



Hamilton

STAFF COMMENTS

HEARING DATE: January 21, 2025

A-24:263 – 700 Main Street East, Hamilton

Recommendation:

Approve — Development Planning

Proposed Conditions:

Proposed Notes:



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Development Planning:

Background

So as to facilitate the conversion of an existing building to a mixed-use building containing 15 dwelling units, a social services establishment and an accessory office.

Analysis

Urban Hamilton Official Plan

The subject lands are identified as “Primary Corridor” in Schedule E – Urban Structure. The subject lands are designated “Neighbourhoods” in Schedule E-1 – Urban Land Use Designations of the Urban Hamilton Official Plan. Policies, B.2.4.1.4, B.2.4.2.2, E.2.4 and E.3.2.3, among others, are applicable and permit the proposed residential and institutional uses.

Policy E.2.4 characterizes Urban Corridors as mixed-use linkages between nodes within the City, providing services and housing to neighbourhoods along and within the corridor. One of the policy objectives within Urban Corridors is to foster pedestrian and transit oriented places through infrastructure investment and residential intensification as well as infill and redevelopment. The proposed redevelopment of the subject property, which consists of 15 supportive housing units and accessory institutional and office uses in support of the residents, would contribute to this policy objective.

The proposal is considered residential intensification and has been evaluated against the criteria found in Policies B.2.4.1.4 and B.2.4.2.2. These criteria include, but are not limited to, the relation of the proposed development to the surrounding area in terms of scale, character and form; compatibility with adjacent land uses in terms of shadowing, overlook, and other impacts; transitions in height and density between adjacent residential buildings and the provision of amenity space. Staff note that the existing built form would remain unchanged, and staff therefore have no concerns in terms of scale or shadowing. In terms of character and land use compatibility, the proposed mixed use redevelopment is comparable with existing residential uses and mixed use buildings along Main Street East. Additionally, the proposal includes the conversion of a portion of the existing parking area to a landscaped amenity area for the 15 supportive housing units.

St. Clair Neighbourhood Plan

The subject property is identified as “Civic and Institutional” on Map 6602 of the St. Clair Neighbourhood Plan. The proposed institutional use and supportive housing and consistent with the vision of the Neighbourhood Plan.



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Archeology

No comments.

Cultural Heritage

The property known as 700 Main Street East is located within the Main Street East Streetscape Cultural Heritage Landscape and is located within the St. Clair Established Historical Neighborhood.

Additionally, the subject property is located *adjacent* to 712 Main Street East, a property located within St. Clair East Heritage Conservation District, designated under Part V of the *Ontario Heritage Act* and a “protected heritage property” under the Provincial Planning Statement. Accordingly, Section 4.6.3 of the Provincial Planning Statement applies, as follows:

“Planning authorities shall not permit *development* and *site alteration* on *adjacent lands* to *protected heritage property* unless the *heritage attributes* of the *protected heritage property* will be *conserved*.”

Where new construction and/or alterations or additions to existing structures are proposed adjacent to a Heritage Conservation District, key consideration is given to the visual and physical impacts on the built fabric and landscape features.

The subject property is adjacent to 681 Main Street East, a property listed on the City’s Municipal Heritage Register as a non-designated property.

Further, the subject property is located near a concentration of properties of cultural heritage value or interest listed on the City’s Inventory of Heritage Properties, including:

- 679 Main Street East; and,
- 686 Main Street East.

The City recognizes there may be cultural heritage properties that are not yet identified or included in the Municipal Heritage Register, nor designated under the *Ontario Heritage Act*, but still may be of cultural heritage interest. These may be properties that have yet to be surveyed, or otherwise identified, or their significance and cultural heritage value has not been comprehensively evaluated but are still worthy of conservation (Urban Hamilton Official Plan, Volume 1, Section B.3.4.2.6 and B.3.4.2.7).

Although not formally recognized under the *Ontario Heritage Act* through registration or designation, the adjacent properties are of potential cultural heritage value and staff do have an interest in



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ensuring any proposed changes are sympathetic to the historic character of the property and are contextually appropriate.

Accordingly, sections B.3.4.1.4; B.3.4.2.1(h); and B.3.4.3.6 of the Urban Hamilton Official Plan, Volume 1, apply.

The proponent proposes the conversion of an existing building to a Dwelling Unit, Mixed Use, containing a total of fifteen (15) dwelling units, a Social Services Establishment and an accessory office.

Where new construction and/or alterations or additions to existing structures are proposed in a Cultural Heritage Landscape, key considerations are the visual and physical impacts on landscape features, typically public views of the building fabric, building set-back, the streetscape and significant vistas.

Notwithstanding that the subject property is within the Main Street East Streetscape Cultural Heritage Landscape and the St. Clair Established Historical Neighbourhood, that the adjacent property is designated under Part V of the *Ontario Heritage Act*, that the adjacent property is listed on the Municipal Heritage Register, and that adjacent properties are listed on the Inventory of Heritage Properties, staff have reviewed the application and are of the opinion that the cultural heritage value of the landscape will be conserved.

Staff have no further comments on the application as circulated.

Based on analysis of the above policies, staff are of the opinion that the proposed development and requested variances maintain the general intent of the Urban Hamilton Official Plan.

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

The subject lands are zoned Neighbourhood Commercial (C2) Zone in City of Hamilton Zoning By-law No. 05-200. The proposed residential and institutional uses are permitted.

Variance 1

1. For the purpose of Subsection 10.2.1.1(ii) 2. A. the basement or cellar level shall be permitted to contain an accessory Institutional Use (i.e. Social Service Establishment) and an accessory office serving the residential units whereas the By-law requires the ground floor to contain a commercial use;



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The intent of this provision is to promote an activated and pedestrian friendly streetscape by maintaining non-residential uses at ground level.

Staff note that the proposed redevelopment of the subject property would introduce an accessory institutional use (social service establishment) and an accessory office within the basement of the existing building. The applicant has indicated the proposed 15 residential units are to be supportive housing.

Additionally, neighbouring properties along on Main Street East predominantly contain mixed-use buildings (e.g. ground floor commercial and residential uses above the ground floor) or multiple dwellings. It is staff's opinion that the proposed mixed use (institutional and residential) redevelopment would be in keeping with the character of the area, and maintain and encourage an active streetscape.

Therefore, staff are of the opinion that the requested variance maintains the general intent of the Urban Hamilton Official Plan and Zoning By-law, is desirable for the appropriate development of the lands and is minor in nature. Staff support the variance.

Variance 2 and 3

2. A planting strip is not required where a property lot line abuts a property lot line within a Residential Zone (i.e. the southerly lot line with abuts an "R1a" Zone), instead of the requirement that where a property lot line abuts a property lot line within a Residential Zone and not a laneway, a minimum 1.5 metre wide planting strip shall be provided and maintained.
3. A visual barrier is not required along a lot line which abuts a Residential Zone (i.e. the southerly lot line which abuts an "R1a" Zone), instead of the requirement that a visual barrier shall be required along any lot line abutting a Residential Zone.

The intent of these provisions is to provide a degree of privacy and separation between a non-residential use, such as a commercial use, and neighbouring residential uses by utilizing landscaped features and visual barriers such as privacy fences.

Staff note that the proposal includes a reduction in on-site parking from 6 spaces to 3 spaces, with 3 spaces along the rear property line being replaced with a landscaped amenity area. Staff further note that the existing conditions on-site provide no landscaping or visual barriers between the neighbouring property to the south.

As proposed, the on-site parking would be decreased and a significant portion of the current parking lot would be converted to a landscaped amenity area for residents. Staff are of the opinion that the proposed development represents an improvement to the existing conditions. Therefore, it is staff's



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opinion that Variances 2 and 3 maintain the general intent of the Urban Hamilton Official Plan and Zoning By-law, are desirable for the appropriate development of the lands and are minor in nature. Staff support the variances.

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

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	<ol style="list-style-type: none"> 1. Regarding Variance No. 1, Section 10.2.1.1(ii)1. of the “C2” Zone limits the residential component to 50% of the total gross floor area of a building containing a Dwelling Unit, Mixed Use. However, this provision is not applicable to an existing building when the ground floor level contains a commercial use and the building is a minimum of 9.0 metres in height. The intent of Variance No. 1 is to allow an Institutional Use (i.e. Social Services Establishment and accessory office) to be located in the basement level, and to replace the requirement that the ground floor contain a commercial use. Should Variance No. 1 be approved, Section 10.2.1.1(ii)1. shall no longer be applicable, and the residential component may therefore occupy more than 50% of the total gross floor area of the building, with no restriction on the location of dwelling unit(s) within the building. 2. Please note that as the number of existing parking spaces being provided on the lot is being reduced, a review of the minimum number of required parking spaces for a Dwelling Unit, Mixed Use and a Social Services Establishment is required to bring the proposed use(s) into compliance with the current Section 5: Parking requirements. The subject lot is identified as a Parking Rate Area 1 for the purpose of establishing the minimum and maximum number of required parking spaces. 3. Please note that detailed plans (i.e. elevation drawings, floor plans, site plan etc.) have not been provided. Additional variances may be required if compliance with all sections of Hamilton Zoning By-law No. 05-200 are not possible. 4. From the materials provided, it does not appear that exterior alterations to the principle building or accessory building (i.e.



<p>Notes:</p>	<p>garbage/recycling shed) are proposed. Therefore, a zoning compliance review was not completed for the existing building(s) and any site features that are not being modified as part of the proposed development. Should exterior alterations to any existing building(s) be proposed, additional variances may be required.</p> <p>5. Please note that as the “existing boulevard parking space” shown on the Site Plan is not located on the subject property, it has not been counted towards the number of parking spaces being provided for the proposed development.</p> <p>6. Please be advised that the Electric Vehicle Parking requirements under By-law 24-052, remain under appeal and are not covered under Section 1.12 of the “Transitional Provisions” of the Hamilton Zoning By-law 05-200. At present, a review of the Electric Parking requirements has not been completed. If the remaining portions of By-law 24-052 become final before issuance of a building permit, the Electric Vehicle Parking requirements may be applicable upon review for such building permit.</p>
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Cultural Heritage:

<p>Recommendation:</p>	<p>Comments and Conditions/Notes</p>
<p>Proposed Conditions:</p>	
<p>Comments:</p>	<p>Archeology:</p> <p>No Comments.</p> <p>Cultural Heritage: The property known as 700 Main Street East is located within the Main Street East Streetscape Cultural Heritage Landscape and is located within the St. Clair Established Historical Neighborhood.</p> <p>Additionally, the subject property is located adjacent to 712 Main Street East, a property located within St. Clair East Heritage Conservation District, designated under Part V of the Ontario Heritage Act and a “protected heritage property” under the Provincial Policy Statement. Accordingly, Section 4.6.3 of the Provincial Planning Statement applies, as follows:</p> <p>Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property unless the heritage attributes of the protected heritage property will be conserved.</p>



Where new construction and/or alterations or additions to existing structures are proposed adjacent to a Heritage Conservation District, key consideration is given to the visual and physical impacts on the built fabric and landscape features.

Further, the subject property is adjacent to 681 Main Street East, a property listed on the City's Municipal Heritage Register as a non-designated property.

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Although not formally recognized under the Ontario Heritage Act through registration or designation, the adjacent properties are of potential cultural heritage value and staff do have an interest in ensuring any proposed changes are sympathetic to the historic character of the property and are contextually appropriate.

Accordingly, sections B.3.4.1.4; B.3.4.2.1(h); and B.3.4.3.6 of the Urban Hamilton Official Plan, Volume 1, apply.

The proponent proposes the conversion of an existing building to a Dwelling Unit, Mixed Use, containing a total of fifteen (15) dwelling units, a Social Services Establishment and an accessory office.

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Notes:	

Development Engineering:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	Conversion of building use does not appear to proposed any changes to lot grading or servicing. No comments from Development Engineering perspective.
Notes:	

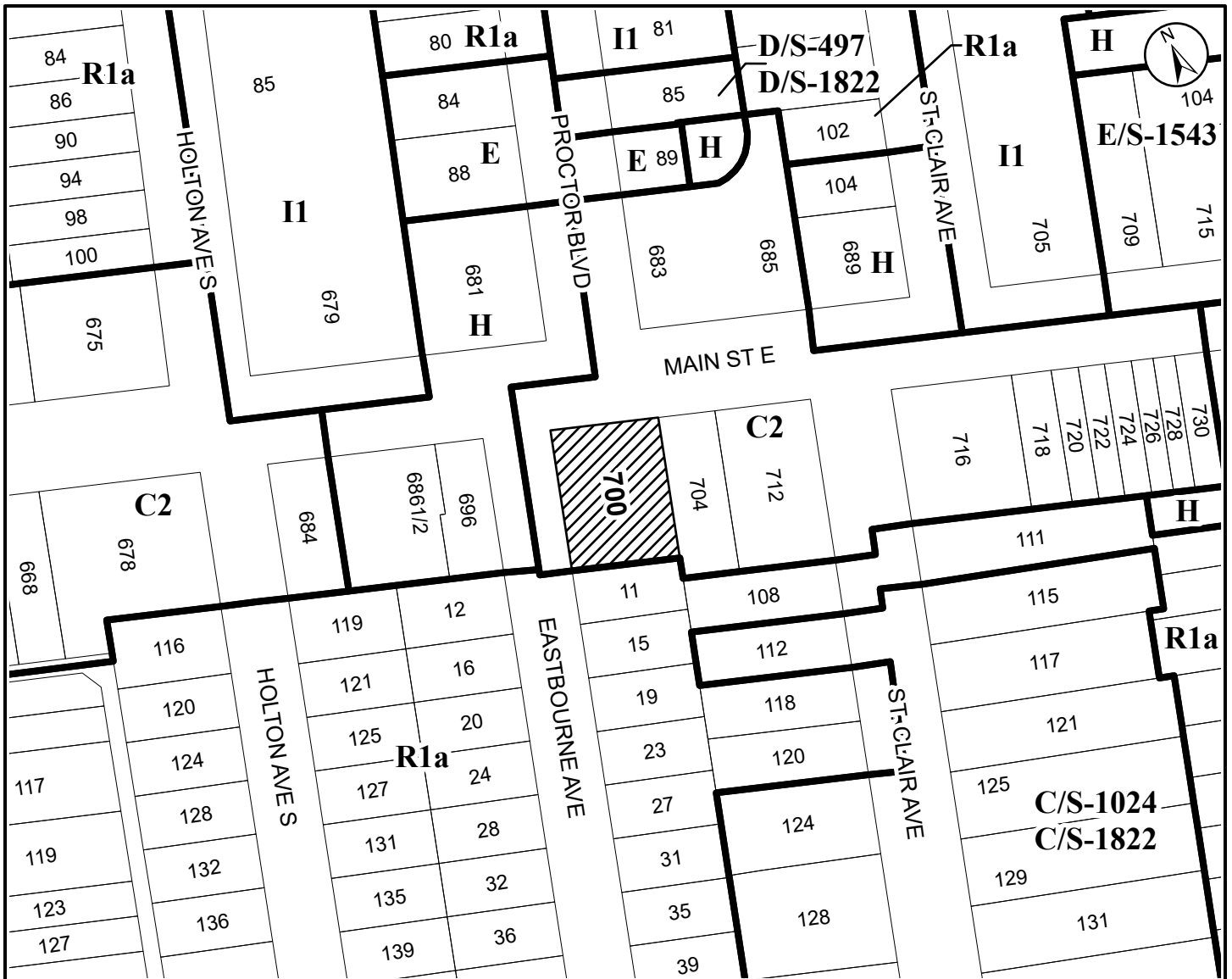
Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	
Notes:	<p>A building permit is required for the conversion of the proposed existing building to a Dwelling Unit, Mixed Use, containing a total of fifteen (15) dwelling units, a Social Services Establishment and an accessory office.</p> <p>Be advised that Ontario Building Code regulations may require specific setback and construction types.</p>

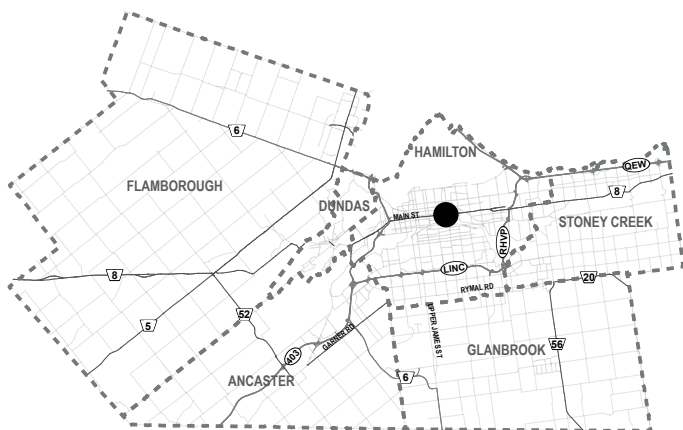
Transportation Planning:

Recommendation:	Approve
Proposed Conditions:	
Comments:	
Notes:	

Please Note: Public comment will be posted separately, if applicable.



● Site Location



City of Hamilton

Committee of Adjustments

Subject Property



700 Main Street East, Hamilton
(Ward 3)

File Name/Number:

A-24:263

Date:

January 8, 2025

Technician:

SH

Scale:

N.T.S.

Appendix "A"



Hamilton

Planning and Economic Development Department