



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-24:271	SUBJECT PROPERTY:	188 Cannon Street East, Hamilton
ZONE:	D5, H17, H19, H20 (Downtown Residential)	ZONING BY-LAW:	Hamilton Zoning By-law 05-200, as Amended by By-law 18-114

APPLICANTS: Owner: Hamilton 188 GP Inc.
Agent: A.J. Clarke and Associated Ltd.

The following variances are requested:

1. A minimum rear yard of 2.9 metres shall be permitted instead of the minimum required rear yard of 7.5 metres.
2. A maximum building height of 100.06 metres shall be permitted instead of the maximum building height of 99.0 metres.
3. A base building height of 20.1 metres along Ferguson Avenue North shall be permitted instead of the maximum permitted base building height of 16.0 metres along Ferguson Avenue North.
4. A minimum setback of 9.3 metres for that portion of a building in exceeding 44.0 metres from a lot line abutting a laneway shall be permitted instead of the minimum required setback of 9.5 metres for that portion of a building exceeding 44.0 metres abutting a laneway.
5. A maximum of 52% of the provided parking spaces (11 spaces) may provide a minimum parking space width of 2.6 metres and a minimum parking space length of 5.5 metres instead of the maximum of 10% of the provided parking spaces (2 parking spaces) which are permitted to be reduced to provide a minimum parking space width of 2.6 metres and a minimum parking space length of 5.5 metres.
6. A minimum of 14 short-term bicycle parking spaces to be provided instead of the minimum required 38 short-term bicycle parking spaces.
7. A balcony may encroach a maximum of 1.5 metres into any required yard instead of the

A-24:271

maximum permitted balcony encroachment of 1.0 metres.

PURPOSE & EFFECT: To permit the construction of a mixed-use development consisting of a 33-storey tower with a 5-storey podium and the adaptive reuse of the existing heritage buildings.

Notes:

- i. The variances are necessary to facilitate Site Plan application DA-24-030.
- ii. 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 included in the following zoning chart. If the remaining portions of By-law 24-052 become final before issuance of a building permit, the Electric Vehicle Parking requirements will be applicable upon review for such building permit.
- iii. Holding provisions “H17”, “H19”, and “H20” are assigned to this property. The holdings contain specific conditions required to be satisfied before development can occur on the subject lands.
- iv. A portion of the subject lands is included in the City of Hamilton’s Register of Property of Cultural Heritage Value or Interest as a non-designated property. Council requires 60 days’ notice of any intention to demolish or remove any building or structure on the property.

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:	2:30 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

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

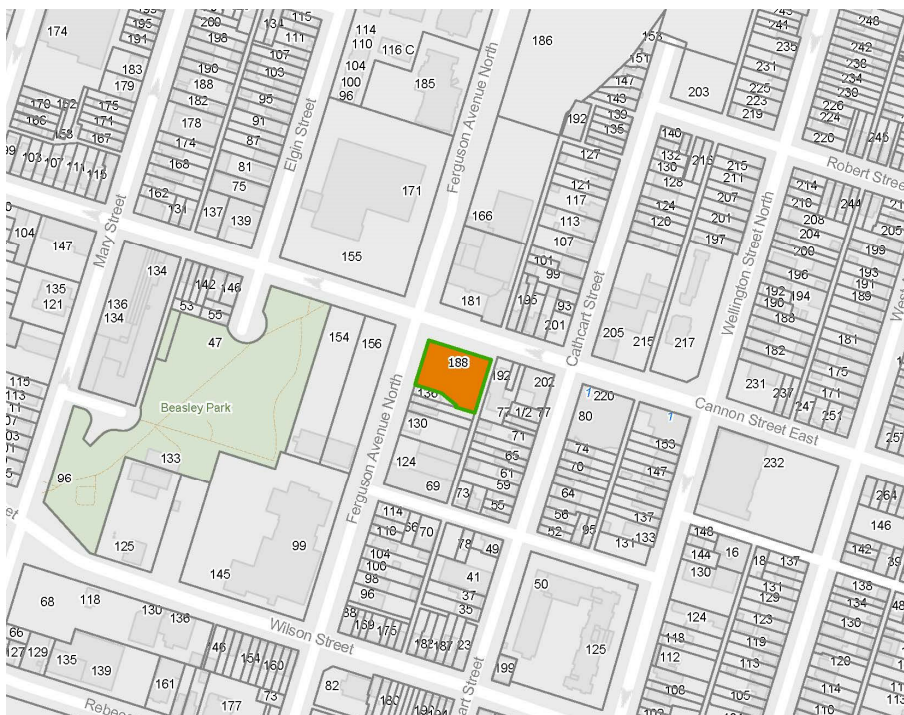
A-24:271

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-24:271, 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.



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

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.

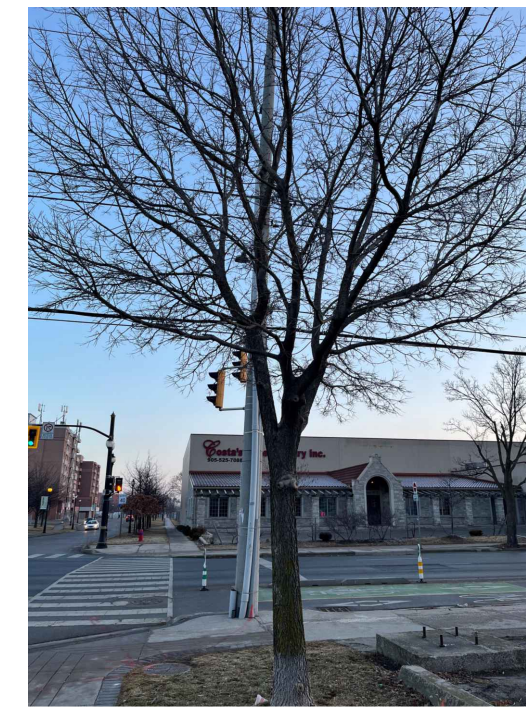
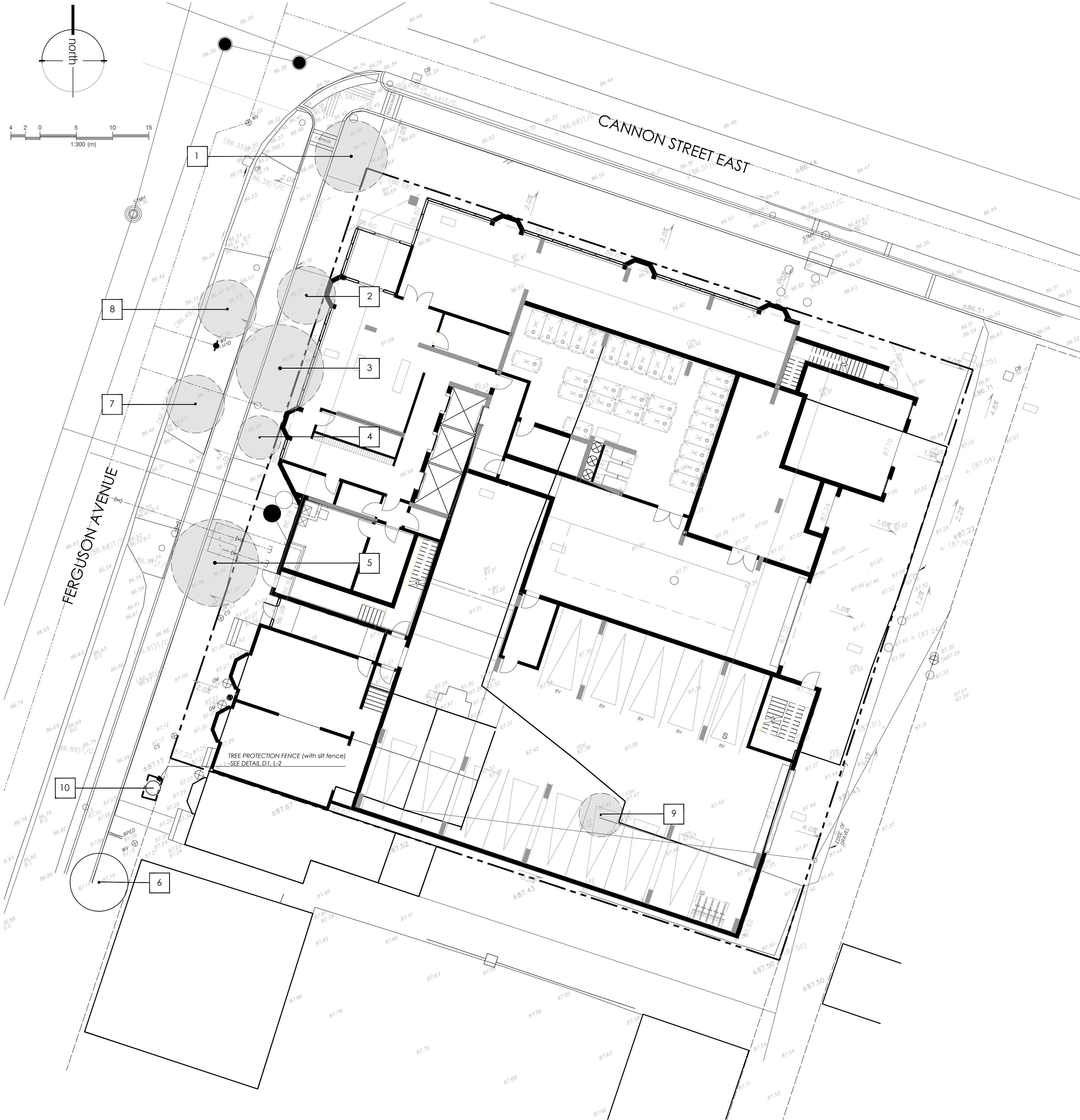
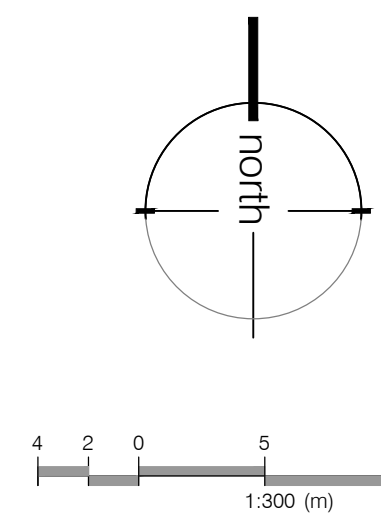
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

2. In person Oral Submissions

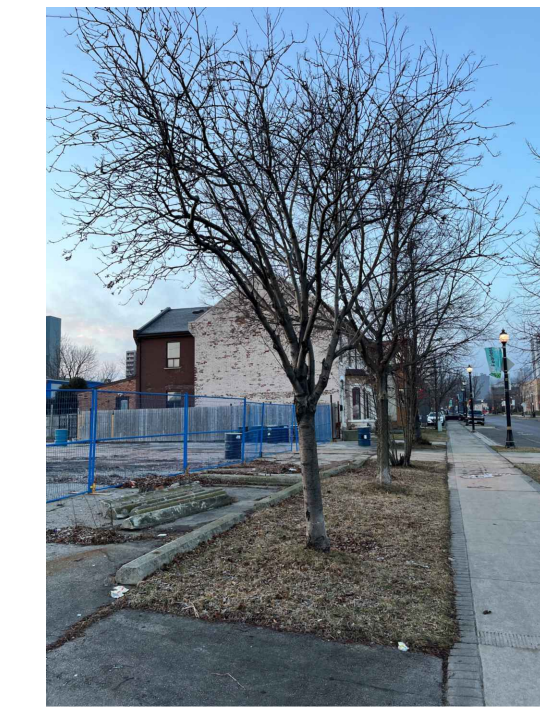
Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **no less than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

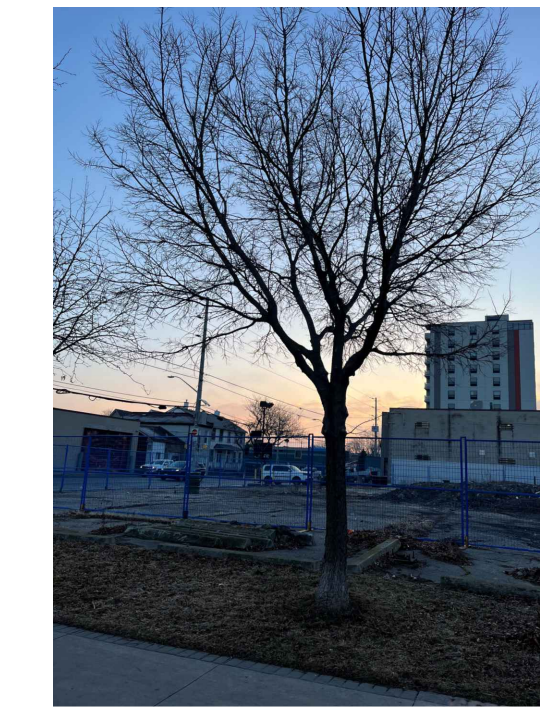
Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly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



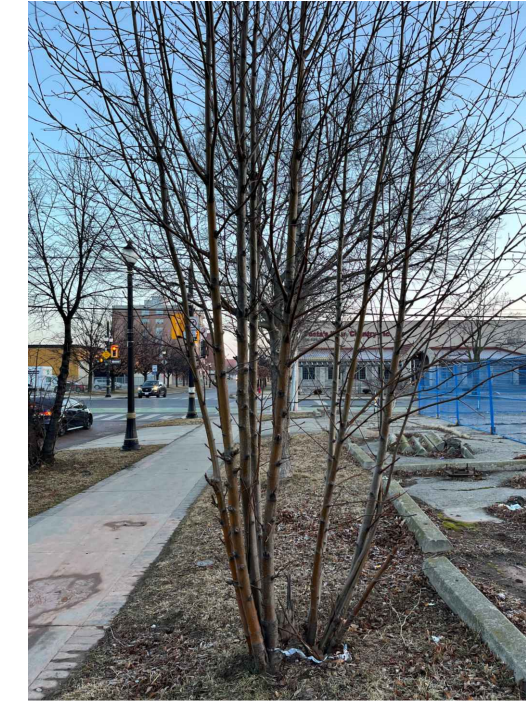
Tree 1



Tree 2



Tree 3



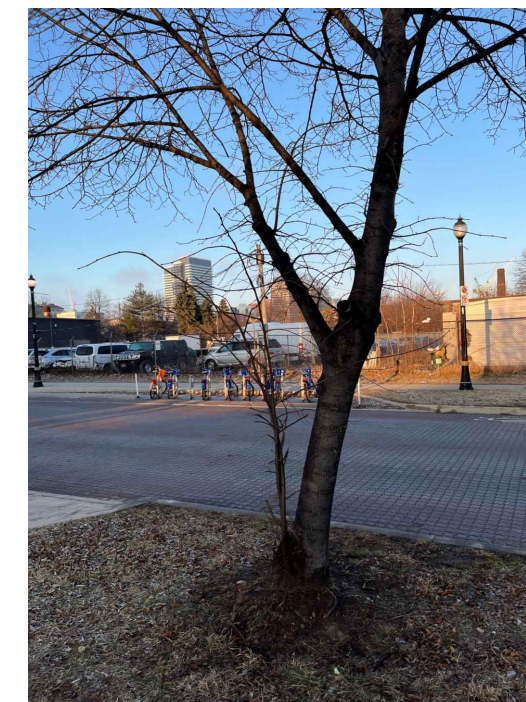
Tree 4



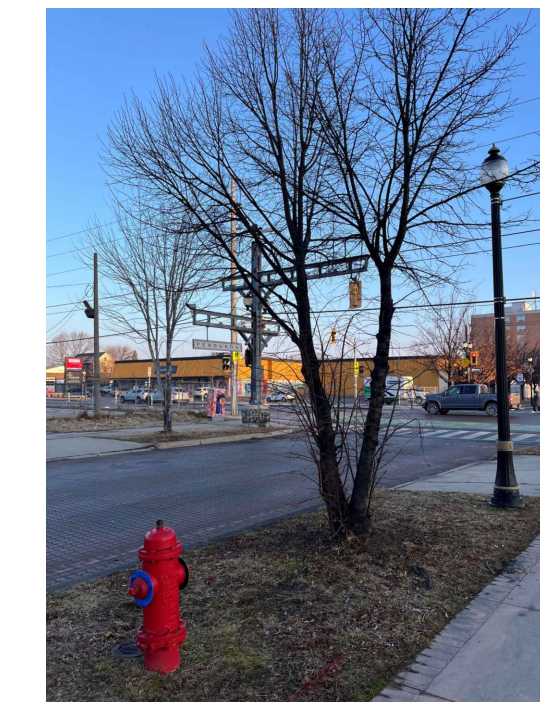
Tree 5



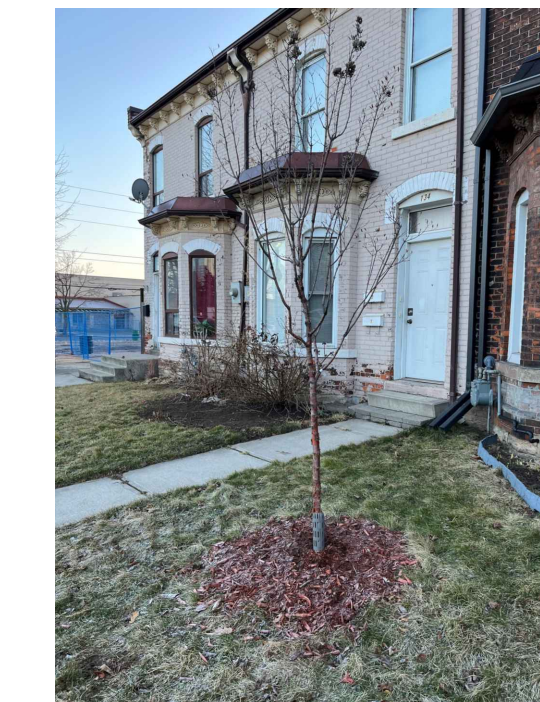
Tree 6



Tree 7



Tree 8



Tree 10

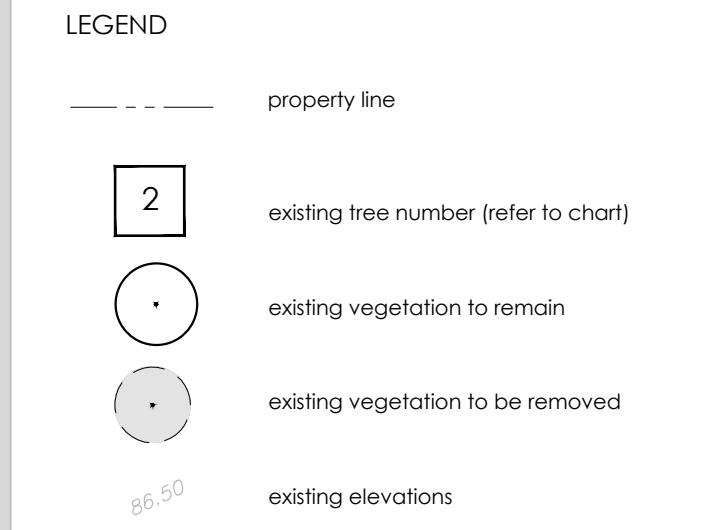
NOTE

- A 'Verification of Tree Protection Letter' by the tree management professional is to be provided to the Director of Planning at the City of Hamilton to confirm that all tree protection measures have been installed prior to the undertaking of any grading activities.
- Any arborist completing tree removals on-site is required to have a tree cutting licence with the City of Hamilton. Please contact the City's licensing section (licensing@hamilton.ca) for licensing or further information.

HAND PRUNING /DIGGING NOTE

1. Any work within the driplines of a tree to be preserved, to be completed carefully by hand under supervision of a qualified tree professional. Any required root pruning to be completed by a qualified tree professional.

PRIVATE TREES >10cm DBH TO BE REMOVED:	1
MUNICIPAL TREES TO BE REMOVED*:	7
REQUIRED COMPENSATION TREES (1:1):	8
FUTURE STREET TREES (SEE LANDSCAPE PLAN)	8
PROPOSED PRIVATE TREES (SEE LANDSCAPE PLAN)	0
OUTSTANDING COMPENSATION TREES TO BE COMPENSATED FOR THROUGH CASH-IN-LIEU PAYMENT	0
*Removal of municipal trees requires approval from City of Hamilton Urban Forestry prior to removal.	



NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

NOTE:
Vegetation inventory undertaken by Carleigh Pope, ISA Certified Arborist (ON-2578A) on 2024-02-23.

REVISIONS/ SUBMISSIONS

#	DATE	DESCRIPTION
1	2024-04-12	Issued for 1st SPA Submission
2	2024-09-19	Issued for 2nd SPA Submission



CLIENT
Hamilton 188 GP Inc c/o
Vantage Developments
MUNICIPALITY
City of Hamilton

PROJECT
188 Cannon Street E &
134-136 Ferguson Ave N

MUNICIPAL FILE NUMBER
DA-24-030

SHEET
Tree Protection Plan **L-1**

adesso design inc.
landscape architecture

69 John Street South, Suite 250
Hamilton, ON L8N 2B9
t. 905.526.8876
www.adessodesigninc.ca

1.0m HT. DECORATIVE METAL FENCE MOUNTED TO PLANTER CURB - SEE DETAIL D3, L-5

SIDEWALKS AND CROSSING AS PER CITY OF HAMILTON URBAN BRAILLE STANDARDS - SEE DETAILS ON L-6 TO L-8

EXISTING DECORATIVE LIGHT STANDARD TO REMAIN

SCULPTURAL BENCHES & CUBES (6 UNITS) - SEE DETAIL D9, L-4
- ALL FURNITURE WITHIN SIGHT LINE TRIANGLE DOES NOT EXCEED 0.457m HEIGHT

GARBAGE & RECYCLING RECEPTACLE - SEE DETAIL D4, L-5

1.0m HT. DECORATIVE METAL FENCE MOUNTED TO PLANTER CURB - SEE DETAIL D3, L-5

BIKE RACKS (4 UNITS = 8 SPACES) - SEE DETAIL D4, L-4

PRECAST CONCRETE UNIT PAVERS WITH 0.3m WIDTH CONCRETE BANDING - SEE DETAIL D6, L-4

EXTENT OF STRATAVAULT SOIL CELLS - 21.06m² TOTAL @ 1m DEPTH - SEE DETAIL D1, L-5

EXISTING DECORATIVE LIGHT STANDARD TO REMAIN

SCULPTURAL BENCHES (3 UNITS) IN BOULEVARD - SEE DETAIL D9, L-4

100mm Ø PVC SOIL CELL DRAINAGE LINE CONNECTED TO EXISTING CATCH BASIN AS SHOWN - SEE SOIL CELL DETAIL D1, L-5

0.15m HEIGHT CONCRETE PLANTER CURB - SEE DETAIL D7, L-4

BIKE RACKS (4 UNITS = 8 SPACES) - SEE DETAIL D4, L-4

1.0m HT. DECORATIVE METAL FENCE MOUNTED TO PLANTER CURB - SEE DETAIL D3, L-5

LARGE CANOPY DECIDUOUS TREES IN CIRCULAR TREE GRATES (3 UNITS) - SEE DETAIL D8, L-4 FOR THE TREE GRATE
- TREE SPECIES TO BE SELECTED AND TREES TO BE PLANTED BY THE CITY OF HAMILTON (TYP.)

SIDEWALKS AS PER CITY OF HAMILTON URBAN BRAILLE STANDARDS - SEE DETAILS ON L-6 TO L-8

BIKE RACKS (6 UNITS = 12 SPACES) - SEE DETAIL D4, L-4

EXISTING DECORATIVE LIGHT STANDARD TO REMAIN

EXISTING FERGUSON AVENUE HARDSCAPE TREATMENT WITHIN LAY-BY PARKING TO REMAIN

0.6m HT. METAL PLANTER - SEE DETAIL D5, L-4

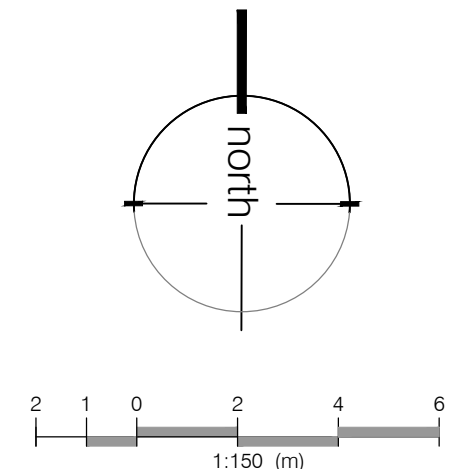
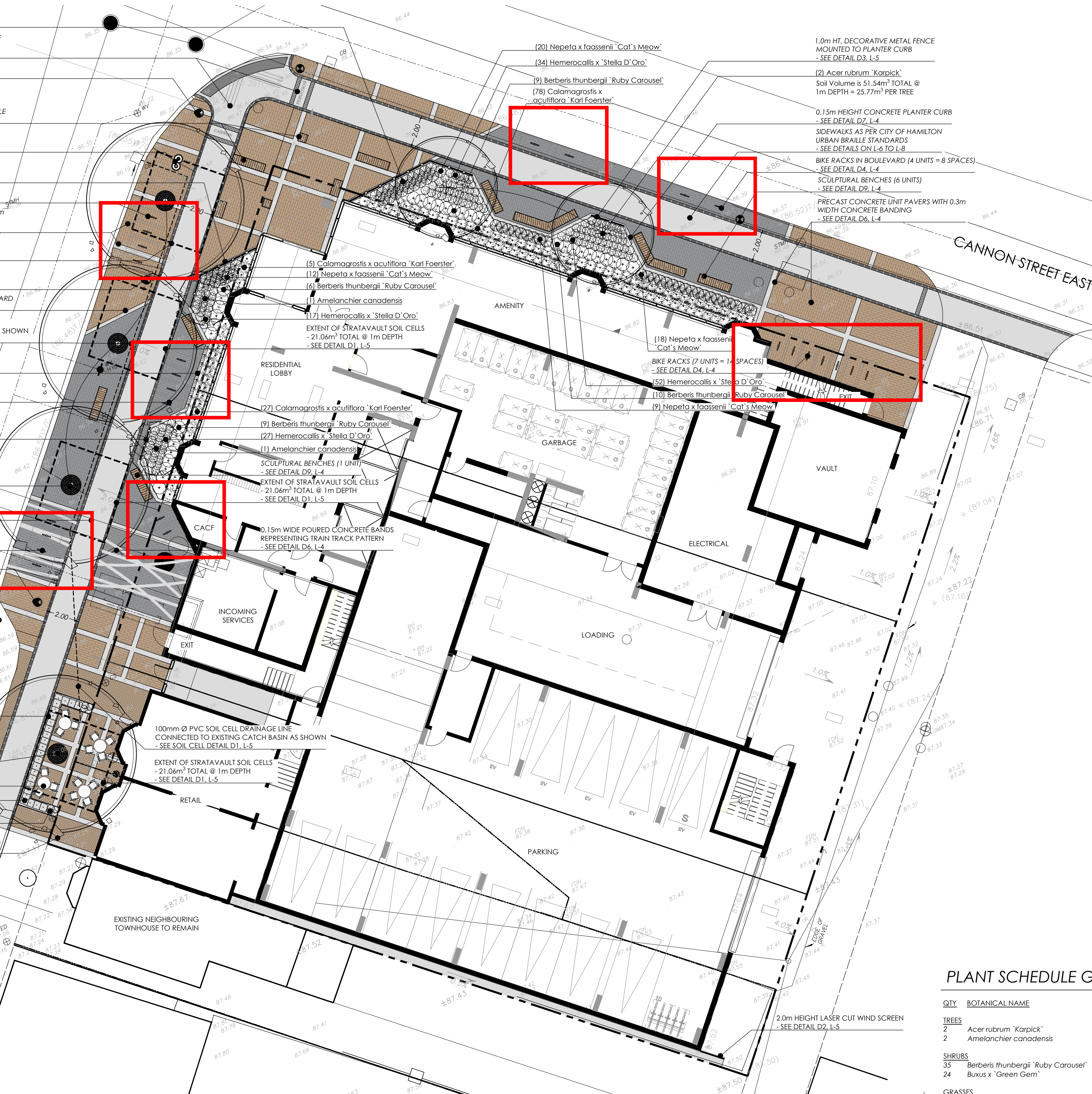
LARGE CANOPY DECIDUOUS TREES IN CIRCULAR TREE GRATES (1 UNITS) - SEE DETAIL D8, L-4 FOR THE TREE GRATE
- TREE SPECIES TO BE SELECTED AND TREES TO BE PLANTED BY THE CITY OF HAMILTON (TYP.)

FLEXIBLE/MOVEABLE PATIO FURNITURE AS PER RETAIL OWNERS DISCRETION

(24) Buxus x 'Green Gem'

(8) Hemerocallis x 'Happy Returns'

PRECAST CONCRETE UNIT PAVERS WITH 0.3m WIDTH CONCRETE BANDING - SEE DETAIL D6, L-4



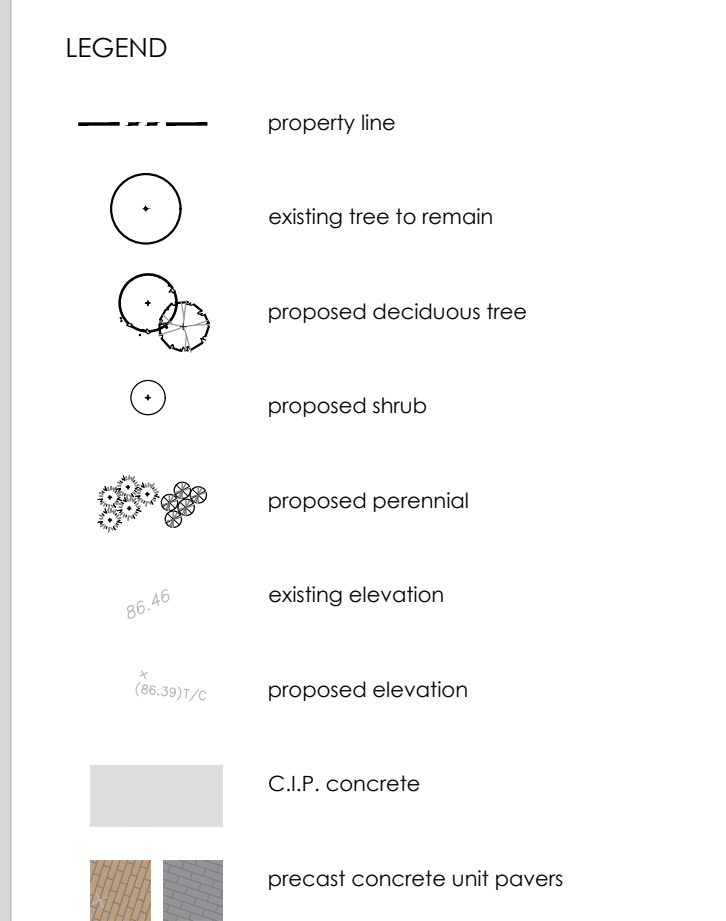
- PLANTING NOTES (HAMILTON):**
- Soil mixture: four (4) parts native soil, one (1) part well rotted compost. If existing soil is not suitable provide triple mix topsoil or approved equal.
 - Saucer shall be soaked with water and mulched immediately following planting.
 - Massed shrubs shall be planted in continuous mulched beds unless otherwise noted.
 - Staking schedule:
- 30mm caliper size / 2000mm ht. - one stake
- 30-50mm caliper size / 2500mm ht. - two stakes
- 50mm caliper - no stakes
 - All support systems must be removed once tree is established.
 - All trees to be straight and planted vertically regardless of slope.
 - Top of root flare shall be positioned 50mm above grade.
 - As per the City of Hamilton Planting Policy ensure that the root ball of the proposed trees is large enough to accommodate at least 75 percent of the fibrous root system (e.g. for 50mm caliper trees the root ball diameter must be 70cm minimum).
 - No single species shall make up more than 20% of the total street tree population, where the development includes 20 or more tree plantings.
 - Shall be spaced a minimum of 8 meters and maximum of 10 meters apart where proposed along non-residential frontage, such as park blocks.
 - New sidewalks, paving or asphalt shall allow 1.5 m² of breathing space for tree roots, and shall include such construction materials such as interlocking stone, rubber mats and steel grating to allow for this breathing space.
 - Individually planted trees in new sidewalk installations shall include 21m² of soil and a grouping of 2 or more trees in a soil bed shall include 16m² of soil per tree.

- LANDSCAPE NOTES:**
- All work to be carried out in accordance with by-laws and codes having jurisdiction over site location.
 - Complete all work to the satisfaction of the Landscape Architect.
 - Report any changes, discrepancies or substitutions to the Landscape Architect for review. Obtain approval from the Landscape Architect before proceeding.
 - It is the contractor's responsibility to determine existing service locations.
 - Exact locations of plant material will be determined by placement of site services such as hydro vaults, meters, utilities roof rain water leaders, driveways, light standards, etc.
 - All plant material locations to be staked or marked out and approved by Landscape Architect prior to installation.
 - Supply all plant material in accordance with the Canadian Standards for Nursery Stock (8th ed.).
 - Install plant material according to details shown.
 - Supply and place mulch in accordance with Canadian Landscape Standard (Section 10, Mulching). Disturbed soil areas around trees and shrubs are to be covered with shredded conifer bark mulch such as 'Cedar Bark Mulch' by All Treat Farms or 'Classic Cedar Mulch' by Gro-Bark, or approved equivalent. Alternative mulches must be approved by the Landscape Architect.
 - Contractor to utilize layout dimensions where provided.
 - Provide planting bed area as noted on the drawing or to accommodate mature size of plant material.
 - All support systems must be removed by the contractor at time of final acceptance. No extras will be paid to complete this work.
 - Supply and place topsoil in accordance with Canadian Landscape Standard (Section 4, Grading & Drainage and Section 6, Growing Medium) to a minimum depth of 150mm unless otherwise specified.
 - Supply and place sod in accordance with Canadian Landscape Standard (Section 7, Lawns & Grass and Section 8, Turfgrass Sod) unless otherwise specified.
 - Supply and place seed in accordance with Canadian Landscape Standard (Section 4, Grading & Drainage and Section 6, Growing Medium) unless otherwise specified. All 5:1 or greater slopes to be seeded with tackifier. Contractor to provide necessary erosion control protection as required to ensure soil stabilization and proper seed germination.
 - All dimensions in meters unless otherwise noted.
 - If discrepancies arise between plant material count shown on drawing and plant list, the drawing shall be considered correct.
 - Contractor to provide minimum one (1) year warranty (including trees on municipal property) from date accepted on all work unless otherwise specified.
 - Any site plan or grading and servicing shown is for information only. Refer to approved drawings.
 - Not for construction unless stamped, signed and dated by Landscape Architect.
 - Drawings not to be reproduced without written consent from Landscape Architect.
 - Approval of landscape plan to be obtained from municipality.
 - All plant material to be planted a minimum of 1.0m from any swales or ditches.
 - For grading and servicing information refer to the consulting Engineer's drawings.
 - For lighting information and power distribution refer to the electrical consultant's drawings.

- CITY OF HAMILTON LANDSCAPE NOTES:**
- Any plant material substitutions require the approval of the City of Hamilton.
 - Plant material and fencing shall be minimum to be provided by the owner. Any additions must comply to the zoning by-law.
 - Any sodding, planting or work on lands abutting the property from the lot lines to sidewalk and curbing, shall be to the satisfaction of the City of Hamilton.
 - All landscaping shall be installed prior to the end of the first growing season following the occupancy of the development.
 - Unless otherwise specified all landscaped areas are to be sodded.
 - Unless otherwise specified all undeveloped areas shall be undisturbed and kept free and clear of debris and maintained.

PLANT SCHEDULE GROUNDLEVEL

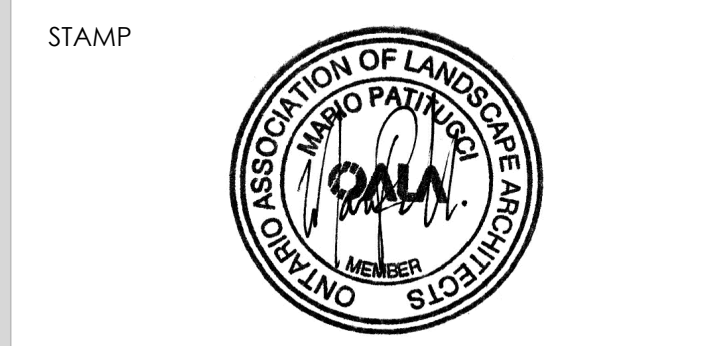
QTY	BOTANICAL NAME	COMMON NAME	SIZE	COND.	MATURE HT. (M)	MATURE SPR. (M)	O.C. (M)	REMARKS
TREES								
2	Acer rubrum 'Karpick'	Karpick Red Maple	50mm Cal.	W.B.	15.0	8.0	As Shown	
2	Amelanchier canadensis	Canadian Serviceberry - Multistem	150cm Ht.	#15 cont.	6.0	4.0	As Shown	Multistem Form. Native to Ontario
SHRUBS								
35	Berberis thunbergii 'Ruby Carousel'	Ruby Carousel Barberry	40cm	#3 cont.	0.80	0.80	0.70	
24	Buxus x 'Green Gem'	Green Gem Boxwood	50cm	#3 cont.	0.70	0.60	0.50	
GRASSES								
112	Calamagrostis x acutiflora 'Karl Foerster'	Karl Foerster Feather Reed Grass	-	#2 cont.	1.25	0.60	0.50	
PERENNIALS								
8	Hemerocallis x 'Happy Returns'	Happy Returns Daylily	-	#1 cont.	0.40	0.40	0.30	Rebloomer
135	Hemerocallis x 'Stella D'Oro'	Stella D'Oro Daylily	-	#1 cont.	0.30	0.50	0.40	
59	Nepeta x faassenii 'Cat's Meow'	Cat's Meow Catmint	-	#1 cont.	0.40	0.70	0.60	



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1	2024-04-12	Issued for 1st SPA Submission
2	2024-09-19	Issued for 2nd SPA Submission



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Vantage Developments
Municipality
City of Hamilton

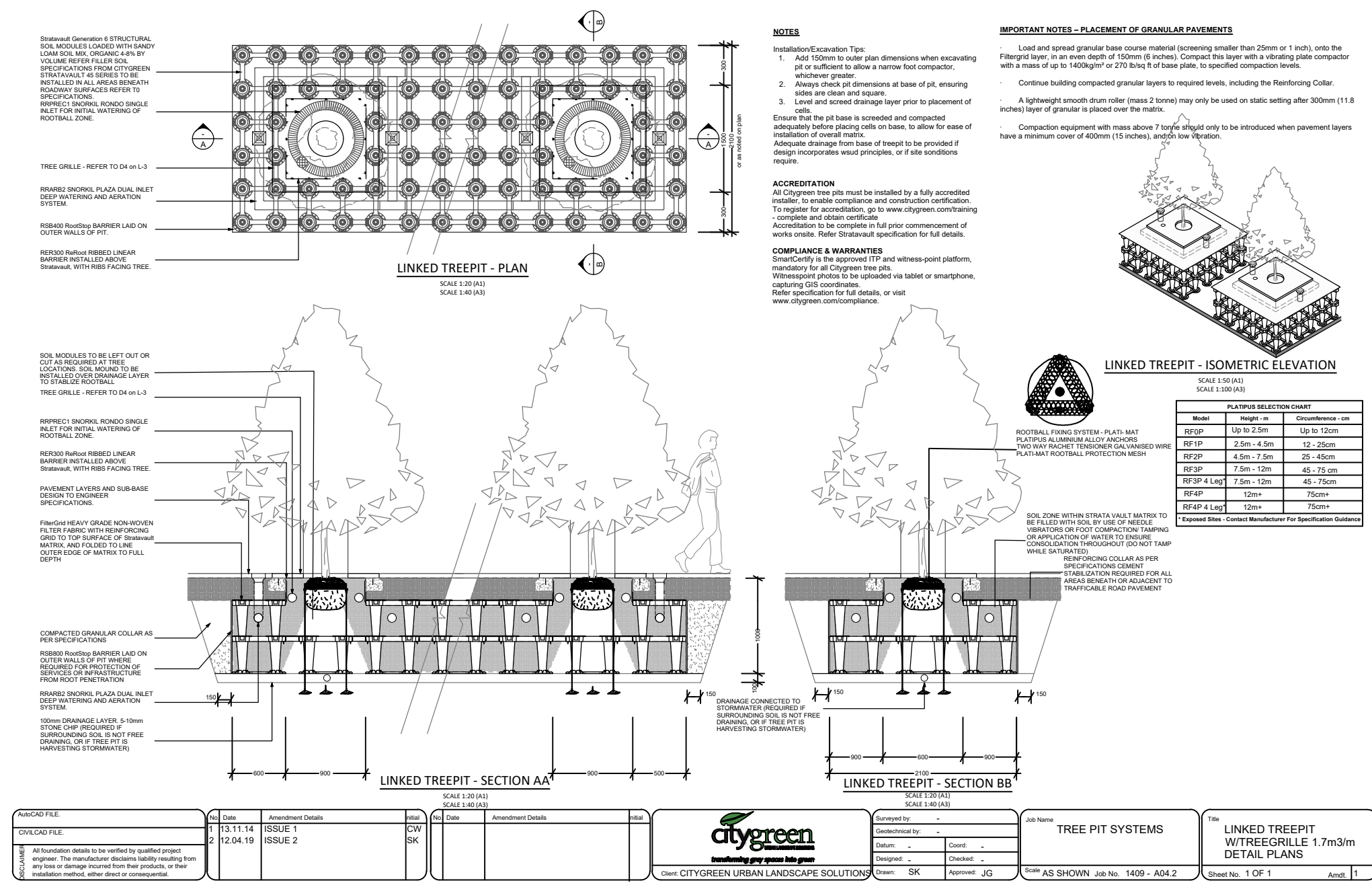
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188 Cannon Street E &
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SHEET
Landscape Plan

adesso design inc.
landscape architecture

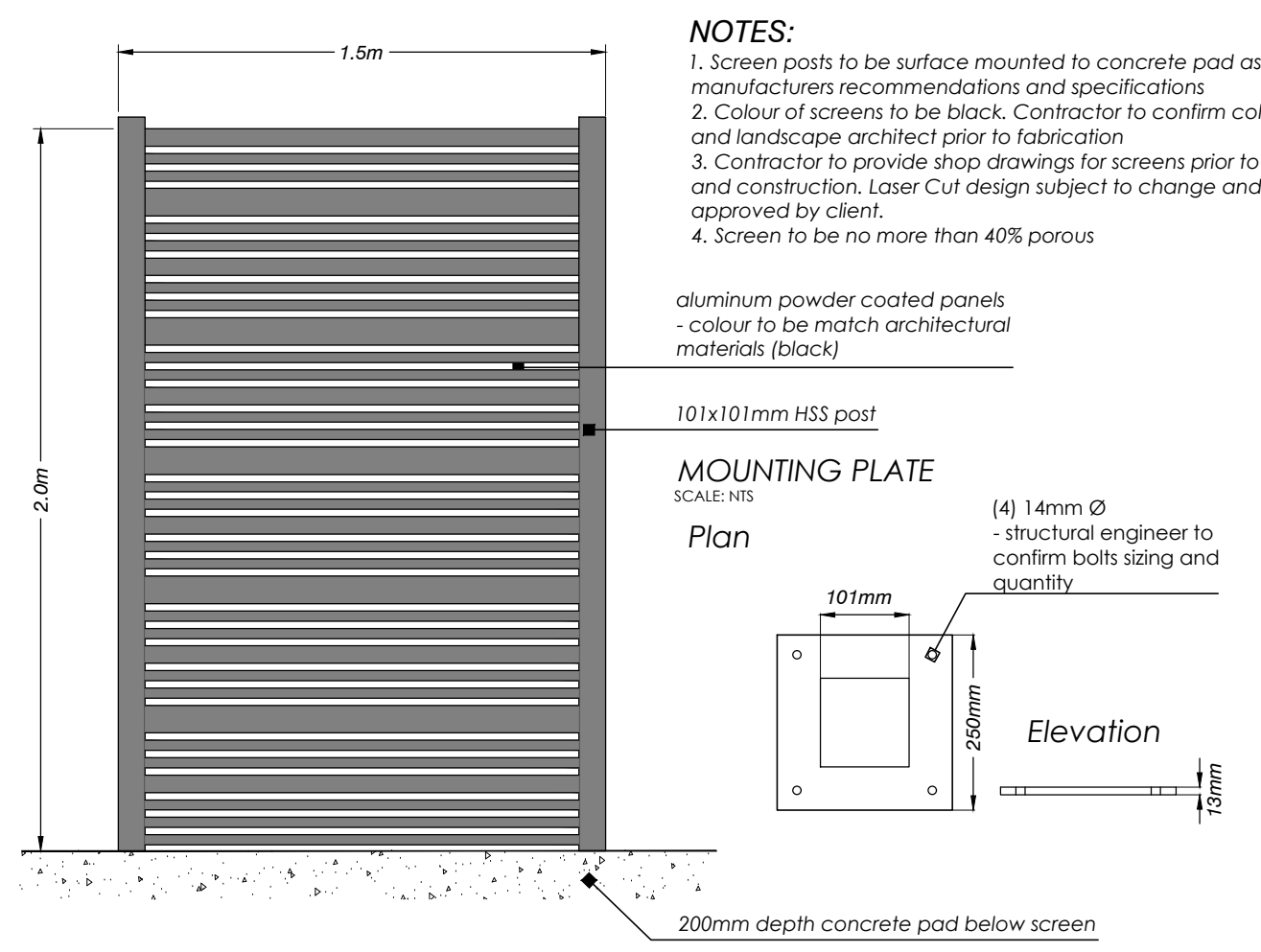
69 John Street South, Suite 250
Hamilton, ON L8N 2B9
t. 905.526.8876
www.adessodesigninc.ca



ROOTBALL FIXING SYSTEM NOTES:

- All soil cell/municipal trees are to be installed with Platipus aluminum anchors, two-way ratchet tensioned galvanized wire Platipus rootball protection mesh
- Materials to be provided to the City of Hamilton for install
- Install as per manufacturers specifications

Platipus - Earth Anchoring Systems (or approved equal)
T: +44 (0) 1737 762300
E: info@platipus-anchors.com

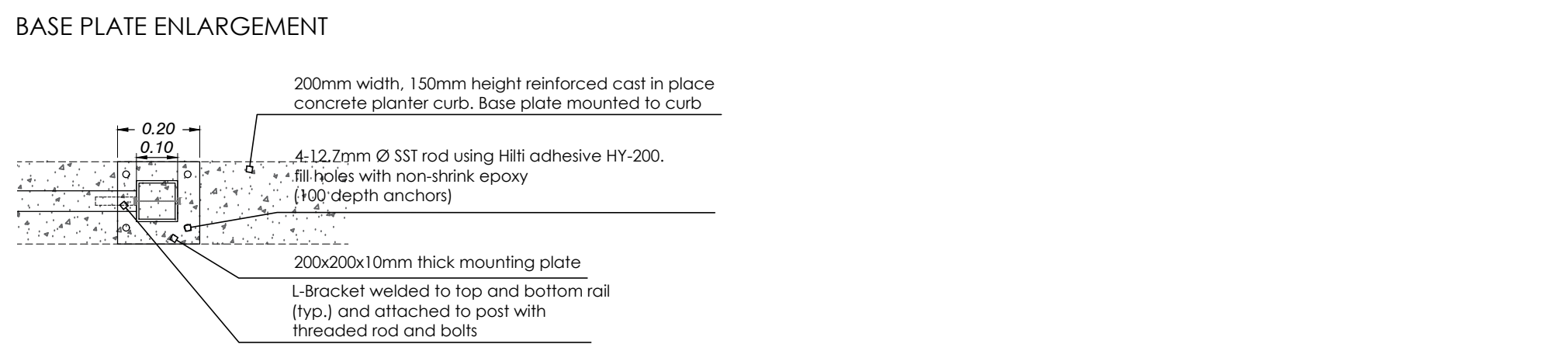
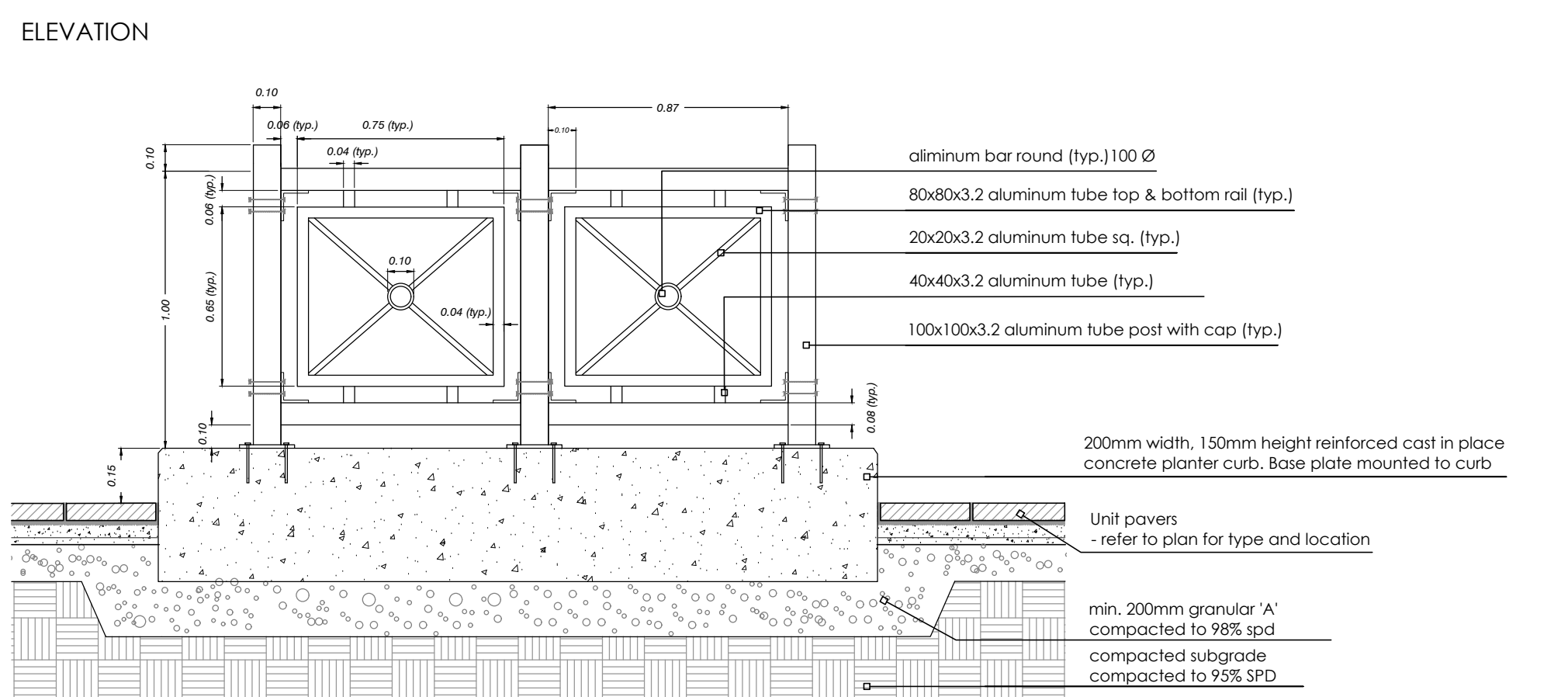


Stratavault Soil Cell by CityGreen or approved equal
SCALE: NTS

1
L-5

Decorative Laser Cut Wind Screen
SCALE: NTS

2
L-5



FENCE AND COMPONENTS TO BE MATTE BLACK

Custom Decorative Metal Fence
SCALE: NTS

3
L-5

MRR-0250-00001
Legacy # MRC252-MTO-MBC

200 SERIES

DESCRIPTION: 200 Series - 250 Recycle Receptacle: Heavy Duty Steel Flat Bar Frame, Metal Lid, Metal Bottles/ Cans Lid, 2 Stream, 2 x 20 Gallon Polyethylene Liners, Vinyl Graphics

FINISH: All steel components are protected with E-Coat rust proofing. The Maglin Powdercoat System provides a durable finish on all metal surfaces.

INSTALLATION: The recycling station is delivered pre-assembled. Holes (0.5") are provided in each mounting foot for securing to base.

TO SPECIFY: Select MRR-0250-00001
Choose:
- Powdercoat Color
- Vinyl Graphics (Fill out approval form)

HEIGHT: 37 7/8" (96.2cm) WIDTH: 21 1/8" (53.7cm) LENGTH: 37 5/8" (95.6cm) WEIGHT: 306lbs (138.8kg)

37 7/8" (962mm)
21 1/8" (537mm)
37 5/8" (956mm)
8 10 3/8" (208mm)
Ø 6" (152mm) Ø 10" (252mm)

MAGLIN
Site Furniture

7 800 718 5008
7 677 360 9491
www.maglin.com
sales@maglin.com

- All drawings, specifications, design and details on this page remain the property of Maglin Site Furniture Inc. and may not be used without Maglin's authorization.
- Details and specifications may vary due to continuing improvements of our products.

Garbage and Recycling Receptacle by Maglin (or approved equal)
SCALE: NTS

4
L-5

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CLIENT
Hamilton 188 GP Inc c/o
Vantage Developments
Municipality
City of Hamilton

PROJECT
188 Cannon Street E &
134-136 Ferguson Ave N

MUNICIPAL FILE NUMBER
DA-24-030

SHEET
Details

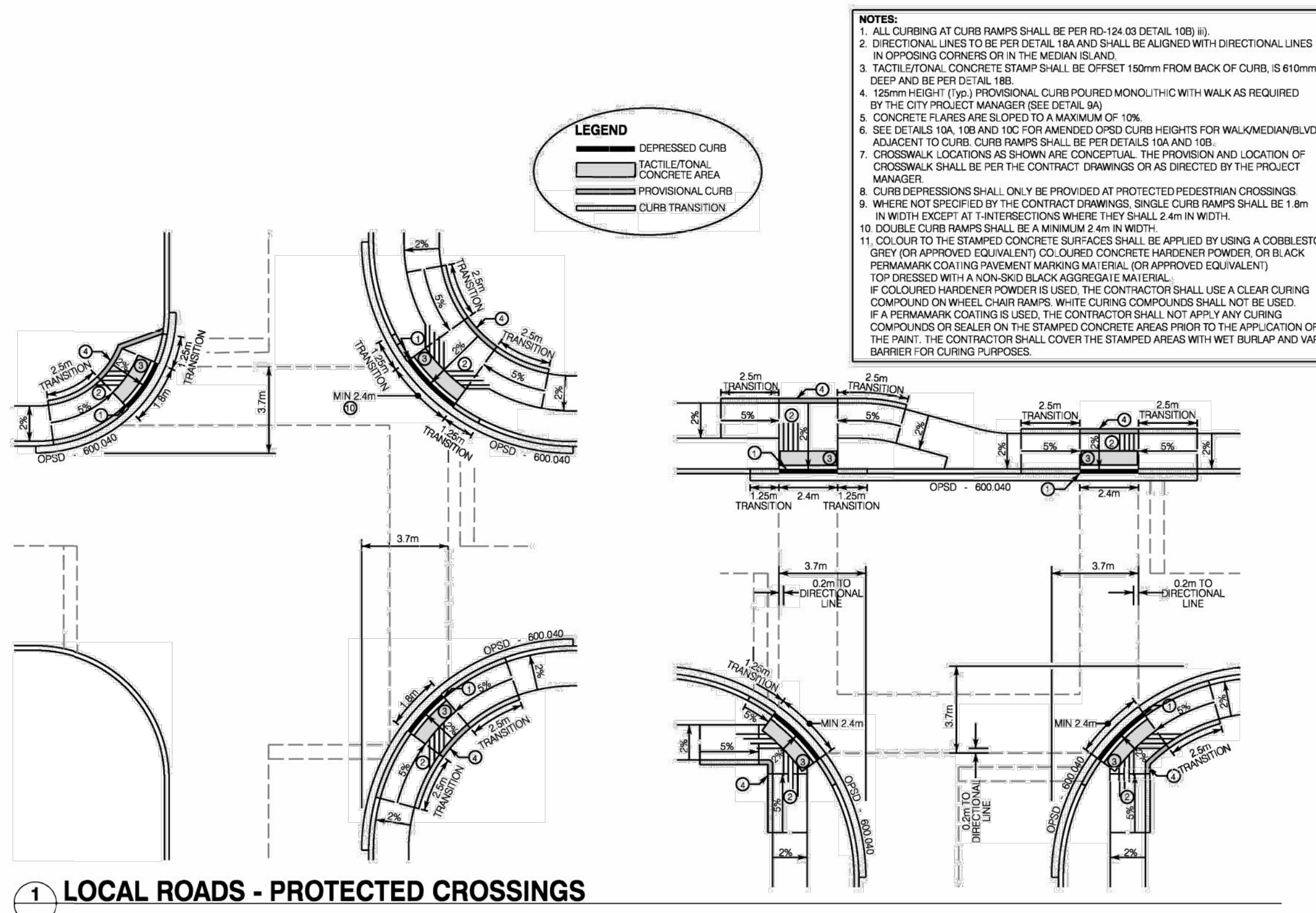
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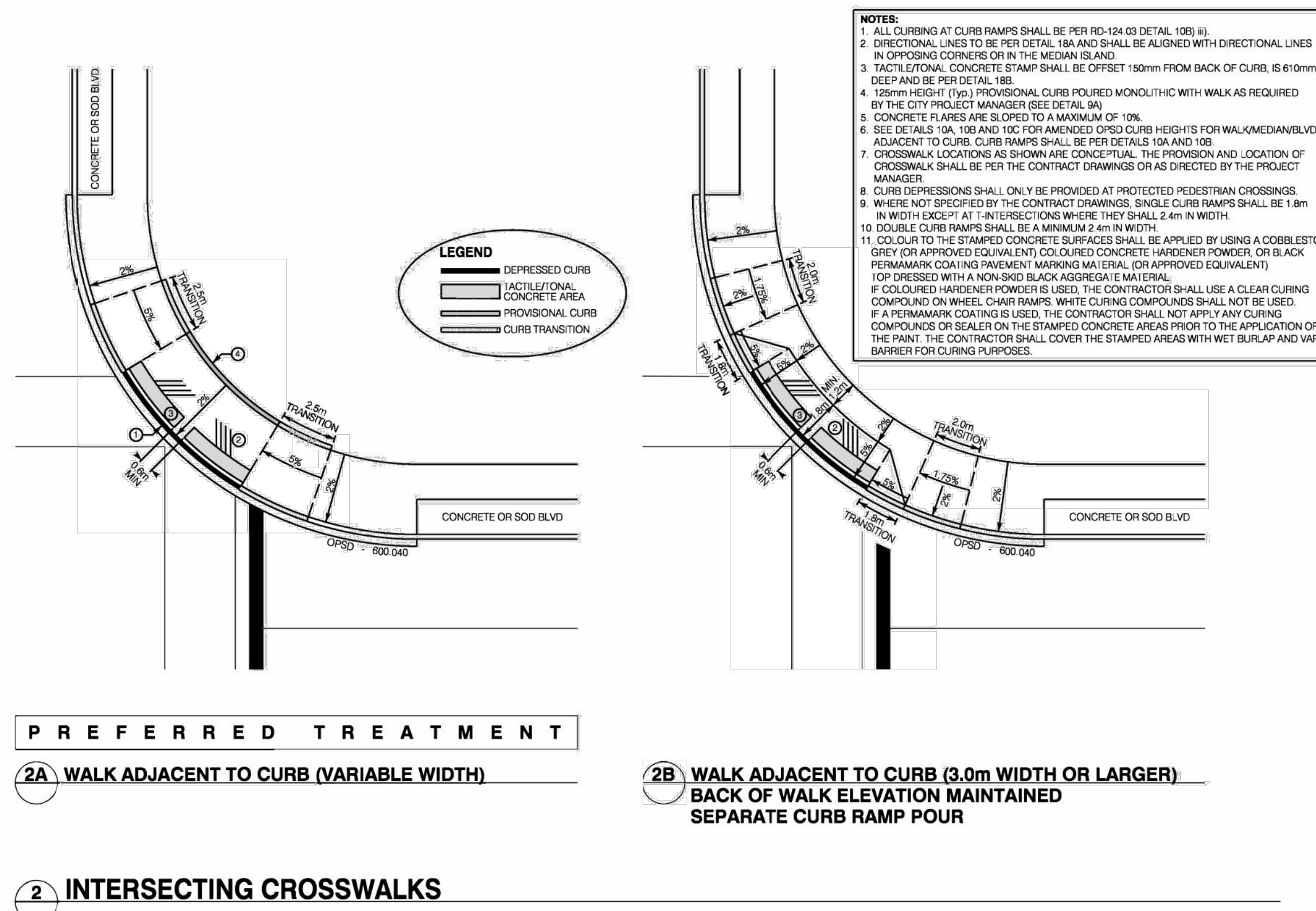
L-5

CITY OF HAMILTON - INTEGRATED ACCESSIBILITY - SIDEWALK/URBAN BRAILLE GUIDELINES

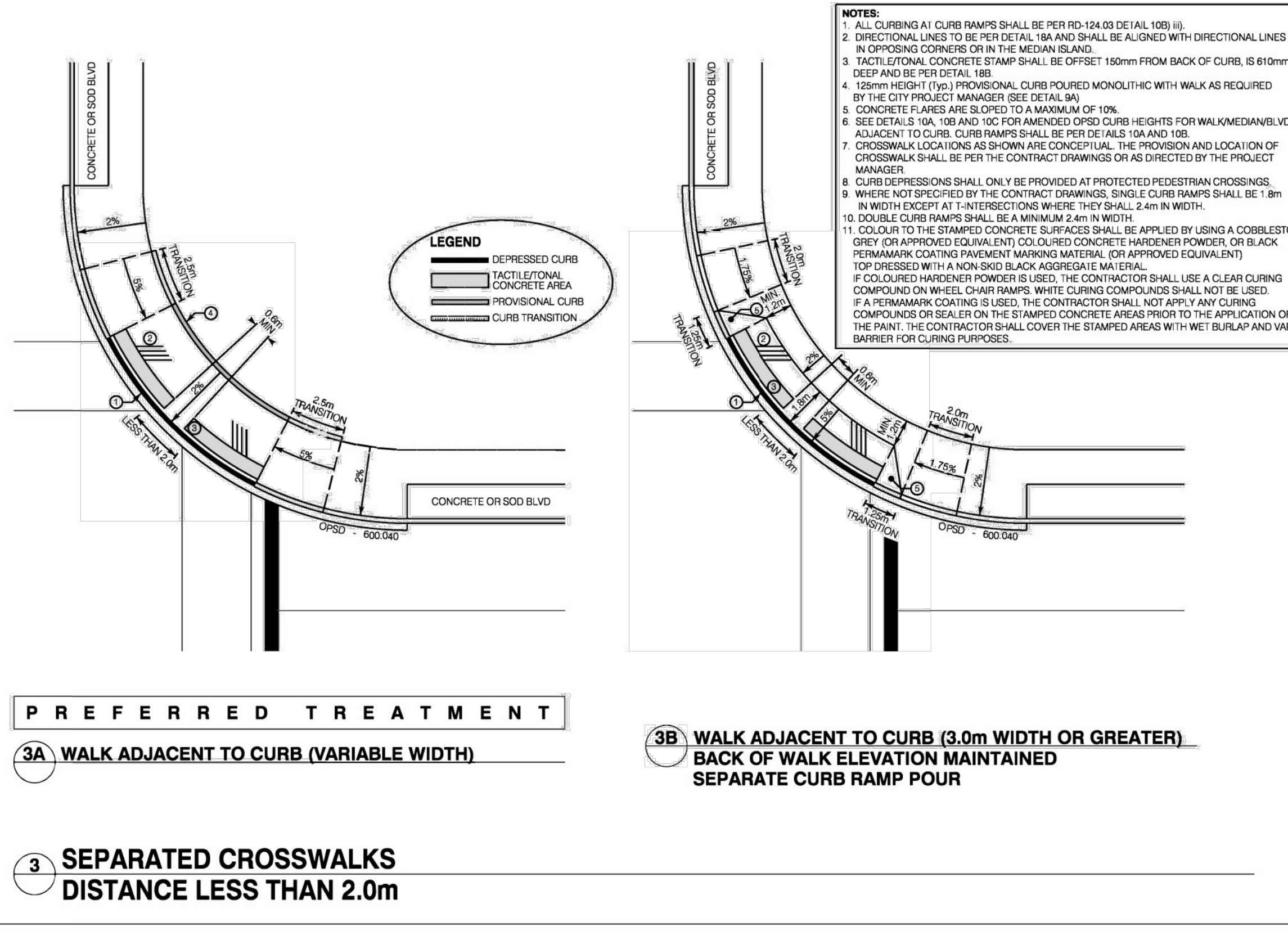
RD-124.01



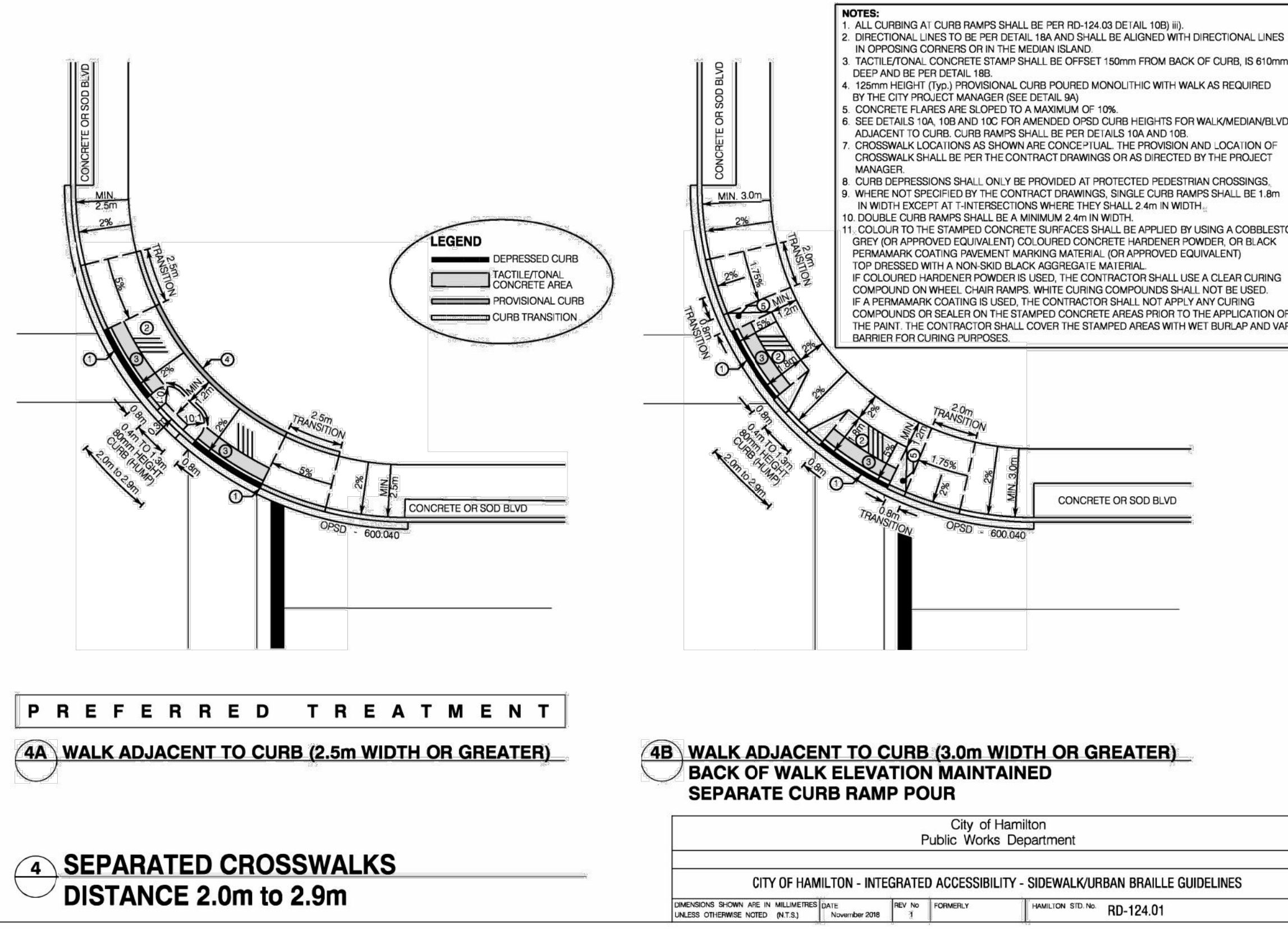
1 LOCAL ROADS - PROTECTED CROSSINGS



2 INTERSECTING CROSSWALKS



3 SEPARATED CROSSWALKS DISTANCE LESS THAN 2.0m



4 SEPARATED CROSSWALKS DISTANCE 2.0m TO 2.9m

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

REVISIONS/ SUBMISSIONS

#	DATE	DESCRIPTION
1	2024-04-12	Issued for 1st SPA Submission
2	2024-09-19	Issued for 2nd SPA Submission



CLIENT
Hamilton 188 GP Inc c/o
Vantage Developments
Municipality
City of Hamilton

PROJECT
188 Cannon Street E &
134-136 Ferguson Ave N

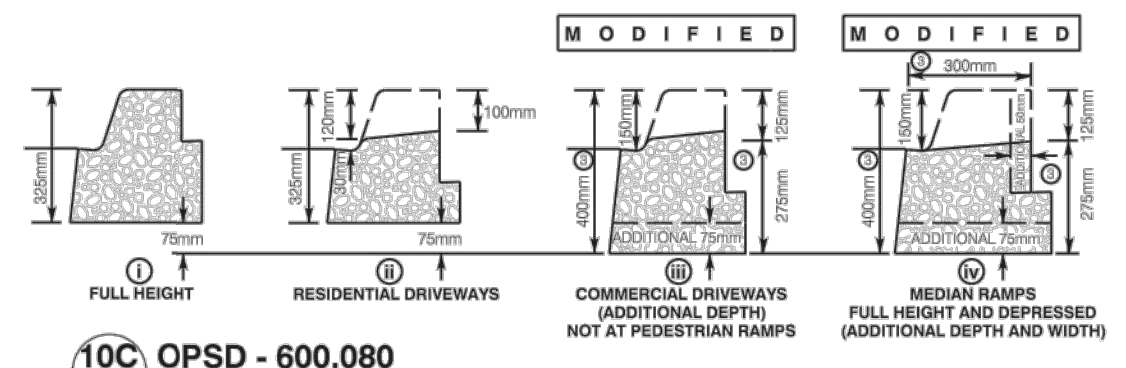
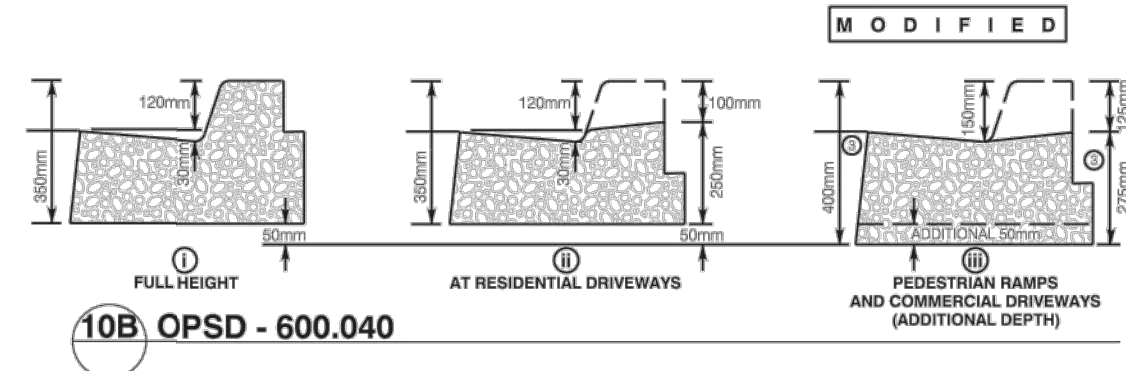
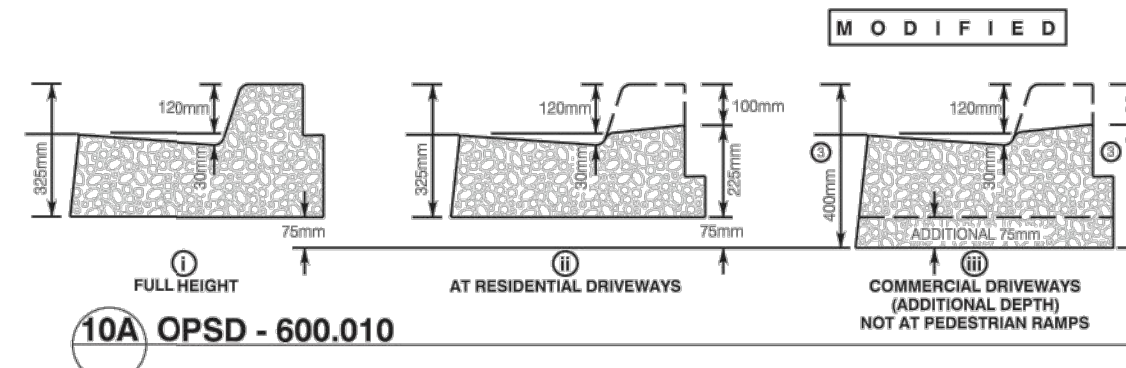
MUNICIPAL FILE NUMBER
DA-24-030

SHEET
Hamilton STD# 124.01
Urban Braille
- TYP Details

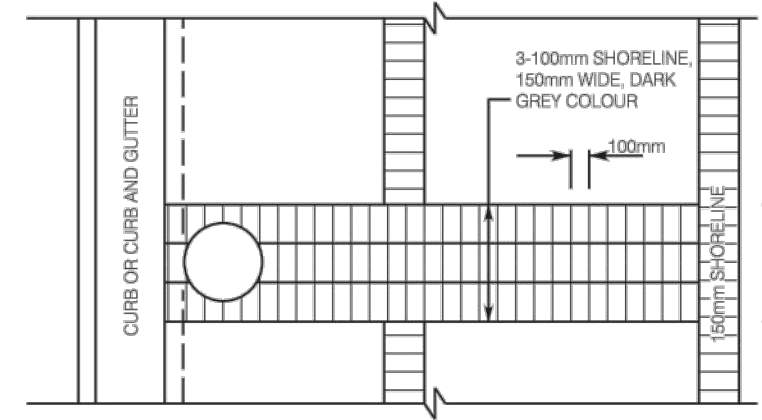
adesso design inc.
landscape architecture

69 John Street South, Suite 250
Hamilton, ON L8N 2B9
t. 905.526.8876
www.adessodesigninc.ca

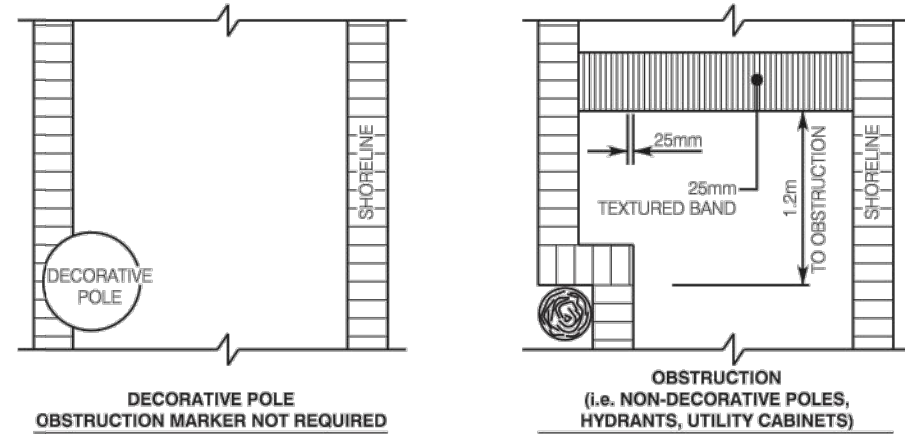
L-6



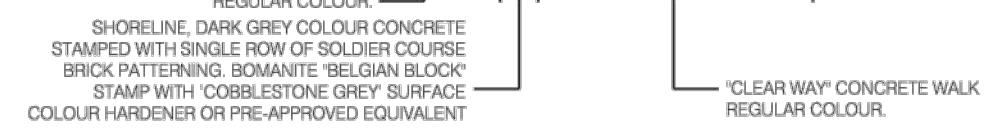
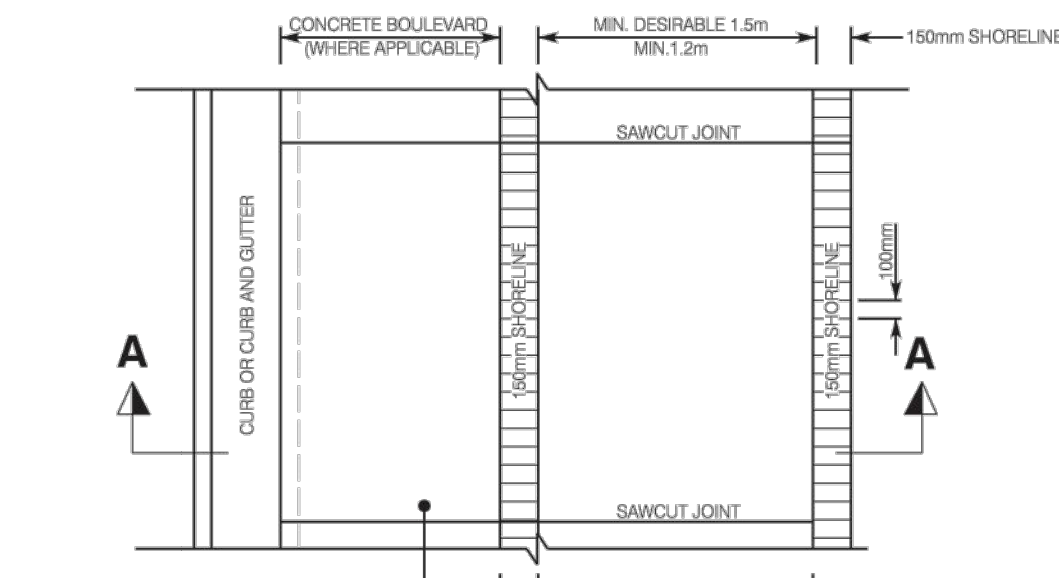
10 AMENDED OPSD CURB HEIGHTS WALK/MEDIAN/BLVD ADJACENT TO CURB



15 SHORELINES - TRANSIT STOP (450mm WIDE)



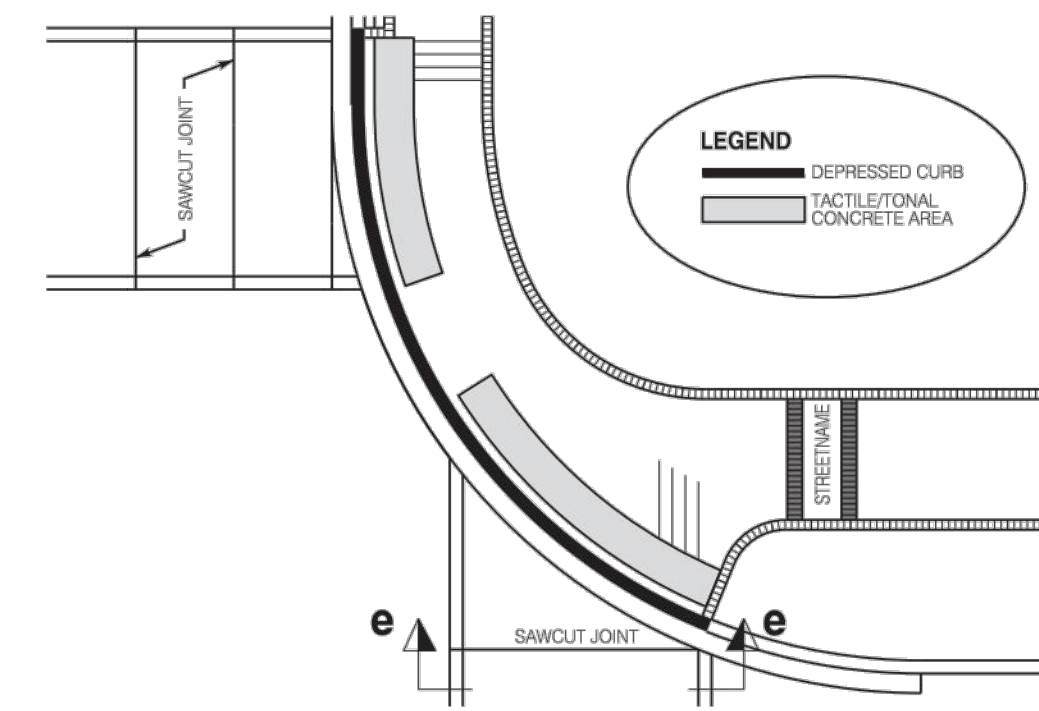
16 25mm TEXTURED BAND - OBSTRUCTIONS



11A PLAN

11B SECTION A-A

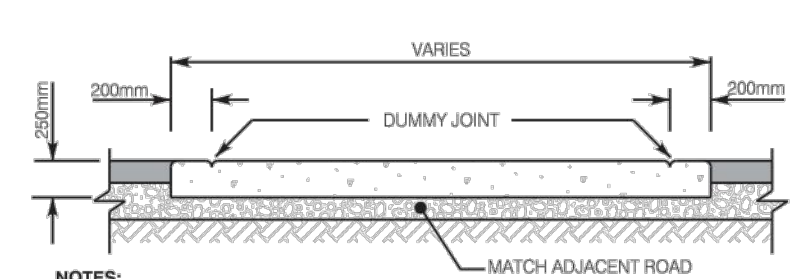
11 URBAN BRAILLE SIDEWALK/BOULEVARD SECTIONS AND DETAILS



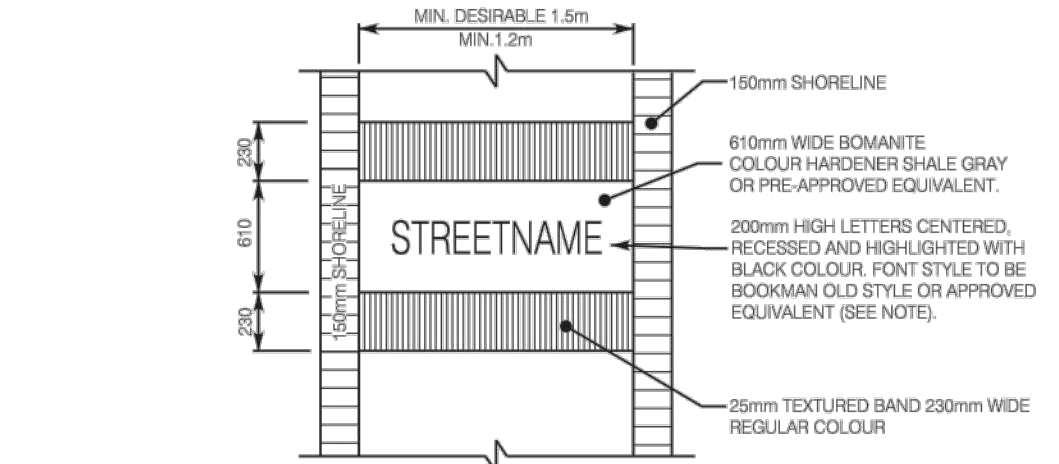
17A PLAN

17B SECTION E-E

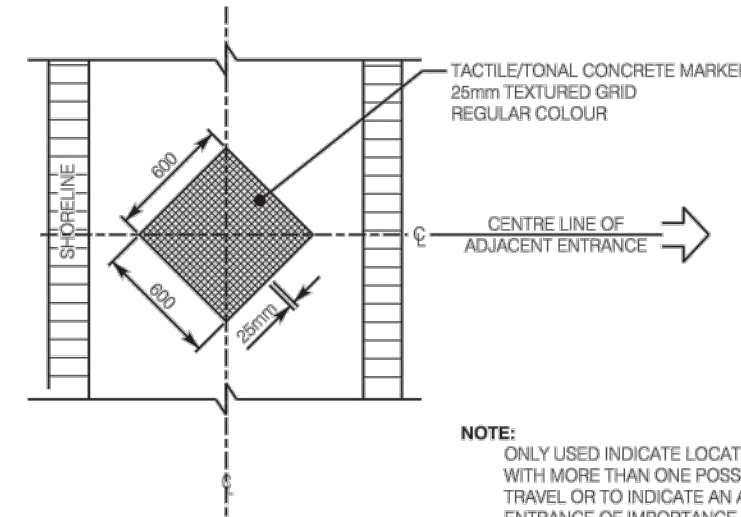
17 CONCRETE CROSSWALK



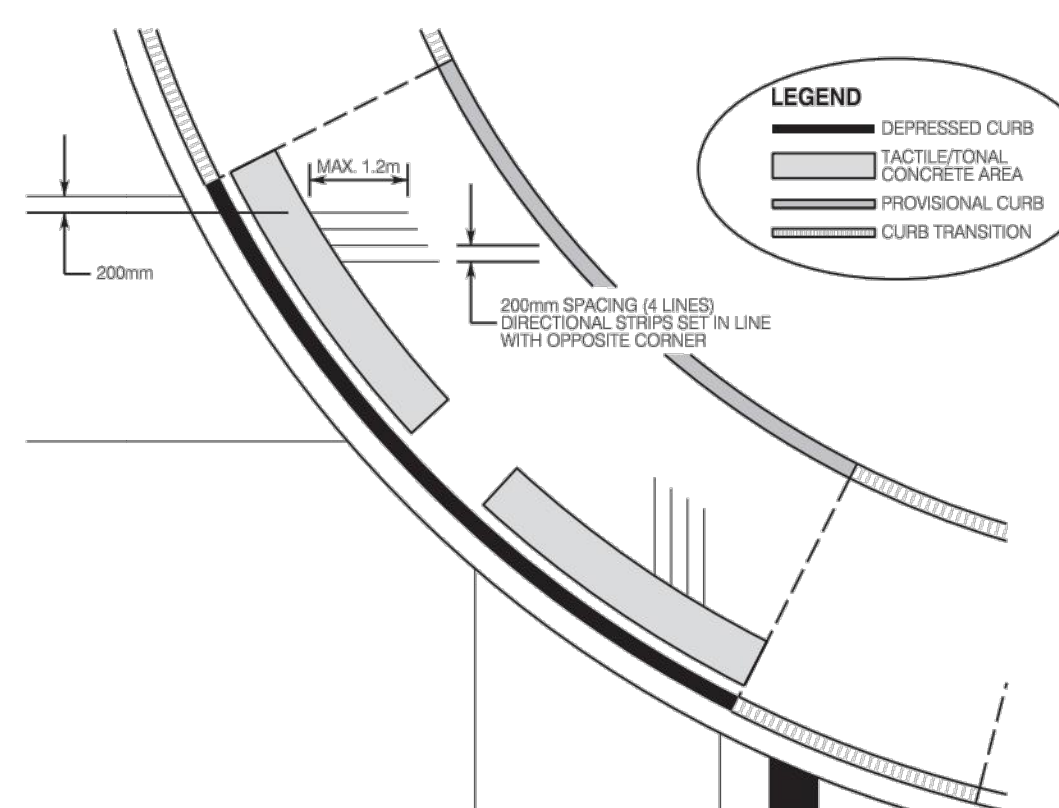
NOTES:
 1. PROVIDE CLEAN STRAIGHT EXPANSION JOINTS BETWEEN EXISTING ROAD, STRUCTURES, AND CROSSWALKS AND GULLIES WITH APPROVED ELASTIC JOINT SEALANT.
 2. EXPANSION JOINTS AT EVERY 3.0m MAX.
 3. SAWCUT CONTROL JOINTS AT EVERY 1.5m MAX.
 4. POUR CROSSWALK TO CENTRE OF ROADWAY AND MAINTAIN TRAFFIC AS DIRECTED. KEY CENTRE CONSTRUCTION JOINT AND INSERT 450x30mm DOWELS AT 1.0m O.C.



12 STREET NAME TABLE



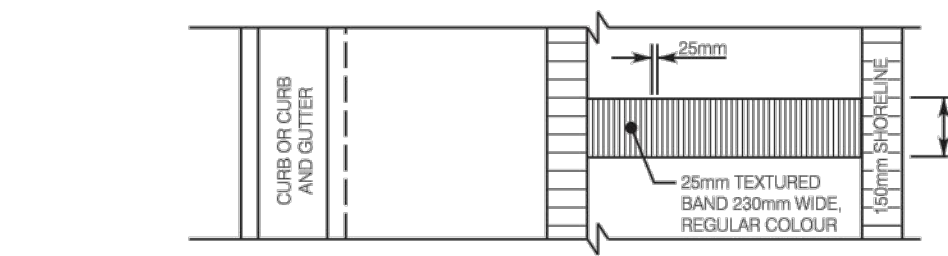
13 ENTRANCE DIAMOND AND DECISION NODE MARKER



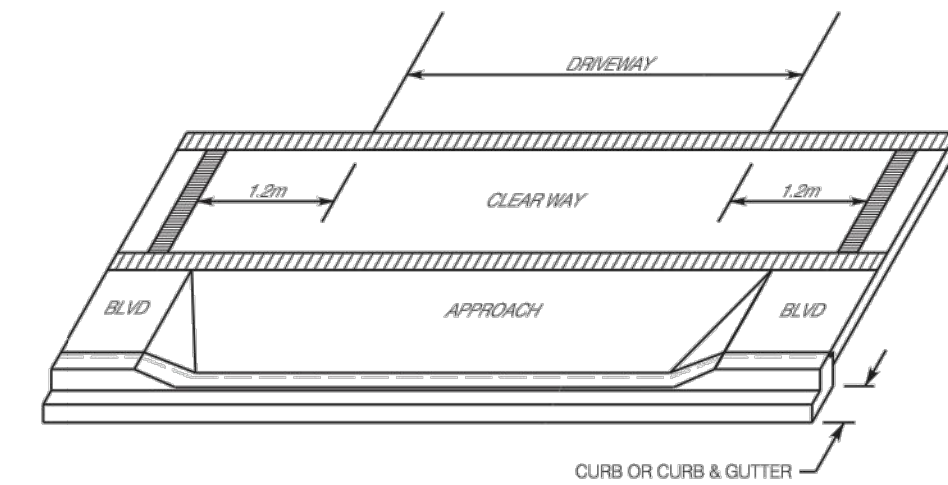
18A DIRECTIONAL LINES

18B TACTILE/TONAL CONCRETE STAMP

18 DIRECTIONAL LINES AND TACTILE/TONAL CONCRETE STAMP

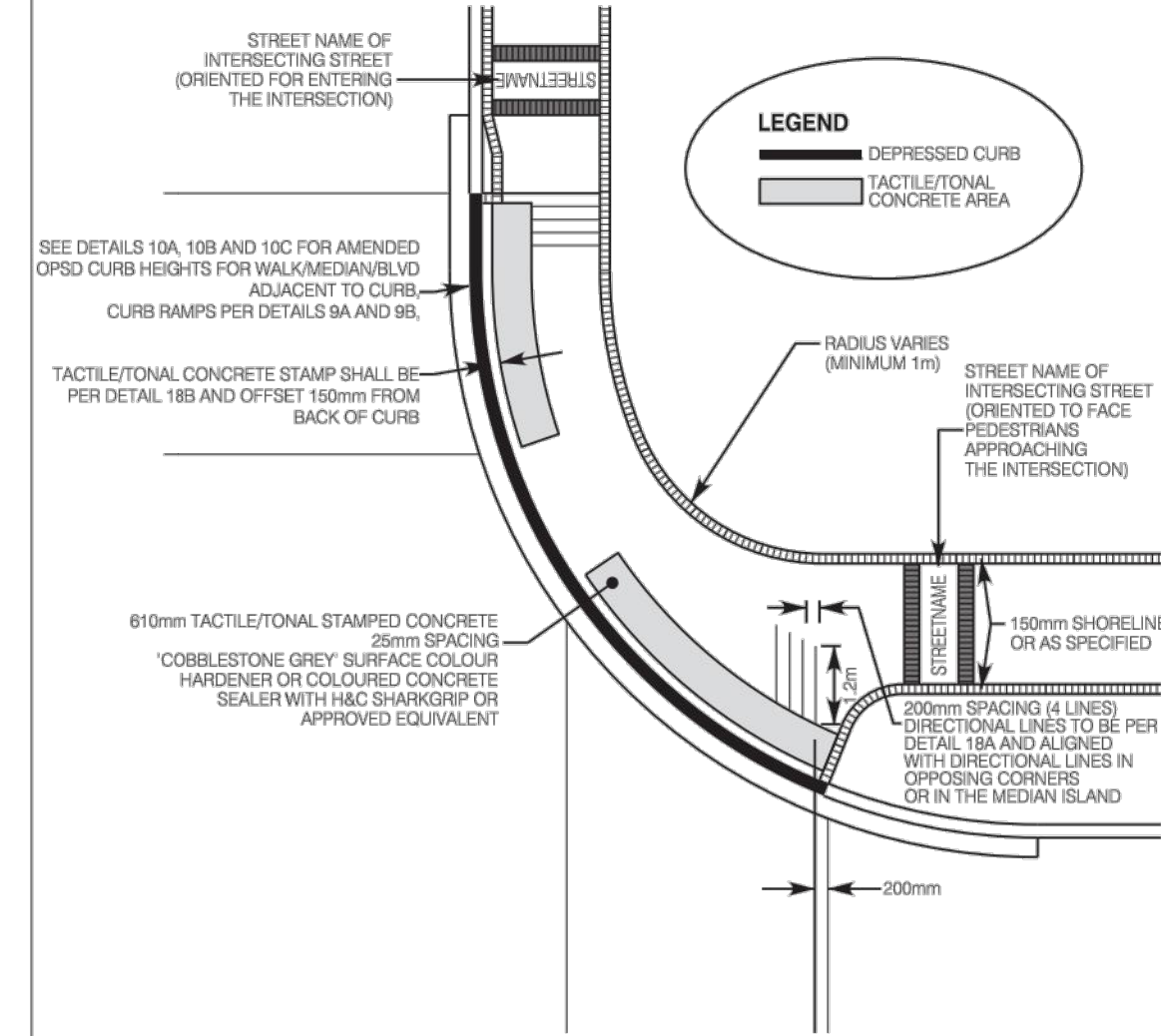


14A GENERAL



14B DRIVEWAY TREATMENT

14 25mm TEXTURED BAND - DRIVEWAYS



19 RAMP DETAIL AND DIRECTIONAL LINES

City of Hamilton Public Works Department	
CITY OF HAMILTON - INTEGRATED ACCESSIBILITY - SIDEWALK/URBAN BRAILLE GUIDELINES	
DIMENSIONS SHOWN ARE IN MILLIMETRES (DATE: 05/13/24)	REV. NO. 2
UNLESS OTHERWISE NOTED (05/13/24)	FORMERLY
March 2018	HAMILTON STD No. RD-124.03

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STAMP



CLIENT
 Hamilton 188 GP Inc c/o
 Vantage Developments
 MUNICIPALITY
 City of Hamilton

PROJECT
 188 Cannon Street E &
 134-136 Ferguson Ave N

MUNICIPAL FILE NUMBER
 DA-24-030

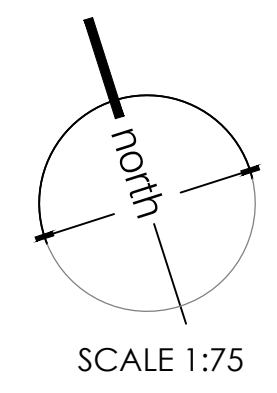
SHEET
 Hamilton STD# 124.03
 Urban Braille
 - TYP Details

adesso design inc.
 landscape architecture

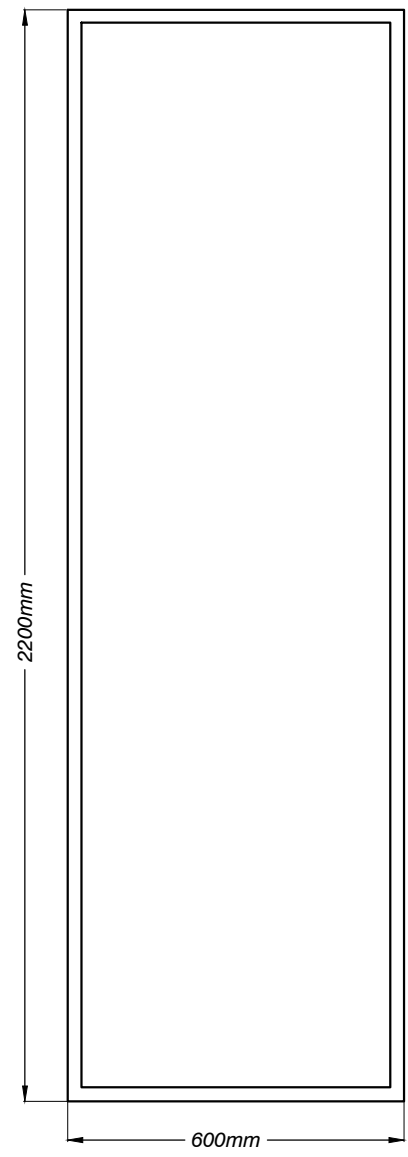
69 John Street South, Suite 250
 Hamilton, ON L8N 2B9
 t. 905.526.8876
 www.adessodesigninc.ca

PLANT SCHEDULE ROOFTOP AMENITY

QTY	BOTANICAL NAME	COMMON NAME	SIZE	COND.	MATURE HT. (M)	MATURE SPR. (M)	O.C. (M)	REMARKS
TREES								
8	<i>Amelanchier canadensis</i>	Canadian Serviceberry - Multiflorum	150cm Ht.	#15 cont.	6.0	4.0		As Shown Multiflorum Form. Native to Ontario
2	<i>Pyrus calleryana</i> 'Capital'	Capital Ornamental Pear	200cm Ht.	#15 cont.	10.0	4.0		
SHRUBS								
20	<i>Hydrangea arborescens</i> 'Annabelle'	Annabelle Hydrangea	50cm	#3 cont.	1.1	1.0	0.90	
4	<i>Hydrangea arborescens</i> 'Incrediball'	Incrediball Hydrangea	50cm	#3 cont.	1.25	1.25	1.1	
GRASSES								
55	<i>Calamagrostis x acutiflora</i> 'Karl Foerster'	Karl Foerster Feather Reed Grass	--	#2 cont.	1.25	0.60	0.50	
PERENNIALS								
15	<i>Nepeta x faassenii</i> 'Cat's Meow'	Cat's Meow Catmint	--	#1 cont.	0.40	0.70	0.60	
17	<i>Sedum spectabile</i> 'Autumn Fire'	Autumn Fire Stonecrop	--	#1 cont.	0.40	0.50	0.40	

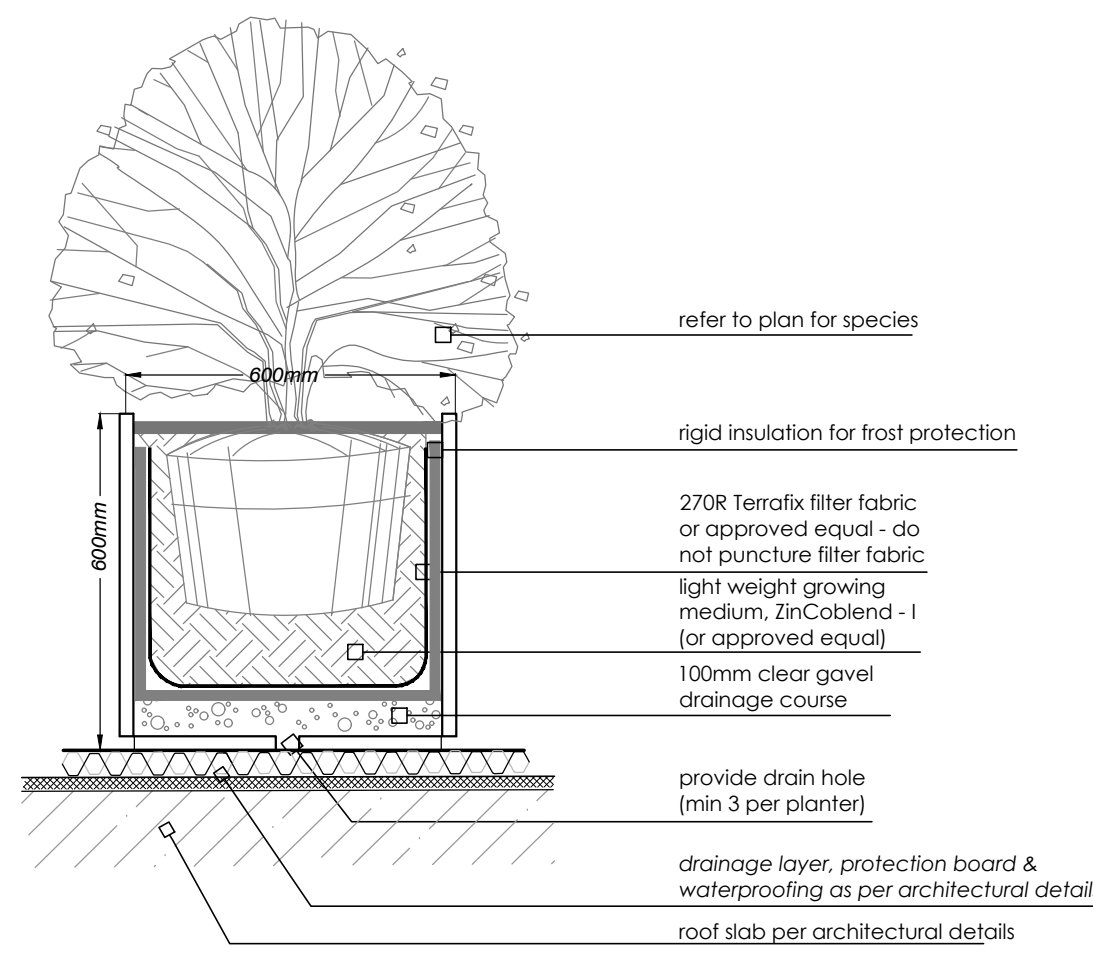


PLAN



Rectangular Aluminum Planter
 DIMENSIONS: 0.6 H x 2.2 L x 0.6 W
 COLOUR: Matte Black
 QUANTITY: 2
 MANUFACTURER: Green Theory Design
 E: sales@greentheorydesign.com
 P: 604-475-7002

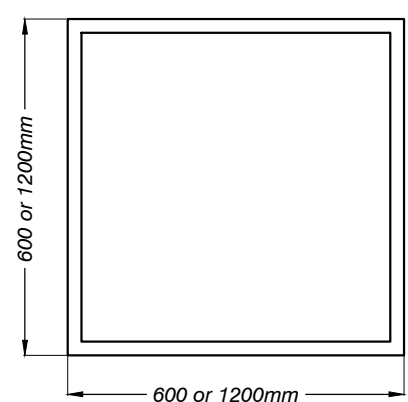
SECTION



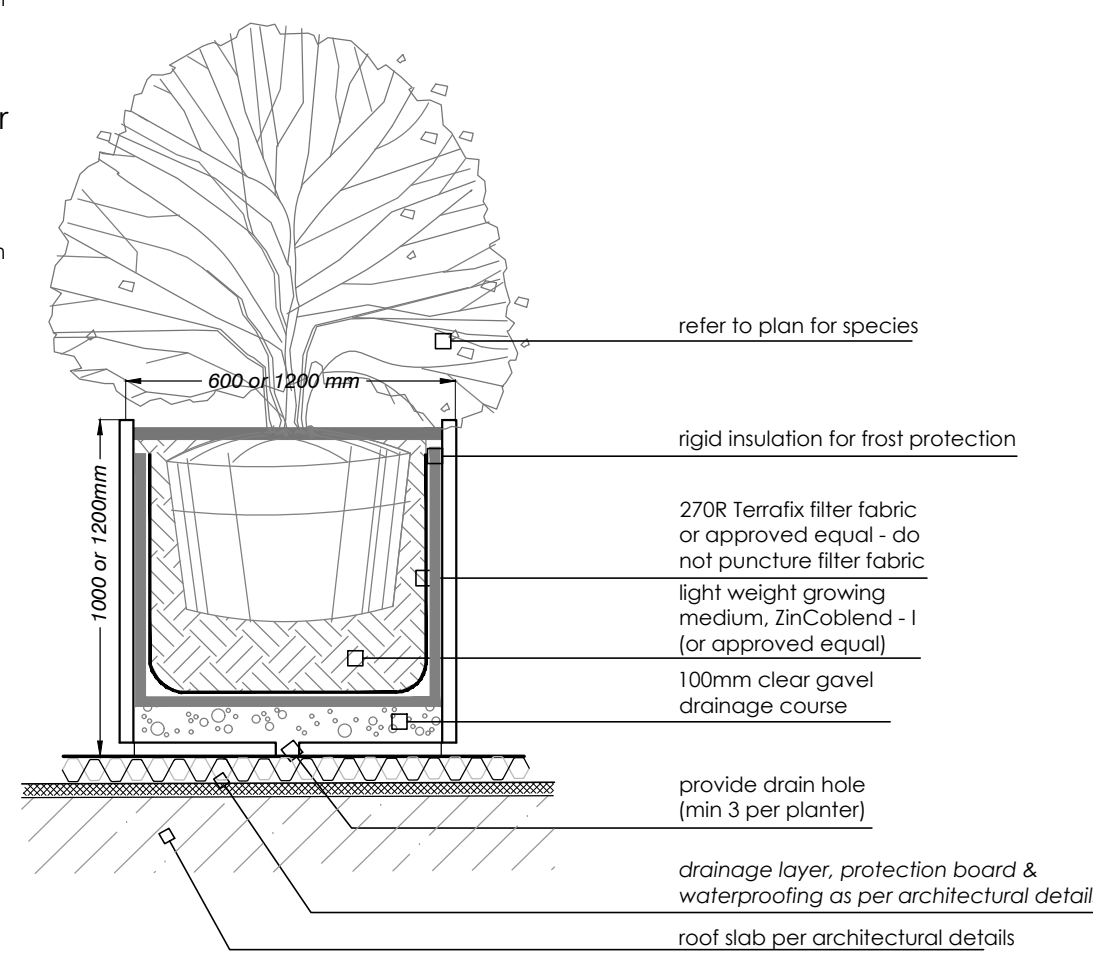
Large Square Aluminum Planter
 DIMENSIONS: 1.2 H x 1.2 L x 1.2 W
 COLOUR: Matte Black
 QUANTITY: 8
 MANUFACTURER: Green Theory Design
 E: sales@greentheorydesign.com
 P: 604-475-7002

Medium Square Aluminum Planter
 DIMENSIONS: 1.0 H x 0.6 L x 0.6m W
 COLOUR: Matte Black
 QUANTITY: 4
 MANUFACTURER: Green Theory Design
 E: sales@greentheorydesign.com
 P: 604-475-7002

PLAN



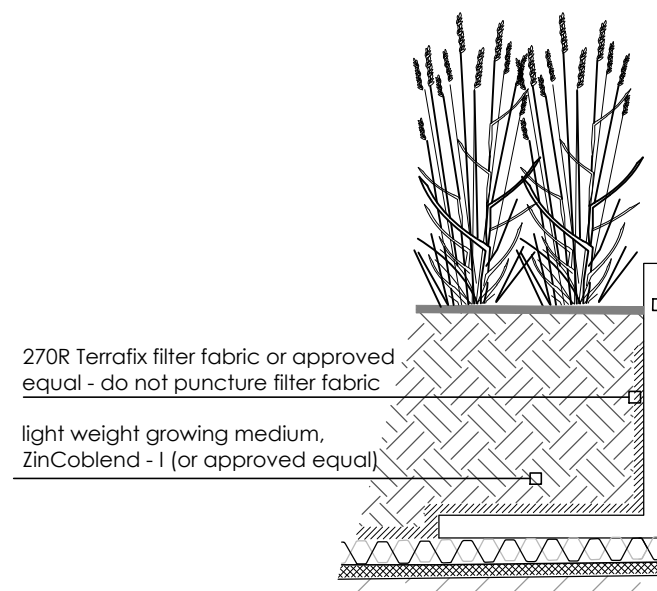
SECTION



Note:
 Detail to be reviewed and approved by structural engineer prior to construction. For roof slab & waterproofing details refer to architectural & engineering drawings.

Metal Square Planters by Green Theory - or approved equal

SCALE: NTS



Green Theory freestanding (standard) modular edging, colour matte black to match planters
 - refer to landscape plan for locations
 - install as per manufacturers specifications and recommendations

Unit Paver Slabs
 - refer to plan for type and location

drainage layer, protection board & waterproofing as per architectural details
 roof slab per architectural details

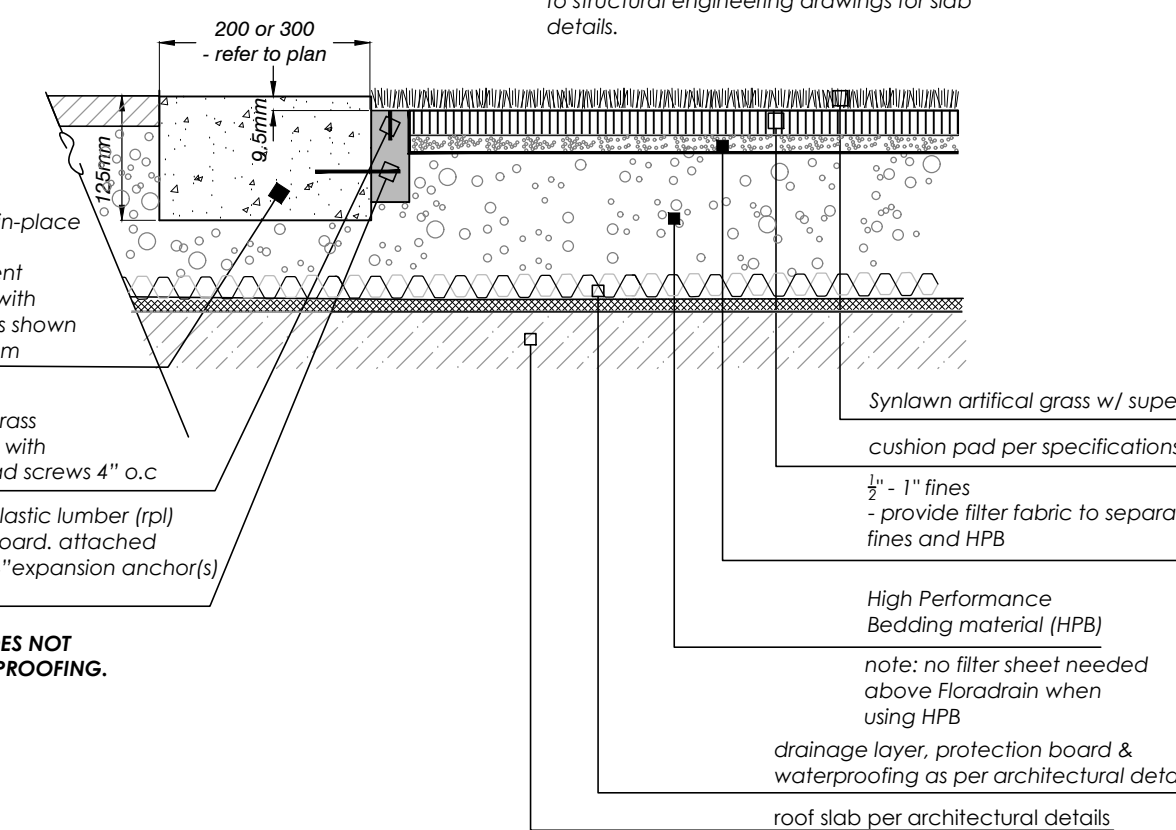
Aluminum Modular Edging by Green Theory or approved equal

SCALE: NTS



Artificial Grass

SCALE: NTS



ENSURE SPIKES DOES NOT PUNCTURE WATERPROOFING.

High Performance Bedding material (HPB)
 note: no filter sheet needed above Fibradrain when using HPB

drainage layer, protection board & waterproofing as per architectural details
 roof slab per architectural details



NOTES:

- SynLawn Pet Premium on Roof Slab - OR APPROVED EQUAL
 SYNLAWN
 Robert Quintana
 3211 Lenworth Drive
 Mississauga, ON
 647-269-6574
- Detail to be reviewed and approved by structural engineering drawings for slab details.

ROOFTOP PLANTING NOTES:

- Rooftop soil mixture (light weight) or approved equal:
 - Lightweight aggregate: 35%-60%
 - Coarse sand (USGA): 25%-50%
 - Organic (compost): 15%-35%
 - Air content at maximum water capacity: 15% at 45%+
- Max. particle size is 16mm. Min. particle size is 0.05mm. Optimal range: 1-12.5mm in diameter.
- Soil mixture will be light weight and will be free of weed seeds.
- Growing medium/soil mixture to be finalized with manufacturer/supplier prior to installation and will be appropriate to local climate and building situation.
- Growing medium/soil mixture will be ordered from a local supplier.
- If growing medium is left exposed for a period of time it should be covered with an erosion blanket, blanket to be firmly secured to roof.
- All mulch on rooftop to be fire resistant
- All dimensions are in mm unless otherwise noted.

ROOFTOP NOTES:

- All fencing and structure fastening details to be reviewed and approved by structural engineer prior to construction.
- Roof top materials to be reviewed and approved by structural engineer prior to construction with respect to weight and loading capacity.
- For roof drainage refer to architectural/engineering drawings.
- For roof top guardrail details refer to architectural drawings.
- All construction to conform to local building codes.
- Contractor responsible for permitting as required.
- Contractor to verify with general contractor/roof membrane supplier that constructed works will not adversely affect membrane warranty.
- Planting medium as specified or approved equal. Utilize light weight soil enriched with high quality compost elements, frost resistant, meeting FLL standards.
- Soil should be sampled annually and fertilizer applied as needed. Fertilizer will vary with plant selection, exposure, and irrigation practices.
- All beds to be irrigated to serve the needs of the proposed planting.

IRRIGATION NOTES:

- The contractor is to design and install an irrigation system to efficiently irrigate all planting beds shown on plan. Plumbing and electrical work shall conform to the prevailing codes, and unless specified otherwise, the construction of the sprinkler system shall include the furnishing, installing and testing of all irrigation equipment, along with the restoration of the site to its original condition.
- The design and layout is to be approved by the landscape architect and/or contract administrator.
- The irrigation system will provide complete and appropriate coverage of the turf and planting areas shown on the drawings. Sprinklers are to direct water away from roads, sidewalks, driveways and buildings. The entire system shall be guaranteed to be complete and function perfectly in every detail for a period of one year from the date of its acceptance.
- All work shall be carried out in accordance with by-laws and codes having jurisdiction over site location.
- It is the responsibility of the plan user to inform themselves of the exact location of all underground and overhead utilities and structures before commencing the work.
- All spray heads shall have pressure regulating devices.
- The client shall be responsible for provision of 110 VAC power within 1 meter of the irrigation controller location.
- The irrigation contractor shall be responsible for the supply and installation of a 2" backflow preventer to the local plumbing code inside of the utility room.
- Mechanical Contractor to provide a 2" size water source complete with stub at the point of connection.
- Irrigation design is based on a static water pressure of 65 psi at the point of connection.

CONCRETE NOTES:

- Do concrete materials and methods of concrete construction in accordance with OPS 351.
- Contractor to verify accuracy of concrete details and reinforcement prior to installation.
- Provide following materials:
 3.1. 1 cement: to OPSD 905 and 1350.
 3.2. 2 aggregates for concrete: OPSD 905 and 1350
 3.3. 3 reinforcing steel if detailed: OPSD 905 and 1350
 3.4. 4 wire ties if detailed: plain, cold drawn annealed steel wire.
 3.5. 5 form stripping agent: colorless mineral oil, free of kerosene.
 3.6. 6 latex bonding agent: sika bond, sikamix limited, or approved equal.
 3.7. 7 form lumber and plywood: clean, free of loose knots, spills and with repairs made smoothly and securely.
 3.8. 8 joint fillers: preformed, non-extruding, resilient bituminous type.
 3.9. 9 admixtures to be used only when approved by engineer.
 3.10. 10 aggregates for base: granular 'A' to OPS Form 1010. 11 water: water used in mixing or curing shall be reasonably clean and free of oil, salt, acid, alkali, sugar, vegetable matter or other substance injurious to the finished project and shall meet the requirement of OPSD. Concrete mix to provide compressive strength of 28MPa at 28 days, entrained air of 6% to 1% and slump at point of discharge of 60mm for curbs and footings.
- Granular base to be compacted to 95% maximum dry density to OPSD and to depths as detailed.
- Four concrete in favourable weather conditions.
- Apply surface finish as detailed.
- Provide control joints/expansion joints 3000mm O.C. or as required.
- Repair defective areas while concrete is still plastic, or remove defective work and replace with new concrete.
- Concrete areas will not be accepted if:
 9.1. 1 fails to meet requirements of this specification
 9.2. 2 contains excessive honeycombing or embedded debris
- 3 28 days average strength in any defined area is less than 95% of specified minimum strength.
- 4 surface irregularities.
- 5 damaged or chipped.
- 6 poor workmanship.
- It is the contractor's responsibility to maintain and protect concrete areas until time of final acceptance.

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 Rooftop Amenity
 & Details

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 landscape architecture

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L-9



A. J. Clarke and Associates Ltd.

SURVEYORS • PLANNERS • ENGINEERS

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

November 29, 2024

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

**Re: 188 Cannon Street East, Hamilton, ON
Minor Variance Application Submission**

Dear Ms. Sheffield:

A.J. Clarke and Associates Ltd. has been retained by Hamilton 188 GP Inc. for the purposes of submitting the enclosed Minor Variance Application for the subject lands, municipally known as 188 Cannon 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 proposed development is for the construction of a 33-storey mixed-use residential tower featuring a 5-storey podium containing ground floor commercial uses (218.2m²) within the existing heritage row townhomes as an adaptive reuse of the existing buildings. All variances are in support of Site Plan Application DA-24-030.

In total, 386 dwelling units of mixed sizes (55% 1-bdrm, 40% 2-bdrm, and 5% 3-bdrm) are provided, with 125 parking spaces (0.32/unit) and 340 bicycle parking spaces (58 visitor). The development will also feature 711m² of both indoor and outdoor amenity space (not inclusive of balcony areas). Minor variances are required to facilitate the desired built form for the development. The subject lands are currently occupied by two (2) semi-detached townhouses which will be partially demolished to facilitate the development.

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

- One (1) digital copy of the required filled and signed Minor Variance Application Form;
- One (1) cheque in the amount of \$3,900.00 representing the required application fee.
- One (1) digital copy of the Architectural Package, prepared by Arcadis, dated November 20, 2024,
- One (1) digital copy of the Landscape Plan, prepared by Adesso, dated September 19, 2024;

The surrounding area consists of a wide range of residential (primarily single detached, semi-detached, and street townhouses), and commercial (automotive repair, grocery) uses. Beyond the immediate surrounding area consists of parkland (Beasley Park) to the west, low and medium-density residential to the north, south and east, and additional commercial uses to the west and north. Dr. JE Davey elementary School, connected to Beasley Community Centre is located less than 100-metres south of the subject lands.



The subject lands are served by Hamilton transit route #3 which runs at 30-minute intervals. The immediate surrounding land uses include:

North	Commercial, Residential
South	Commercial, Residential
West	Commercial, Parkland, Residential
East	Commercial, 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 ‘Downtown Mixed Use Zone’ on Schedule E-1 – Urban Land Use Designations in the Official Plan. The ‘Downtown Mixed Use Zone’ designation permits a range of commercial uses including retail stores, auto and home centres, home improvement supply stores, offices including major offices, etc. Other uses permitted include institutional, art and cultural, hotels, convention centres and residential uses. The residential and commercial uses are permitted on site.

Downtown Hamilton Secondary Plan

The Downtown Hamilton Secondary Plan is the guiding document for where and how the Downtown area will grow until 2031 and beyond.

As per Map B.6.1-2 of the Downtown Hamilton Secondary Plan, the subject lands have been designated ‘Downtown Residential’ and ‘High-rise 2’ allowing for a building height of up to 30-storeys. The following policies are applicable:

Pol. 6.1.4.21. Tall building development shall require transition to adjacent existing and planned low-rise and mid-rise buildings through the application of separation distances, setbacks, and stepbacks in accordance with Policies B.6.1.4.31 through B.6.1.4.39 of this Plan and as informed by the Downtown Hamilton Tall Building Guidelines.

The proposal achieves the above noted policy objectives by providing for a series of step backs at the podium level and above the 44m height mark. Further discussion regarding the building design and stepbacks are provided along with the justification for the Minor Variances sought below.

Pol. 6.1.4.23. All tall buildings shall meet the following requirements:

- a) the building base shall be designed to:
 - i. fit harmoniously within the context of neighbouring streetwall heights. Where there is no consistent streetwall height context for the**



- area, the streetwall height shall be established in a manner that maintains a comfortable pedestrian scale and appropriate street proportion;*
- ii. reduce and mitigate wind impacts on the public realm, including streets, sidewalks, parks and open spaces, and privately owned publicly accessible spaces. Pedestrian level wind conditions shall be suitable for sitting and standing, with higher standards applied to parks and open spaces and Pedestrian Focus Streets; and,*
 - iii. minimize shadows, in accordance with Policies B.6.1.4.34 through B.6.1.4.39 of this Plan, to preserve the utility of sidewalks, parks, public and private open spaces, school yards and buildings, childcare centres, playgrounds, sitting areas, patios, and other similar uses.*
- b) the building base may be required to setback at grade to achieve access to sunlight on sidewalks, parks, public and private open spaces, schoolyards and buildings, childcare centres, playgrounds, sitting areas, patios, and other similar uses;*
 - d) as building heights increase, greater setbacks may be required from the tower to the lot line to achieve the requirements of Policy B.6.1.4.23 c); and,*

With respect to the podium design, the fenestration and implementation of building form will improve upon the streetscape and public realm. The development transitions appropriately from the 33 storey tower form down to the podium level and finally the two-storey heritage buildings into the neighbourhood south of the subject lands. Further discussion will be provided on the building setbacks in relation to the variances listed below. Matters relating to Wind and Shadows have been addressed through the site plan process.

Pol. 6.1.4.24 Development proposals for tall buildings containing residential units shall be encouraged to provide a range of unit types and unit sizes, including those suitable for larger households, and those with children and seniors.

Pol. 6.1.5.2 The existing residential areas within the Downtown shall be maintained by encouraging the retention and adaptive re-use of existing buildings, including those identified as a built heritage resource through listing on the Register or through designation under the Ontario Heritage Act. Land use regulations and special programs shall support the conversion of existing structures subject to the following:

- a) heritage attributes of the on-site cultural heritage resources are conserved as demonstrated through a cultural heritage impact assessment; and,*
- b) additions shall be compatible with the existing structure in terms of relationship to the street, front setbacks, architectural form, and massing.*

The proposed development mixed-use development conforms to the applicable policies for the Downtown Residential designation by providing a permitted mixed-use multiple dwelling structure with ground floor commercial units. The proposal also seeks to preserve cultural heritage resources through the adaptive reuse of the semi-detached buildings currently located on site. The proposed development seeks to mitigate impact on surrounding lower-density areas by providing adequate building setbacks and setbacks to encourage appropriate transitioning to adjacent properties. The proposed setbacks from



Ferguson and Cannon Street create an enhanced public realm, supplying adequate sunlight along the sidewalks while creating buffers between the pedestrian and vehicular networks. The proposal further provides a range of unit types and sizes for larger households including 21 3-bedroom units (5%).

The proposal conforms to the Urban Hamilton Official Plan and Hamilton Downtown Secondary Plan.

Minor Variance

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

1. To permit a minimum rear yard setback of 2.9-metres for a multiple dwelling, whereas Section 6.5.3.4.f., Minimum Rear Yard for Multiple Dwelling Use, which currently permits a minimum rear yard of 7.5-metres.
2. To permit a minimum setback from a lot line abutting an alleyway of 9.3-metres, whereas Section 6.0.c.iii.1., Minimum Setback from a Lot Line Abutting an Alleyway, which currently permits a minimum setback of 9.5-metres.
3. To permit a maximum podium height of 20.1m along Ferguson Avenue, whereas Schedule "F" of Zoning By-law 05-200 identifies that the maximum podium height along Ferguson Avenue is 16m.
4. To permit a maximum building height of 100.06-metres for multiple dwelling, whereas Section 6.5.3.4.g.ii., Building Height for Multiple Dwellings, which currently permits a maximum height of 99-metres.
5. To permit 18 Short-Term Bike Stalls whereas a minimum of 38 Short-Term Bike Stalls are required.
6. To permit 52% of the required parking stalls to be "Small Car Spaces" (11 spaces) whereas a maximum of 10% of the required parking stalls may be "Small Car Spaces" (2 spaces).
7. To permit a balcony encroachment of 1.5m whereas a balcony is permitted to encroach 1.0m into a required yard.

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. To permit a minimum rear yard setback of 2.9-metres for a multiple dwelling, whereas Section 6.5.3.4.f., Minimum Rear Yard for Multiple Dwelling Use, which currently permits a minimum rear yard of 7.5-metres.**

This variance related to the yard abutting the municipal laneway on Cannon Street. Adjacent to the development is a vacant commercial property with an existing cinderblock building that is constructed at the property line. The width of the alleyway is 3.66m. Adding both the separation created by the alleyway and the building setback, a total separation of 6.5m is achieved. The subject lands are a corner lot which abuts two streets, as such, it is desirable to create a consistent street wall within this urban environment by reducing the rear yard setback. Abutting the subject lands is a commercial property that has 0.0m lot line setback from the laneway. As such, the variance does not create an undue impact on the adjacent properties which abut the laneway.



- 2. To permit a maximum building height of 100.06-metres for multiple dwelling, whereas Section 6.5.3.4.g.ii., Building Height for Multiple Dwellings, which currently permits a maximum height of 99-metres.**

The purpose and intent of the Zoning By-law is to ensure that all new development is no greater than the height of the Niagara Escarpment. Per Appendix D of the Downtown Secondary Plan the maximum permitted geodedic height at the subject lands is 186.90m above sea level. The development achieves a height of 186.70m above sea level. Accordingly, the variance maintains the purpose and intent of the Official Plan. The increase in height is negligible and will not create an undue impact on surrounding properties. Through the site plan application process, a Visual Impact Assessment was provided to staff and has since been cleared. Accordingly, the variance meets the four tests.

- 3. To permit a maximum podium height of 20.1m along Ferguson Avenue, whereas Schedule "F" of Zoning By-law 05-200 identifies that the maximum podium height along Ferguson Avenue is 16m.**

The proposed building podium is 5 storeys and 20m in height. Along Cannon Street, the podium is permitted to be 22m. Along Ferguson Street, the podium is permitted to be 16m. The design of the podium was vetted through the Design Review Panel which did not have any adverse comments on the design of the podium. The podium along Ferguson Street is appropriate for the width of the street which is approximately 24m in width. Further, the podium is adequately transitioned on the Ferguson Street side as the five storey podium is buffered by the two-storey row townhouses which will be repurposed into commercial uses. Accordingly, the variance meets the four tests.

- 4. To permit a minimum setback from a lot line abutting an alleyway of 9.3-metres, whereas Section 6.0.c.iii.1., Minimum Setback from a Lot Line Abutting an Alleyway, which currently permits a minimum setback of 9.5-metres.**

The intent of this provision is to ensure that a 25m building separation distance is maintained for future redevelopment. The reduction being sought is 0.2m which will be imperceptible once construction is complete. Furthermore, the existing laneway is 3.6m wide which will result in a total setback of 12.9m from the adjacent property which will allow for a 25m building separation should the adjacent property redevelop in the future. As such, the variance meets the four tests.

- 5. To permit 18 Short-Term Bike Stalls whereas a minimum of 38 Short-Term Bike Stalls are required.**

This variance is technical in nature. Per the concurrently submitted Landscape Plan, a total of 50 short term bike spaces are being provided. In total, 18 are provided within the property line and 32 are provided outside of the property line which cannot be counted towards the total. The proposed Site Plan Application purports to redevelop the entirety of the right of way to include bike racks, street trees, special paving materials and urban braille. The redevelopment of the streetscape will be secured through an external works agreement by way of the Site Plan. The reduction meets the purpose and intent of the By-law as short-term bicycle parking is being provided within proximity of the site. It should also be noted that across the street is a SoBi bike station which accommodates approximately 10 SoBi bikes. The site is extremely saturated with short term bike parking both on site and off site. Accordingly, the variance meets the four tests.



6. To permit 52% of parking stalls to be labelled as “Small Car Spaces” (11 spaces) whereas a maximum of 10% of the required parking stalls may be labelled as “Small Car Spaces” (2 spaces).

This variance is technical in nature. Due to the way that parking is calculated within the Downtown, the subject lands has a minimum required parking rate of 21 spaces. Per the By-law, 10% of the required number of spaces can be small car spaces, which results in 2 small spaces being permitted.

In this case, the entire parking area consists of 125 spaces, only 11 spaces (8%) are small car spaces. The purpose and intent of the By-law is to ensure that a majority of the spaces provided are full size per the By-law. The variance meets the intent of the By-law in this respect. Accordingly, the variance is appropriate and meets the four tests.

7. To permit a balcony encroachment of 1.5m whereas a balcony is permitted to encroach 1.0m into a required yard.

This variance has been approved throughout Downtown Hamilton as it provides for greater outdoor private space for each unit and increases the overall available amenity space for each unit. The 0.5m increase will not impact any neighbouring properties or increase any overlook conditions onto neighboring residential properties. Accordingly, the variance meets the four tests.

The variances are required to implement the proposed built form which follows both the advice of the Design Review Panel and City Staff on the overall development. The proposed variances implement this design which has been vetted by staff. Taken together and individually, the proposed variances meet the four tests.

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)	
Applicant(s)	
Agent or Solicitor	

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 sent by email.

1.6 Payment type

- In person
 Credit over phone*
 Cheque

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	188 Cannon Street, 134, 136 Ferguson Avenue N		
Assessment Roll Number			
Former Municipality	City of Hamilton		
Lot	13	Concession	2
Registered Plan Number	225	Lot(s)	69, 70, 71
Reference Plan Number (s)	62R16833	Part(s)	2 and 3

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:

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

Lot Frontage	Lot Depth	Lot Area	Width of Street
44m	42.83m	0.18879ha	26.213m

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
Row Townhouse	N/A		0.0M	1885
Row Townhouse	N/A		0.0M	1885

Proposed:

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Mixed-Use Multiple Dwelling	0.0m	2.9m	0.0m	TBD

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
Row Townhouse	79.12m ²	285.70m ²	2-storey	9.0m
Row Townhouse	79.12m ²	354.50m ²	2-storey	9.0m

Proposed:

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Mixed-Use Multiple Dwelling	1,041.0m ²	27,611m ²	33	100.06m

- 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

right of way

municipal road, seasonally maintained

other public road

municipal road, maintained all year _____

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):
Mixed-Use Multiple Dwelling (commercial/residential) building with ground floor retail.

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):
Semi-detached dwellings & vacant

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

2024

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

Dry Cleaning Establishment

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

Semi-detached dwellings & vacant

7.4 Length of time the existing uses of the subject property have continued:

1885

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) Downtown Mixed Use Area

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

Please see Cover Letter.

7.6 What is the existing zoning of the subject land? Downtown Residential Zone - D5 (H17, H19, H20)

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: _____

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: 2

8.2 Number of Dwelling Units Proposed: 386

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

See attached Cover Letter.

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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