



Hamilton

STAFF COMMENTS

HEARING DATE: February 13, 2024

HM/A-23:342 – 1227-1271 Barton Street East, Hamilton

Recommendation:

Development Planning - Approved

Proposed Conditions:

N/A

Proposed Notes:

N/A



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Development Planning:

Background

The purpose of this application is to facilitate Site Plan application SPA-23-063.

The following variances are requested:

1. A minimum building height of 4.77 metres shall be permitted for the building proposed in “Block O”, instead of the 6.0 metre minimum building height required.
2. A minimum building height of 5.54 metres shall be permitted for the building proposed in “Block T2”, instead of the minimum 6.0 metre minimum building height required.

Background:

On November 15, 2023, Site Plan application SPA-23-063 was conditionally approved to permit two new restaurant buildings on the subject lands with gross floor areas of approximately 204.80 square metres and 235.20 square metres.

Urban Hamilton Official Plan:

The subject lands are identified as “Community Node” on Schedule E – Urban Structure and designated “Mixed Use - High Density” on Schedule E-1 – Urban Land Use Designations in the Urban Hamilton Official Plan.

City of Hamilton Zoning By-law No. 05-200:

The subject lands are zoned Mixed Use High Density (C4, 647) Zone, which permits the use of restaurants.

Analysis

	Proposed Variances	Comments
1.	A minimum building height of 4.77 metres shall be permitted for the building proposed in “Block O”, instead of the 6.0 metre minimum building height required.	The Mixed Use High Density (C4, 647) Zone permits the proposed restaurant uses with a minimum height requirement of 6.0 metres for commercial buildings containing a restaurant. The proposed restaurants will be within commercial structures which have a parapet wall height greater than 6.0 metres. The
2.	A minimum building height of 5.54 metres shall be permitted for the building proposed in “Block T2”,	



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	instead of the minimum 6.0 metre minimum building height required.	<p>height of the proposed buildings does not conform with the definition of building height within the Zoning By-law.</p> <p>Staff notes that the height of the building for each restaurant is sufficient for the intended uses and will not have any adverse impacts to the use or it's surroundings.</p> <p>Staff support Variance 1 and 2.</p>
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Based on the preceding information, the requested variance maintains the general intent and purpose of the Urban Hamilton Official Plan and the City of Hamilton Zoning By-law No. 05-200. The variances are considered to be minor in nature and desirable for the appropriate use of the property.

Zoning:

Recommendation:	No comments.
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Development Engineering:

Recommendation:	No comments.
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Transportation Planning:

Recommendation:	Approve
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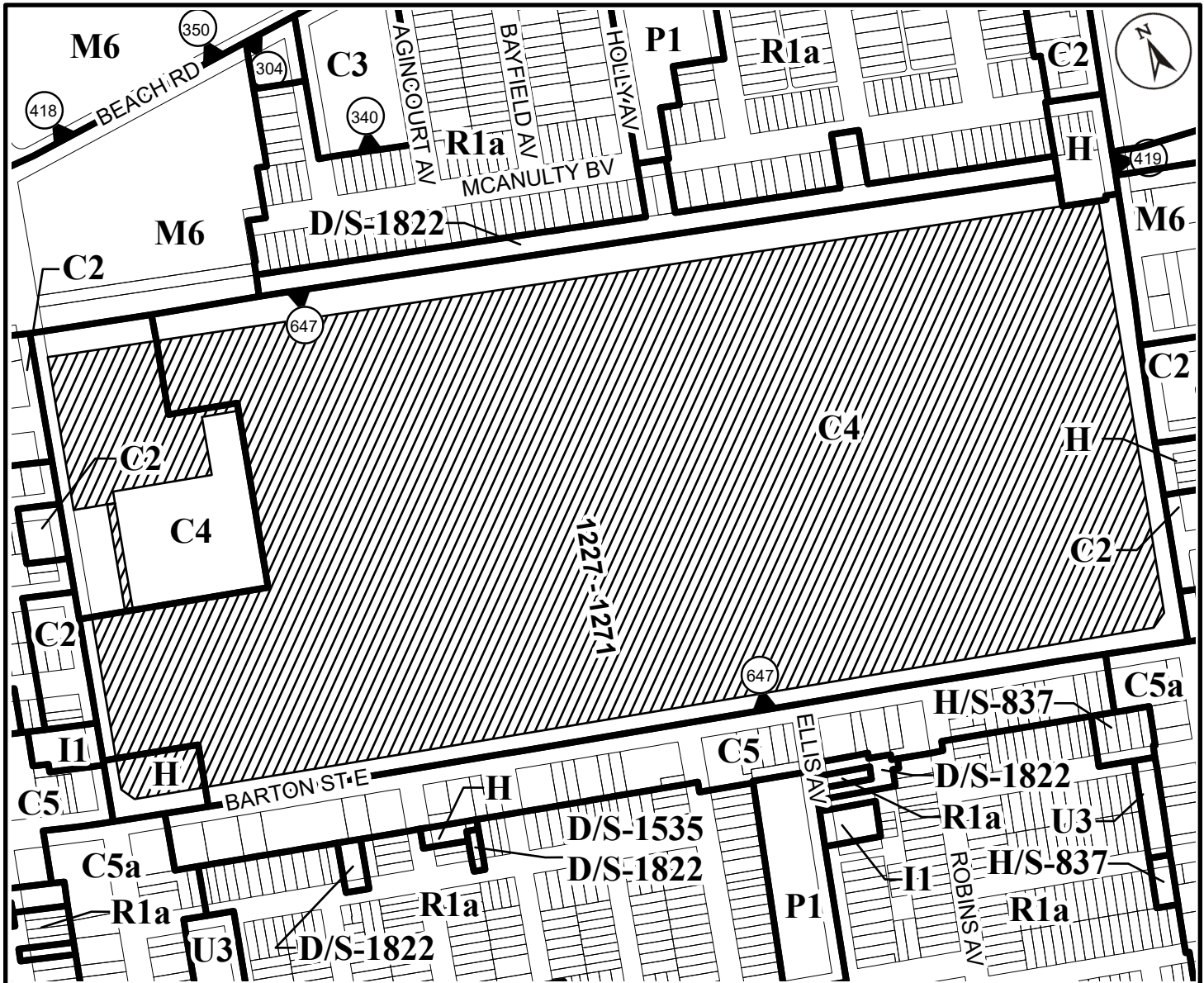
Building Engineering:

Recommendation:	Comments Only
Notes:	<p>Be advised that Ontario Building Code regulations may require specific setback and construction types.</p> <p>A building permit is required for the construction of the proposed two single-storey commercial retail units.</p>

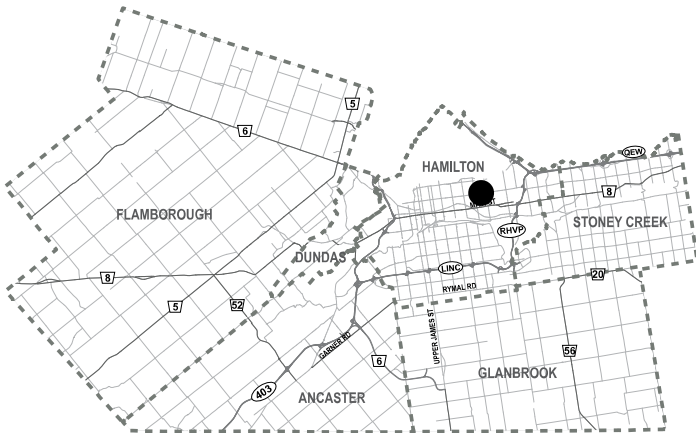
Legislative Approvals:

Recommendation:	No comments.
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Please Note: Public comment will be posted separately, if applicable.



● Site Location



City of Hamilton

Committee of Adjustment

Subject Property



1227 - 1271 Barton Street East,
Hamilton (Ward 4)

File Name/Number:

HM/A-23:342

Date:

January 30, 2024

Technician:

AL

Map Not To Scale

Appendix "A"



Hamilton