



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

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.:	A-24:275	SUBJECT PROPERTY:	2782 Barton Street East, Hamilton
ZONE:	E-3/S-306d (High Density Multiple Dwellings)	ZONING BY-LAW:	Zoning By-law former City of Hamilton 6593, as Amended by By-law 23-028

APPLICANTS: Owner: LJM Developments (Hamilton) Inc.
Agent: A.J. Clarke and Associates

The following variances are requested:

1. A minimum of 0.15 visitor spaces per Class A dwelling unit for a Multiple Dwelling shall be permitted instead of the required 0.22 spaces per Class A dwelling unit.

PURPOSE & EFFECT: To facilitate the construction of a 17-storey mixed use multiple dwelling containing 313 units.

Notes: N/A

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Tuesday, January 21, 2025
TIME:	3:50 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

A-24:275

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

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

PUBLIC INPUT

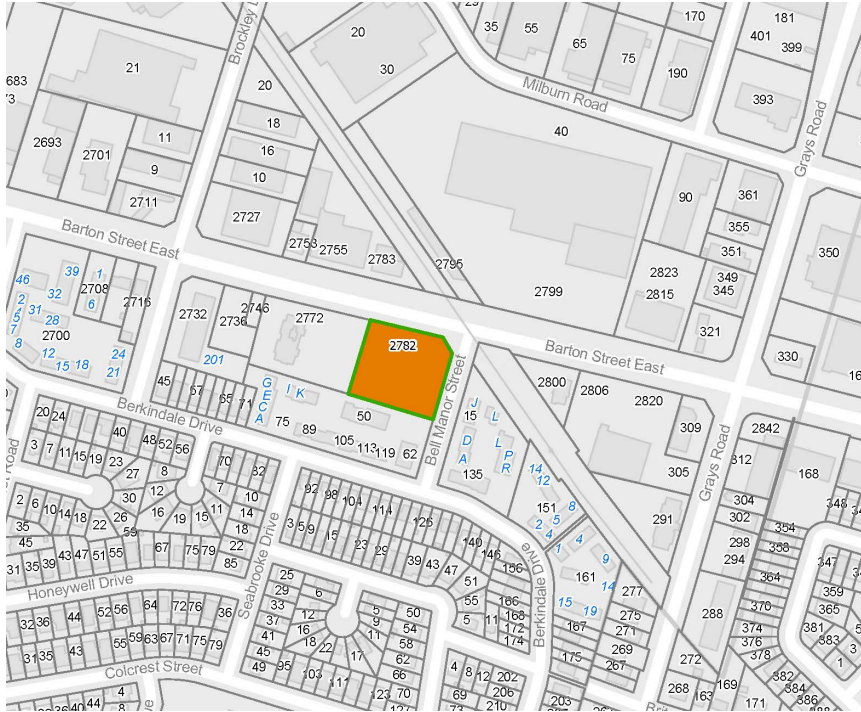
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon January 17, 2025

Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received **no** later than noon January 20, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:275, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



 Subject Lands

DATED: January 2, 2025

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, and may include posting electronic versions.



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Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon on the date listed on the Notice of Public Hearing.**

Comments are available the Friday prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing** to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **no less than 10 minutes** before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

PROPOSED RESIDENTIAL DEVELOPMENT

2782 BARTON STREET
STONEY CREEK, ONTARIO

PROJECT: 16073
DATE: JUNE 23, 2022
ISSUED FOR: SPA RE-SUBMISSION

ARCHITECTURAL DRAWINGS

- A000 COVER & STATS
- A101 PARKING PLAN P1
- A102 PARKING PLAN P2
- A103 PARKING PLAN P3
- A201 GROUND FLOOR PLAN
- A202 2ND FLOOR
- A203 3RD FLOOR
- A204 4RD, 6TH FLOOR PLAN
- A205 5TH FLOOR PLAN
- A207 7TH, 11TH, 13TH, 15TH FLOOR PLAN
- A208 8TH, 10TH, 12TH, 14TH, 16TH FLOOR PLAN
- A209 9TH FLOOR PLAN
- A217 17TH FLOOR PLAN
- A218 MECHANICAL PH FLOOR PLAN
- A219 ROOF PLAN
- A401 ELEVATIONS
- A402 ELEVATIONS
- A403 ELEVATIONS
- A404 ELEVATIONS
- A501 SECTION
- A502 SECTION
- A503 SECTION

PROJECT CONSULTANTS

ARCHITECT
RAW DESIGN INC.
317 ADELAIDE STREET WEST, SUITE 405
TORONTO, ON M5V 1P9
T: 416 599 9729
F: 416 599 7729

STRUCTURAL
EXP SERVICES INC.
499 KING STREET EAST, SUITE 200
HAMILTON, ON L8N 1E1
T: 905 525 6069
F: 905 528 7310

MECHANICAL & ELECTRICAL
TRACE ENGINEERING LTD.
505 CONSUMERS ROAD, UNIT 904
TORONTO, ON M2J 4V8
T: 416 391 2633
F: 416 391 3354

LANDSCAPE
ADESSO DESIGN INC.
218 LOCKE STREET SOUTH, 2ND FLOOR
HAMILTON, ON L8P 4B4
T: 905 526 8873
F: info@adessodesigninc.ca

CIVIL
S.LLEWELLYN & ASSOCIATES LTD.
3228 SOUTH SERVICE ROAD,
SUITE 105 (EAST WING)
BURLINGTON, ON L7N 3H8
T: 905 631 6978
F: 905 631 8927

SURVEYOR
BARICH GRENKIE SURVEYING LTD.
11 - 428 MILLEN ROAD
STONEY CREEK, ON L8G 1E5
T: 905 622 6767
F: 1 800 778 2979

SHORING CONSULTANT
TERRAPROBE INC.
11 INDELL LANE
BRAMPTON, ON L6T 3Y3
T: 905 796 2650
F: 905 796 2250

PLANNING
FRANZ KLOIBHÖFER
A.J.CLARKE AND ASSOCIATES LTD.
25 MAIN STREET WEST
HAMILTON, ON L8P 1H1
T: 905 528 8761 x233



3D IMAGE

This drawing is the property of the Architect and may not be reproduced or used without the express consent of the Architect. The Contractor is responsible for checking and verifying all levels and dimensions and shall report all discrepancies to the Architect and obtain clarification prior to commencing work.

ISSUED RECORD

2015.12.07 - ISSUED FOR ZBA
2016.09.28 - ISSUED FOR REVISIONS
2016.10.24 - ZBA RE-SUBMISSION
2017.02.14 - ZBA RE-SUBMISSION
2017.02.27 - ISSUED FOR SPA
2017.05.18 - ZBA+SPA
BB1-SUBMISSION-PA RE-SUBMISSION
2018.02.02 - SPA RE-SUBMISSION
2021.02.18 - SPA RE-SUBMISSION
2021.03.02 - SPA RE-SUBMISSION
2021.04.08 - SPA RE-SUBMISSION
2021.07.30 - ISSUED FOR OPA
2022.10.03 - RE-ISSUED FOR OPA
2023.01.20 - RE-ISSUED FOR SPA
2023.06.23 - RE-ISSUED FOR SPA

REVISION RECORD

RAW		405-317 ADELAIDE ST. W. TORONTO CANADA M5V 1P9 +1 416 599 9729 WWW.RAWDESIGN.CA		16073 Barton Street Hamilton, ON													
PRELIMINARY SITE STATISTICS 15 September 2023																	
Official Plan	Commercial	SITE AREA GROSS	5,655.0	sq.m.	60670												
Avenue Width	25	ROAD DEDICATION	74.3	sq.m.	799.77												
Character Area	N/A	PARKLAND	0.0	sq.m.	0												
Policy Area		SITE AREA NET	5,580.7	sq.m.	60071												
Established District		PROPOSED FSI		Allowed FSI	3.3												
Current Zoning		Residential	4.0%														
		Retail	0.0%														
		Total	4.0%														
AREA CALCULATIONS																	
FLOOR	1B	1B+D (c/7m)	2B	2B+D (c/8m)	TOTAL	RES GFA	RETAIL GFA	OFFICE GFA	AMENITY	GCA	GFA EXCLUSIONS						
						m ²	sq.ft.	m ²	sq.ft.	m ²	sq.ft.						
P3						0				3882	41785						
P2						0				3883	41796						
P1						0				3883	41796						
1			9	4	13	1387	14,930		309	3,326	1381						
2						1078	11,603				1290						
3	6	10	3	0	1	20	1328	14,294		1290	13,885						
4	6	10	3	0	1	20	1328	14,294		1290	13,885						
5	6	10	3	0	1	20	1328	14,294		1290	13,885						
6	6	10	3	0	1	20	1328	14,294		1290	13,885						
7	6	10	2	1	1	20	1328	14,294		1290	13,885						
8	6	10	2	1	1	20	1328	14,294		1290	13,885						
9	6	10	2	1	1	20	1328	14,294		1290	13,885						
10	6	10	2	1	1	20	1328	14,294		1290	13,885						
11	6	10	2	1	1	20	1328	14,294		1290	13,885						
12	6	10	2	1	1	20	1328	14,294		1290	13,885						
13	6	10	2	1	1	20	1328	14,294		1290	13,885						
14	6	10	2	1	1	20	1328	14,294		1290	13,885						
15	6	10	2	1	1	20	1328	14,294		1290	13,885						
16	6	10	2	1	1	20	1328	14,294		1290	13,885						
17	6	10	2	1	1	20	1329	14,305		1291	13,896						
TOTAL	90	150	43	15	15	313	22,386	240,961	0	0	0	309	3,326	33,670	362,421	12,386	133,321
BF suites	Required	20%	25	58	47%												
	Provided	36	6	2	46												
AVERAGE UNIT SIZE		47	8	4	59												
Landscape Open Space						Required	18%		Provided	1498	sm	27%					
INDOOR AMENITY						REQUIRED	2 m ² /unit		PROVIDED	309	m ²	0.99	m ² /unit				
OUTDOOR AMENITY						626	m ²		2,928	m ²							
TOTAL AMENITY						1252	m ²		3,237	m ²							
PARKING CALCULATIONS																	
VEHICLE PARKING						REQUIRED						PROVIDED					
RATIO	1.02	1.02	1.02	1.02	1.02	0.23	Total					Surface	Visitor	Resident	TOTAL		
RESIDENT	918	153.0	43.9	15.3	15.3		319					P1	47	18	65		
VISITOR							71,999					P2		94	94		
TOTAL							391					P3		98	98		
												ALL		100	100		
													47	310	357		
BICYCLE PARKING																	
RESIDENTIAL LONG-TERM						INDOORS (05	157		RECOMMENDED	157		PROVIDED	160				
RESIDENTIAL VISITOR/SHORT-TERM						AT GRADE (0.07)	22		REQUIRED	0			22				
TOTAL							179			0			182				

PROJECT STATISTICS

RAW
405-317 ADELAIDE STREET WEST
TORONTO CANADA M5V 1P9
+1 416 599 9729
WWW.RAWDESIGN.CA

16073

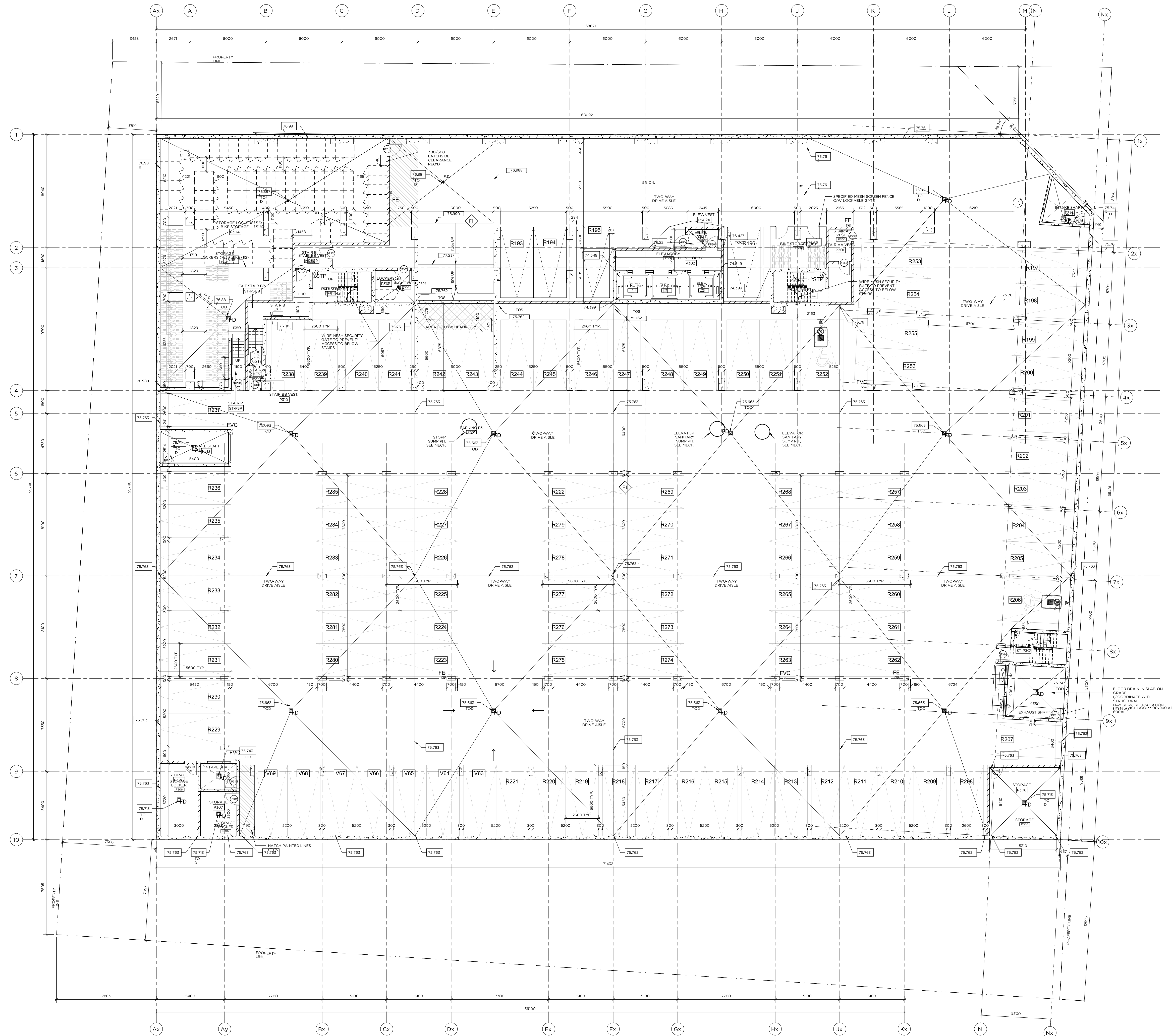
2782 BARTON STREET
HAMILTON, ON

LJM Developments

COVER

N/A

A000

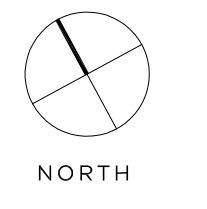


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REVISION RECORD



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16073

2782 BARTON STREET
 HAMILTON, ON

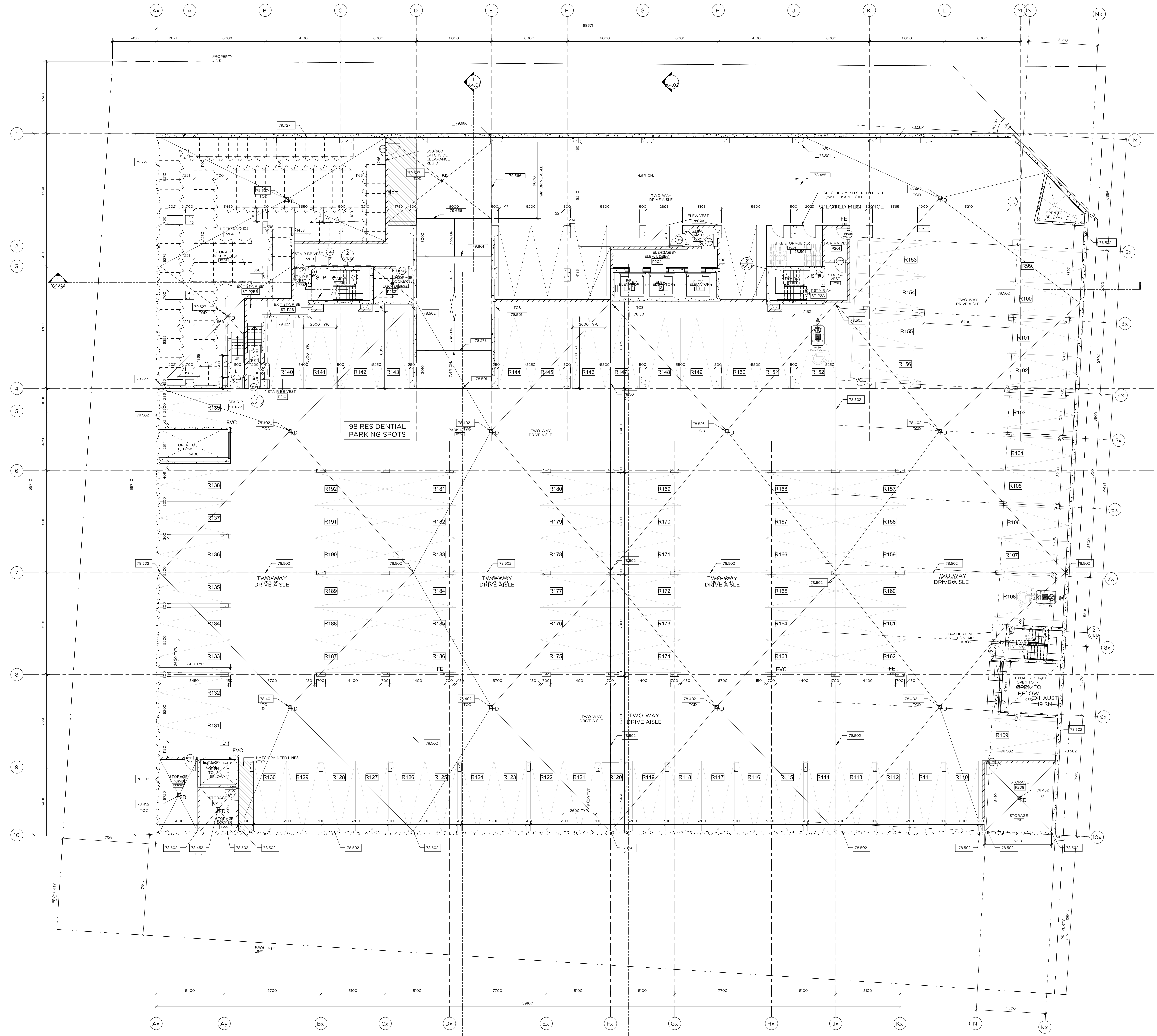
SPA-23-049

LJM Developments

PARKING P3
 FLOOR PLAN

1:150

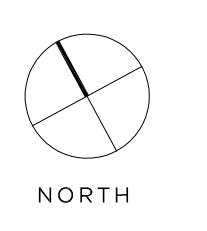
A101



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REVISION RECORD

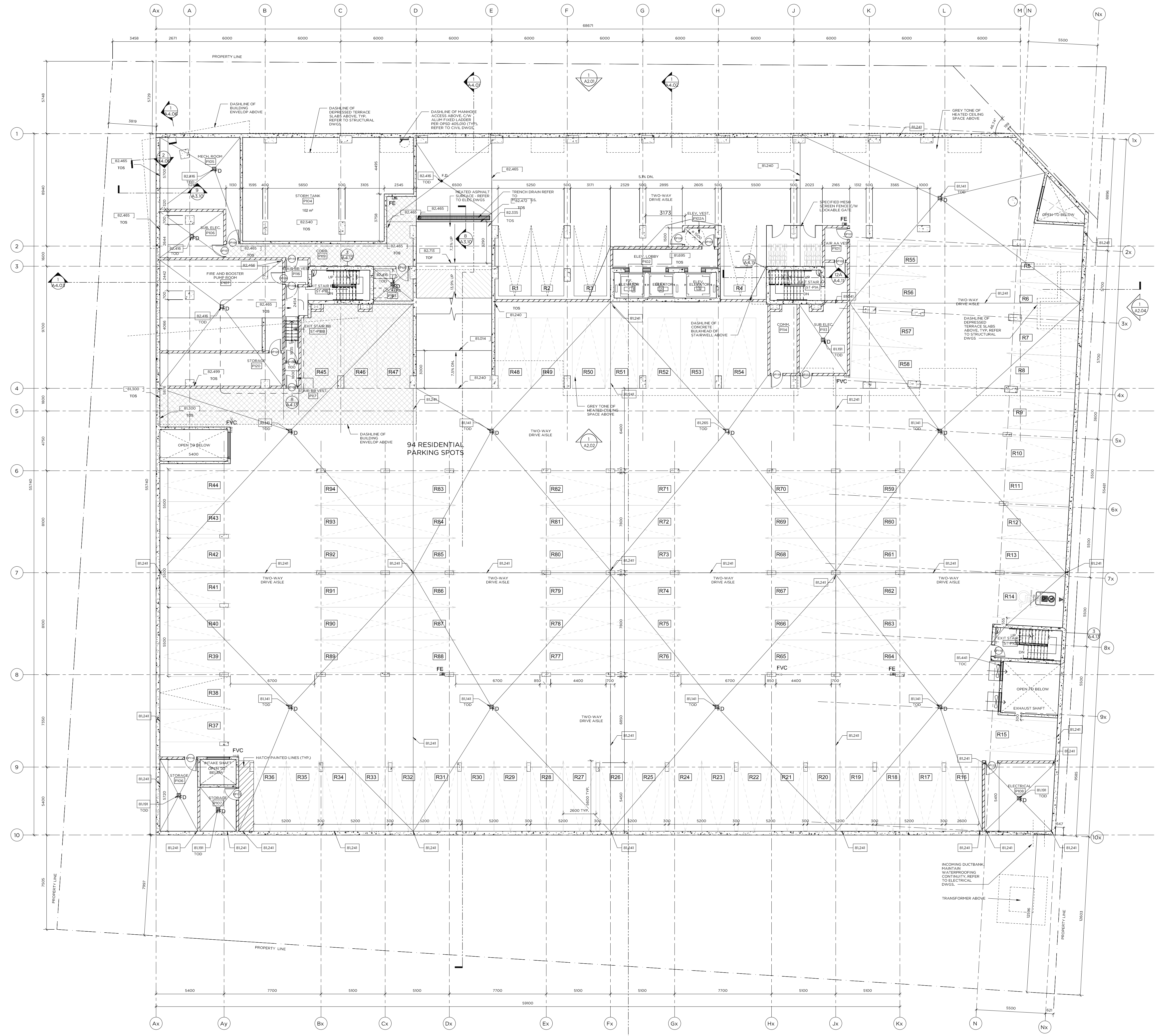


RAW
 405-317 ADELAIDE STREET WEST
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 +1 416 599 9729
 WWW.RAWDESIGN.CA

16073
 2782 BARTON STREET
 HAMILTON, ON

SPA-23-049
 LJM Developments
 PARKING P2
 FLOOR PLAN

1:150
A102

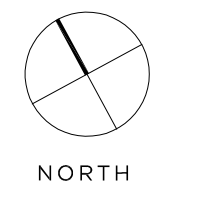


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REVISION RECORD



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16073
 2782 BARTON STREET
 HAMILTON, ON

SPA-23-049
 LJM Developments
 PARKING P1
 FLOOR PLAN

1:150
A103

LANDSCAPE AREA 1229 SM

SURVEY INFORMATION REFERENCED FROM:
 2782 BARTON STREET
 BOUNDARY AND TOPOGRAPHIC SKETCH
 PART OF LOT 45 & 46
 REGISTERED PLAN M-46
 GEOGRAPHIC TOWNSHIP OF STAMFORD
 CITY OF HAMILTON

PREPARED BY:
 BARICH GRENKIE SURVEYING LIMITED, NOVEMBER 26, 2016
 LOT AREA: 5,655 SM
 LOT COVERAGE: 24%
 GROSS FLOOR AREA: 22,386 SM
 HEIGHT: +/- 57.2 M
 NUMBER OF RES. UNITS: 313
 PARKING RATIO: 1.30, 1.0 PER DWELLING
 PARKING SPACES: 261
 LOADING SPACES PROVIDED: 1
 LANDSCAPED OPEN SPACE: 1004 SM, 18%
 PROVIDED: 1303 SM, 21.7%

- SITE PLAN NOTES**
- 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 PLANNING 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 (IF REQUIRED)
 COMMITTEE OF ADJUSTMENT
 - ABANDONED ACCESSES 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:
 5 METRE BY 5 METRE VISIBILITY, AND 12 X 12 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.
 - LIGHTING MUST BE DIRECTED ON SITE AND MUST NOT SPILL OVER TO ADJACENT PROPERTIES OR STREETS.
 - A MINIMUM 1.2 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 SIGNS OR UTILITY RELOCATION ARE THE SOLE RESPONSIBILITY OF THE APPLICANT/OWNER. IT IS THE APPLICANT'S RESPONSIBILITY TO COORDINATE WITH THE APPROPRIATE DEPARTMENTS AHEAD OF TIME.
 - THIS PROPERTY IS ELIGIBLE FOR WEEKLY WASTE COLLECTIONS OF GARABAGE, RECYCLING, ORGANICS, LEAF AND YARD WASTE THROUGH THE CITY OF HAMILTON SUBJECT TO COMPLIANCE WITH SPECIFICATIONS INDICATED BY THE PUBLIC WORKS DEPARTMENT AND SUBJECT TO COMPLIANCE WITH THE CITY'S SOLID WASTE MANAGEMENT BYLAW 09-067, AS AMENDED.

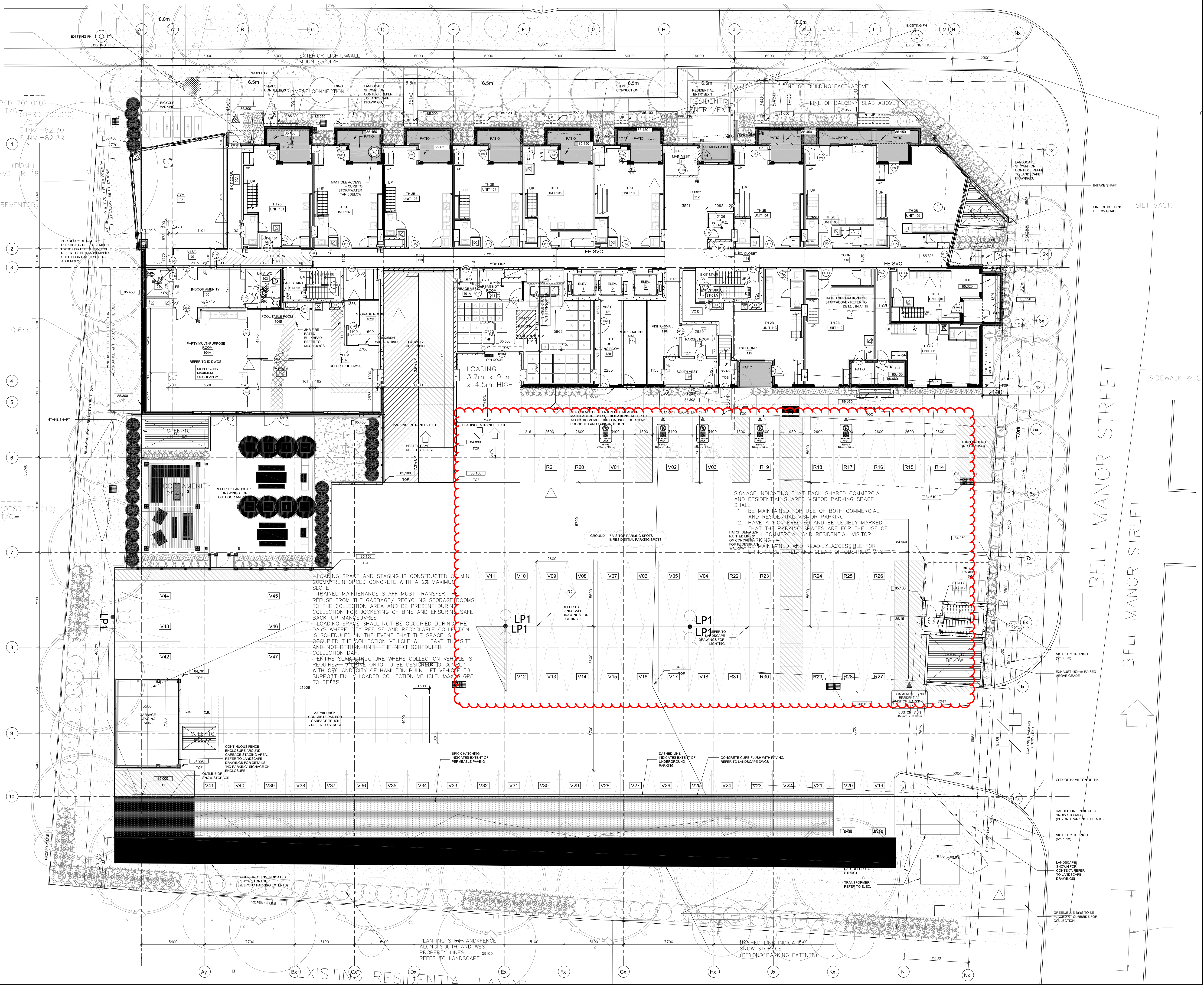
ALECTRA UTILITIES

- RELOCATION, MODIFICATION, OR REMOVAL OF ANY EXISTING HYDRO FACILITIES SHALL BE AT THE OWNER'S EXPENSE.
- DO NOT EXCAVATE WITHIN 2M OF HYDRO POLE OR ANCHORS.
- EXCAVATION WITHIN 1M OF UNDERGROUND HYDRO PLANT IS NOT PERMITTED UNLESS APPROVAL IS GRANTED BY A HORIZON UTILITIES REPRESENTATIVE AND IS PRESENT TO PROVIDE DIRECT SUPERVISION. COST ASSOCIATED WITH THIS TASK SHALL BE AT OWNER'S EXPENSE.
- HORIZON UTILITIES MUST BE CONTACTED IF REMOVAL, ISOLATION OR RELOCATION OF EXISTING PLANS IS REQUIRED. ALL COSTS ASSOCIATED WITH THIS WORK WILL BE AT THE OWNER'S EXPENSE.

LETTER OF UNDERTAKING

- RE: SPA-23-049 2782 BARTON STREET EAST
- L (H), LJM Development (Hamilton) Inc., the owners of the land, hereby undertake and agree without reservation:
- to comply with all the content of this plan and drawing and not to vary therefrom;
 - to perform the facilities, works or matters mentioned in Section 41(7)(a) of the Planning Act shown on this plan and drawings in accordance with the conditions of approval as set out in the Letter of Approval dated November 23, 2020.
 - to maintain to the satisfaction of the City and at my (our) sole risk and expense, all 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
 - in the event that the Owner does not comply with the plan dated September 15, 2021, the owner agrees that the City may enter the land and do the works, and further the Owner authorises the City to use the security filed to obtain compliance with this plan.
 - The owner shall indicate in the Agreement, in words satisfactory to Bell Canada, that it will grant to Bell Canada any easements that may be required, which may include a blanket easement for communication/telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.
 - That the Owner agrees to include any noise warning clauses on title and in all offers and agreement of purchase and sale or lease for all residential units.
 - That the Owner agrees to establish any noise mitigation measures identified in the required Environmental Noise Study
 - This development is eligible for municipal waste collection service subject to meeting the City's requirements for serviceability. The owner understands that a private waste hauler will be required if the property will be generating more than the allowable waste collection limit.
 - That the Owner agrees to physically affix the municipal number 2782 Barton Street East to the building or on a sign in accordance with the City's Sign Bylaw, in a manner that is visible from the street.
 - Enbridge Gas Inc. does have service lines running within the area which may or may not be affected by the proposed Site Plan. Should the proposed Site Plan impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any service would be at the cost of the Owner.

Witness (signature) _____ Owner (signature) _____
 Witness (print) _____ Owner (print) _____
 Address of Witness _____



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ISSUED RECORD

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2016.09.28	- ISSUED FOR REVISIONS
2016.10.24	- ZBA RE-SUBMISSION
2017.02.14	- ZBA RE-SUBMISSION
2017.02.27	- ISSUED FOR SPA
2017.05.18	- ZBA+SPA
2017.06.06	- SPA RE-SUBMISSION
2018.02.02	- SPA RE-SUBMISSION
2018.02.19	- SPA RE-SUBMISSION
2021.03.02	- SPA RE-SUBMISSION
2021.04.08	- SPA RE-SUBMISSION
2021.07.30	- ISSUED FOR OPA
2022.10.03	- RE-ISSUED FOR OPA
2023.01.20	- RE-ISSUED FOR SPA
2023.06.22	- RE-ISSUED FOR SPA
2023.08.09	- RE-ISSUED FOR SPA
2024.12.04	- MINOR VARIANCE

REVISION RECORD

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RAW

405-317 ADELAIDE STREET
 WEST TORONTO CANADA M5V 1P9
 +1 416 599 9729
 WWW.RAWDESIGN.CA
 16073

2782 BARTON STREET
 HAMILTON, ON

LJM Developments
 GROUND FLOOR PLAN

1:150
 A201



City of Hamilton Planning and Development
City Hall 5th Floor
71 Main St W, Hamilton, ON L8P 4Y5

December 6, 2024

Attn: Ms. Jamila Sheffield
Secretary Treasurer, Committee of Adjustment (email: Jamila.Sheffield@hamilton.ca)

**Re: 2782 Barton Street East, Hamilton, ON
Minor Variance Application Submission**

Dear Ms. Sheffield:

A.J. Clarke and Associates Ltd. has been retained by LJM Developments Inc. for the purposes of submitting the enclosed Minor Variance Application for the subject lands, municipally known as 2782 Barton Street East, in the City of Hamilton. The purpose of this analysis is in support of the Minor Variance Application for the subject lands.

The subject development was for a 17-storey mixed-use residential tower featuring a 2-storey podium containing ground floor amenity uses (309m²). In total 148 parking spaces and 179 bicycle parking spaces are provided. The development will also feature 1,252m² of both indoor and outdoor amenity space (not inclusive of balcony space). A minor variance is required to seek relief from the required visitor parking provisions as per Zoning By-law 6593. Site Plan Approval has been granted and Building Permits have been issued. Construction of the aforementioned project was substantially completed in 2024.

The following supporting materials are submitted to your attention, in support of the subject application:

- Payment to the amount of \$3,900.00, provided at the time of submission via credit card over the phone;
- One (1) digital copy of the required filled and signed Minor Variance Application Form; and,
- One (1) digital copy of the Architectural Package, prepared by RAW, dated December 4, 2024.

The surrounding area consists of a wide range of residential (primarily street townhouse, high rise), and commercial (automotive repair, hardware, home appliances), uses. Beyond the immediate surrounding area consists of industrial (manufacturing) to the north, low and medium-density residential to the south and west, and additional commercial uses to the east. St. Anges Catholic Elementary School is located less than 300-metres south of the subject lands. The subject lands are served by HSR Route #2 Barton East bus line which runs at <10-minute intervals. There is also a MyRide Fixed Route Connection Point located on the northwest corner of Barton Street East and Bell Manor Street, less than 50-metres away from the subject lands. The immediate surrounding land uses include:

North	Commercial, Industrial
South	Residential
West	Commercial, Residential
East	Residential

A review of the applicable planning policies has been included below.



Planning Policy Overview

City of Hamilton Urban Hamilton Official Plan (UHOP)

The City of Hamilton Urban Hamilton Official Plan (UHOP) is the guiding document for where and how the City of Hamilton will grow until 2031 and beyond.

The subject lands are designated ‘Neighbourhoods’ on Schedule E-1 – Urban Land Use Designations in the Official Plan. The ‘Neighbourhoods’ designation permits *“a mix of low, medium, and high rise residential areas; various types of roads, parks, open spaces, and commercial areas; and institutions such schools and places of worship”*. An OPA was submitted and subsequently approved on February 22, 2023, to amend site-specific policy UHN-23 of Chapter C, Volume 3 of the Urban Hamilton Official Plan to permit a maximum net residential density of 561 units per hectare for the subject lands. The following policies are applicable:

Chapter B – Communities

Chapter 2.4 Residential Intensification

Intensification promotes efficient use of land, urban services, and transportation, supporting existing community facilities with a sufficient population. It fosters vibrant, compact communities, strengthens the city's node and corridor structure, and optimizes public transit and infrastructure.

Pol. 2.4.1.4.i. The contribution of the development to be transit-supportive and supporting the use of existing and planned local and regional transit services;

Pol. 2.4.1.4.h. the contribution of the proposed development to supporting and facilitating active transportation modes;

Chapter 3.3 Urban Design Policies

Pol. 3.3.1.4. Create communities that are transit-supportive and promote active transportation.

Chapter E – Urban Systems and Designations

Section 2.7 Neighbourhoods

Neighbourhoods are primarily intended to provide for large concentrations of residential uses that are supported by complimentary commercial facilities and services that meet the daily needs of local residents.

Section 3.0 Neighbourhoods Designation

Pol. 3.1.1. Develop compact, mixed use, transit-supportive, and active transportation friendly neighbourhoods.

Pol. 3.1.2. Develop neighbourhoods as part of a complete community, where people can live, work, shop, learn, and play.



Pol. 3.6.4. High density residential uses shall be located within safe and convenient walking distance of existing or planned community facilities/services, including public transit, schools, and active or passive recreational facilities.

The recently constructed buildings contain 313 dwelling units provided. The constructed residential tower provides much needed housing supply into an existing neighbourhood to be serviced by and provide support to, surrounding commercial uses.

City of Hamilton Zoning By-law 6593

The subject lands are zoned “E-3/S-306D” High Density Multiple Dwelling, in the City of Hamilton Zoning By-law No.6593. The “E-3/S-306D” High Density Multiple Dwelling zoning is site specific and permits high rise residential units.

The minor variance in question is regarding the required number of visitor parking spaces being provided. The in-effect By-law requires a minimum of 0.22 per unit. This minor variance is seeking to permit a visitor parking ratio of 0.15 per unit.

Minor Variance

Variances are required to facilitate the constructed development. The variances are as follows:

1. To permit a Minimum Number of Required Parking Spaces of 0.15 (47) per unit for multiple dwellings whereas the By-law requires a minimum ratio of 0.22 (69) per unit.

This minor variance application is made under the authority of Section 45(1) of the Planning Act. Accordingly, a minor variance must meet the requisite four tests as described in Section 45 (1) of the Act. The tests and professional opinion are outlined below:

1. Does the proposed variance maintain the intent and purpose of the Urban Hamilton Official Plan?

The proposed variance maintains the intent and purpose of the Urban Hamilton Official Plan as the subject site is designated “Neighbourhoods” as per Schedule E1 – Urban Land Use Designations.

The ‘Neighbourhoods’ designation permits uses such as; residential dwellings, including secondary dwelling units, and housing with supports, open space and parks, local community facilities/services, and local commercial uses. Further, this designation supports a full range of residential dwelling types and densities. Site-specific policy UHN-23 of Chapter C, Volume 3 of the Urban Hamilton Official Plan permits a maximum net residential density of 561 units per hectare for the subject lands.

Further as per Section 3.2.3 The following uses shall be permitted on lands designated Neighbourhoods on Schedule E-1 – Urban Land Use Designations:

- a) *residential dwellings, including second dwelling units and housing with supports;*

The Official Plan further support residential intensification projects that encourage use of active transportation and transit options as an alternative to low-occupancy vehicles as per Section 2.4 and 3.3 of Chapter B of the Official Plan.



The constructed building provides an increase in residential density within the Neighbourhood in a form that is consistent with the existing neighbourhood. The reduction in visitor parking spaces further encourages forms of active transportation and transit use.

It is our professional opinion that the development and proposed minor variance maintains the intent and purpose of the Urban Hamilton Official Plan.

2. Do the proposed variances maintain the intent and purpose of the Former City of Hamilton Zoning By-law 6593?

The required variance to the former City of Hamilton Zoning By-law 6593 is intended to provide greater access to residential parking at the expense of visitor parking spaces. The requested variance is to permit a visitor parking space ratio of 0.15 spaces per unit whereas the required visitor parking space ratio is 0.22 per unit is permitted.

The intent of the zoning provision is to ensure that visitors to the constructed building have access to parking spaces located on the subject lands as to not increase on-street parking in the surrounding neighbourhood.

The proposed reduction in required visitor parking still maintains the intent of the Zoning By-law by providing some vehicular visitor parking spaces but recognizes the robust surrounding transit system that can be further utilized by visitors. Further, the proposed parking rate is consistent with the current City of Hamilton Zoning By-law 05-200 which requires 0.15 visitor parking spaces per unit in a PRA 2 zone, where the subject lands are located. Eventually, these lands will be added into 05-200 when staff prepare High Density Residential Zoning.

It is our professional opinion that the development and proposed minor variance maintains the intent and purpose of the City of Hamilton Zoning By-law 6593.

3. Are the proposed variances appropriate for the development of the subject lands?

As noted above, the proposed variance is appropriate for the subject lands as it allows future residents to have greater access to parking spaces while maintaining a visitor parking rate that is consistent with the current City of Hamilton zoning provisions for a multiple dwelling structure. Further, the subject lands are situated along Barton Street East that has convenient access to HSR #2 Barton East bus line which runs at <10-minute intervals. There is also a MyRide Fixed Route Connection Point located adjacent to the site on the northwest corner of Barton Street East and Bell Manor Street.

It is our professional opinion that the proposed variances are appropriate for the development of the subject lands.

4. Are the proposed variances minor in nature?

The proposed variances are minor in nature and represent good planning. The proposed variances maintain the intent of the Official Plan, and the Zoning by-law by supporting local transit options while maintaining a visitor parking space ratio consistent with City of Hamilton Zoning By-law 05-200. There are no perceived impacts on the surrounding neighbourhood stemming from the reduced visitor parking rates, it is our professional planning opinion that the variances are minor in nature.



I trust that you will find the enclosed satisfactory for your purposes. Please confirm receipt of this submission and we look forward to being scheduled for the next available hearing date. If you have any questions or require additional information, please do not hesitate to contact our office.

Sincerely,

Ryan Ferrari, MCIP, RPP, CPT
Senior Planner
A. J. Clarke and Associates Ltd.



Hamilton

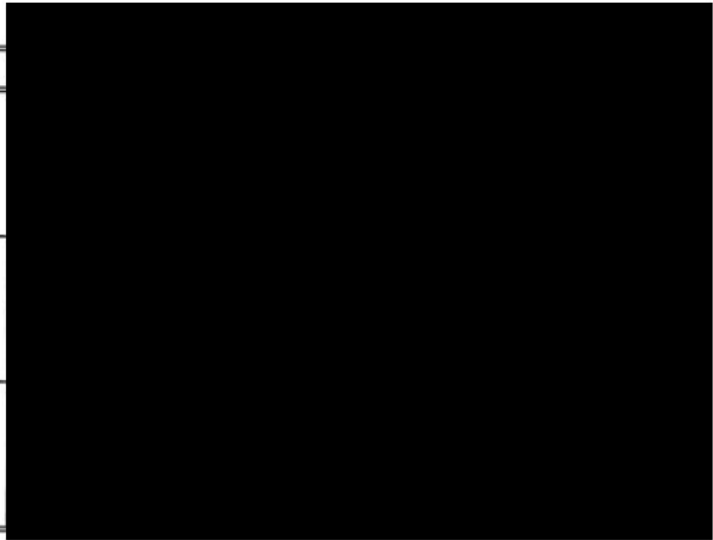
Committee of Adjustment
City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221
Email: cofa@hamilton.ca

**APPLICATION FOR A MINOR VARIANCE/PERMISSION
UNDER SECTION 45 OF THE PLANNING ACT**

1. APPLICANT INFORMATION

	NAME
Registered Owners(s)	LJM Developments (Hamilton) Inc.
Applicant(s)	Same as above
Agent or Solicitor	A.J. Clarke and Associates



1.2 Primary contact

Applicant

Owner

Agent/Solicitor

1.3 Sign should be sent to

Applicant

Owner

Agent/Solicitor

1.4 Request for digital copy of sign

Yes*

No

If YES, provide email address where sign is to be sent



1.5 All correspondence may be sent by email

Yes*

No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will be sent by email.

1.6 Payment type

In person

Cheque

Credit over phone*

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	2782 Barton Street East		
Assessment Roll Number			
Former Municipality			
Lot	Part of Lot 45 and 46	Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)	M-50	Part(s)	

2.2 Are there any easements or restrictive covenants affecting the subject land?

Yes No

If YES, describe the easement or covenant and its effect:

3. PURPOSE OF THE APPLICATION

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

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

See attached cover letter.

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

See attached cover letter.

3.3 Is this an application 45(2) of the Planning Act.

Yes

No

If yes, please provide an explanation:

See attached cover letter.

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
+79 m (Barton St. E.)			
+74 m (Bell Manor St.)	+74 m	+5,655 sq m	

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

Existing:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Mixed Use High Rise	5.5m	4.3m	1.0m	2024

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Mixed Use High Rise	5.5m	4.3m	1.0m	2024

4.3. Particulars of all buildings and structures on or proposed for the subject lands (attach additional sheets if necessary):

Existing:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
High Density Multiple Dwelling	1,387m ²	22,386m ²	17	52.2m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
High Density Multiple Dwelling	1,387m ²	22,386m ²	17	52.2m

- 4.4 Type of water supply: (check appropriate box)
 publicly owned and operated piped water system
 privately owned and operated individual well

- lake or other water body
 other means (specify)

- 4.5 Type of storm drainage: (check appropriate boxes)
 publicly owned and operated storm sewers
 swales

- ditches
 other means (specify)

4.6 Type of sewage disposal proposed: (check appropriate box)

- publicly owned and operated sanitary sewage
- system privately owned and operated individual
- septic system other means (specify) _____

4.7 Type of access: (check appropriate box)

- provincial highway
- municipal road, seasonally maintained
- municipal road, maintained all year
- right of way
- other public road

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):
Mixed Use High Rise

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):
Res. High Rise, Townhouse,

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:
N/A

7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
High Density Multiple Dwelling

7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)
High Density Multiple Dwelling

7.4 Length of time the existing uses of the subject property have continued:
Construction substantially completed in 2024

7.5 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods (UHN-23)

Please provide an explanation of how the application conforms with the Official Plan.
See Cover Letter.

7.6 What is the existing zoning of the subject land? E-3/S-306d

7.8 Has the owner previously applied for relief in respect of the subject property?
(Zoning By-law Amendment or Minor Variance)

- Yes
- No

If yes, please provide the file number: :HM/A-19:462

7.9 Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?

Yes

No

If yes, please provide the file number: _____

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 313

8.2 Number of Dwelling Units Proposed: 313

8.3 Additional Information (please include separate sheet if needed):

See attached site plan.

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application form
- Signatures Sheet

11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
 - Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
 - Minimum Distance Separation Formulae (data sheet available upon request)
 - Hydrogeological Assessment
 - Septic Assessment
 - Archeological Assessment
 - Noise Study
 - Parking Study
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