

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-21:403

APPLICANTS: Agent WEBB Planning
Owner Urban Core Inc.

SUBJECT PROPERTY: Municipal address **165 James St. S., Hamilton**

ZONING BY-LAW: Zoning By-law 6593, as Amended 18-114

ZONING: “D2” (Downtown Mixed Use – Pedestrian Focus) district

PROPOSAL: To permit the construction of two mixed use buildings; one fronting onto James Street South (Building 2) and one at the corner of Augusta Street and Hughson Street South (Building 3) notwithstanding that;

1. Notwithstanding Regulation 5.2.b (ii) & (iii) – Design Standards, the minimum dimensions of required parking spaces shall be 2.8 m in width and 5.8 m in length; and

2. To permit no step back for any portion of the building exceeding 22.0 m in height from a side or rear lot line whereas the By-Law requires a minimum 3.0 m step back for any portion of a building exceeding 22.0 m in height from a side or rear lot line; and

3. To permit no step back above 16.0 metres in height for any portion of the building along James Street South whereas a 3.0 metre step back is required; and, 4. To permit a reduction to the minimum number of short-term bicycle parking spaces from 10 spaces to 0 spaces on site. Notes: Variances have been written exactly as requested by the applicant. This property is subject to Site Plan Control application DA-21-121; to date, no formal request for comments has been submitted and a full zoning review has not been conducted for the proposed development. Further variances may be required at such time that a formal zoning review is conducted on the proposed development.

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

DATE: Thursday, December 9th, 2021
TIME: 3:00 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: November 23rd, 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.

JAMES STREET SOUTH



SKETCH SHOWING EXISTING CONDITIONS OVER
14-18 AUGUSTA STREET
AND
169 JAMES STREET SOUTH
IN THE
CITY OF HAMILTON

AUGUSTA STREET

HUGSON STREET SOUTH

LINTACK ARCHITECTS
INCORPORATED

244 JAMES STREET SOUTH, HAMILTON, ONTARIO, L8P 3B3
T: 905.522.6165 • F: 905.522.6166 • E: info@lintack.com
www.lintack.com

FOR SITE PLAN APPROVAL
ONTARIO ASSOCIATION
OF ARCHITECTS
Richard F. Lintack
LICENCE
4148

This drawing must not be scaled.
General Contractor shall verify all
dimensions, columns and levels prior
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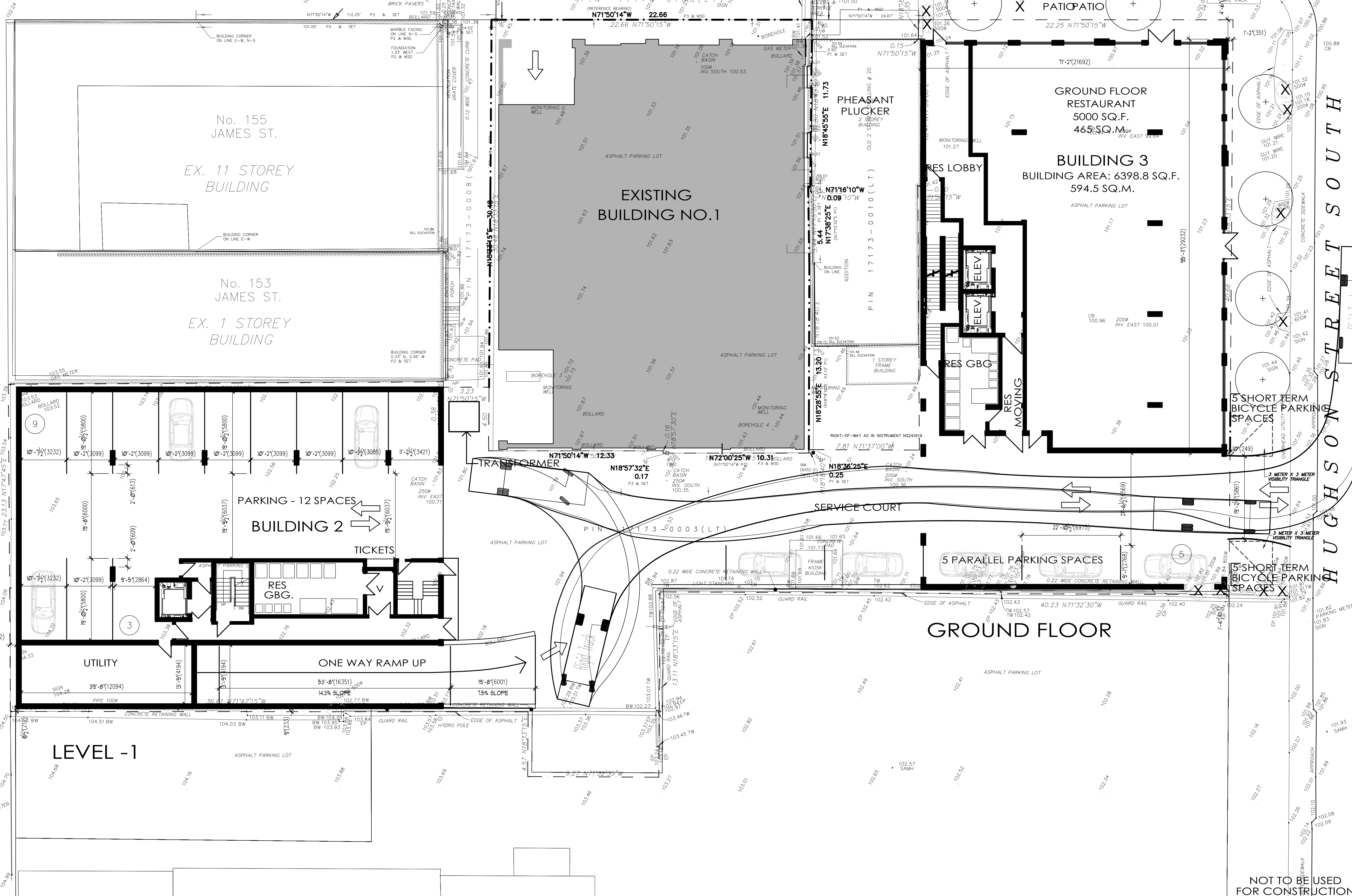
No.	Revisions	Date
2.0	ISSUED FOR MINOR VARIANCE	NOV 4 2024
1.0	ISSUED FOR SPA	NOV 12 2021
No.	Issue	Date

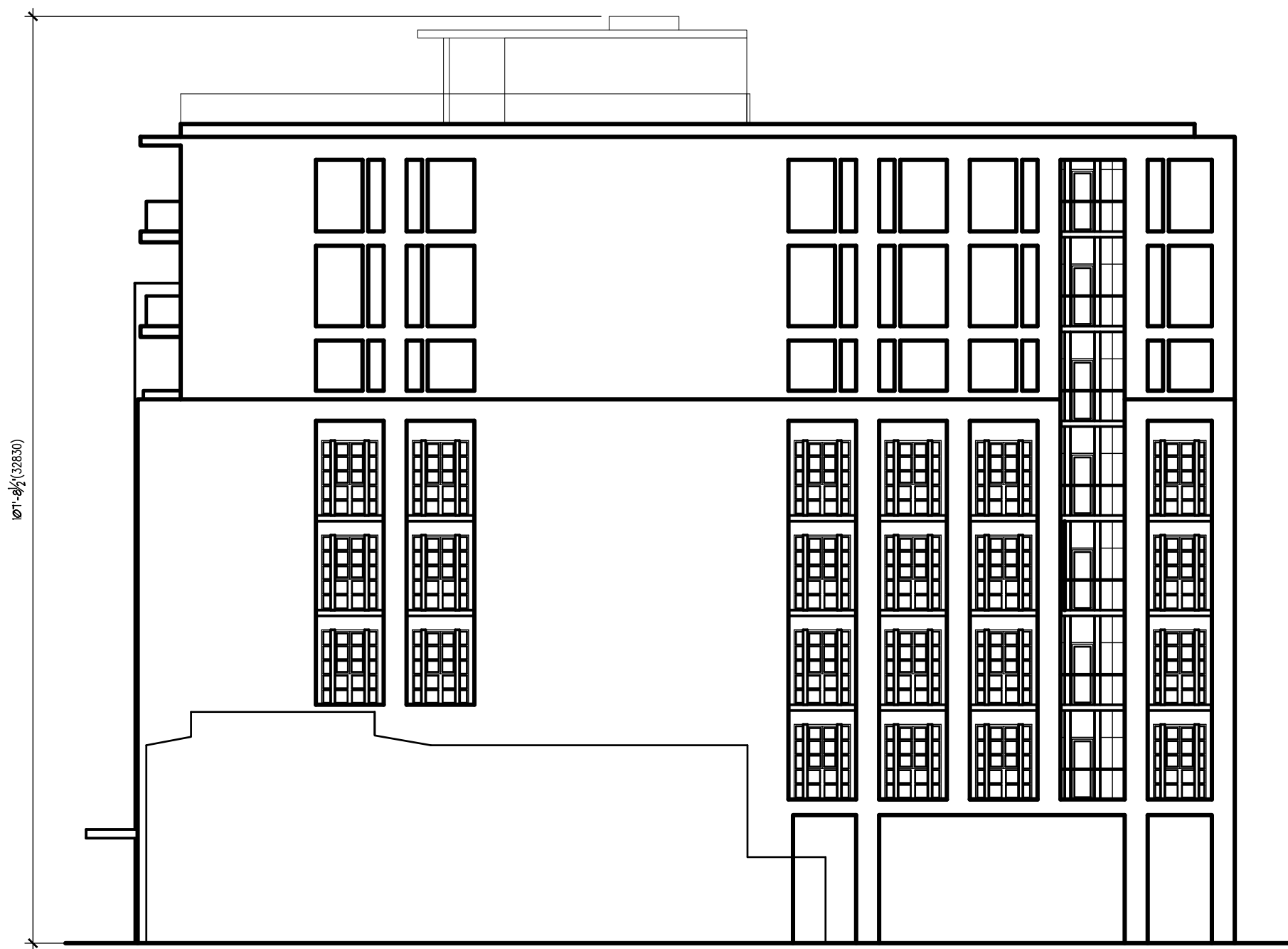
PROPOSED DEVELOPMENT:
AUGUSTA BLOCK
CORE URBAN INC.
165 JAMES STREET SOUTH
HAMILTON, ONTARIO

job no. 21.002
dwg. file A1.1_SITE...
dwn. by
scale AS NOTED
date
dwg. title FLOOR/SITE PLAN

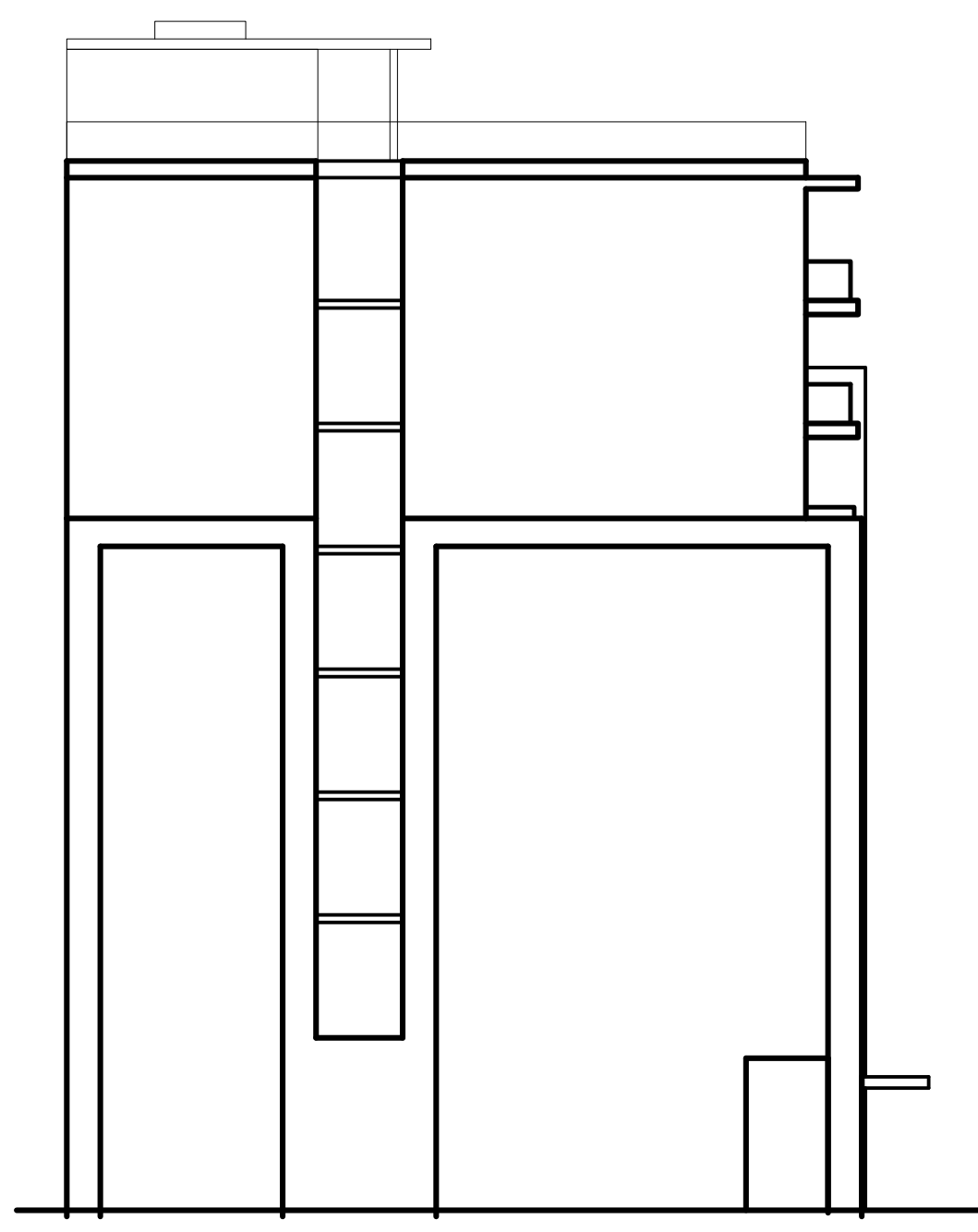
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NOT TO BE USED
FOR CONSTRUCTION

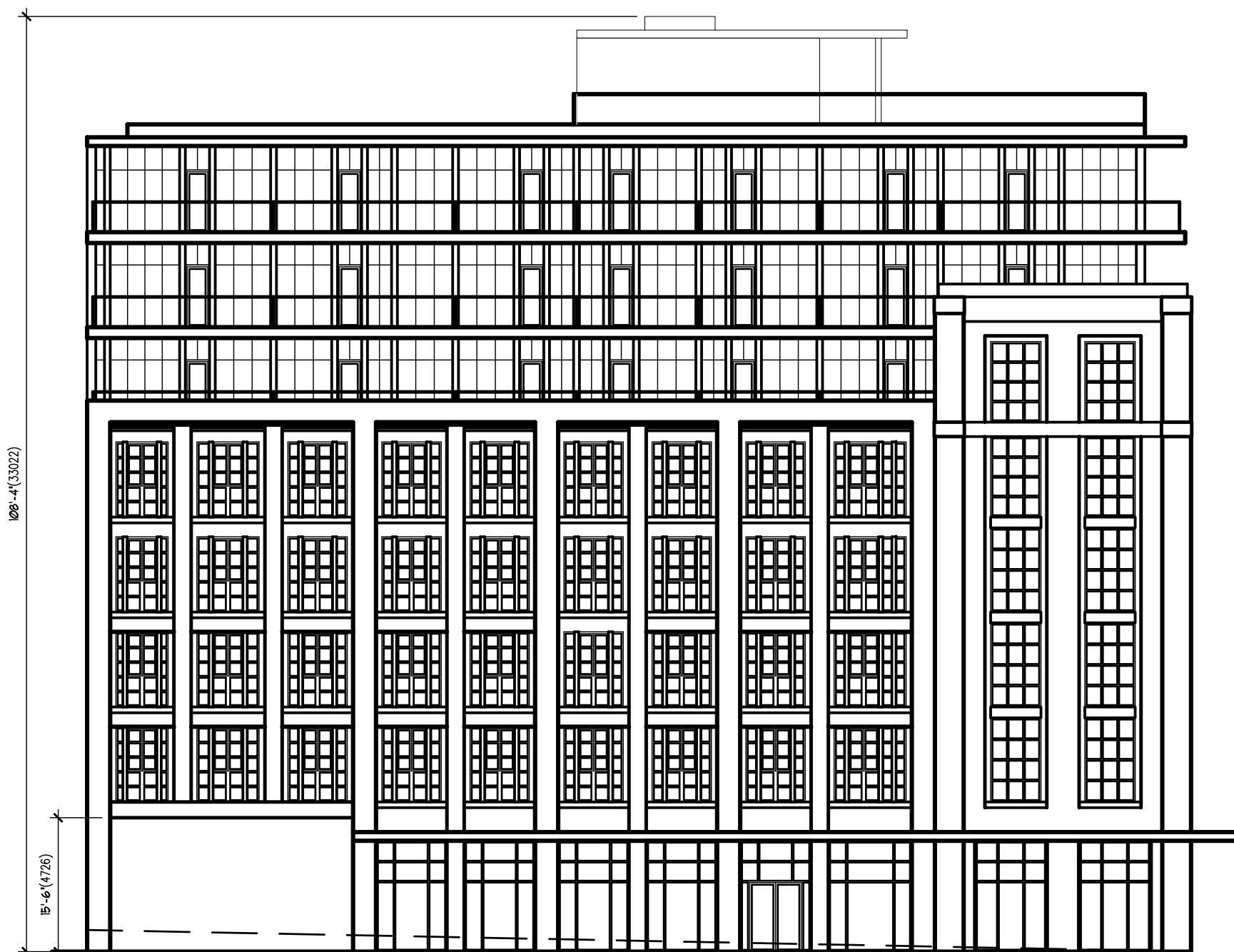




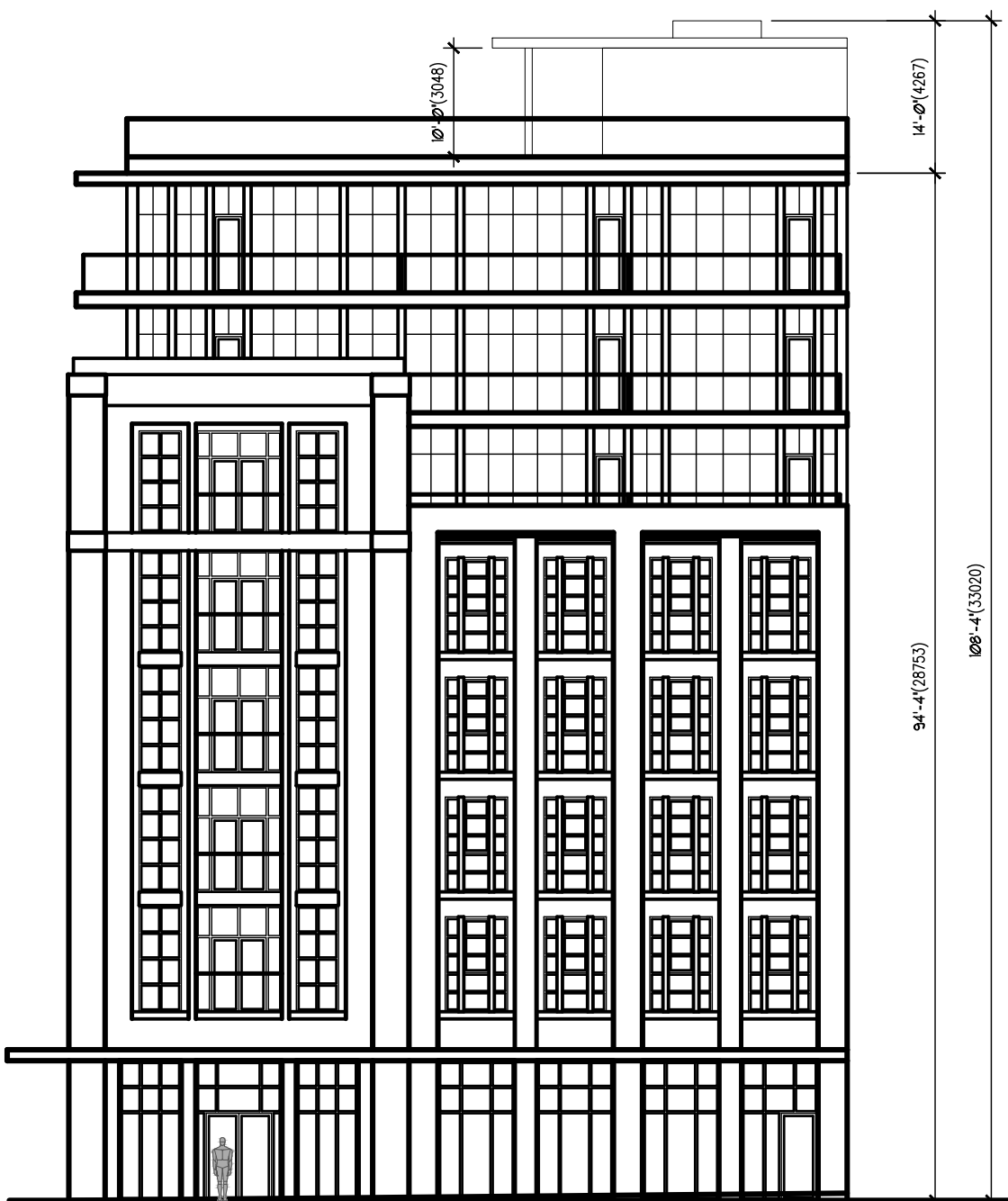
WEST ELEVATION - BUILDING NO.3



SOUTH ELEVATION - BUILDING NO.3

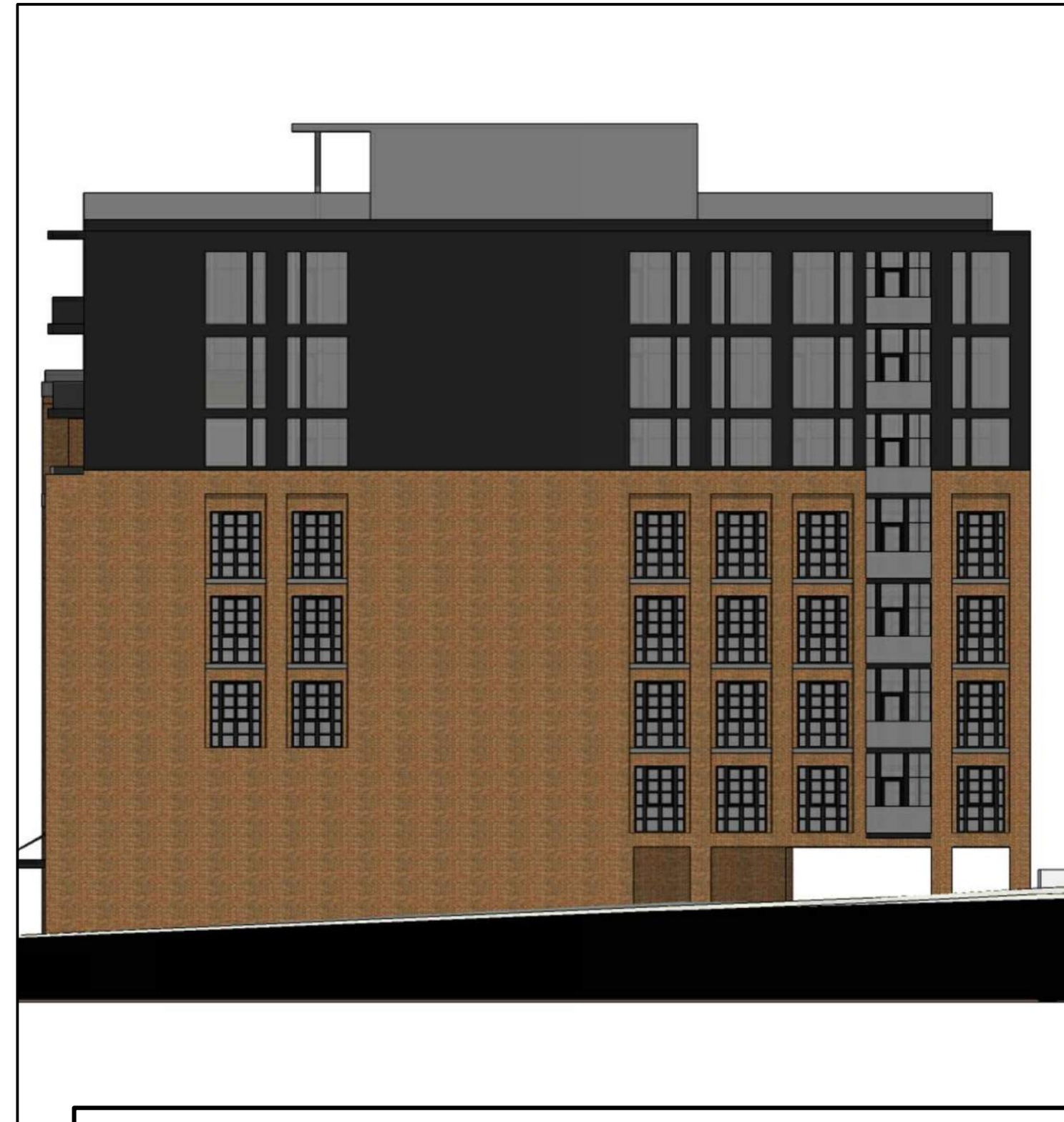


EAST ELEVATION - BUILDING NO.3

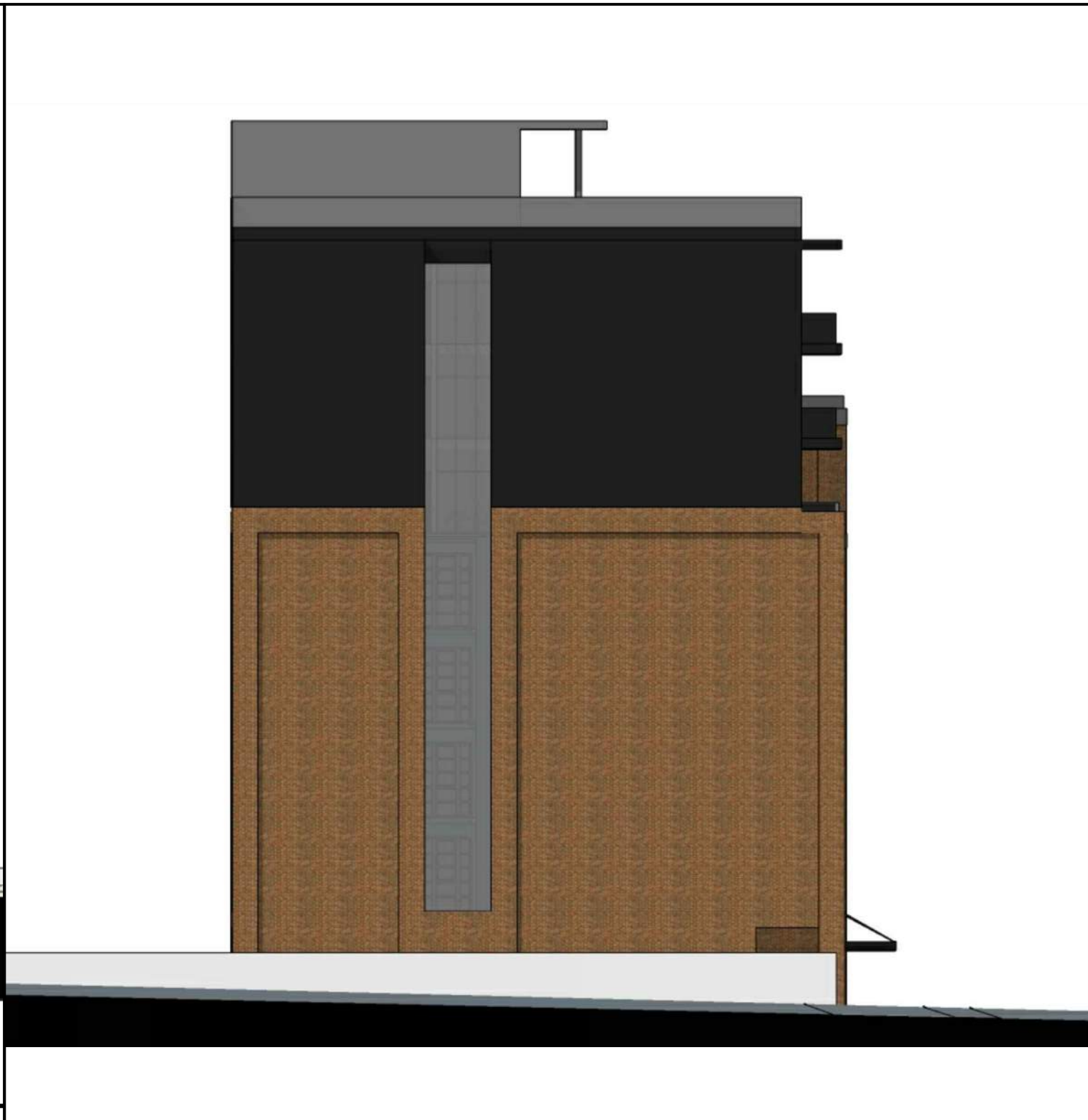


NORTH ELEVATION - BUILDING NO.3

1
A5.2 ELEVATION OF BUILDING 3
NTS



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION

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LINTACK ARCHITECTS
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FOR SITE PLAN
APPROVAL
ONTARIO ASSOCIATION
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No.	Revisions	Date
1.0	MINOR VARIANCE	SEP 30 2020
2.0	ISSUED FOR MINOR VARIANCE	NOV 4 2021
1.0	ISSUED FOR SPA	AUG 12 2021
No.	Issue	Date

PROPOSED DEVELOPMENT:
CORE URBAN INC.
AUGUSTA BLOCK
HAMILTON, ONTARIO

job no.	21.002
dwg. file	A1.1_SITE...
dwn. by	
scale	AS NOTED
date	
dwg. title	BUILDING 2 ELEVATIONS
dwg.	A4.2

104.34

MECHANICAL

8

7

6

5

4

3

2

1

~~(451)~~

1

75%
6m
19'-9"(6020)

PARKING

101.64

HUGHSON STREET

NOT TO BE USED
FOR CONSTRUCTION

UNCORROAI
244 JAMES STREET SOUTH, HAMILTON, ONTARIO, L8P 3B3
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www.lintack.com

ARCHITECTS
 OF
 RICHARD F. LINTACK
 LICENCE
 4148

Revisions	Date
FOR VARIANCE	OCT, 30 2020

SUED FOR MINOR VIOLANCE	NOV 4 2021
SUED FOR SPA	JULY, 01 2020

Due	Date
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ALLIATA BLOCK
CORE URBAN INC.

COASTAL BLOCK
HAMILTON, ONTARIO

SECTION

A3.1

T-3204B

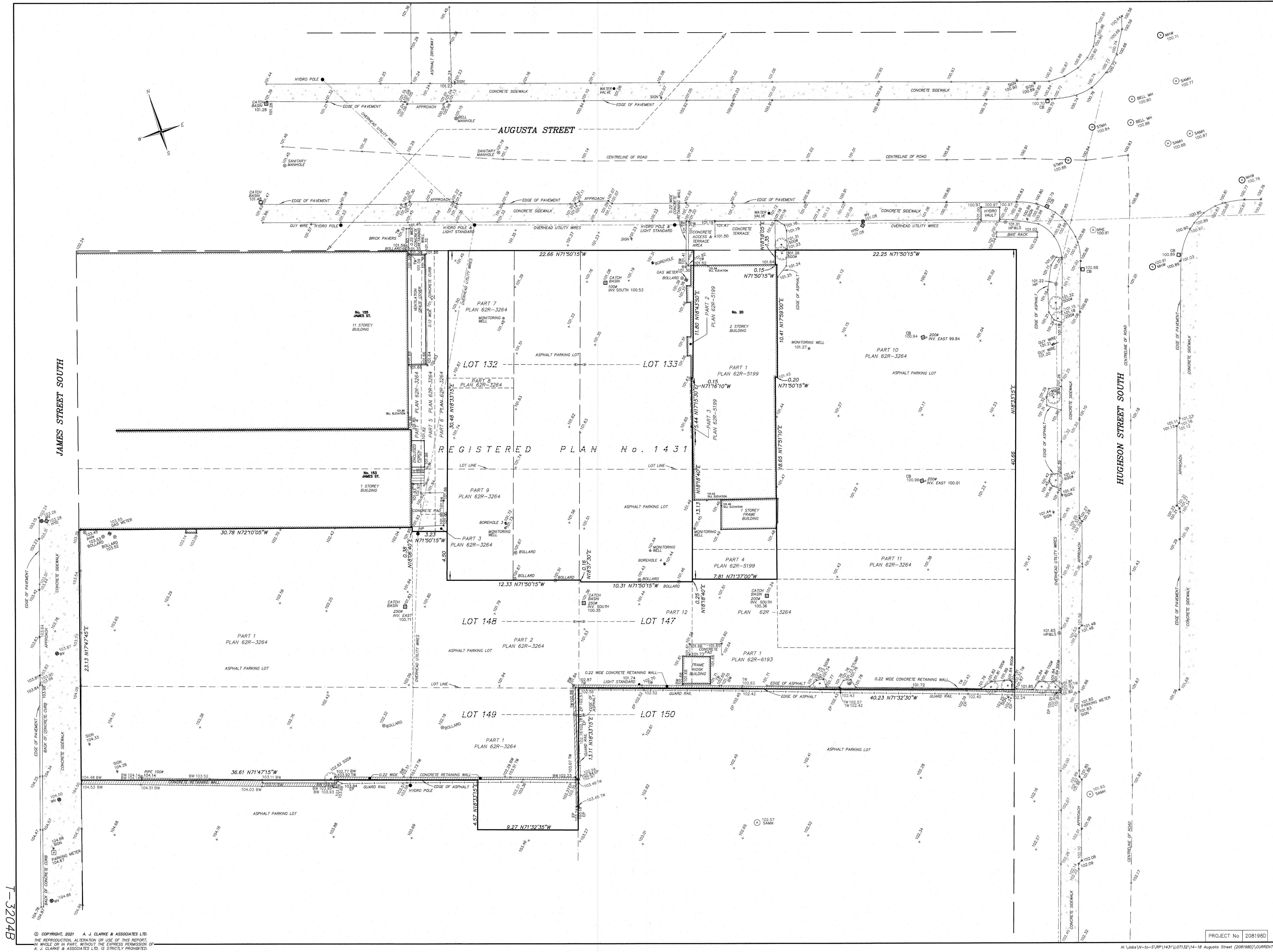
T-3204B

SKETCH SHOWING EXISTING CONDITIONS OVER
14-18 AUGUSTA STREET
AND
169 JAMES STREET SOUTH
IN THE
CITY OF HAMILTON
SCALE 1:150

0 5 10 metres

Caution:
This is not a plan of survey and
shall not be used except for the
purpose indicated in the title block.

ABOVE NOTED LANDS ARE COMPRISED OF
PART OF LOTS 132, 133, 147, 148 & 149
REGISTERED PLAN No. 1431



LEGEND:

- 200.10 DENOTES EXISTING GROUND ELEVATION
- 250W DENOTES DIAMETER (mm)
- INV. DENOTES INVERT
- LS DENOTES TOP OF WALL
- TS DENOTES TOP OF WALL
- HP DENOTES HYDRO POLE
- WV DENOTES WATER VALVE
- CB DENOTES CATCH BASIN
- MANH DENOTES MANHOLE (ELECTRICAL)
- MANH DENOTES MANHOLE (WATER)
- SMH DENOTES SANITARY MANHOLE
- STMH DENOTES STORM MANHOLE
- HYD DENOTES HYDRANT
- EP DENOTES EDGE ON PAVEMENT
- 400W DENOTES DECIDUOUS TREE

BENCH MARK
CITY OF HAMILTON
MONUMENT No. 07720100049
RIB WITH BRASS CAP LOCATED AT THE EAST SIDE OF BAY FRONT PARK,
~50m WEST OF THE CENTRELINE OF BAY STREET NORTH AND ~20m
SOUTHWEST OF THE CENTRELINE OF HARBOUR FRONT DRIVE.
ELEVATION = 85.22m

NOTE:
THE ELEVATIONS SHOWN ON THIS PLAN
WERE OBTAINED BY ACTUAL FIELD SURVEY BY
A. J. CLARKE & ASSOCIATES LTD. DECEMBER 4, 2020 AND JANUARY 18, 2021
THE BOUNDARIES SHOWN ON THIS SKETCH ARE COMPILED
FROM PLAN 62R-3264 AND PLAN 62R-5199

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

FEBRUARY 5, 2021
DATE

PROFESSIONAL SEAL:
N. P. MUTH
REGISTERED PROFESSIONAL SURVEYOR
ONTARIO 40980

A. J. Clarke and Associates Ltd.
SURVEYORS • PLANNERS • ENGINEERS
25 MAIN STREET WEST, SUITE 300
HAMILTON, ONTARIO, L8P 1H1
TEL. 905-528-8761 FAX 905-528-2289
email: ajc@ajclarke.com

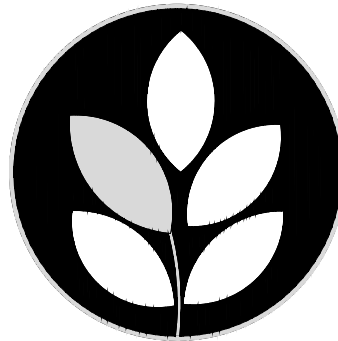
PROJECT No. 2081980

H:\Jobs\W-16-S\RP\1431\LOT132\14-18 Augusta Street (2081980)\CURRENT\T-3204B.dwg

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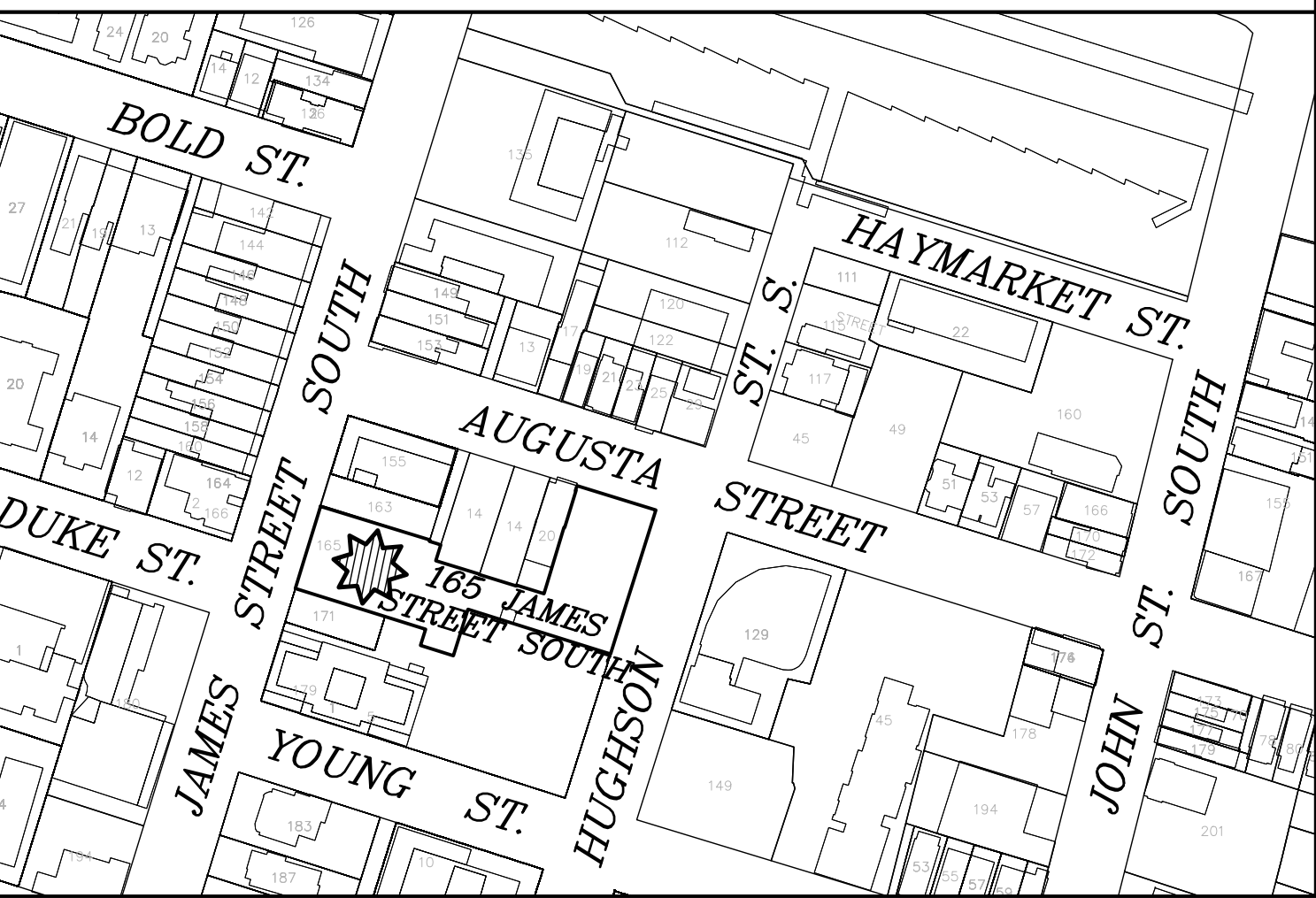
AUGUSTA BLOCK
HAMILTON, ONTARIO
PROJECT No. 21.001

ARCHITECT:
LINTACK ARCHITECTS INC.
244 JAMES STREET SOUTH, HAMILTON, ON, L8P 3B3
PHONE: 905.522.6165 FAX: 905.522.2209



Core Urban Inc.

LOCATION PLAN NTS



LEGAL DESCRIPTION: SKETCH SHOWING EXISTING CONDITIONS OVER
14-18 AUGUSTA STREET
169 JAMES STREET SOUTH
IN THE
CITY OF HAMILTON
**INFORMATION TAKEN FROM SURVEY PREPARED BY:
A.J. CLARKE AND ASSOCIATES LTD.

SITE STATISTICS

EXISTING ZONING: "D2" DOWNTOWN MIXED USE - PEDESTRIAN FOCUS

SITE STATISTICS	AREA (SQ.M.)
SITE AREA -165 JAMES STREET SOUTH	2130 SQ.M.
BUILDING COVERAGE: (669.1 + 594.5)	1263.6 SQ.M. (59%)
HARDSCAPE AREA PROPOSED:	- SQ.M. (-%)
LOT WIDTH: (JAMES STREET)	23.13 METERS

BUILDING 2 - STATISTICS	
BUILDING AREA:	669 SQ.M.
GROSS FLOOR AREA	4950 SQ.M.
BUILDING HEIGHT:	32m (9 STOREYS)
MAXIMUM BUILDING HEIGHT:	44 METERS

BUILDING 3 - STATISTICS	
BUILDING AREA:	594.5 SQ.M.
GROSS FLOOR AREA	6344.1 SQ.M.
BUILDING HEIGHT:	32m (8 STOREYS)
MAXIMUM BUILDING HEIGHT:	44 METERS

BUILDING FORM:		PROVIDED	REQUIRED
MIN. WIDTH OF GROUND FLR. FACADE:		- %	- %
SUITES	NO. OF UNITS	PERSONS PER:	POPULATION:
1 BED	-	2	52
2 BEDROOMS	-	4	56
TOTAL:	-		108

YARD SETBACKS:		PROVIDED	REQUIRED
MIN. FRONT YARD (WEST)		0.47 METERS	0
MIN. SIDE YARD (NORTH)		0.6 METERS	0
MIN. SIDE YARD (SOUTH)		0.2 METERS	0
MIN. REAR YARD (EAST)		0.2 METERS	0

PARKING	RATIO	PROVIDED	REQUIRED
RESIDENTIAL		57	56
- NUMBER OF WHICH ARE BARRIER FREE			
COMMERCIAL	359 SQ.M. (<450 SQ.M.)	0	0
OTHER	RATIO	PROVIDED	REQUIRED
LOADING	-	0	0
BICYCLE SHORT	RES. USE SECTION 5	10	10
BICYCLE LONG	0.5 PER DWELLING UNIT	63	63

UNDERTAKING FILE No. DA-21-000

- I, (WE) _____ THE OWNER(S) 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 _____;
- (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 _____ 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) THAT THE OWNER AGREES TO AFFIX THE MUNICIPAL NUMBER (1160) OR FULL ADDRESS (1160 MAIN STREET EAST) TO THE BUILDING OR ON A SIGN, THAT IS VISIBLE FROM THE STREET.
- (f) THAT THE OWNER PROVIDE A CENTRALIZED MAIL FACILITY (FRONT LOADING LOCK BOX ASSEMBLY) AT THEIR OWN EXPENSE.
- (g) 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 TOURISM, CULTURE AND SPORT (MTCOS) SHOULD BE NOTIFIED IMMEDIATELY (416.314.7134). 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).
- (h) THAT THE OWNER INCLUDE THE FOLLOW WARNING CLAUSE ON TITLE AND IN ALL OFFERS AND AGREEMENTS OF PURCHASE AND SALE OR LEASE OF ALL RESIDENTIAL UNITS:
- "THIS DWELLING UNIT HAS BEEN SUPPLIED WITH A CENTRAL AIR CONDITIONING SYSTEM WHICH WILL ALLOW WINDOWS AND EXTERIOR DOORS TO REMAIN CLOSED, THEREBY ENSURING INDOOR SOUND LEVELS ARE WITHIN THE MUNICIPALITY'S AND THE MINISTRY OF THE ENVIRONMENT CONSERVATION AND PARKS NOISE CRITERIA.
- (i) THAT THE OWNER AGREE TO INCLUDE THE FOLLOWING NOISE MITIGATION MEASURES FOR THE PROPOSED DEVELOPMENT:
- i. NORTH AND SOUTH BUILDING FACADES (WALLS, WINDOWS, DOORS, ETC.) SHALL HAVE A MINIMUM ATTENUATION OF STC 32 FOR ALL BEDROOMS AND LIVING ROOMS.
- ii. THAT ALL UNITS BE SUPPLIED WITH A CENTRAL AIR CONDITIONING SYSTEM TO ALLOW WINDOWS AND EXTERIOR DOORS TO REMAIN CLOSED.
- iii. THAT PRIOR TO ISSUANCE OF A BUILDING PERMIT, A QUALIFIED ACOUSTICAL CONSULTANT SHALL CERTIFY THAT THE REQUIRED NOISE CONTROL MEASURES HAVE BEEN INCORPORATED INTO THE BUILDER'S PLANS.
- iv. THAT PRIOR TO OCCUPANCY, A QUALIFIED ACOUSTICAL CONSULTANT SHALL CERTIFY THAT THE REQUIRED NOISE CONTROL MEASURES HAVE BEEN PROPERLY INSTALLED.

DATED THIS _____ DAY OF _____ 20____ (SEAL)

WITNESS (SIGNATURE) _____ OWNER(S) (SIGNATURE) _____

WITNESS (PRINT) _____ OWNER (PRINT) _____

ADDRESS OF WITNESS _____

NOTES ON SITE PLAN:

- ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR OF PLANNING AND CHIEF PLANNER, 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 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
 - COMMITTEE OF ADJUSTMENT (IF REQUIRED)
- ABANDONED ACCESSSES MUST BE REMOVED AND THE CURB AND BOULEVARD RESTORED WITH SOD AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE CORRIDOR MANAGEMENT SECTION, PUBLIC WORKS DEPARTMENT.
- FOR VISIBILITY TRIANGLES AT THE VEHICULAR ACCESS POINTS, THE FOLLOWING NOTE TO BE PROVIDED:
"3.0m METRE BY 3.0m 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 CENTRELINE ELEVATION OF THE ADJACENT STREET."
- ALL SIGNS MUST COMPLY WITH SIGN BY-LAW NO. 10-197.
- THIS PROPERTY IS ELIGIBLE FOR WEEKLY COLLECTION OF GARBAGE, ORGANICS, RECYCLABLE MATERIAL, & LEAF AND YARD WASTE THROUGH THE CITY OF HAMILTON SUBJECT TO COMPLIANCE WITH SPECIFICATIONS INDICATED BY THE WASTE MANAGEMENT DIVISION. RECYCLING IS MANDATORY.
- SIGNAGE SHALL BE IN ACCORDANCE WITH THE CITY OF HAMILTON SIGN BY-LAW.
- A MINIMUM OF 1.2M SEPARATION MUST BE PROVIDED WITHIN THE CITY'S ROAD ALLOWANCE AREA BETWEEN DRIVEWAYS, A FENCE AND ANY POLE, UTILITY, FIRE HYDRANT, TREE, SIGN, ETC. ANY COSTS FOR TRAFFIC SIGN OR UTILITY RELOCATION ARE THE SOLE RESPONSIBILITY OF THE APPLICANT/OWNER.
- ROOFTOP EQUIPMENT SHALL BE SCREENED IN ACCORDANCE WITH ZONING BYLAW 05-200 SECTION 11.1.3 g) i).
- NO OUTDOOR DISPLAYS FOR RETAIL PURPOSES SHALL BE ALLOWED AS PER ZONING BYLAW 05-200 SECTION 11.1.3 j).
- NO MECHANICAL EQUIPMENT SHALL BE LOCATED IN THE REQUIRED FRONT YARD AS PER ZONING BYLAW 05-200 SECTION 4.9 a).

NOT TO BE USED
FOR CONSTRUCTION

<u>BUILDING 1</u>		<u>BUILDING 2</u>		<u>BUILDING 3</u>	
COMMERCIAL	359 SM	COMM/OFFICE	400 SM	COMMERCIAL	465 SM
RES UNITS		RES UNITS		RES UNITS	
SECOND	8	2ND - 8TH	8 ea	2ND - 8TH	10 ea
3RD - 6TH	8 ea	TOTAL	56	TOTAL	70
TOTAL	40				
PARKING		<u>PARKING</u>		<u>PARKING</u>	
RES UNDERGROUND	16	TOTAL	31	TOTAL	26
TOTAL	16				

BUILDING 2 &3 TOTALS: 126 UNITS
865 SM COMMERCIAL
57 PARKING SPACES

LINTACK ARCHITECTS

INCORPORATED
244 JAMES STREET SOUTH, HAMILTON, ONTARIO, L8P 3B3
T: 905.522.6165 • F: 905.522.2209 • E: info@lntack.com
www.lntack.com

FOR SITE PLAN
APPROVAL



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2.0	ISSUED FOR MINOR VARIANCE	NOV 4 2021
1.0	ISSUED FOR SPA	AUG 12 2021
No.	Issue	Date

PROPOSED DEVELOPMENT:
AUGUSTA BLOCK
CORE URBAN INC.
165 JAMES STREET SOUTH
HAMILTON, ONTARIO

job no. 21.002

dwg. file A1.1_SITE...

dwn. by

scale AS NOTED

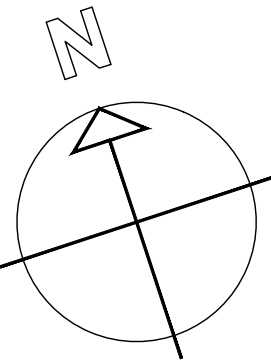
date

dwg. title

STATISTICS

dwg. A1.1

JAMES STREET SOUTH



SKETCH SHOWING EXISTING CONDITIONS OVER
14-18 AUGUSTA STREET
AND
169 JAMES STREET SOUTH
IN THE
CITY OF HAMILTON

AUGUSTA STREET

HUGHSON STREET SOUTH

LINTACK ARCHITECTS

INCORPORATED

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FOR SITE PLAN APPROVAL



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1.0	ISSUED FOR SPA	NOV 09 2021
No.	Issue	Date

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**AUGUST BLOCK
CORE URBAN INC.**
AUGUSTA BLOCK
HAMILTON, ONTARIO

job no. 21.002

dwg. file A1.1_SITE...

dwn. by

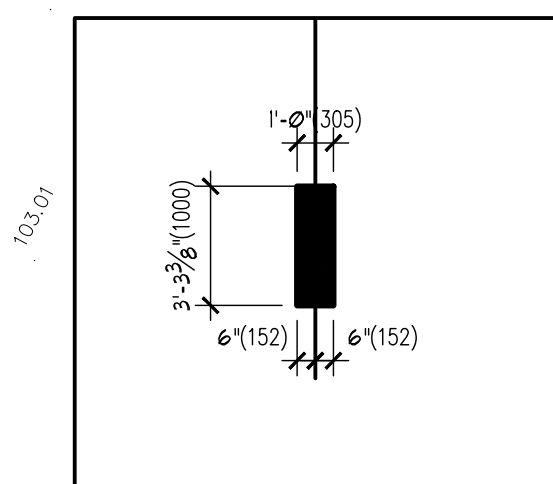
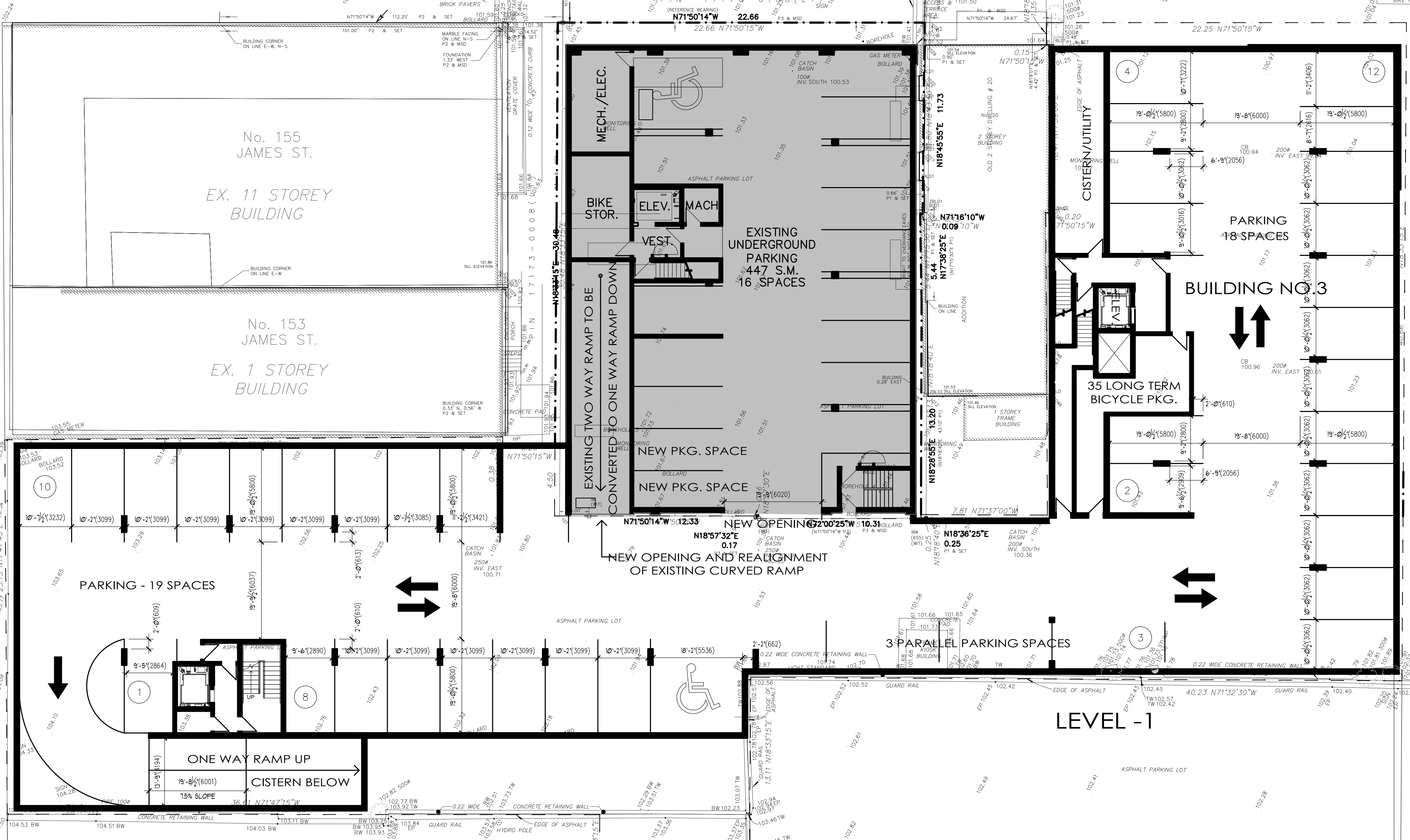
scale AS NOTED

date

dwg. title

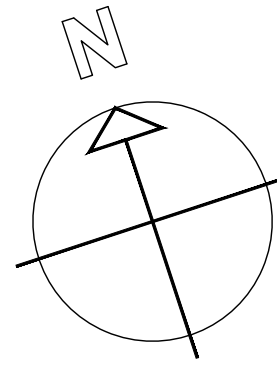
UNDERGROUND PARKING

dwg. A2.2



TYP. PARKING COLUMN

NOT TO BE USED
FOR CONSTRUCTION

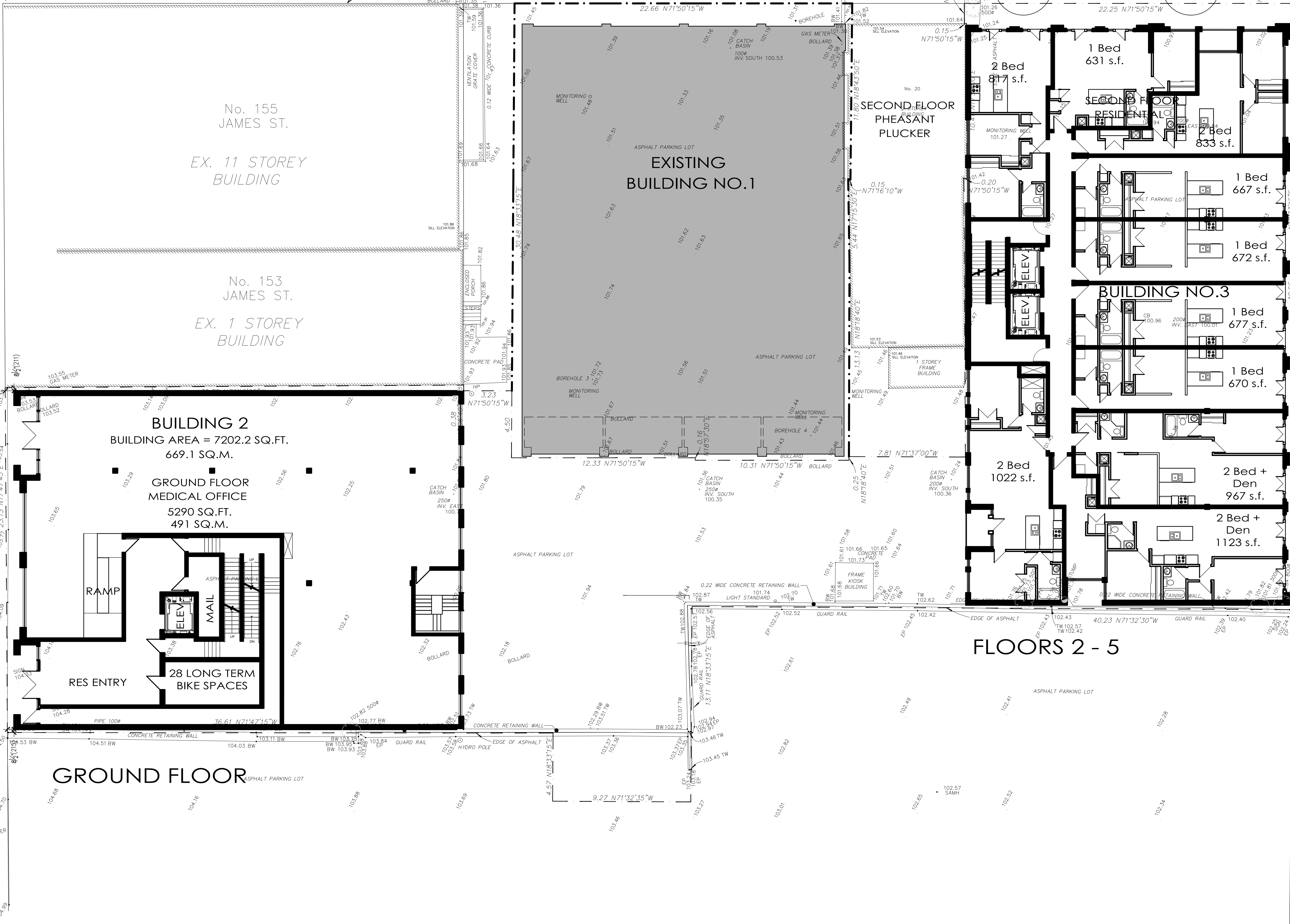


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AND
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JAMES STREET SOUTH

AUGUSTA STREET

HUGHSON STREET SOUTH



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INCORPORATED
244 JAMES STREET SOUTH, HAMILTON, ONTARIO, L8P 3B3
T: 905.522.6165 • F: 905.522.6166 • E: info@lntack.com
www.lntack.com

FOR SITE PLAN APPROVAL
ONTARIO ASSOCIATION OF ARCHITECTS
Richard F. Lintack
LICENCE 4148

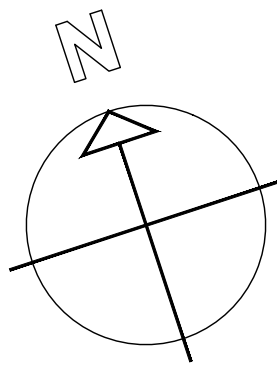
This drawing must not be scaled.
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No.	Revisions	Date
2.0	ISSUED FOR MINOR VARIANCE	NOV 4 2021
1.0	ISSUED FOR SPA	NOV 12 2021
No.	Issue	Date

PROPOSED DEVELOPMENT:
**AUGUSTA BLOCK
CORE URBAN INC.**
AUGUSTA BLOCK
HAMILTON, ONTARIO

job no.	21.002
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dwn. by	
scale	AS NOTED
date	
dwg. title	FLOOR/SITE PLAN
dwg.	A2.3

NOT TO BE USED
FOR CONSTRUCTION

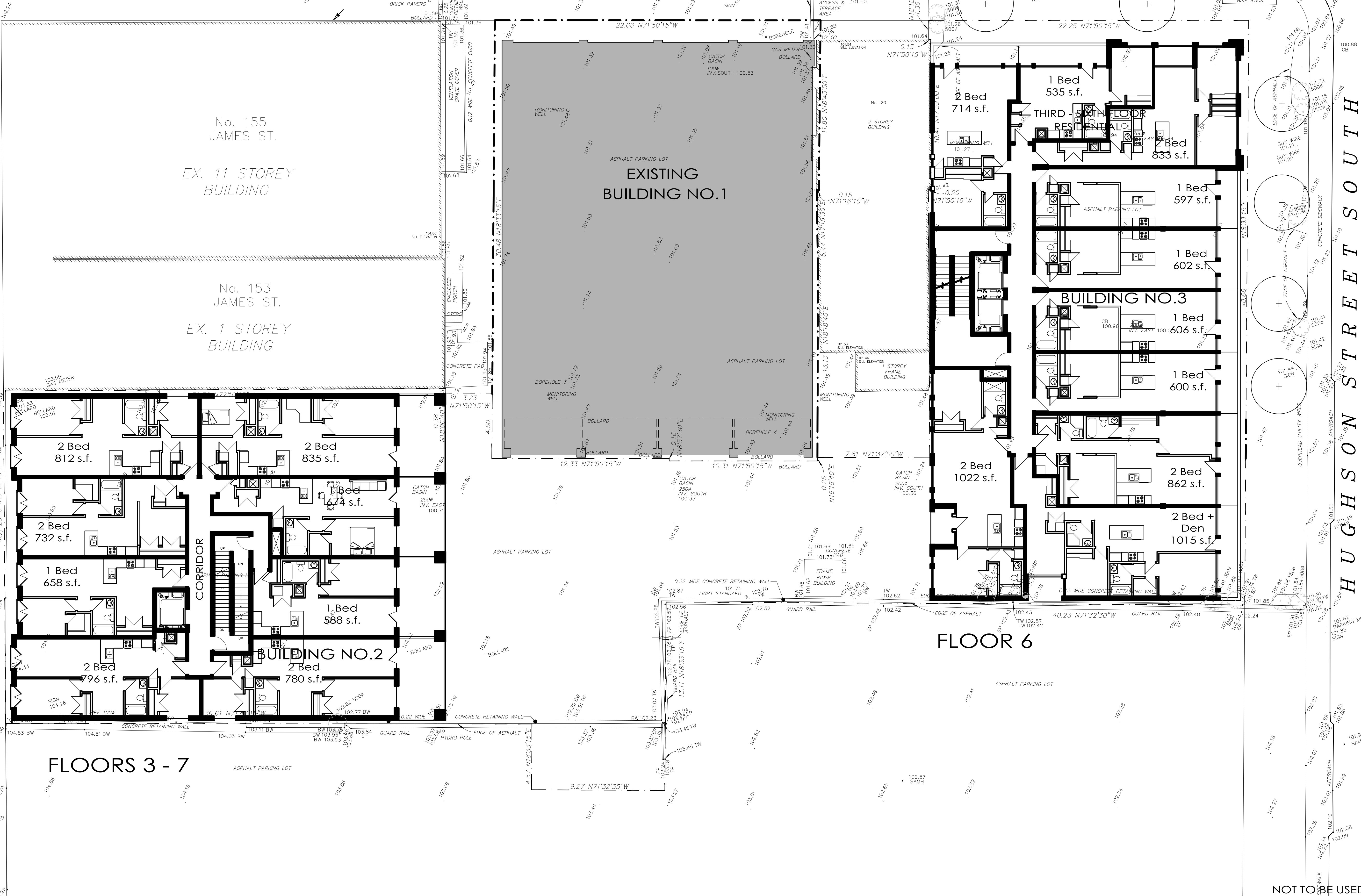


SKETCH SHOWING EXISTING CONDITIONS OVER
14-18 AUGUSTA STREET
AND
169 JAMES STREET SOUTH
IN THE
CITY OF HAMILTON

JAMES STREET SOUTH

AUGUSTA STREET

HUGSON STREET SOUTH



FLOORS 3 - 7

FLOOR 6

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FOR SITE PLAN
APPROVAL
ONTARIO ASSOCIATION
OF
ARCHITECTS
Richard F. Lintack
LICENCE
4148

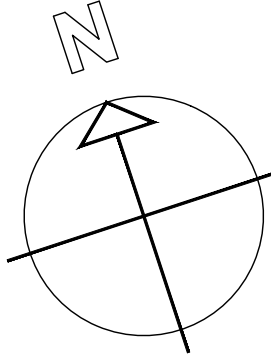
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No.	Revisions	Date
2.0	ISSUED FOR MINOR VARIANCE	NOV 4 2024
1.0	ISSUED FOR SPA	NOV 12 2021
No.	Issue	Date

PROPOSED DEVELOPMENT:
CORE URBAN INC.
165 JAMES STREET SOUTH
HAMILTON, ONTARIO

job no.	21.002
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dwn. by	
scale	AS NOTED
date	
dwg. title	FLOOR PLANS
dwg.	A2.4

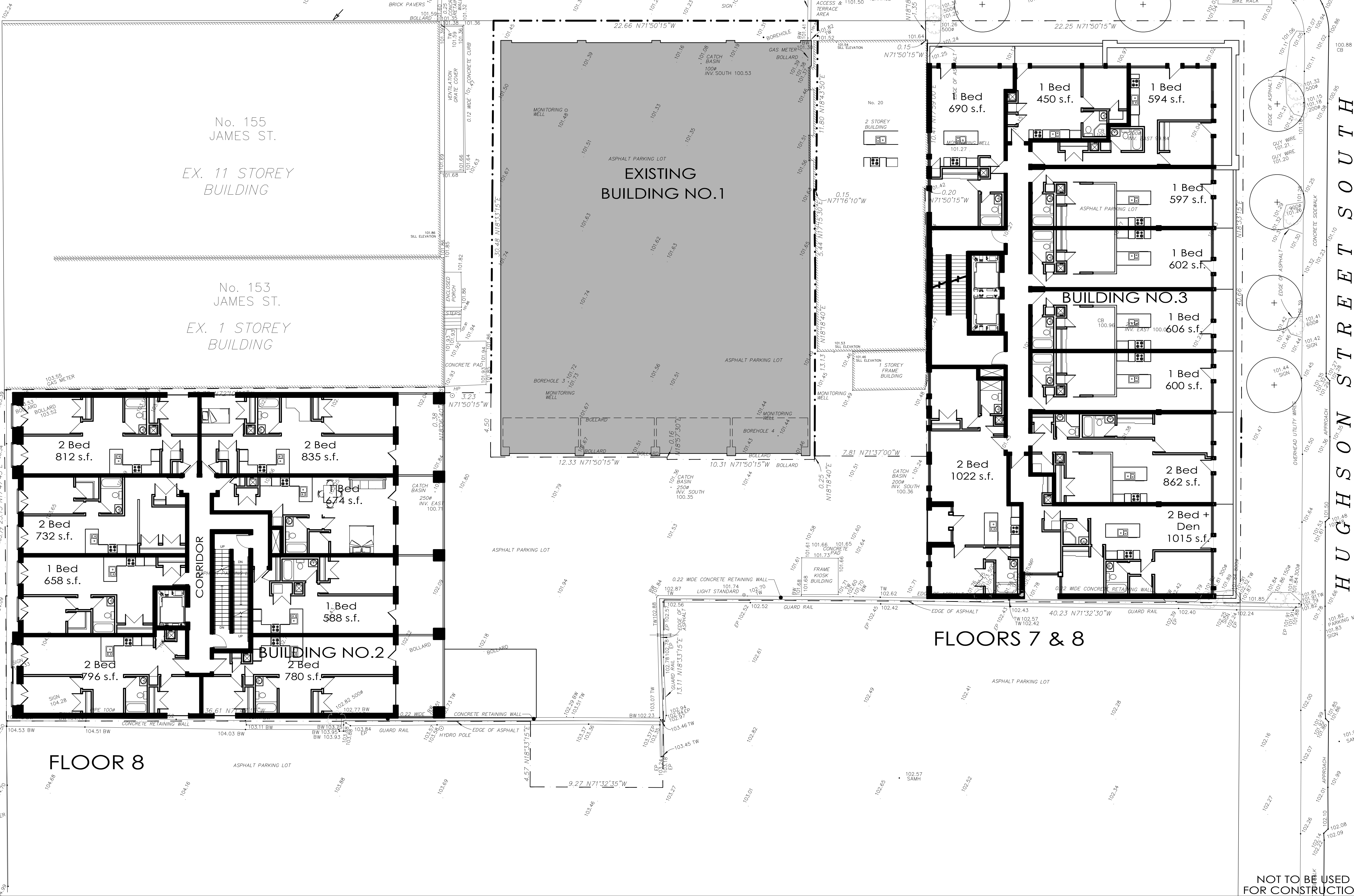
JAMES STREET SOUTH



SKETCH SHOWING EXISTING CONDITIONS OVER
14-18 AUGUSTA STREET
AND
169 JAMES STREET SOUTH
IN THE
CITY OF HAMILTON

AUGUSTA STREET

HUGSON STREET SOUTH



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FOR SITE PLAN APPROVAL
ONTARIO ASSOCIATION OF ARCHITECTS
Richard F. Lintack
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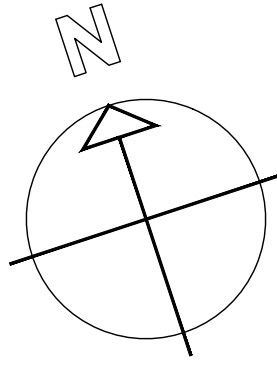
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1.0	ISSUED FOR SPA	NOV 12 2021
No.	Issue	Date

PROPOSED DEVELOPMENT:
CORE URBAN INC.
165 JAMES STREET SOUTH
HAMILTON, ONTARIO

job no.	21.002
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dwn. by	
scale	AS NOTED
date	
dwg. title	FLOOR PLANS
dwg.	A2.5

NOT TO BE USED
FOR CONSTRUCTION



SKETCH SHOWING EXISTING CONDITIONS OVER
14-18 AUGUSTA STREET
AND
169 JAMES STREET SOUTH
IN THE
CITY OF HAMILTON

AUGUSTA STREET

No. 155
JAMES ST.

EX. 11 STOREY
BUILDING

No. 153
JAMES ST.

EX. 1 STOREY
BUILDING

EXISTING
BUILDING NO.1

RESTAURANT
2000 s.f.

PROPOSED
BUILDING NO.3

PROPOSED
BUILDING NO.2

LOW
TERRACE
2437 s.f.

UPPER
TERRACE
550 s.f.

LOUNGE
618 s.f.

WARMING
KITCHEN

WASHROOM

ROOF PLAN

NOT TO BE USED
FOR CONSTRUCTION

LINTACK ARCHITECTS

INCORPORATED

244 JAMES STREET SOUTH, HAMILTON, ONTARIO, L8P 3B3
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FOR SITE PLAN
APPROVAL



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No.	Revisions	Date
2.0	ISSUED FOR MINOR VARIANCE	NOV 4 2024
1.0	ISSUED FOR SPA	NOV 12 2020
No.	Issue	Date

PROPOSED DEVELOPMENT:
AUGUSTA BLOCK
CORE URBAN INC.
165 JAMES STREET SOUTH
HAMILTON, ONTARIO

job no. 21.002

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dwn. by

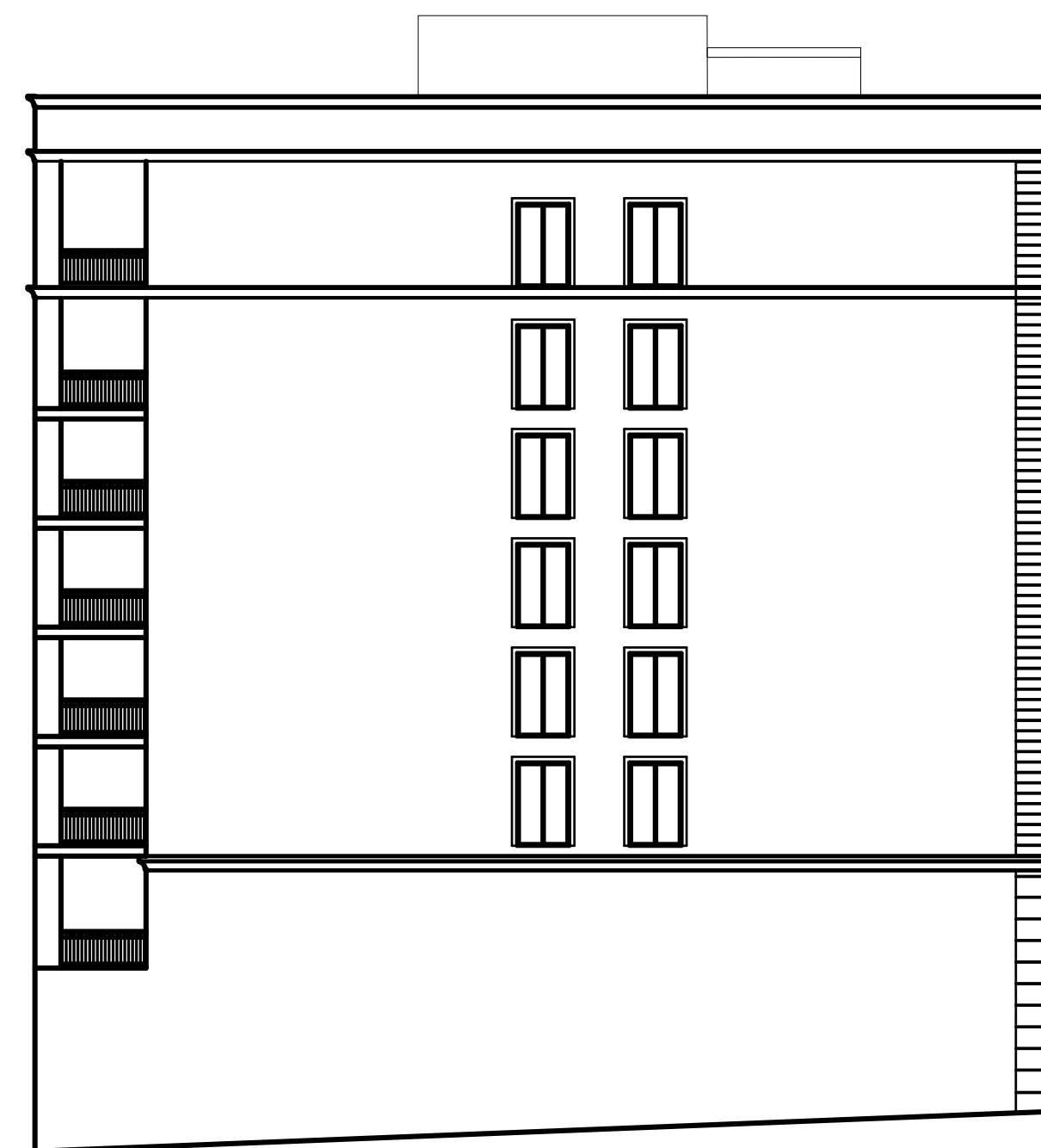
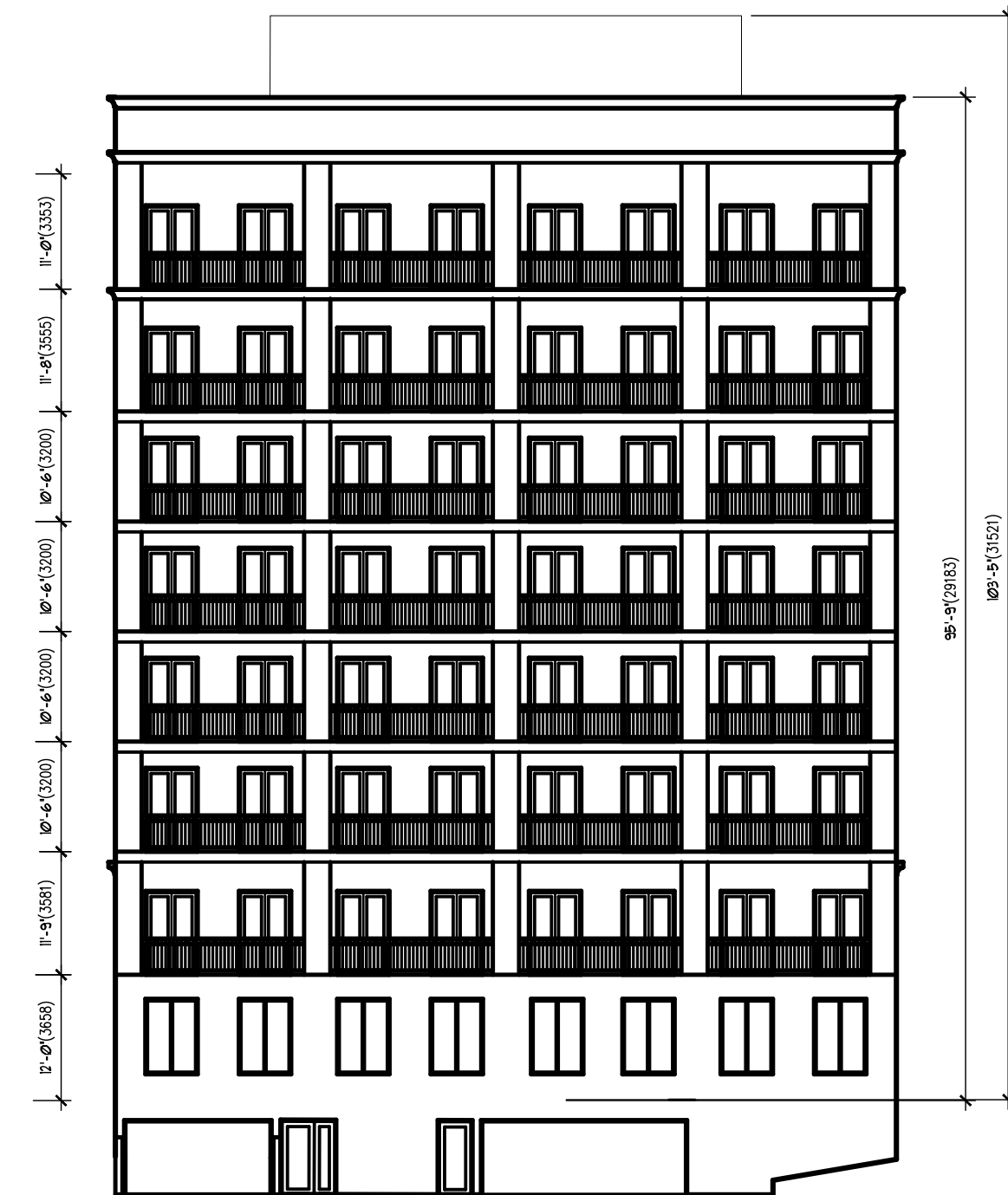
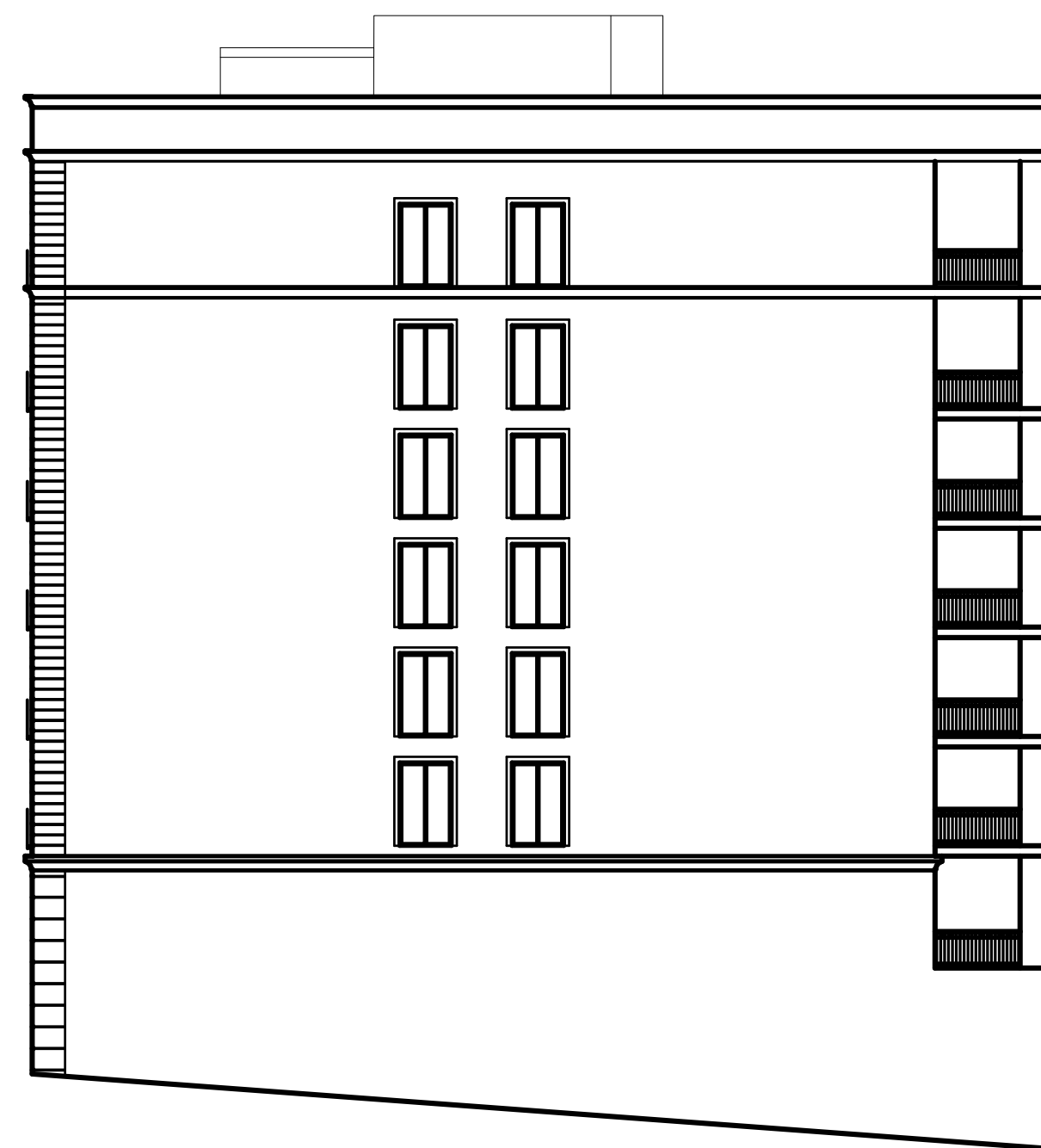
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date

dwg. title

ROOF PLAN

dwg. A2.6



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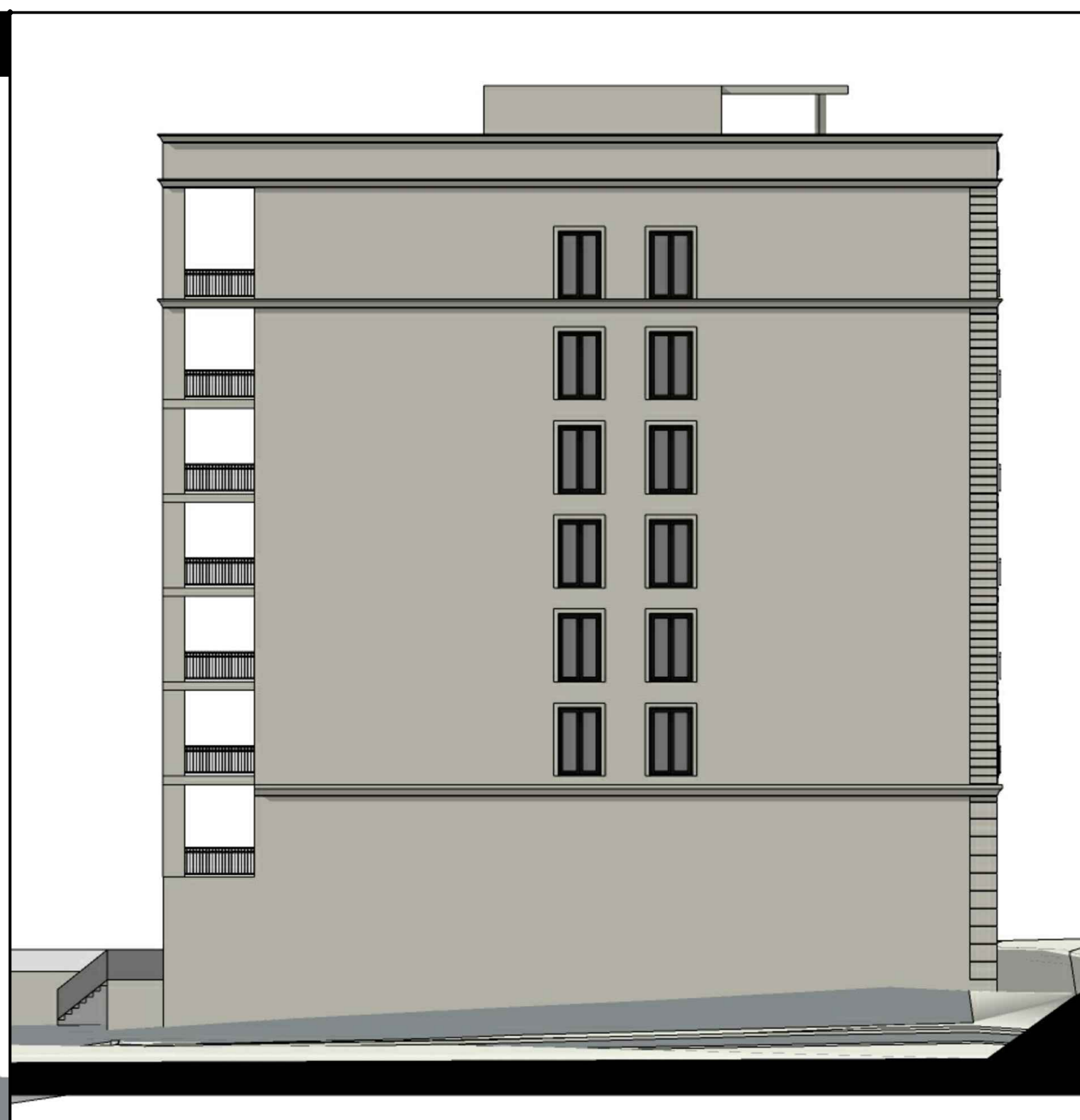
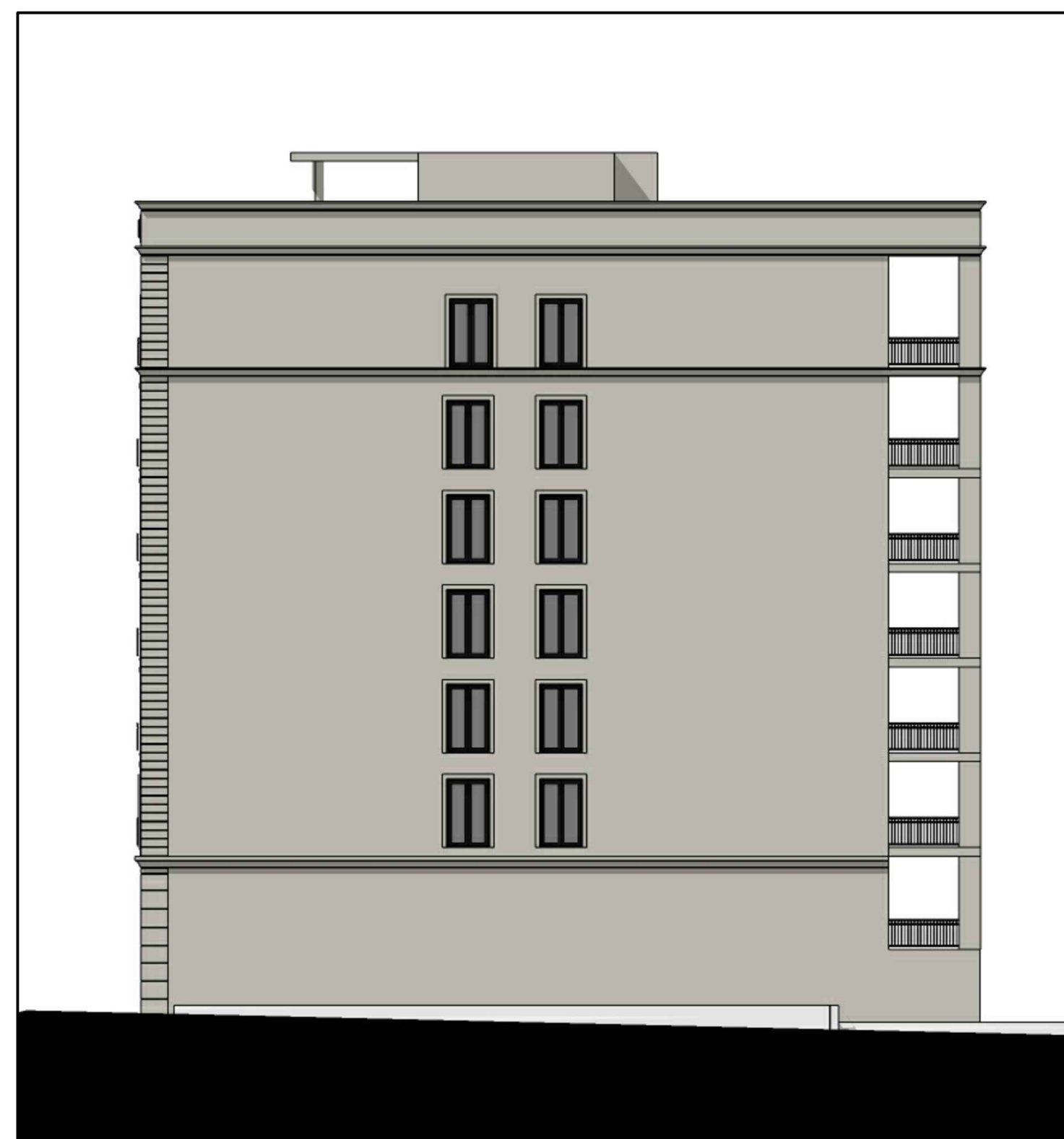
FOR SITE PLAN
APPROVAL



General Contractor shall verify all dimensions, datums and levels prior to commencement of the work.

No.	Revisions	Date
2.0	ISSUED FOR MINOR VARIANCE	NOV 4 2021
0	ISSUED FOR SPA	JULY 12 2021
No.	Issue	Date

2 WEST ELEVATION OF BUILDING 2
A5.1 NTS



SOUTH ELEVATION

EAST ELEVATION

NORTH ELEVATION

WEST ELEVATION

NOT TO BE USED
FOR CONSTRUCTION

PROPOSED DEVELOPMENT:
AUGUSTA LOFTS
CORE URBAN INC.
AUGUSTA BLOCK
HAMILTON, ONTARIO

job no.	21.002
dwg. file	A1.1_SITE...
dwgn. by	
scale	AS NOTED
date	
dwg. title	BUILDING 2 ELEVATIONS
dwg.	A4.1



1 BUILDING 2 - PERSPECTIVE



2 BUILDING 3 - PERSPECTIVE

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FOR CONSTRUCTION

LINTACK ARCHITECTS

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2.0	ISSUED FOR MINOR VARIANCE	NOV 4 2021
1.0	ISSUED FOR SPA	JULY 12 2021
No.	Issue	Date

PROPOSED DEVELOPMENT:
AUGUSTA BLOCK
CORE URBAN INC.
165 JAMES STREET SOUTH
HAMILTON, ONTARIO

job no. 21.002

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dwn. by

scale AS NOTED

date

dwg. title

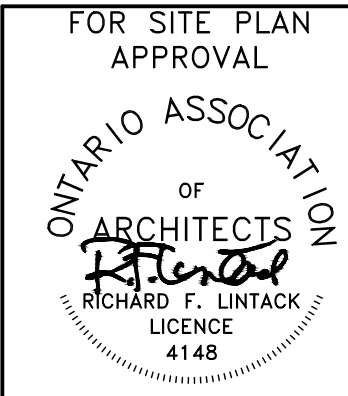
PERSPECTIVES

dwg. A5.1



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1.0	ISSUED FOR SPA	AUG 12 2021
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PROPOSED DEVELOPMENT:
AUGUSTA BLOCK
CORE URBAN INC.
165 JAMES STREET SOUTH
HAMILTON, ONTARIO

job no. 21.002

dwg. file A1.1_SITE...

dwn. by

scale AS NOTED

date

dwg. title

AERIAL VIEW

dwg. A5.2



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

FOR OFFICE USE ONLY.

APPLICATION NO. _____ DATE APPLICATION RECEIVED _____

PAID _____ DATE APPLICATION DEEMED COMPLETE _____

SECRETARY'S
SIGNATURE _____

The Planning Act

Application for Minor Variance or for Permission

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

1, 2

	NAME	ADDRESS
Registered Owners(s)		
Applicant(s)*		
Agent or Solicitor		

Note: Unless otherwise requested all communications will be sent to the agent, if any.

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

4. Nature and extent of relief applied for:

Parking stall size of 2.8 x 5.8m notwithstanding Regulations 5.2.b(ii) & (iii), no step back for any portion of the building exceeding 22.0m in height from a side or rear lot line whereas a 3.0m step back is required; no step back above 16.0m in height for any portion of the building along James Street South whereas a 3.0m step back is required; and, a reduction to the minimum number of short-term bicycle parking spaces from 10 spaces to 0 spaces on site. Refer to Appendix "B" for summary.

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

Parking stall reduction needed for only portion of parking spaces in below grade structure where abutting proposed columns/walls, stepbacks create inefficient floor plate configuration and not warranted by mid-rise building form where alternative design measures can be incorporated to transition building heights.

6. Legal description and Address of subject lands (registered plan number and lot number or other legal description and where applicable, **street and street number**):

165 James Street South
Part of Lot 147, 148 & 149, Registered Plan 62M-143

7. PREVIOUS USE OF PROPERTY

Residential ☐ Industrial ☐ Commercial ☐
Agricultural ☐ Vacant ☒

Other _____

8.1 If Industrial or Commercial, specify use _____

8.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes ☐ No ☐ Unknown ☒

8.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes ☐ No ☒ Unknown ☐

8.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes ☐ No ☐ Unknown ☒

8.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes ☐ No ☐ Unknown ☒

8.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?

Yes ☐ No ☒ Unknown ☐

8.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes ☐ No ☒ Unknown ☐

8.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?

8.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes ☐ No ☐ Unknown ☒

8.11 What information did you use to determine the answers to 9.1 to 9.10 above?

Soils and groundwater investigations are underway

8.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

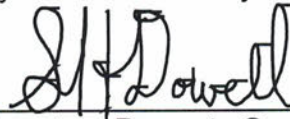
Is the previous use inventory attached? Yes ☐ No ☒

9. ACKNOWLEDGEMENT CLAUSE

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

10/26/2021

Date



Signature Property Owner

716083 Ontario Limited

Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>23.1 metres (James Street)</u>
Depth	<u>86 metres (irregular)</u>
Area	<u>0.2130 square metres</u>
Width of street	<u>James Street - 20.017 metres</u>

11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: _

None, lands are vacant

Proposed

Tow mixed use buildings are proposed - Building abutting James Street is 9 storeys in height, footprint of 669 sq. m. and total GFA of 4950 sq. m. Building abutting Hughson Street is 8 storeys in height, footprint of 594 sq. m and total GFA of 6344 sq. m. Total of 56 parking spaces are provided as surface parking and one level below grade.

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

Existing:

None, lands are vacant

13. Date of acquisition of subject lands:
In excess of 10 years ago
-
14. Date of construction of all buildings and structures on subject lands:
N/A - lands are vacant
-
15. Existing uses of the subject property:
Surface parking lot
16. Existing uses of abutting properties:
17. Length of time the existing uses of the subject property have continued:
Unknown
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|------------|-----------|----------------|
| Water | <u>Yes</u> | Connected | <u>Pending</u> |
| Sanitary Sewer | <u>Yes</u> | Connected | <u>Pending</u> |
| Storm Sewers | <u>Yes</u> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
UHOP - Downtown Urban Growth Centre and Downtown Mixed Use Area
Downtown Secondary Plan - Downtown Mixed Use (Pedestrian Focus), Mid Rise Building Height
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Zoning By-law 05-200, "D2" - Downtown Mixed Use Zone, Pedestrian Focus
21. Has the owner previously applied for relief in respect of the subject property?
- ☐ Yes ☒ No
- If the answer is yes, describe briefly.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
- ☐ Yes ☒ No
23. Additional Information
24. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.



November 4, 2021

City of Hamilton
Planning & Economic Development Department
Committee of Adjustment
71 Main Street West
Hamilton ON L8P 4Y5

Attention: Ms. Jamila Sheffield
Secretary Treasurer

Dear Ms. Sheffield,

Re: Application for Minor Variance – Core Urban Inc.
165 James Street South, City of Hamilton

WEBB Planning Consultants are retained by Core Urban Inc. to co-ordinate the municipal planning approvals required to facilitate the development of the property located at 165 James Street South, City of Hamilton.

The subject lands are within the limits of the Downtown Secondary Plan and designated as Downtown Mixed Use, Pedestrian Focus. With regard to Maximum Building Heights, the Mid-Rise designation permits maximum building heights of up to 12 storeys. The Zoning of the lands implements the Downtown Secondary Plan with the property zoned as “D2” – Downtown Mixed Use, Pedestrian Focus Zone.

The project architects have developed detailed plans for the redevelopment of the property as a mixed use project with two mid-rise buildings having shared site access, service areas and on-site parking. The development has been designed to integrate with Core Urban’s initial phase of development located at 18 Augusta Street which is presently under construction as a six storey mixed use building with one level of below grade parking.

Proposed Building 2, abutting James Street South, is proposed for a total building height of nine storeys with at-grade commercial space (medical office) and a total of 56 multiple dwellings on the upper floors. Building 3, fronting onto Hughson and Augusta Streets, has a total building height of eight storeys with at grade commercial space (restaurant) and 70 dwelling units on the upper floors.

Vehicular access into the site will be provided by a single driveway connection located on Hughson Street. This entrance provides access to the at-grade parking areas and the service court that is provided for the benefit of both buildings. One level of below grade parking is proposed which will exit onto Augusta Street, utilizing the ramp that exits through 18 Augusta Street with the necessary easements and/or rights-of-way to be established through a future Application to the Committee of Adjustment for Consent Approval.

As the project is within the Downtown Secondary Plan, the development proposal required consideration by the City's Design Review Panel (DRP). The proposal was presented to a DRP meeting held on June 10th, 2021 and generally supported with regard to massing and scale. The Plans prepared for the Site Plan submission were updated to reflect the input provided by DRP with design modifications including roof top amenity space and alternative architectural treatments for the building facades.

Following consideration by DRP, an Application for Site Plan Approval was submitted to the City for processing. Assigned File No. DA-21-121, the City issued Conditional Site Plan Approval on October 8th, 2021, including a letter setting out the required Conditions of Approval and red-lined plans identifying a limited scope of drawing revisions.

Through the review of the Site Plan and Building Elevations it has been confirmed that Variances from the Regulations of Zoning By-law 05-200 are necessary to implement the proposal as identified below:

1. Notwithstanding Regulation 5.2.b (ii) & (iii) – Design Standards, the minimum dimensions of required parking spaces shall be 2.8 metres in width and 5.8 metres in length;
2. To permit no step back for any portion of the building exceeding 22.0 metres in height from a side or rear lot line whereas a 3.0 metre step back is required;
3. To permit no step back above 16.0 metres in height for any portion of the building along James Street South whereas a 3.0 metre step back is required; and,
4. To permit a reduction to the minimum number of short-term bicycle parking spaces from 10 spaces to 0 spaces on site.

It is our opinion that the proposed Variances are appropriate for the proposed development of the lands. As summarized below, the Variances have been considered in the context of the four tests outlined by Section 45 (1) of the Planning Act and in all respects comply.

The Variances have been considered in the context of the Official Plan and in our opinion maintain the general purpose and intent.

The subject lands are designated as Downtown Mixed Use, Pedestrian Focus and subject to the Urban Design Policies of the UHOP and Downtown Secondary Plan.

The form and scale of development is permitted by the Secondary Plan Policies and represents an appropriate form of intensification at a location within the central area of the City, in close proximity to transit and the expansive range of services, entertainment and employment.

While the project does meet the minimum requirements for parking supply, it is noted that the Policies of the UHOP do support reduced parking supply in the Downtown consistent with Policies of the Growth Plan that support reduced parking standards where development is proposed in proximity to major transit station areas.

Recognizing the importance of achieving good urban design, the proposed building height is less than the permitted maximum height of 12 storeys with a design that provides appropriate transitions to the adjoining buildings fronting onto James Street South.

With respect to Policies that encourage active transportation and cycling, it is noted that the development does propose to provide the necessary cycling facilities by locating certain infrastructure within the road allowance rather than on the development site.

The Variances have been considered in the context of the Zoning By-law and in our opinion maintain the general purpose and intent.

With regard to the dimension of the parking spaces, the relief is minor and consistent with the Zoning Regulations of the former City of Hamilton Zoning By-law and the Minor Variances approved for the abutting development of 18 Augusta Street which required parking spaces having minimum dimensions of 2.6 metres in width by 5.5 metres in length.

Relief from the required setbacks is appropriate based on the building heights that are less than the permitted maximums and building elevations that utilize alternative design approaches to mitigate potential impacts associated with building height. The proposed building has adequate separation from adjoining development and is not anticipated to create any adverse conditions with regard to overlook and/or shadow impacts.

The proposed design does comply with the Zoning By-law requirements for long term bicycle parking, the relief requested for short term supply is mitigated by the proposal to provide bicycle parking within the road allowance.

The Variances are Minor.

The appropriate test to establish that the Variances are minor is to consider if any adverse or negative impacts arise from the development. It is our opinion that the Variances do not permit an over-intensification of the site or reduction in the performance criteria that are otherwise intended to provide for the appropriate supply and accessibility of on-site parking, cycling infrastructure and appropriate urban design.

The proposed development is desirable for the appropriate development of the lands.

It is our opinion that the Variances will provide for the desirable and appropriate development of the lands. The proposed design has been endorsed by the City's Design Review Panel and achieved Conditional Site Plan Approval.

It is noted that the site has a restricted footprint that necessitates minor relief from typical design standards to ensure the accommodation of a reasonable number of parking spaces in a below grade structure. The proposal achieves the intent to provide a reasonable supply of parking spaces, the design standards maintain the intent of the By-law for safe and functional parking.

In summary, it is our opinion that the Variances required to implement the proposal meet the four tests of the Planning Act and will provide for the appropriate development of the site as a mixed use project that supports the commercial character of the street and adds to the supply of housing in the downtown core.

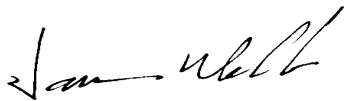
In keeping with the City's requirements for the submission of an Application for Minor Variance, the following materials are enclosed:

- Application for Minor Variance;
- Application Fee of \$3,320.00 payable to the City of Hamilton;
- Site Plan, Elevations and Floor Plans, prepared by Lintack Architects;

We trust that you will find the enclosed materials complete and suitable for the purpose of processing this Application for Minor Variance. Please contact our office immediately should you have any questions or require additional information in support of this submission.

Yours truly,

WEBB Planning Consultants Inc.



James Webb, MCIP, RPP

cc: Core Urban Inc.
Lintack Architects