALUM/META RAILING
COLOUR: WHITE
- 7 ALUM. SHADE
COLOUR: TO MATCH WINDOW FRAMES
- 8 1.1M PRE-FIN. ALUM/METAL SEMI PRIVACY PANEL
- 9 ALUM. FINIS
COLOUR: TO MATCH WINDOW FRAMES

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**K
U
A**
KIRSHENBLATT URBAN
ARCHITECTURE
20 De Boers Dr. Suite 516
Toronto, ON M3J 0H1



FRONT/NORTH ELEVATION

No.: Revision: Date:

8	Revised per Issued for C.O.A	Jan 27 21
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2	Issued for DRP	Feb 10, 20
1	Issued for Coordination	Jan 30, 20

No. Issued For: Date:

Drawing Title:

Elevation

**6 Storey Condominium
415 Main St. West
Hamilton**

Project:

Scale: 1:150

Drawn by:

A.G

Checked by:

S.K

Project No.:

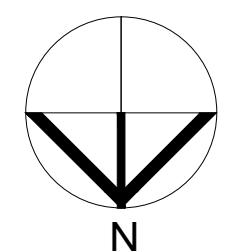
20205

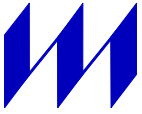
Date:

Jan 2020

Drawing No.:

A401





WESTON CONSULTING

planning + urban design

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

February 5, 2021
File 9520

Attn: Jamila Sheffield, Secretary Treasurer

**RE: Recirculation of Minor Variance Application HM/A-20:242
415 Main Street West
Related Site Plan Application File No. DA-20-059**

Weston Consulting is the planning consultant for 415 Main Inc., the registered owner of the property municipally known as 415 Main Street West, in the City of Hamilton (herein referred to as the "subject property"). A Minor Variance application was submitted to the City requesting relief from provisions of City of Hamilton Zoning By-law 05-200 and the Former City of Hamilton Zoning By-law 6593. The variances were requested to enable the development of a six-storey residential building.

Prior to the hearing scheduled for December 3, 2020, comments were received from the Planning Department outlining concerns with the proposed development. In response to this, Weston requested and was granted a deferral to allow for discussions to be held with Planning Staff. Through these conversations, Weston has been able to satisfy outstanding issues and we request that the Committee schedule this application for the March 4, 2021 hearing.

This letter is intended to replace the original planning justification letter that was provided in support of the minor variance application.

Description of Subject Property and Area Context

The subject property is located on the south side of Main Street West, east of Dundurn Street South. The site is approximately 1,742.3sq. m (0.43 acres) in size and has a lot frontage of approximately 63 metres on Main Street West. There are currently two driveways into the site from Main Street West. The subject property was formerly occupied by a Dairy Queen fast food restaurant which has since been closed and will be demolished prior to construction of the proposal. The legal description of the subject property is as follows:

PT LTS 3, 4, 5, PL 518; PT LTS 11, 12, 13, & 14, PL 244; S/T AB19941; BEING PT 1 ON 62R-14112; HAMILTON

Surrounding Land Uses:

- North: Commercial uses along Main Street, residential further north;
- South: Detached homes within stable residential neighbourhood;

- East: Commercial uses along Main Street, residential further east;
- West: Commercial uses along Main Street, residential further west.

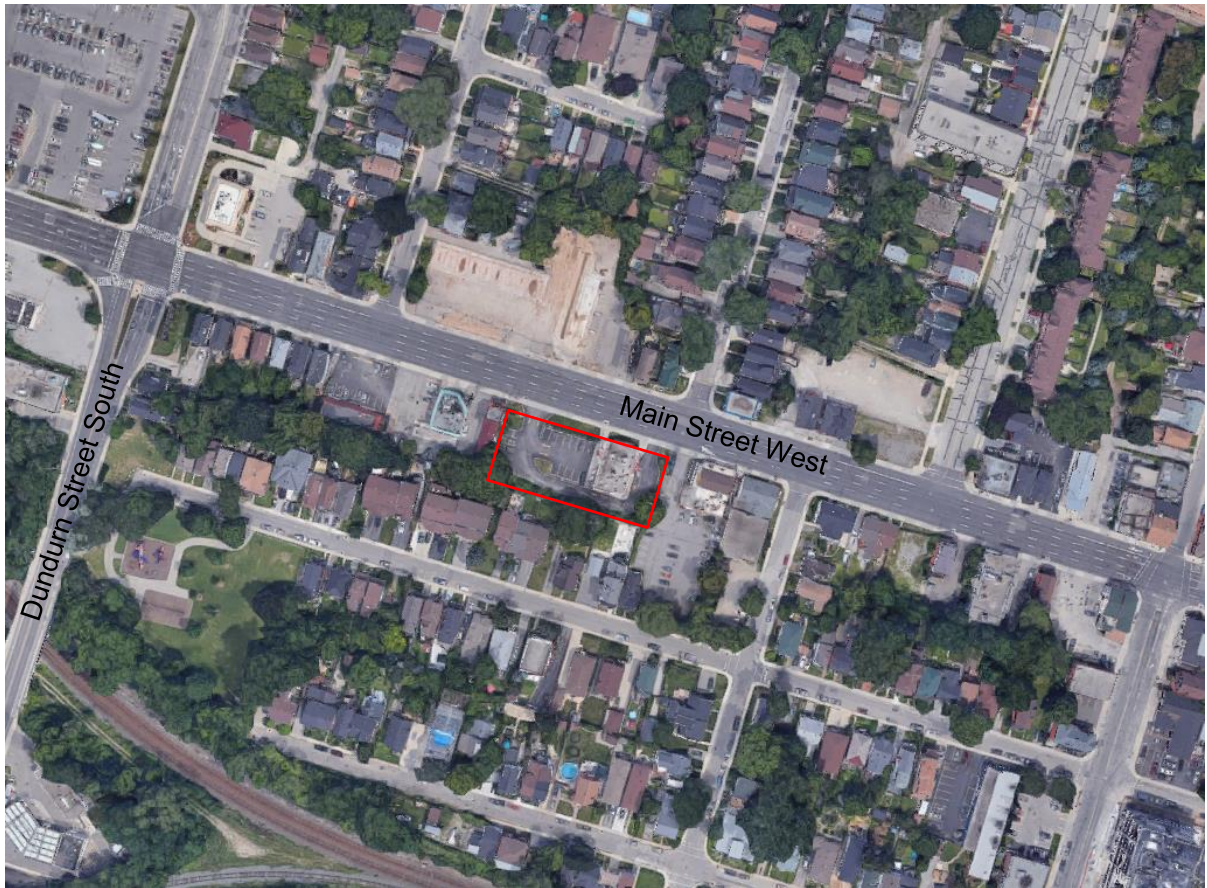


Figure 1: Subject Property and Area Context

Applicable Planning Policies

The Urban Hamilton Official Plan (“Official Plan”) designates the subject property:

- Schedule E – Urban Structure: “*Primary Corridor*”
- Schedule E1 – Urban Land Use Designations: “*Mixed Use – Medium Density*”

The Strathcona Secondary Plan (“Secondary Plan”) designates the subject property:

- Map B.6.6-1 – Land Use Plan: “*Mixed Use – Medium Density*” and “*Area Specific Policy – Area B*”

The Hamilton Zoning By-law 05-200 (“Zoning By-law”) zones the subject property:

- “*Mixed Use Medium Density Zone – C5*” and “*Exception 298*”

The Former City of Hamilton Zoning By-law 6593 (“Former Zoning By-law”) zones the subject property:

- “*H - Community Shopping and Commercial, Etc.*”

Revised Proposed Development

The revised proposed development contemplates a six-storey mid-rise apartment building consisting of 107 residential units. This represents a reduction of four units from the originally proposed 111. The ground floor of the proposed building will incorporate a mix of residential use and lobby area. A driveway from Main Street West, the loading zone, visitor and bike parking, and the underground parking ramp are also provided on the ground level of the proposed development.

Parking will be provided in one level of underground parking, which contains 34 residential parking stalls including one car share stall and one accessible space. Five parking stalls are located at-grade, including one accessible parking stall for a total of 39 (a reduction of 1 space).

A total of 94 bicycle parking spaces are proposed, including 72 residential long-term and 22 residential short-term bicycle parking spaces. The 72 long-term bicycle parking spaces are located in the underground parking garage. No change to the number of bicycles spaces was made.

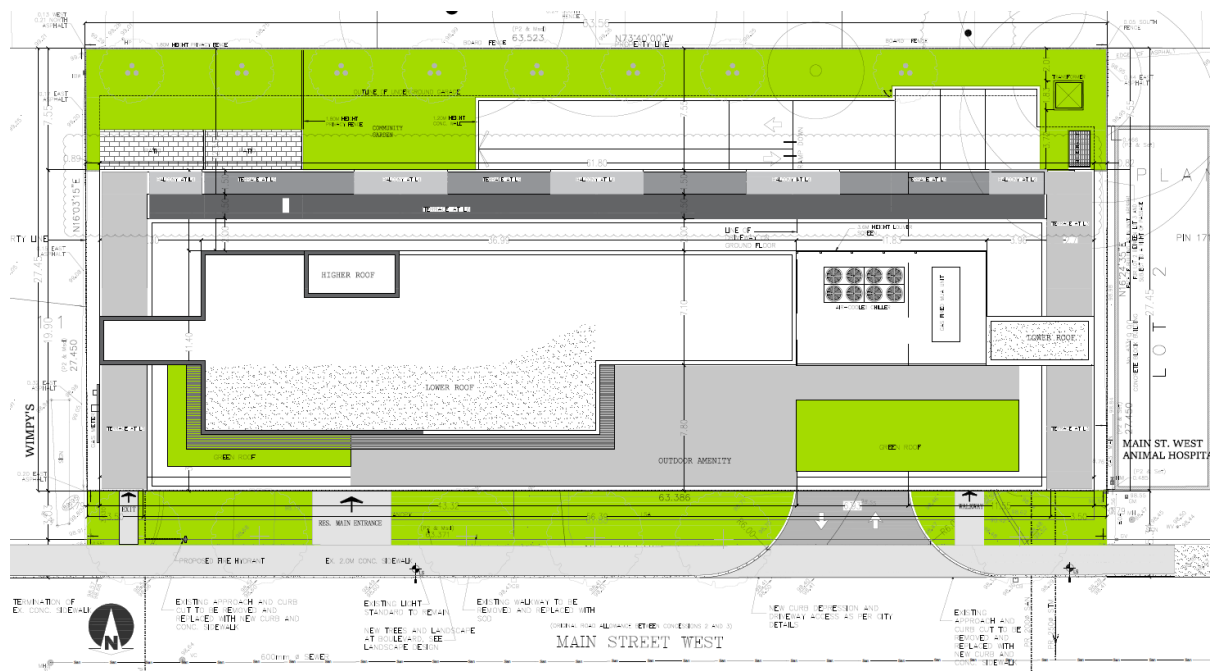


Figure 2: Proposed Site Plan

Purpose of the Requested Minor Variance Application

Through our review of City of Hamilton By-law 05-200 and Former City of Hamilton By-law 6593, we have identified three zoning deficiencies. The purpose of the enclosed Minor Variance application is to request relief from the following provisions:

1. Residential Finished Floor Elevation:
 - a. 10.5.1.1(i)(1) Residential units are required to be 0.9m above the finished floor elevation.

The proposed development contemplates residential units at a FFE of 0.0m.

2. Front Yard Setback:

- a. 10.5.3(a)(i) A minimum 3.0m setback from the street line is required with residential uses on the ground floor.

The proposed development contemplates a 2.0m setback.

3. Building Height:

- a. 10.5.3(d)(ii) A maximum height of 22.0 m is permitted. As this section is under appeal, the height provisions of Former Zoning By-law are applicable. Section 14(2)(i) of Former Zoning By-law 6593 permits up to four-storeys or 17.0m in height.

The proposed development contemplates a height of 25.25m, measured to the top of the indoor rooftop amenity area.

4. Obstruction Abutting or Within a Parking Space:

- a. 5.2(b)(ii) Where a wall, column, or other obstruction is located abutting or within any parking space within an above ground or underground parking structure, the minimum width of a parking spaces shall be increased by 0.3m.

Where a column is located abutting or within any parking space, the proposed development contemplates increasing the width or parking spaces by 0.0m.

5. Required Vehicle Parking:

- a. 5.6 (a) A total of 40 spaces are required.

The proposed development provides for 39 vehicular parking spaces.

- b. 5.6(c) A total of 46 spaces are required.

The proposed development provides for 39 vehicular parking spaces.

Planning Analysis and Justification

Section 45 (1) of the Planning Act authorizes the Committee of Adjustment to grant minor variances from the provisions of the Zoning By-law, provided that the application satisfies the following four tests:

- *The variance requested maintains the general intent and purpose of the Official Plan;*
- *The variance requested maintains the general intent and purpose of the Zoning By-law;*
- *The variance is desirable for the appropriate use of the land; and,*
- *The variance is minor in nature.*

The following will demonstrate how the proposed development and associated request variances satisfy each test.

1. Residential Finished Floor Elevation:

When considering Section 10.5.1.1, it was determined that the residential units located on the ground floor cannot be 0.9m (2.9 feet) higher than the finished floor, as this would create several Building Code issues. It is our opinion that the intent of this regulation is applicable to ground-related units (i.e.: detached, semi-detached, townhouse, etc.) which have direct access to the street. The five proposed ground floor units will not have access to the street, and entry will be provided via an internal corridor from the main lobby.

2. Front Yard Setback:

The subject property fronts Main Street West, a large boulevard that is designated Major Arterial in the Official Plan. Major Arterial roads are intended to support large volumes of traffic and function as inter-regional connections that link wider areas of the City of Hamilton together. The subject property is also designated Primary Corridor and Mixed Use Medium Density, which are designations that emphasizes the importance of maintaining a strong, attractive and pedestrian-oriented environment. The proposed development proposes a 1.0m front yard setback deficit. It is our opinion that bringing the proposed building 1.0m closer to the street line does not impact the pedestrian realm, rather it would enhance and reinforce the streetscape and contribute to a more vibrant and attractive pedestrian-oriented environment. Furthermore, the majority of the street frontage will include 2m patios to better enhance the streetscape and encourage interaction between the public and private realms. Last, by reducing the front yard setback, we are able to maintain the required 7.5m rear yard setback and provide a 3m landscape buffer along the south property line.

3. Building Height:

The maximum permitted building height in By-law 05-200 is 22m which the proposed development complies with measuring 21.75m to the top of the sixth floor. However, this section of the By-law is under appeal and is not enforce. Height permissions therefore revert to the Former Hamilton Zoning By-law 6593 which sets a maximum height of 17m, four storeys.

Further, By-law 05-200 excludes the height of the rooftop amenity areas (which is also under appeal). However, By-law 6593 does not have such an exclusion and the building height must be taken to the top of the proposed amenity room, resulting in a height of 25.25m. Both By-law 05-200 and By-law 6593 exclude mechanical rooms from the calculation of height.

The height regulations for the C5 zone (which are under appeal) allows the exclusion of rooftop amenity from the calculation of height subjected to two criteria:

- a) That the amenity area not exceed 10% of the floor area below it; and
- b) That the amenity area not exceed 3m in height.

The proposed indoor rooftop amenity area has a total floor area of 138sq. m with the sixth floor below having an area of 935sq. m. The indoor rooftop amenity area represents 15% of the floor area directly beneath. Although this regulation is not applicable, this 5% is considered negligible. The indoor rooftop amenity is setback 3.5m from the front of the building and the 5%, will not be discernible from the street.

Further, the proposed amenity space is 3.5m in height. While this regulation sets a maximum height of 3m, the additional 0.5m will not impact the surrounding lands. As mentioned, this amenity area is located at the front of the building, in front of the mechanical room, which is longer and taller at 4.5m. It will not be visible from the rear or from the adjacent detached homes, and given that the mechanical room stands 1m taller, the additional 0.5m will not be apparent.

It is our opinion that exceeding the required 10% floor area by 5% and maintaining the proposed vertical height of the amenity area in excess of 0.5m are minor and ultimately supports and contributes to the provision of high-quality and appropriately sized amenity areas for future residents.

4. Obstruction Abutting or Within a Parking Space:

According to Section 5.2(b)(ii) of By-law 05-200, where a wall, column, or other obstruction is located abutting or within any parking space within an underground parking structure, the minimum width of a parking spaces shall be increased by 0.3m. The general intent of this provision is to ensure there is sufficient space for a variety of vehicles to safely access and maneuver within the required parking spaces.

The underground parking plan proposes parking spaces with 0.39m wide columns located adjacent to the front of parking spaces. It is our opinion that the positioning of the columns will not impact a vehicle's ability to maneuver to and egress from the parking spaces, with adequate visibility. Additionally, the columns will not result in the requirement for additional space to accommodate the swing radius of vehicles doors. It is noted that the underground parking plan provides 0.3m of distance separation between any parking space adjacent to a wall. It is our opinion that the general intent of the Official Plan and Zoning By-law is maintained and that the variance is considered minor in nature.

5. Required Vehicle Parking:

Table 1 outlines the required and proposed parking for the proposed development, based on the Downtown and City Wide parking rates, outlined in Section 5.6(a) and 5.6(b) of By-law 05-200. According to Section 5.6(c)(i), the regulation in force to define parking standards indicates that the required parking for the proposed development is 46 parking

spaces. Section 5.7(g)(i) enables proponents to calculate a reduced vehicular parking rate based on bicycle parking provided. A total of 72 long-term bicycle parking spots are provided, which permits a reduction of five vehicular parking spaces, resulting in a total of 41 required vehicular parking spaces. A total of 39 vehicular parking spaces are proposed for the development, which includes two accessible spaces and one car share parking stall.

The provided 39 spaces represents a reduction of 1 space from what was originally proposed. This is the result of discussions with City Planning and Urban Design to pull in the extent of the underground parking to maintain a consistent unobstructed 3m landscape buffer above and below grade. This buffer is to provide for enhanced landscaping to better screen the proposed development with the existing residents to the south.

This further reduction was deemed appropriate given that the parking requirement has been reduced from 65 to 41. This new requirement is the result of a redistribution of unit sizes. Whereas there was an even split of one and two bedroom units previously, there is now a larger share of one bedroom units which require less parking.

Table 1 - Zoning By-Law 05-200 Parking Provisions

Section 5.6(a)			
Zoning Provision		Required	Provided
i. Residential Uses a) Multiple Dwelling	i) Dwelling Units < 50.0sq.m in GFA	Units 13+ Min 0.3 per unit = 25.8 spaces	39
	ii) Dwelling Units > 50.0sq.m in GFA	Units 51+ Min 0.7 per unit =14.7 spaces	
Total =		40	
Section 5.6(c)			
Zoning Provision		Required	Provided
Multiple Dwelling (Commercial and Mixed Use (C5) and (C5a) Zones and all Transit Oriented Corridor Zones)	iii) Dwelling Units < 50.0sq.m in GFA	Min 0.3 per unit = 25.8 spaces	39
	iv) Dwelling Units > 50.0sq.m in GFA	Units 51+ Min 1.0 per unit =21 spaces	
5.7(g) Notwithstanding Subsection 5.6 a) and c), for any use within the Commercial and Mixed Use (C4), (C5) and (C5a) Zones, the required motor vehicle parking may be reduced in accordance with the following regulations: i) 1 motor vehicle space for every 5 long term bicycle spaces is provided and maintained up to a maximum of 10% of the original motor vehicle parking requirement; and,		46 x 0.1 = Reduction of 4.6 spaces	
Total =		41	39

The following justifies the reduction in proposed parking:

- The subject property is well serviced by transit and public transportation infrastructure, including Hamilton Street Railway Transit and GO Transit.
- Main Street West is under review for higher order transit (Official Plan, Appendix B) and is designated as a Potential Rapid Transit Line (B.L.A.S.T). As such, there is potential that the subject property will be located within a future Major Transit Station Area, which envisions a transit and pedestrian-oriented environment that is well connected and served by higher order transit and active transportation provisions.
- The reduced parking rate proposed, in conjunction with the provision of 94 bicycle parking spaces, aligns with the intent and vision of the Urban Hamilton Official Plan to “*create compact and interconnected, pedestrian oriented, and transit-supportive communities within which all people can attain a high quality of life*” (Section 3.3).
- The reduced parking rate proposed, in conjunction with the provision of 94 bicycle parking spaces, aligns with the intent and vision echoed in Section 6.6.3 of the Secondary Plan which states that the objective of lands within the Strathcona Secondary Plan are to “*support the public transit system and future proposed Rapid Transit Corridor and decrease the reliance on the private automobile*”.

Four Tests under Section 45(1) of the Planning Act

Test 1: Does the application conform to the general intent of the Official Plan?

The subject lands are is designated *Primary Corridor* and *Mixed Use Medium Density* in the Official Plan. The intent of this designation is to support higher density land uses and residential intensification up to six-storeys, with heights above having to appropriately transition to neighbouring low-rise land uses. The proposed development is six-storeys in height, which is consistent with the intention of maintaining a mid-rise form along *Urban Corridors*. The reduced parking rate also contributes to supporting existing and future planned transit systems.

Although areas designated *Mixed Use Medium Density* are envisioned to evolve into areas characterized by mixed-use buildings with a balance of residential and commercial uses, it is our opinion that the proposed development will significantly support the establishment of an active streetscape and pedestrian-oriented community. Residential intensification on the subject property generates commercial demand, attracting future investments to the area. It is our opinion that the application conforms to the general intent of the Official Plan and Secondary Plan.

Test 2: Does the application conform to the general intent of the Zoning Bylaw?

The subject property is zoned *Commercial – Mixed Use Medium Density (C5)* and is subject to Exception 298. Section 10.5 of the Zoning By-law permits single-use residential buildings in the C5 zone.

The proposed variances for front yard setback, residential finished floor elevation, building height, and parking reinforce the design of the building to better fit the existing neighbourhood context. The variances will not impact adjacent public or private lands. It is our opinion that the application conforms to the general intent of the Zoning By-law.

Test 3: Is the application desirable for the appropriate development of the lands in question?

The subject property is well served by public transportation, higher order transportation infrastructure and is located along a Major Arterial Road. The subject property is located in close proximity to Ontario Highway 403 and a future Rapid Transit Line (B.L.A.S.T.). The current and future planned transit infrastructure supports residential intensification on the subject property, which is representative of efficient use of underutilized land, identified as within a *Primary Corridor* in the Official Plan. It is also anticipated that the proposed development will significantly contribute to the future re-urbanization and beautification of the area, which will attract future investment opportunities.

Further, through discussions with City Planning and Urban Design staff, the applicant was able to refine the rear building elevation to reduce the number of balconies and add translucent balcony materials to limit the potential for overlook.

It is our opinion that the application is desirable and appropriate for the subject property as it contributes to modest intensification on an underutilized property that is appropriately located near transit and transportation infrastructure.

Test 4: Is the Application Minor?

The proposed development seeks relief from the applicable Zoning By-laws with respect to front yard setback, finished floor elevations, building height and parking. The potential individual and cumulative impacts of these variances are mitigated through sensitive design to ensure a vibrant streetscape is provided, high quality of life for adjacent existing detached dwellings is maintained, and that lower parking rates support transit usage. It is our opinion that the proposed variances are minor in nature.

Conclusion

Based on our evaluation of the proposed development and the requested variances to the City of Hamilton Zoning By-law 05-200 and the Former City of Hamilton Zoning By-law 6593, we are of the opinion that the requested variances satisfy the conditions outlined in Section 45 (1) of the *Planning Act*, represents good planning and is worthy of support by the Committee of Adjustment. In order to allow for the appropriate review of the application, the following materials have been provided:

1. Plan of Survey dated (August 28, 2019);
2. Architectural Drawing Set dated (January 27, 2021); and
3. Application Recirculation Fee in the amount of \$275.00 (couriered separately).

We trust that the enclosed materials appropriately constitute what is require for recirculation of Minor Variance Application HM/A-20:242. We ask that the materials be recirculated for review and comments and that this application be heard by the Committee of Adjustment at the earliest available hearing date.

Please contact the undersigned at ext. 266 or Bryanne Robinson at ext. 296 should you require any additional information.

Yours truly,
Weston Consulting
Per:



Martin Quarcoopome, BES, MCIP, RPP
Associate

- c. Ryan Guetter, Weston Consulting
415 Main Inc.



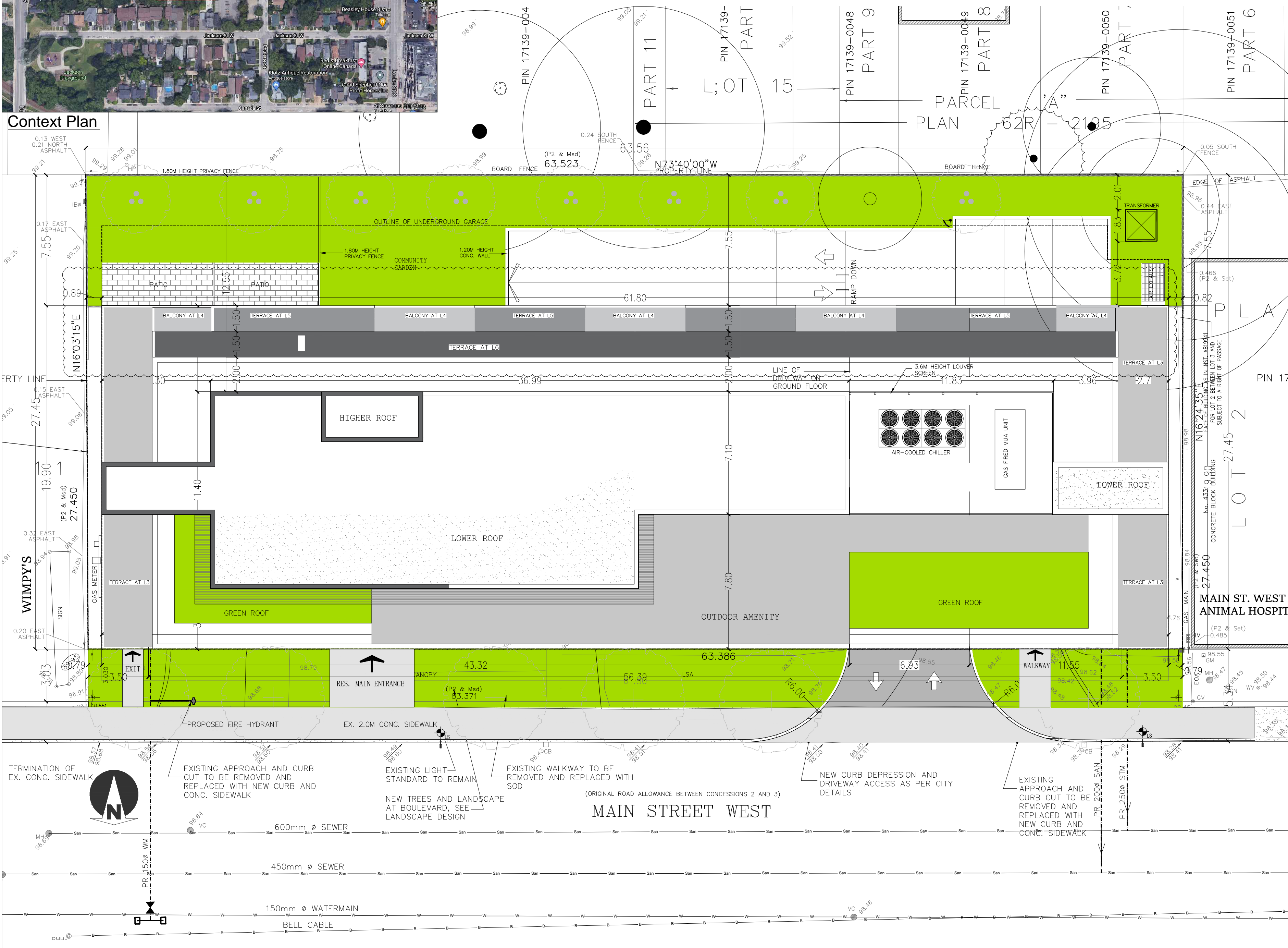
Context Plan

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 proponent is cautioned that during development activities, should deeply buried archaeological materials be found on the property the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) should be notified immediately (416-212-8886). In the event that human remains are encountered during construction, the proponent should immediately contact both MHSTCI and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services (416-212-7499)."

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1	Issued for Coordination	Jan 30, 20

Site Plan

**6 Storey Condominium
415 Main St. West
Hamilton**

Project: 6 Storey Condominium
415 Main St. West
Hamilton

Scale: 1:150

Drawn by: A.G

Checked by: S.K

Project No.: 20205

Date: Jan 2020

Drawing No.: **A101**

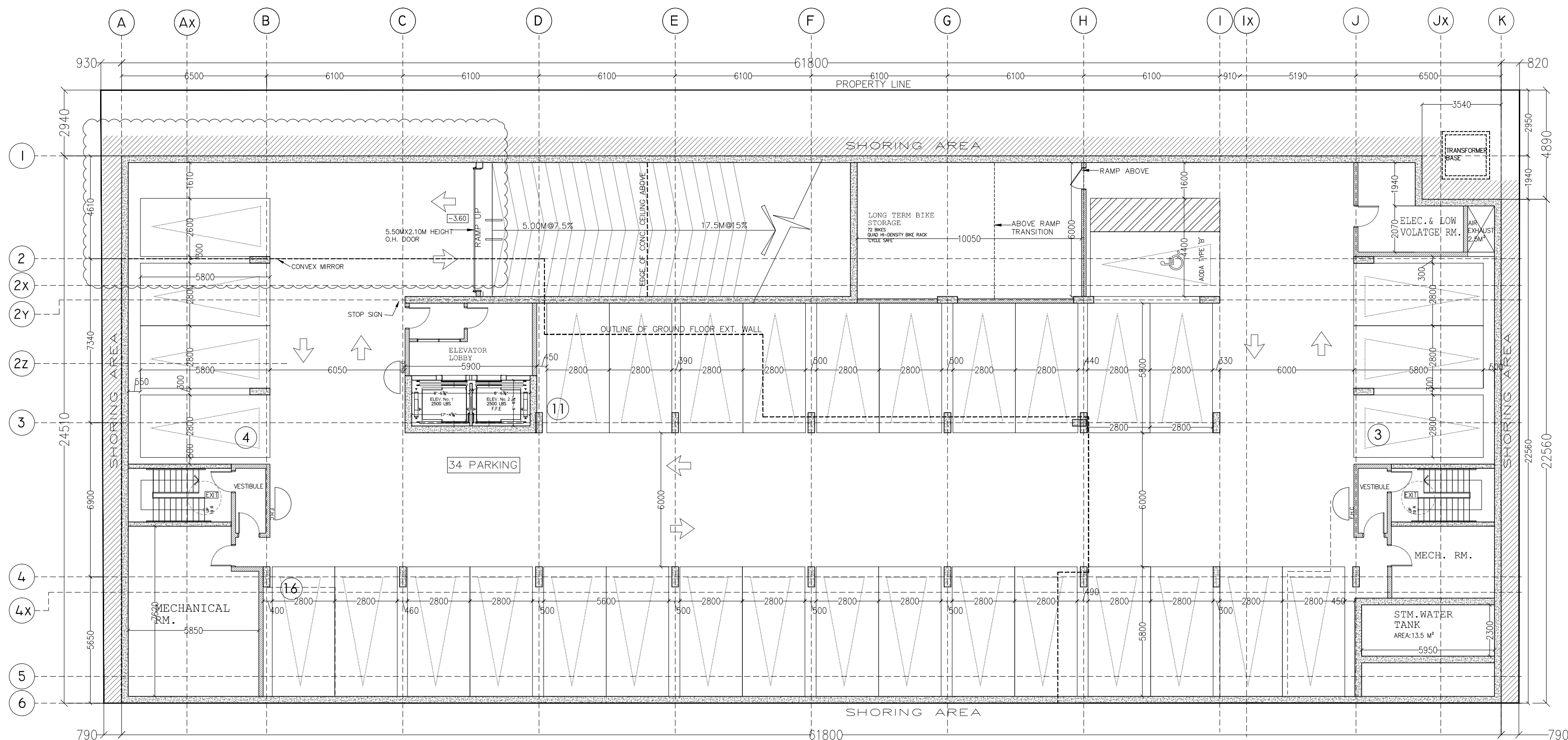
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UNDERGROUND GARAGE

AREA: 1508M² (16,232 SQ. FT)

No.:	Revision:	Date:
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- | | | |
|---|-----------------------------------|--------------|
| 9 | Revised per Issued for C.O.A | Jan 27 21 |
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No.	Issued For:	Date:
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Drawing Title:

Underground Level

**6 Storey Condominium
415 Main St. West
Hamilton**

Project:

1:150

Scale:

A.G

Drawn by:

S.K

Checked by:

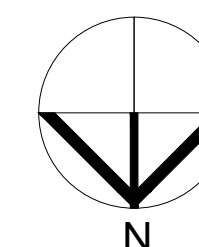
20205

Project No.:

Jan 2020

Date:

Drawing No.:



A151

SITE STATIC:
 LOT AREA: 1742.3M² (18,754 SQ.FT)
 PROPOSED U.G GARAGE: 1508M²(16,232 SQ.FT)
 PROPOSED G.F.A:
 GROUND FLOOR: 637M² (6,857 SQ.FT)
 MEZZANINE LEVEL: 670M² (7,212 SQ.FT)
 LEVEL 2: 1120M²(12,055 SQ.FT)
 LEVEL 3: 1066M²(11,475 SQ.FT)
 LEVEL 4: 1066M²(11,475 SQ.FT)
 LEVEL 5: 1018M²(10,958 SQ.FT)
 LEVEL 6: 935M²(10,065 SQ.FT)
 M.P.H: 390M²(4,198 SQ.FT)

TOTAL PROPOSED G.F.A: 6,902M²(74,293 SQ.FT)

LOT COVERAGE: 1230M²(70.5%)

LANDSCAPED AREA:
 PROPOSED LANDSCAPED OPEN SPACE AREA: 303M²(17%)
 PROPOSED DRIVEWAY,RAMP, EXITS& WALKWAY: 209.3M²(12.5%)

UNIT COUNT BASED ON AREA:

UNITS>50M²: 21 UNITS
 UNITS<50M²: 86 UNITS
 TOTAL NO OF UNITS: 107

PARKING CALCULATION:
 REQUIRED RESIDENTIAL PARKING
 UNITS>50M² 21X1=21
 UNITS<50M² 86X0.3=25

TOTAL REQUIRED PARKING: 46

PROPOSED NUMBER OF PARKING:
 RESIDENCES: 39
 INC. 1 CAR SHARE & 2 ACCESSIBLE
 TOTAL PROPOSED PARKING: 39

BICYCLE PARKING REQUIRED:
 RESIDENTIAL LONG TERM: 0.5 PER UNIT
 RESIDENTIAL SHORT TERM: 5
 COMMERCIAL LESS THAN 450M² : 0

RESIDENTIAL LONG TERM: 0.5X107=53
 RESIDENTIAL SHORT TERM: 5

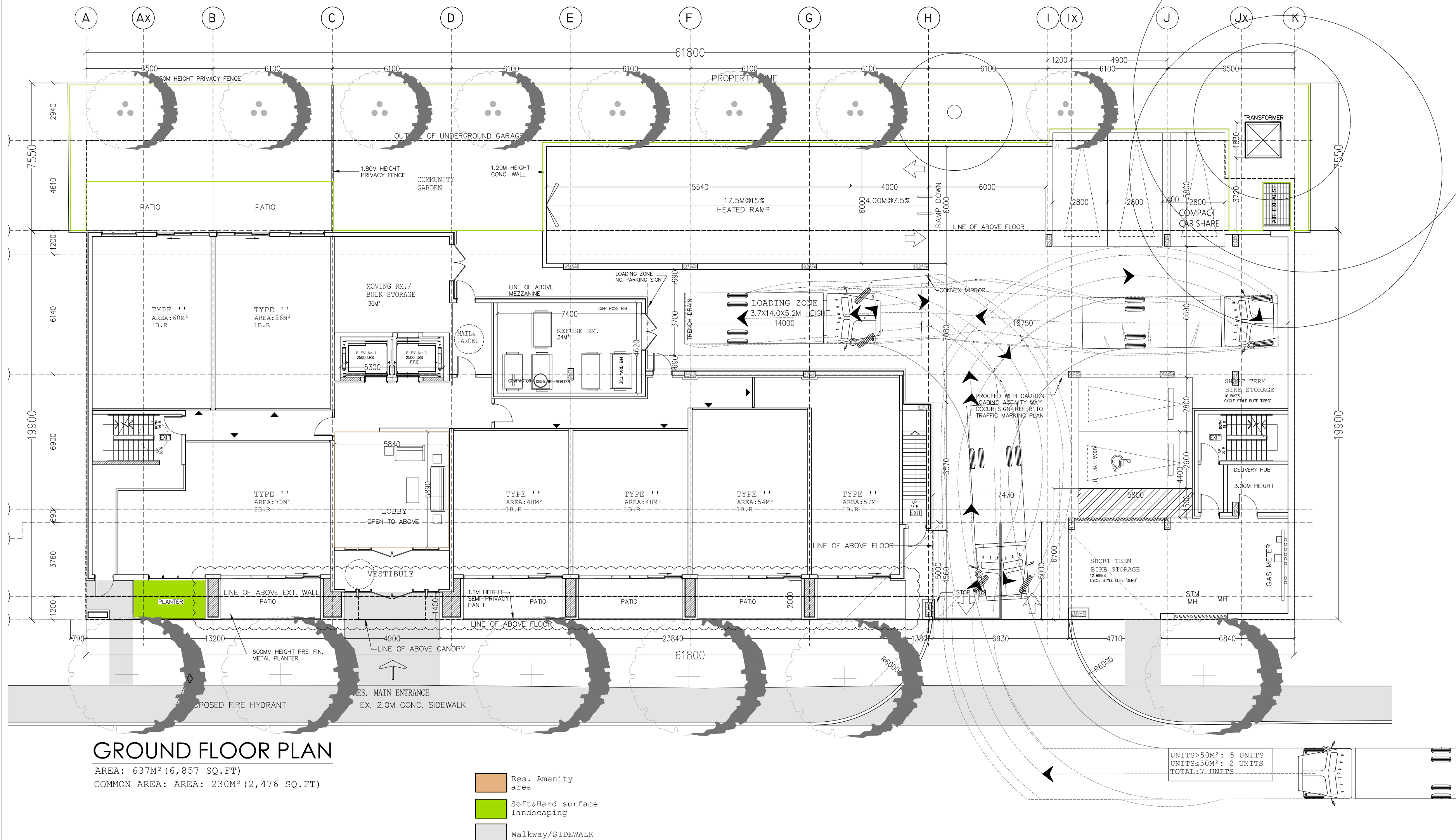
PROPOSED BICYCLE PARKING
 RESIDENTIAL LONG TERM: 72
 RESIDENTIAL SHORT TERM: 22

AMENITY SPACE CALCULATION:
 UNITS LESS THAN 50M² 4.0M²/UNIT
 UNITS MORE THAN 50M² 6.0M²/UNIT

REQUIRED AMENITY SPACE:
 21X6.0=126M²
 86X4.0=344M²
 TOTAL REQUIRED AMENITY SPACE: 470M²

PROPOSED AMENITY SPACE:
 GROUND FLOOR: 35M² INDOOR-LOBBY
 36.3M² OUTDOOR-PATIO,GARDEN & SOFT LANDSCAPE
 MEZZANINE: 45M² OUTDOOR-BACONY
 LEVEL 2: 88M² OUTDOOR-BALCONY
 LEVEL 3: 14.3M² OUTDOOR-BALCONY& TERRACE
 LEVEL 4: 50M² OUTDOOR-BALCONY
 LEVEL 5: 50M² OUTDOOR-BALCONY
 LEVEL 6: 83M² OUTDOOR-BALCONY& TERRACE
 M.P.H: 138M² INDOOR-GYM & SOCIAL RM.
 310M² OUTDOOR-PATIO& LANDSCAPE

TOTAL PROPOSED INDOOR AMENITY: 173M²
 TOTAL PROPOSED OUTDOOR AMENITY: 1132M²
 TOTAL PROPOSED AMENITIES: 1305M²



GROUND FLOOR PLAN

AREA: 637M² (6,857 SQ.FT)
 COMMON AREA: AREA: 230M² (2,476 SQ.FT)

- Res. Amenity area
- Soft&Hard surface landscaping
- Walkway/SIDEWALK

UNITS>50M²: 5 UNITS
 UNITS<50M²: 2 UNITS
 TOTAL: 7 UNITS

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No.	Issued For:	Date:

Drawing Title:

Ground Floor Plan

6 Storey Condominium
 415 Main St. West
 Hamilton

Project:
 1:150 Scale:
 A.G Drawn by:
 S.K Checked by:
 20205 Project No.:
 Jan 2020 Date:
 Drawing No.:

A201

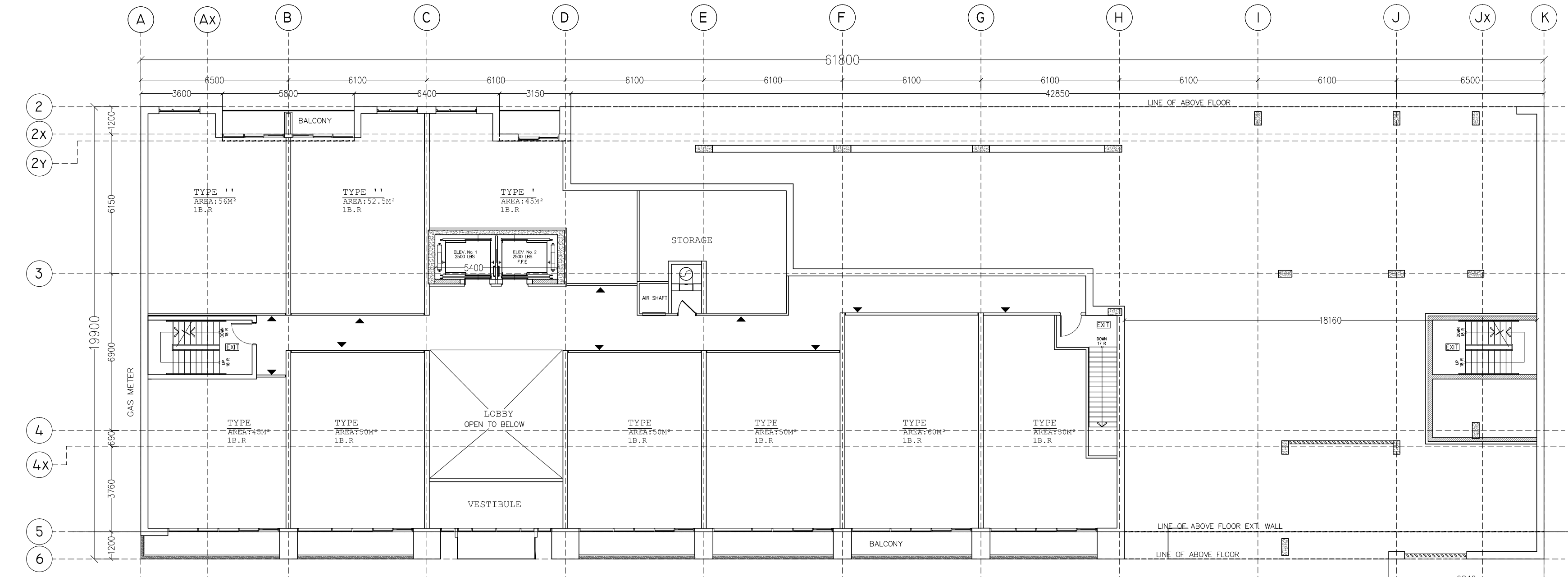
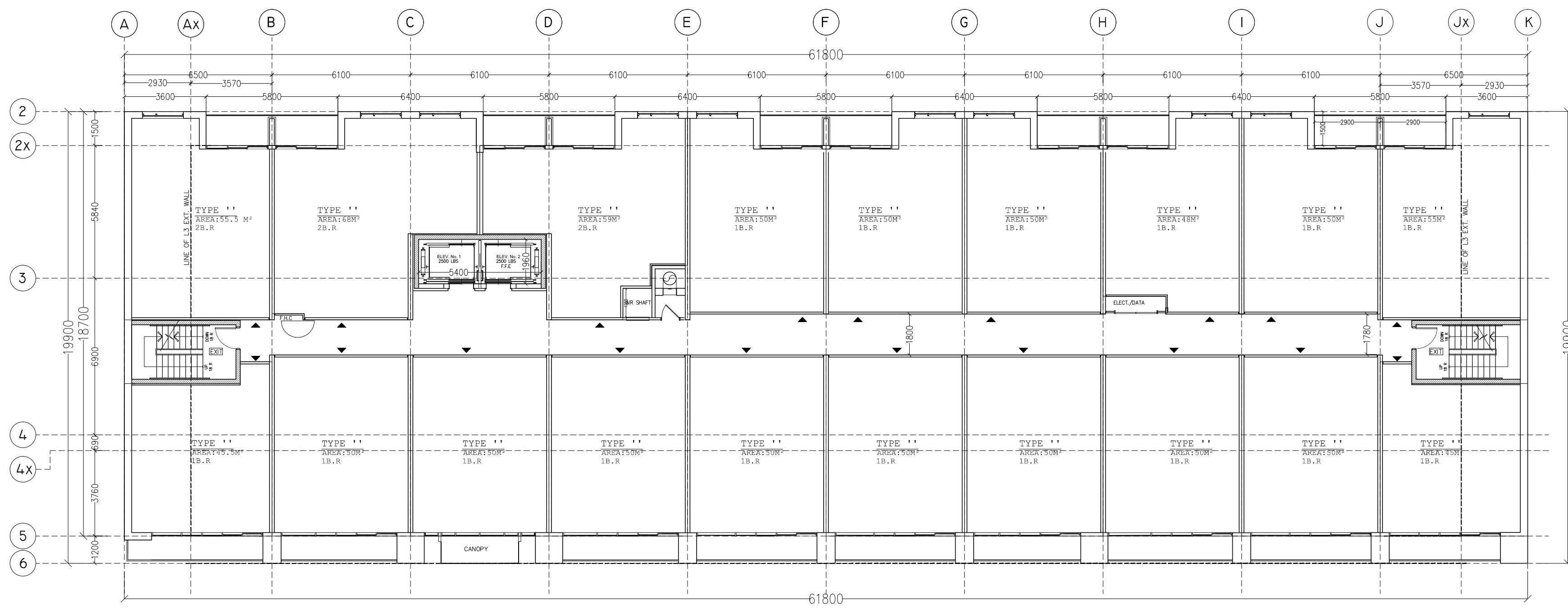
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No.	Issued For:	Date:

Drawing Title:

Floor Plan

6 Storey Condominium
415 Main St. West
Hamilton

Project:

Scale: 1:150

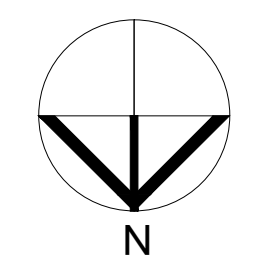
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Project No.: 20205

Date: Jan 2020

Drawing No.: **A202**



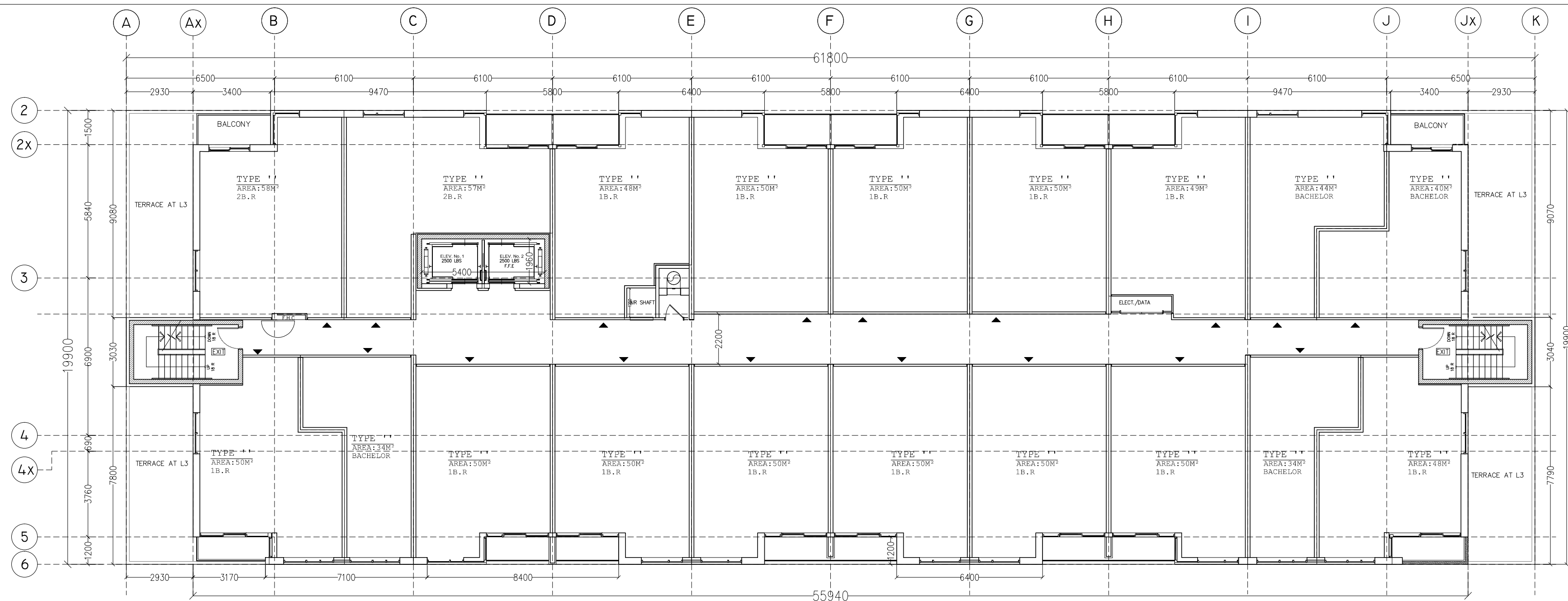
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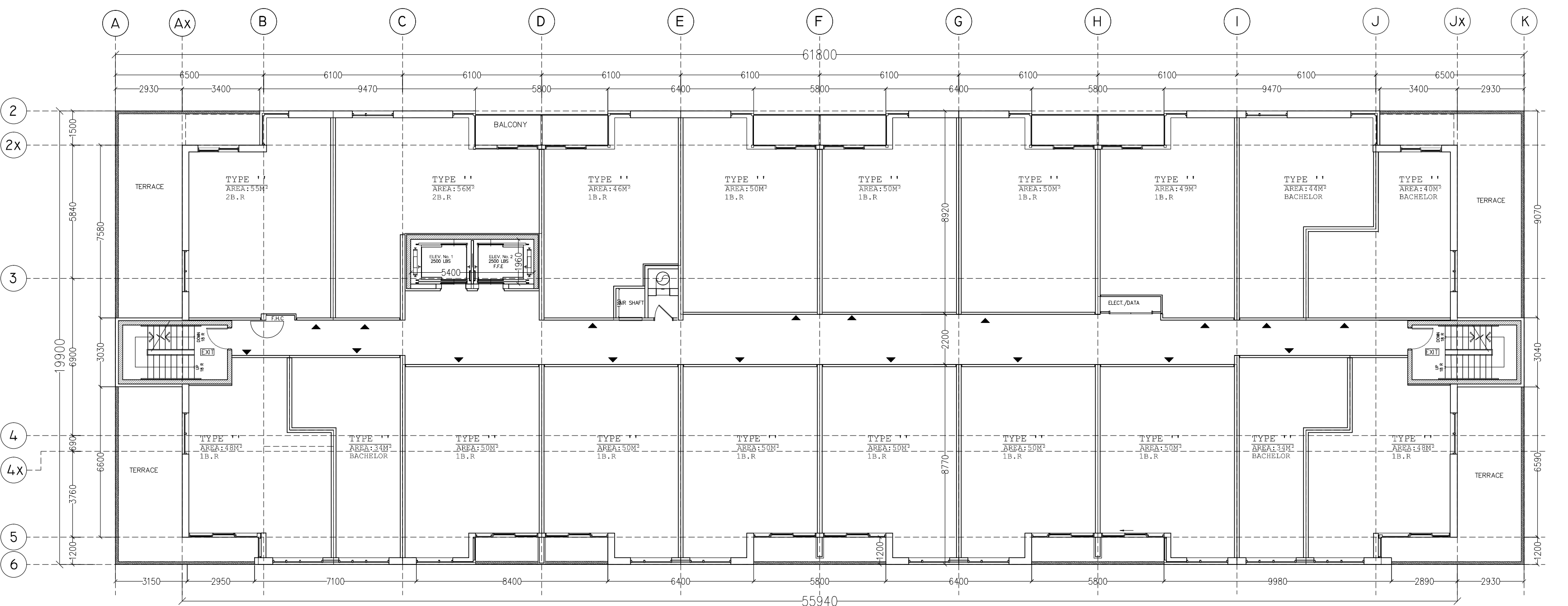
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ARCHITECTURE
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Toronto, ON M3J 0H1



LEVEL 4 FLOOR PLAN

AREA: 1066M² (11,475 SQ. FT)

UNITS > 50M²: 2 UNITS
UNITS ≤ 50M²: 17 UNITS
TOTAL: 19 UNITS



LEVEL 3 FLOOR PLAN

AREA: 1066M² (11,475 SQ. FT)

UNITS > 50M²: 2 UNITS
UNITS ≤ 50M²: 17 UNITS
TOTAL: 19 UNITS

No.:	Revision:	Date:
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Drawing Title:

Floor Plan

**6 Storey Condominium
415 Main St. West
Hamilton**

Project:

1:150

Scale:

A.G

Drawn by:

S.K

Checked by:

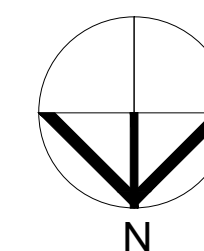
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Project No.:

Jan 2020

Date:

Drawing No.:



A203

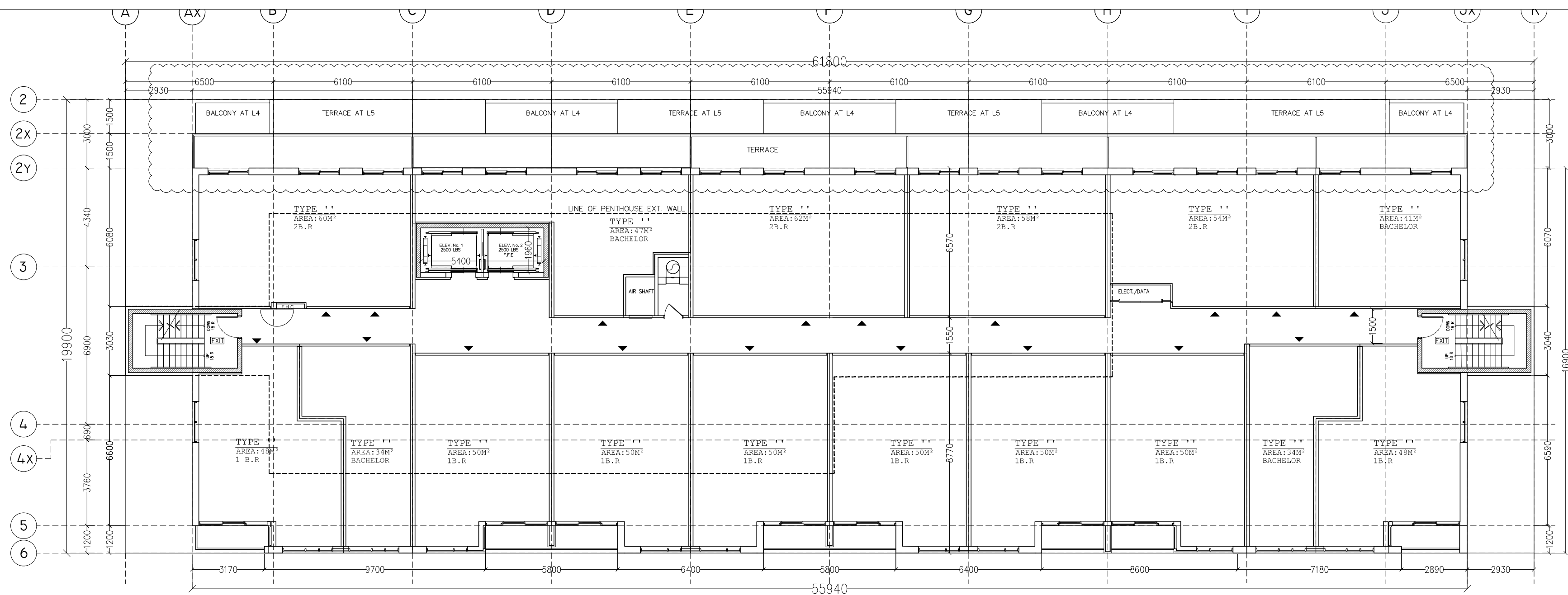
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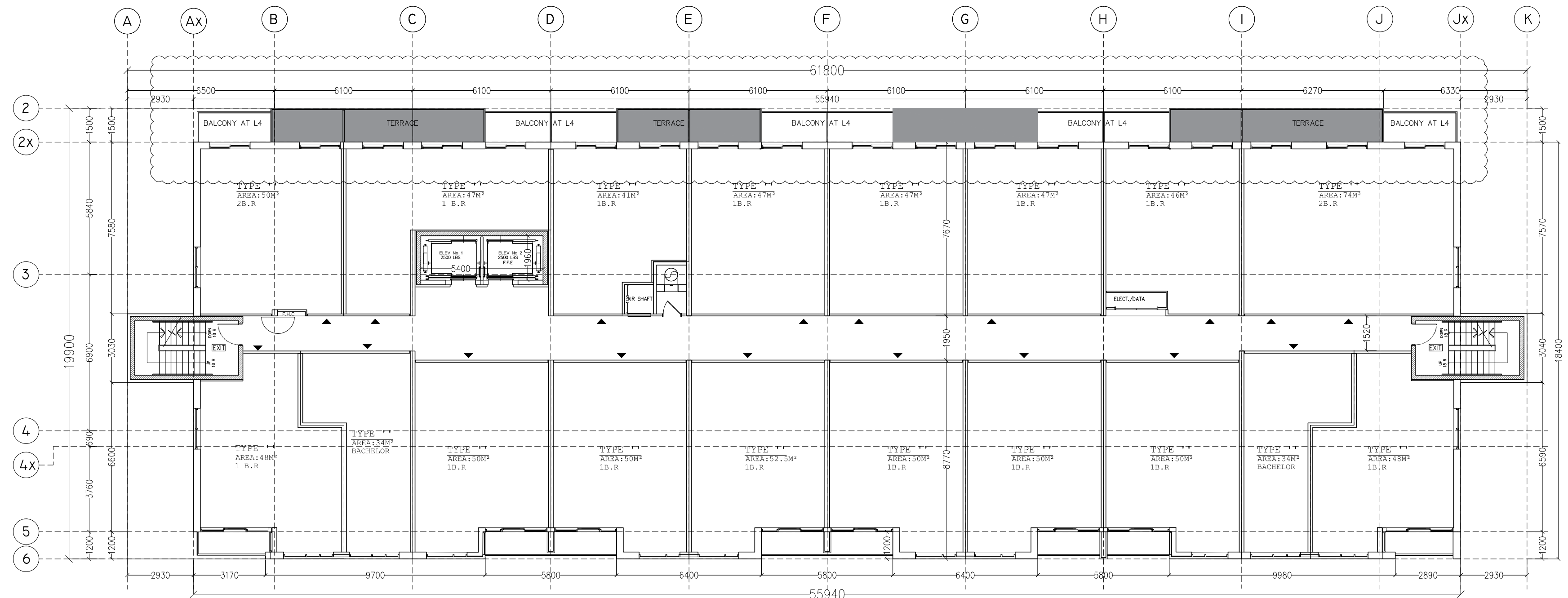
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ARCHITECTURE
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Toronto, ON M3J 0H1



LEVEL 6 FLOOR PLAN
AREA: 935M² (10,065 SQ.FT)

UNITS > 50M²: 4 UNITS
UNITS ≤ 50M²: 12 UNITS
TOTAL: 16 UNITS



LEVEL 5 FLOOR PLAN
AREA: 1018M² (10,958 SQ.FT)

UNITS > 50M²: 1 UNITS
UNITS ≤ 50M²: 17 UNITS
TOTAL: 18 UNITS

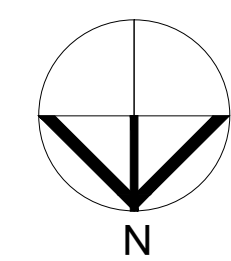
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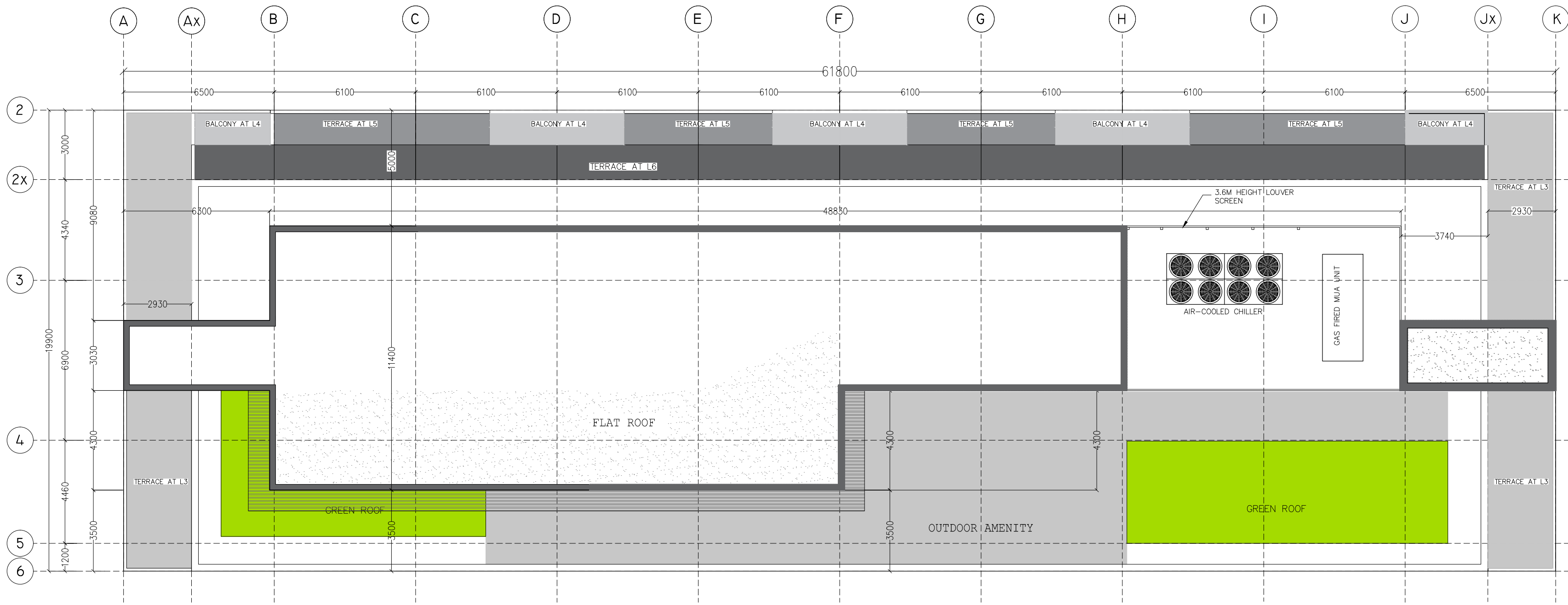
Section

6 Storey Condominium
415 Main St. West
Hamilton

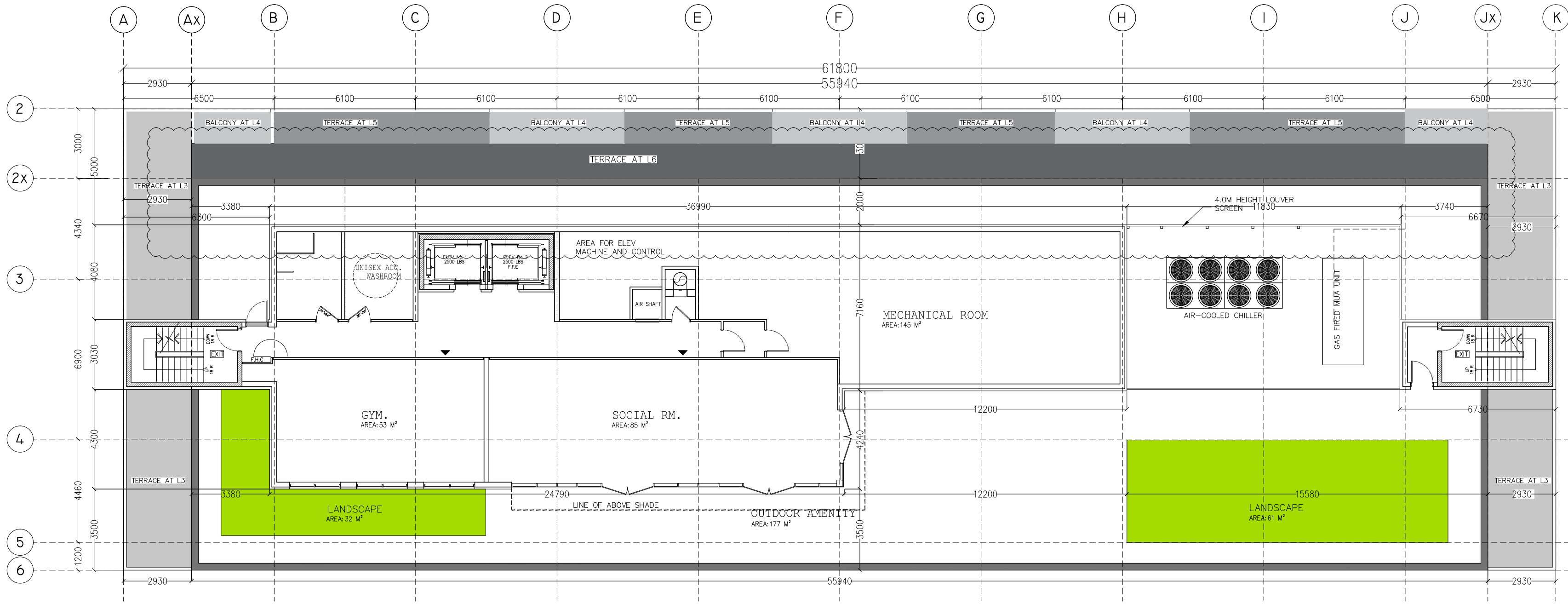
Project: _____
Scale: 1:150
Drawn by: A.G.
Checked by: S.K.
Project No.: 20205
Date: Jan 2020



Drawing No.: **A204**



ROOF PLAN



MECHANICAL PENTHOUSE
AREA: 390M² (4,198 SQ.FT)

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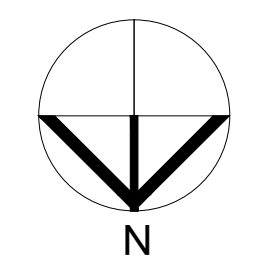
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Penthouse & Roof Plan

6 Storey Condominium
415 Main St. West
Hamilton

Project: 1:150 Scale:
A.G Drawn by:
S.K Checked by:
20205 Project No.:
Jan 2020 Date:
Drawing No.: **A205**



EXTERIOR MATERIAL FINISH SCHEDULE:

- 1 BRICK
COLOUR: CHARCOAL GRAY
- 2 ALUM. WINDOW WALL
COLOUR: BLACK FRAME
- 3 CLEAR GLASS RAILING
- 3.1 OPAQUE GLASS RAILING AT RAER
- 4 EIFS
COLOUR: WHITE
- 5 PRE-FIN. ALUM/MTEAL SLAB EDGE COVER
COLOUR: WHITE
- 6 600MM H. PRE-FIN. ALUM/META RAILING
COLOUR: WHITE
- 7 ALUM. SHADE
COLOUR: TO MATCH WINDOW FRAMES
- 8 1.1M PRE-FIN. ALUM/METAL SEMI PRIVACY PANEL
- 9 ALUM. FINIS
COLOUR: TO MATCH WINDOW FRAMES

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A**

KIRSHENBLATT URBAN
ARCHITECTURE
20 De Boers Dr. Suite 516
Toronto, ON M3J 0H1



FRONT/NORTH ELEVATION

No.: Revision: Date:

8	Revised per Issued for C.O.A	Jan 27 21
7	Revised per Planning comments	Dec 21 20
6	Issued for C.O.A	Oct 28, 20
5	Revised & Issued for SPA & Zoning	Oct 14, 20
4	Issued for discussion	July 1, 20
3	Issued for S.P.A	April 20, 20
2	Issued for DRP	Feb 10, 20
1	Issued for Coordination	Jan 30, 20

No. Issued For: Date:

Drawing Title:

Elevation

**6 Storey Condominium
415 Main St. West
Hamilton**

Project:

Scale: 1:150

Drawn by:

A.G

Checked by:

S.K

Project No.:

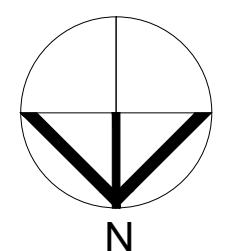
20205

Date:

Jan 2020

Drawing No.:

A401



EXTERIOR MATERIAL FINISH SCHEDULE:

- 1 BRICK
COLOUR: CHARCOAL GRAY
- 2 ALUM. WINDOW WALL
COLOUR: BLACK FRAME
- 3 CLEAR GLASS RAILING
- 3.1 OPAQUE GLASS RAILING AT RAER
- 4 EIFS
COLOUR: WHITE
- 5 PRE-FIN. ALUM/MTEAL SLAB EDGE COVER
COLOUR: WHITE
- 6 600MM H. PRE-FIN. ALUM/META RAILING
COLOUR: WHITE
- 7 ALUM. SHADE
COLOUR: TO MATCH WINDOW FRAMES
- 8 1.1M PRE-FIN. ALUM/METAL SEMI PRIVACY PANEL
- 9 ALUM. FINIS
COLOUR: TO MATCH WINDOW FRAMES

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ARCHITECTURE
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Toronto, ON M3J 0H1



REAR/SOUTH ELEVATION

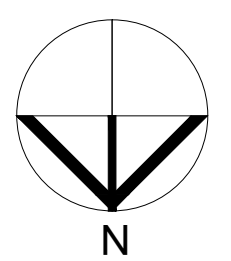
No.	Revision:	Date:
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8	Revised per Issued for C.O.A	Jan 27 21
7	Revised per Planning comments	Dec 21 20
6	Issued for C.O.A	Oct 28, 20
5	Revised & Issued for SPA & Zoning	Oct 14, 20
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3	Issued for S.P.A	April 20, 20
2	Issued for DRP	Feb 10, 20
1	Issued for Coordination	Jan 30, 20

No.	Issued For:	Date:
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Elevation
6 Storey Condominium
415 Main St. West
Hamilton

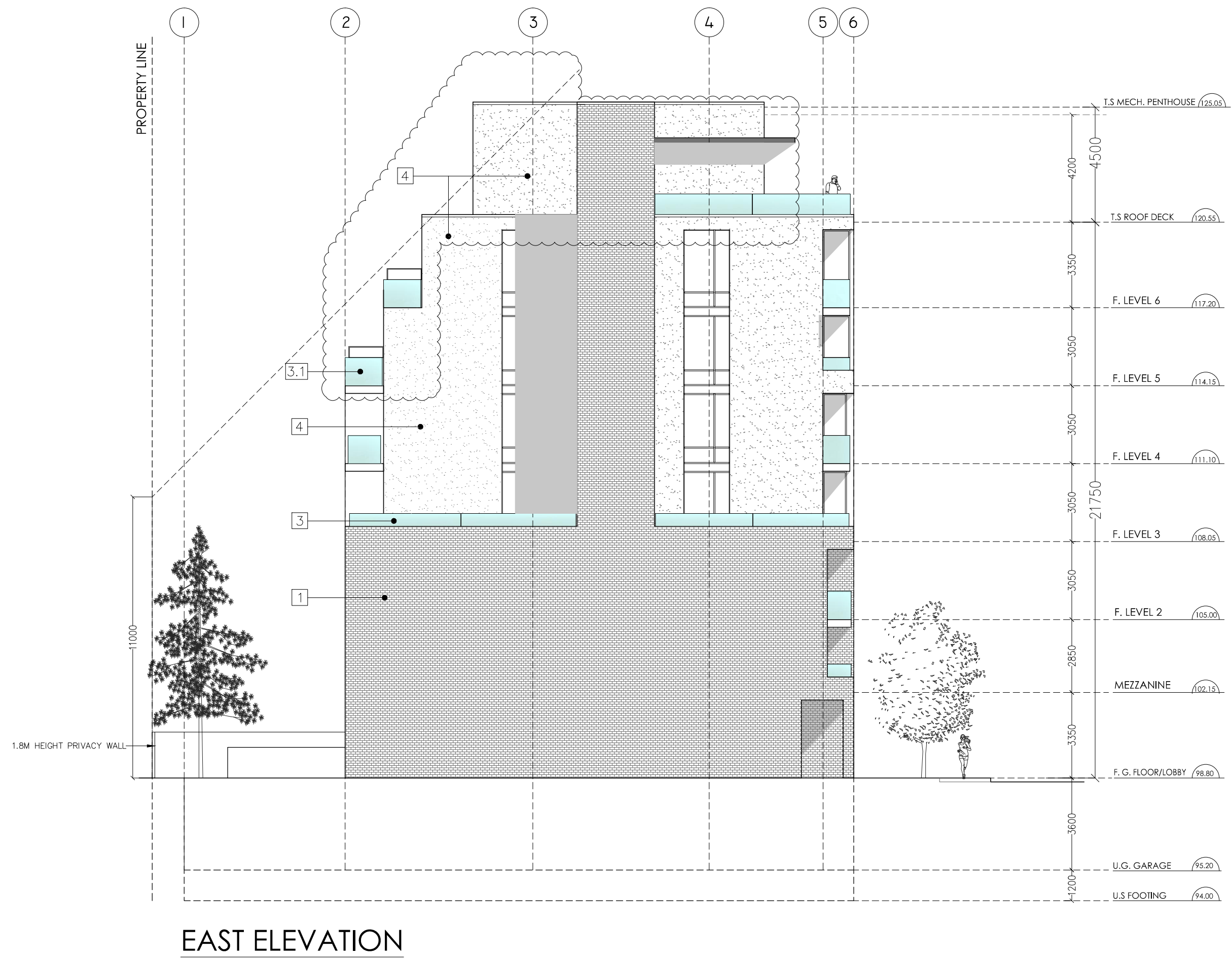
Scale:	Project:
1:150	415 Main St. West
Drawn by:	A.G
Checked by:	S.K
Project No.:	20205
Date:	Jan 2020
Drawing No.:	A403



A403

EXTERIOR MATERIAL FINISH SCHEDULE:

- 1 BRICK
COLOUR: CHARCOAL GRAY
- 2 ALUM. WINDOW WALL
COLOUR: BLACK FRAME
- 3 CLEAR GLASS RAILING
- 3.1 OPAQUE GLASS RAILING AT RAER
- 4 EIFS
COLOUR: WHITE
- 5 PRE-FIN. ALUM./MTEAL SLAB EDGE COVER
COLOUR: WHITE
- 6 600MM H. PRE-FIN. ALUM./META RAILING
COLOUR: WHITE
- 7 ALUM. SHADE
COLOUR: TO MATCH WINDOW FRAMES
- 8 1.1M PRE-FIN. ALUM./METAL SEMI PRIVACY PANEL
- 9 ALUM. FINS
COLOUR: TO MATCH WINDOW FRAMES



EAST ELEVATION

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ARCHITECTURE
20 De Boers Dr., Suite 516
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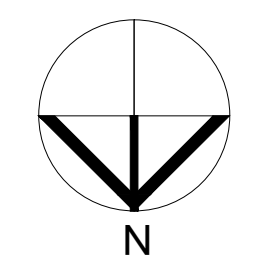
No.:	Revision:	Date:
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8	Revised per Issued for C.O.A	Jan 27 21
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1	Issued for Coordination	Jan 30, 20

No.	Issued For:	Date:
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Drawing Title:
Elevation
6 Storey Condominium
415 Main St. West
HAMILTON

Project:
Scale: 1:150
Drawn by: A.G.
Checked by: S.K.
Project No.: 20205
Date: Jan 2020



Date: Jan 2020
Drawing No.: **A403**

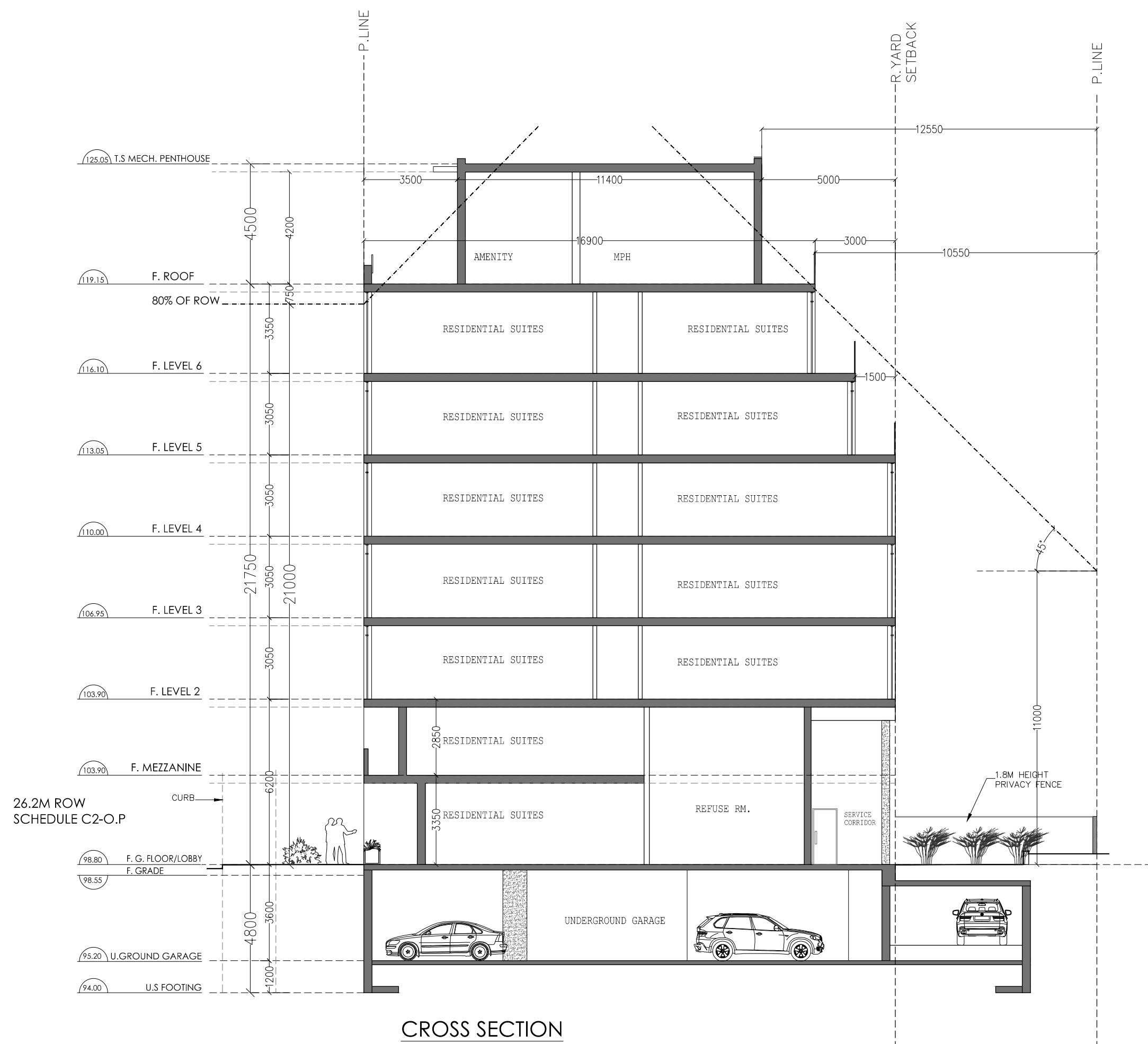
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ARCHITECTURE
20 De Boers Dr., Suite 516
Toronto, ON M3J 0H1



No.:	Revision:	Date:
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No.	Issued For:	Date:
Drawing Title:		

Section

**6 Storey Condominium
415 Main St. West
Hamilton**

Project:

Scale: 1:150

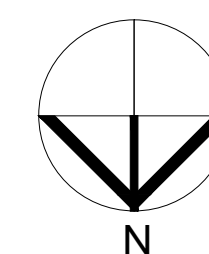
Drawn by: A.G

Checked by: S.K

Project No.: 20205

Date: Jan 2020

Drawing No.:



A451