



Hamilton

STAFF COMMENTS

HEARING DATE: August 20, 2024

A-24:165 – 92-100 John Street North, 75-81 Wilson Street, Hamilton

Recommendation:

Approve

Proposed Conditions:

Proposed Notes:



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Development Planning

Background

To permit the construction of a 31-storey mixed use development consisting of 405 dwelling units and 456 square metres of commercial space at grade. Parking is to consist of 120 vehicular parking spaces provided over 5 levels of parking within the podium and 212 long term bicycle parking spaces. This minor variance application is to facilitate Site Plan application DA-23-051 which received on July 21, 2023.

Staff note that subject property is also subject to Minor Variance application HM/A-23:147, which was granted, as amended, on June 29, 2023 and included the following variances:

1. A 3.0 metre building step back along the northerly side lot line shall be permitted at a 23.65 metres façade height instead of the 3.0 metre step back required at any portion of a building exceeding 22.0 metres in height along a side or rear lot line.
2. A 6.3 metre step back from the north easterly side lot line shall be permitted at 45.6 metres in height instead of the 12.5 metre step back required for any portion of a building that exceeds 44.0 metres in height.
3. An 8.1 metre step back from the rear lot line shall be permitted at 45.6 metres in height instead of the 12.5 metre step back required for any portion of a building that exceeds 44.0 metres in height.
4. A balcony may encroach 1.5 metres into any required yard, instead of the maximum 1.0 metre encroachment allowed into any required yard.
5. A rear yard setback of 1.5 metres shall be permitted instead of the minimum 7.5 metres rear yard setback required.

Analysis

Urban Hamilton Official Plan

The subject lands are identified as “Downtown Urban Growth Centre” in Schedule E – Urban Structure and are designated “Downtown Mixed-Use Area” in Schedule E-1 – Urban Land Use Designations of the Urban Hamilton Official Plan. Policies E.2.3.1.16 and E.4.4.4, amongst others, are applicable and permit the proposed multiple dwelling and commercial uses.

Policy E.2.3.1.16 states “reduced parking requirements shall be considered to encourage a broader range of uses and to support transit.” Staff note the strong presence of public transit alternatives (HSR



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bus routes, GO Transit) and provision of 212 long term bicycle parking spaces in the development to support active transportation.

Downtown Hamilton Secondary Plan

The subject lands are designated “Downtown Residential” on Land Use Plan Map B.6.1-1 and are identified as “High Rise 2” on Maximum Building Heights Map B.6.1-2 of the Downtown Hamilton Secondary Plan. The subject lands are further identified as “Registered Non-Designated” on Appendix B – Cultural Heritage Resources of the Downtown Hamilton Secondary Plan. Policies B.6.1.2, B.6.1.4.12, B.6.1.4.14, B.6.1.4.18, B.6.1.4.33 through B.6.1.4.39, and B.6.1.5.1 amongst others, are applicable and permit the proposed multiple dwelling and commercial uses.

Based upon the above, staff are of the opinion that the requested variance maintains the general intent of the Urban Hamilton Official Plan.

Beasley Neighbourhood Plan

The subject lands are identified as “Commercial and Apartments” and “Commercial” on Map 6703 (Map 1 of 2) within the Beasley Neighbourhood Plan. The proposal is consistent with the vision of the Beasley Neighbourhood Plan.

Archaeology

Staff comments addressed as part of DA-23-051.

Cultural Heritage

Staff comments addressed as part of DA-23-051.

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

The subject lands are zoned Downtown Residential (D5, H17, H19, H20) Zone in City of Hamilton Zoning By-law No. 05-200. The proposed mixed-use development consisting of residential (multiple dwelling) and commercial uses is permitted.

Variance 1

1. 120 vehicular parking spaces shall be provided instead of the minimum required 159 parking spaces.

The intent of this provision is to ensure sufficient on-site parking is provided for residents of the development.



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Staff note that the subject property is located within Parking Rate Area 1 as described in By-law No. 24-052, which was passed by City Council on April 10, 2024, and is not yet Final and Binding. By-law No. 24-052 amended Zoning By-law No. 05-200 to remove minimum parking requirements for residential uses within Parking Rate Area 1. The general intent of this policy is to reduce vehicular parking within the Lower City while promoting alternative transportation methods such as public transit or active transportation including biking and walking.

Staff further note that a Parking Opinion Letter prepared by LEA Consulting Ltd. was provided in support of this variance application. This letter provides rationale supporting the reduction in vehicular parking spaces noting the presence of public transit alternatives, including HSR and GO bus routes, the future Light Rail Transit route and the Lakeshore West GO route, are located in close proximity to the subject site. In addition, the project incorporates Transportation Demand Management Measures such as promoting pedestrian connections with the proposed buildings, connections to the transit network and the provision of bicycle parking to promote active transportation.

Based on the above, staff are of the opinion that the requested variance maintains the intent of the Zoning By-law and will not have negative impacts due to the strong presence of alternative transportation options within the area and the provision of 212 long term bicycle parking spaces. Staff support the variance.

Staff are of the opinion that the requested variance meets the four tests of a minor variance. Based on the foregoing, **staff recommend approval.**

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	Requested variance is required to facilitate site plan application DA-23-051
Proposed Notes:	

Development Engineering:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	Development Engineering has no comments/objection to the minor variance as requested. Detailed review and comments from grading and servicing perspective will be provided under site plan application DA-23-051.
Proposed Notes:	

Building Engineering:

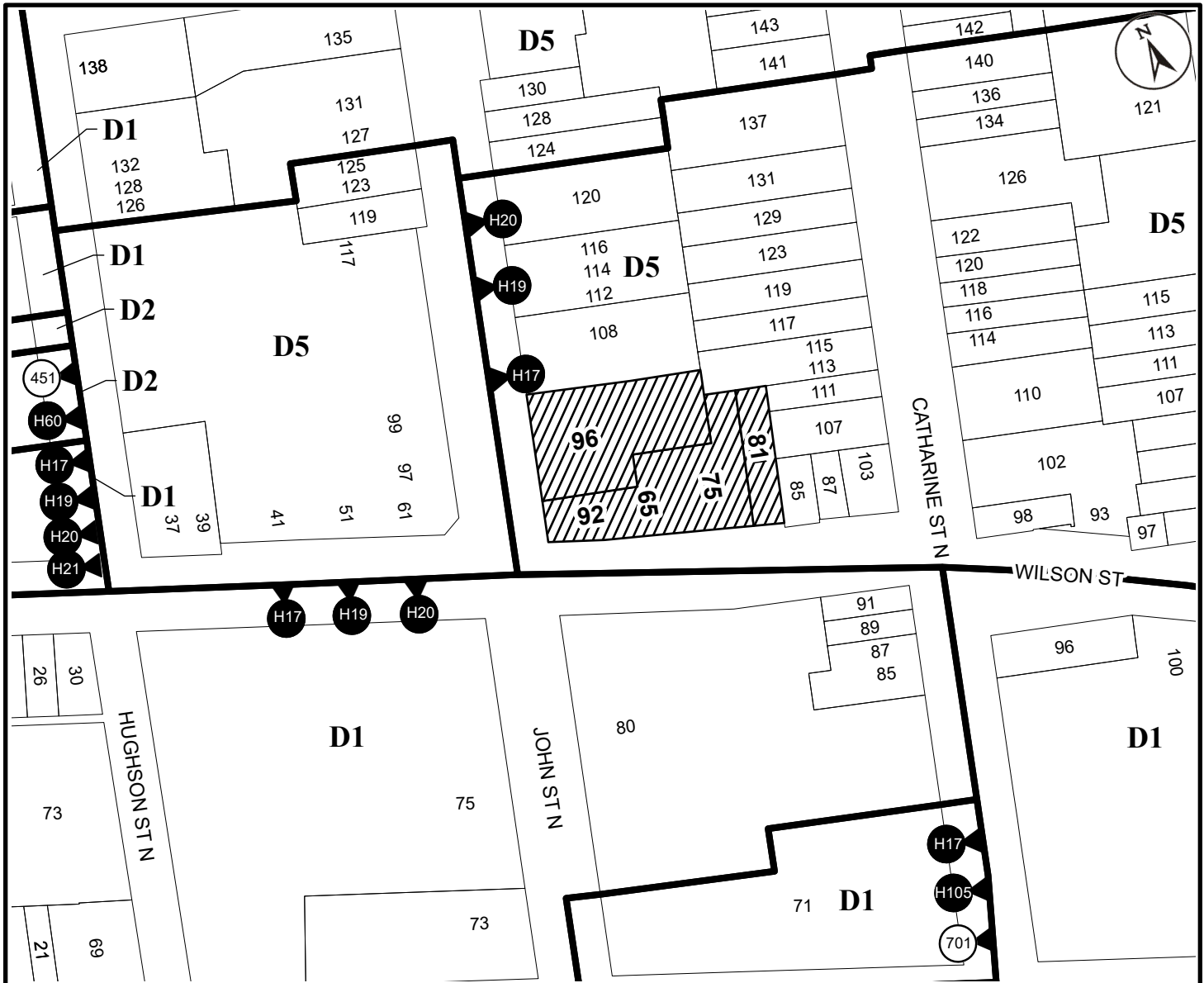


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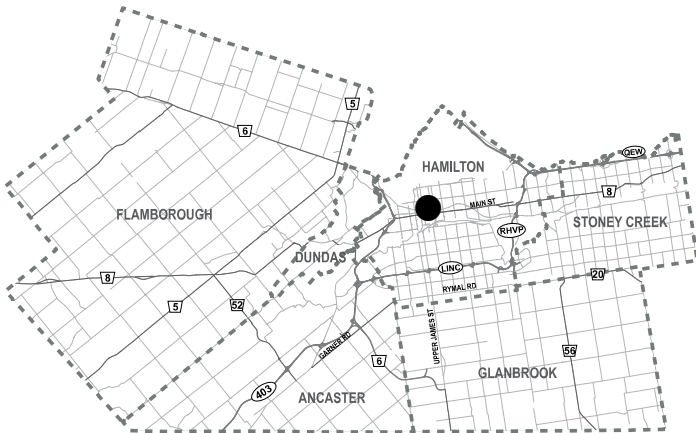
Recommendation:	No comments.
Proposed Conditions:	
Comments:	
Proposed Notes:	

Transportation Planning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Proposed Notes:	



● Site Location



City of Hamilton

Committee of Adjustment

Subject Property



92 - 100 John Street North,
75 - 81 Wilson Street,
Hamilton (Ward 2)

File Name/Number:

A-24:165

Date:

August 8, 2024

Technician:

BN

Map Not To Scale

Appendix "A"



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