



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.:	HM/A-24:32	SUBJECT PROPERTY:	211-225 John Street and 70-78 Young Street, Hamilton
ZONE:	“C5, E739, H118” (Mixed Use Medium Density)	ZONING BY-LAW:	Hamilton Zoning By-law No. 05-200 as amended by By-law No. 21-038

APPLICANTS: Owner: Corktown LP
Agent: GSP Group Inc. c/o Ethan Cleugh

The following variances are requested:

1. No parking spaces shall be required for residents, and a minimum of two (2) plus 0.05 visitor parking spaces per unit shall be provided, whereas a minimum of 0.55 parking spaces are required per dwelling unit.

PURPOSE & EFFECT: To permit the construction of a new mixed-use development including a total of 786 dwelling units, commercial use(s) at grade, and a total of 246 parking spaces primarily in an underground parking structure, in accordance with Site Plan Control Application No. DA-23-035.

Notes:

- i. The requested variance(s) are necessary to facilitate Site Plan Control Application No. DA-23-035(formerlyDA-21-112).
- ii. The proposed development is subject to Policy No. ZON-065 and the Transition Provisions of Hamilton Zoning By-law No. 05-200. Note that as a complete Planning Act application was received prior to April 10th, 2024, the proposed development shall comply with the provisions of the applicable former Zoning By-law as it read immediately prior to the passing of amending By-law No. 24-052, which deleted and replaced the entirety of Section 5: Parking.
- iii. Please note that Special Exception No. E739 as per Amending By-law No. 21-038, previously modified the minimum number of required parking spaces for the use of a Multiple Dwelling to 0.6 parking spaces per unit.

HM/A-24:32

Minor Variance Application No. HM/A-22:64 was subsequently granted to permit a reduced parking rate of 0.55 parking space per unit for the use of a Multiple Dwelling.

Variance No.1 has been requested to apply the current in-force Section 5: Parking requirements for the use of a Multiple Dwelling located in a Parking Rate Area 1 (“PRA 1”) to the proposed development, despite being subject to the transition provision and Policy No. ZON-065. Therefore, should Variance No. 1 be granted, a minimum of forty-one (41) visitor parking spaces shall be required based on the 786 dwelling units proposed, instead of the minimum 432 parking spaces currently required. It is noted that 246 parking spaces have been proposed.

- iv. Please note that Section 5.2(iv) indicates that where 10 or more parking spaces are required on a lot, the minimum parking space size of not more than 10% of such required parking spaces shall be a width of 2.6 metres and a length of 5.5 metres, provided that any such parking space is clearly identified as being reserved for the parking of small cars only. Should Variance No. 1 be granted, a maximum of four (4) parking spaces may be provided for the parking of small cars (i.e. 10% of 41 parking spaces required). The applicant advised via email dated January 20th, 2025, that any deficiencies related to small car parking spaces as a result of the Variance No.1, shall be addressed through the Site Plan Control Application process.
- v. Please note that detailed plans (i.e. elevation drawings, floor plans, etc.) have not been provided as part of the submitted materials. Therefore, a full Zoning Compliance review of the proposed development could not be completed as part of this application. It is noted that the proposed development has been reviewed for Zoning Compliance as part of Site Plan Control Application No. DA-23-035 (formerly DA-21-112).
- vi. Please be advised that the Electric Vehicle Parking requirements under By-law 24-052, remain under appeal and are not covered under Section 1.12 of the “Transitional Provisions” of the Hamilton Zoning By-law 05-200. At present, a review of the Electric Parking requirements has not been completed. If the remaining portions of By-law 24-052 become final before issuance of a building permit, the Electric Vehicle Parking requirements may be applicable upon review for such building permit.

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:	Thursday, February 13, 2025
TIME:	2:15 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

HM/A-24:32

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 February 11, 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 February 12, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding HM/A-24:32, 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 27, 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 Tuesday 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.

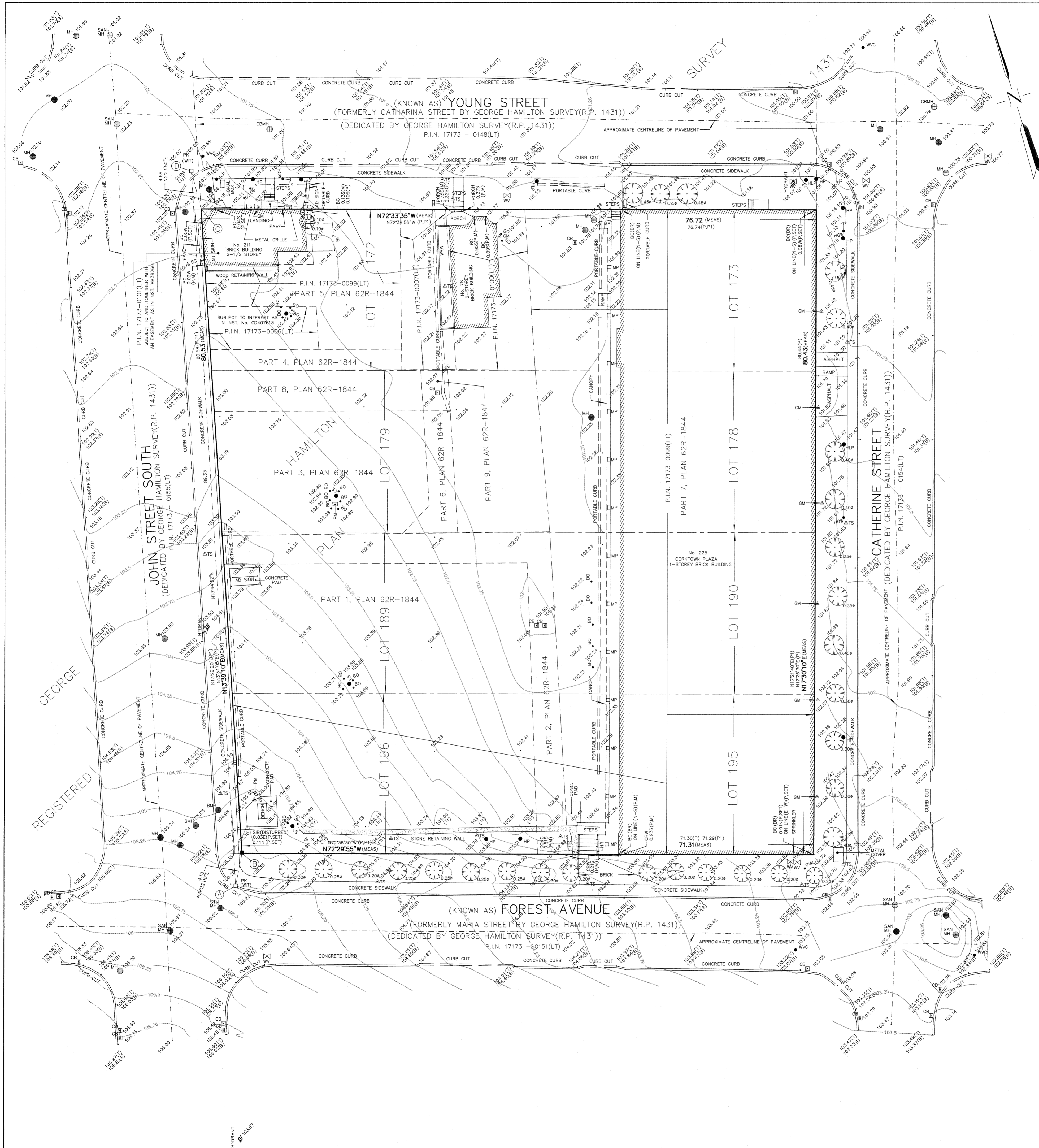
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

2. In person Oral Submissions

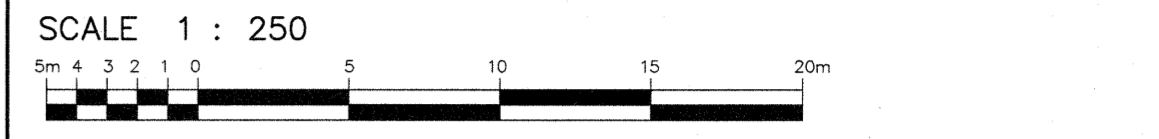
Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **no less than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



BOUNDARY AND TOPOGRAPHICAL SURVEY OF
ALL OF LOTS 172, 173, 178, 179, 189, 190, 195 AND 196
GEORGE HAMILTON SURVEY
(REGISTERED PLAN 1431)
 CITY OF HAMILTON



R. AVIS SURVEYING INC.

METRIC : DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

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NOTES AND LEGEND

BEARINGS SHOWN HEREON ARE UTM GRID BEARINGS, DERIVED FROM OBSERVED REFERENCE POINTS A AND D, HAVING A BEARING OF N13°44'52"E BY REAL TIME NETWORK(RTK) OBSERVATIONS, UTM ZONE 17, NAD83(CRS=2014), CENTRAL MERIDIAN 81° 00' WEST LONGITUDE, (UNIVERSAL TRANSVERSE MERCATOR).

OBSERVED REFERENCE POINTS (ORPs): UTM ZONE 17, NAD83(CRS=2014).

POINT ID	NORTHING	EASTING
ORP A	4789178.587	591827.143
ORP B	4789182.217	591829.117
ORP C	4789260.471	591848.125
ORP D	4789265.355	591848.372

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN

DISTANCES SHOWN HEREON ARE ADJUSTED GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.99969177.

ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE REFERRED TO CITY OF HAMILTON BENCH MARK No. 3-26, HAVING AN ELEVATION = 110.834 metres.

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT PLANTED
- SIB DENOTES STANDARD IRON BAR
- SSIB DENOTES SHORT STANDARD IRON BAR
- IB DENOTES IRON BAR
- CC DENOTES CUT CROSS
- WT DENOTES WITNESS
- MEAS/M DENOTES MEASURED
- N,S,E,W DENOTES NORTH, SOUTH, EAST, WEST
- PK DENOTES PK NAIL
- P DENOTES SURVEYOR'S REAL PROPERTY REPORT BY A. T. McCLAREN, O.L.S. DATED JULY 18, 2014
- P1 DENOTES PLAN 62R-1844
- AD SIGN DENOTES ADVERTISEMENT SIGN
- BMH DENOTES BELL MANHOLE
- BO DENOTES BOLLARD
- BSB DENOTES BUS STOP SIGN
- BF DENOTES BOARD FENCE
- BRC DENOTES BUILDING CORNER
- BR DENOTES BRICK
- B3 DENOTES BOTTOM OF CURB
- CB DENOTES CATCH BASIN
- CBMH DENOTES CATCH BASIN MANHOLE
- CRW DENOTES CONCRETE RETAINING WALL
- CSW DENOTES CONCRETE SIDEWALK
- CONC DENOTES CONCRETE
- FH DENOTES FIRE HYDRANT
- GM DENOTES GAS METER
- GVK DENOTES GAS VALVE KEY
- HGW DENOTES HYDRO GUY WIRE
- HLP DENOTES HYDRO LIGHT POLE
- HP DENOTES HYDRO POLE
- HR DENOTES HAND RAIL
- LS DENOTES LIGHT STANDARD
- MH DENOTES MANHOLE
- MP DENOTES METAL POST
- PM DENOTES PARKING METRE
- RP DENOTES REGISTERED PLAN 1431
- SAN MH DENOTES SANITARY MANHOLE
- ST MH DENOTES STORM MANHOLE
- TL DENOTES TRAFFIC LIGHT STANDARD
- TS DENOTES TRAFFIC SIGN
- (T) DENOTES TOP OF CURB
- (Tr) DENOTES TOP OF RETAINING WALL
- WV DENOTES WATER VALVE
- WVC DENOTES WATER VALVE CHAMBER
- WRW DENOTES WOOD RETAINING WALL
- 0.10m DENOTES CONIFEROUS TREE WITH TRUNK DIAMETER 0.10 metres
- 0.000 DENOTES SPOT ELEVATION

AREA: 5950.2 sq.m.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 29th DAY OF AUGUST, 2017.

SEPTEMBER 1, 2017

DATE _____

PIRATHEEPAN RAMACHANDRAN
 Ontario Land Surveyor

ASSOCIATION OF ONTARIO LAND SURVEYORS
 PLAN SUBMISSION FORM
2024499

R. AVIS SURVEYING INC.
 SUITE 203
 235 YORKLAND BOULEVARD
 TORONTO, ONTARIO
 M2J 4Y8

TEL: (416) 490-8352 FAX: (416) 491-6206
 www.ravissurveying.com

THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR in accordance with Regulation 1026, Section 29(3).

CHECKED BY : P.R., O.L.S.
 CALCULATED BY : JB/PR
 DRAWN BY : JB

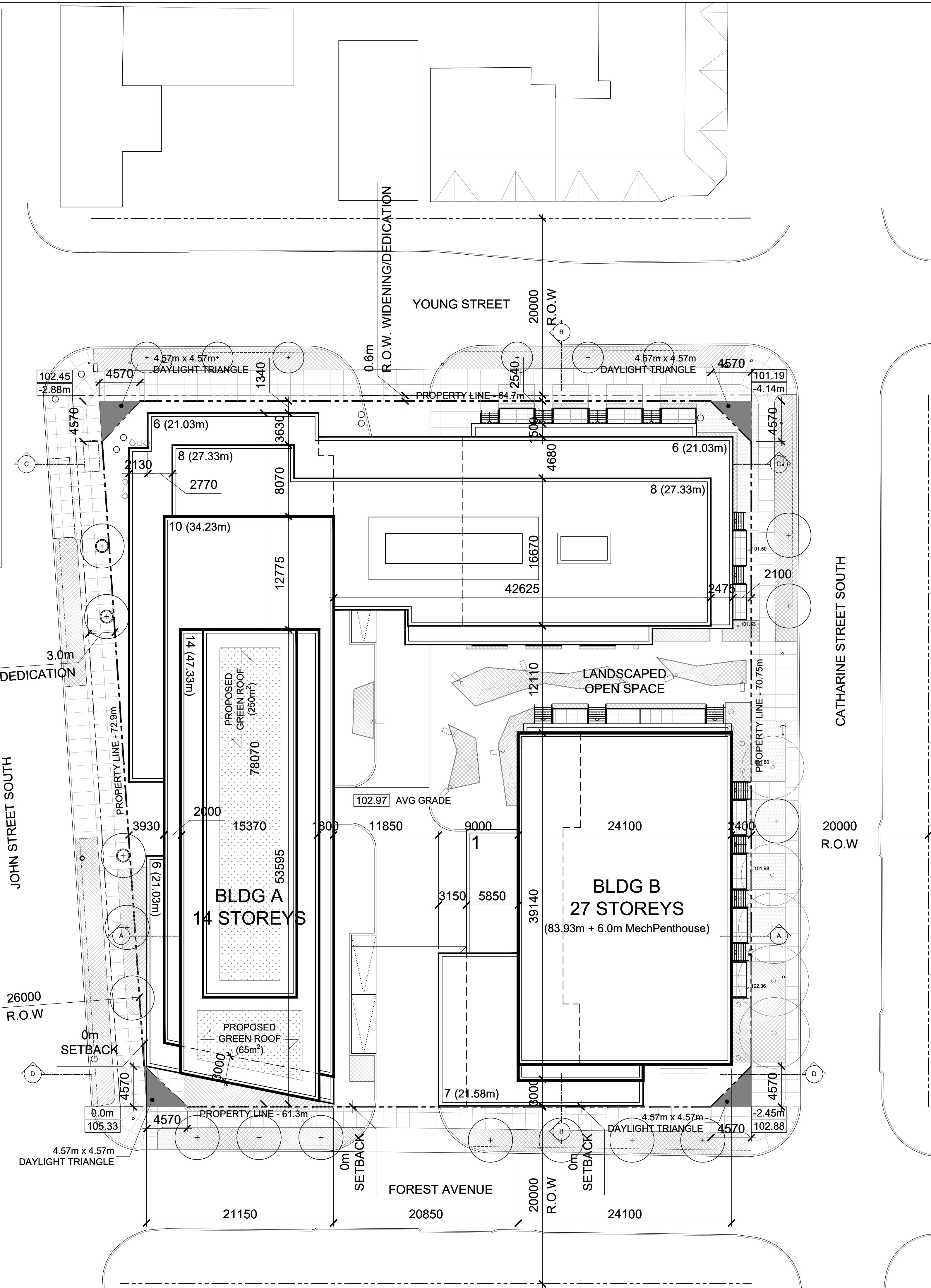
PROJECT No. : 3119-0
 DRAWING No. : 3119-0T.DWG

UNDERTAKING
 RE: 211-255 John St S and 70-78 Young St, Hamilton File No. DA-21-112

I, (We) _____ the owner(s) of the land, hereby undertake and agree without reservation,
 (a) To comply with all the content of this plan and drawing and not to vary therefrom;
 (b) To perform the facilities, works or matters mentioned in Section 41(7)(a) of the Planning Act shown on this plan and drawing(s) in accordance with the conditions of approval as set out in the Letter of Approval dated _____
 (c) To maintain to the satisfaction of the City and at my (our) sole risk and expense, all of 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;
 (d) In the event that the Owner does not comply with the plan dated _____ the owner agrees that the City may enter the land and do the required works, and further the Owner authorizes the City to use the security filed to obtain compliance with this plan.
 (e) The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.
 (f) The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.
 (g) The Owner agrees to include in all offers of purchase and sale, a statement that advises the purchaser:
 i) that the home/business mail delivery will be from a designated Centralized Mail Box.
 ii) that the developer/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.
 (h) That the Owner agrees to establish a centralized mail facility (rear loading Lock Box Assembly with mail room) at their own expense.
 (i) That the Owner agrees to physically affix the municipal number or full address to each building or on a sign in accordance with the City's Sign By-law in a manner that is visible from the street.
 (j) Caution: Notwithstanding current surface conditions, the property has been determined to be an area of archaeological potential. Although an archaeological assessment is not required by the City of Hamilton, the proponent is cautioned that during development activities, should deeply buried archaeological materials be found on the property the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) should be notified immediately (416-212-8886). In the event that human remains are encountered during construction, the proponent should immediately contact both MHSTCI and the Registrar of the Cemeteries Regulation Unit of the Ministry of Small Business and Consumer Services (416-212-7499).
 (k) The Owner is responsible for all waste removal up until the time that an "Agreement for On-site Collection of Solid Waste is finalized, and municipal collection services are initiated."
 (l) Prior to the start of municipal waste collection service, the development must be free of construction debris and construction related activities.
 (m) If the development is not designed according to municipal waste collection specifications, the Owner shall:
 i) Arrange a private waste hauler for the removal of all waste materials.
 ii) As part of the Purchase and Sale Agreement, the Owner must disclose in writing that the property is not serviceable for municipal waste collection

Dated this _____ day of _____ 20____

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



Zoning Site Statistics

Summary Site Statistics	
Lot Area (excluding dedications):	±5,627m²
Lot Frontage (Forest Avenue):	61.3m
No. of Storeys:	
• Building A:	14 storeys
• Building B:	27 storeys
Commercial GFA	
• Building A:	Unit 1: 347m² Unit 2: 418.66m²
• Building B:	0m²
Total:	765.66m²
Units:	
• Building A:	374
• Building B:	412
Total:	786 units
Parking Spaces:	
• P1 Level:	112
• P2 Level:	134
Total:	246 spaces

NOTES:
 CAUTION: NOTWITHSTANDING CURRENT SURFACE CONDITIONS, THE PROPERTY HAS BEEN DETERMINED TO BE AN AREA OF ARCHAEOLOGICAL POTENTIAL. ALTHOUGH AN ARCHAEOLOGICAL ASSESSMENT IS NOT REQUIRED BY THE CITY OF HAMILTON, THE PROponent IS CAUTIONED THAT DURING DEVELOPMENT ACTIVITIES, SHOULD DEEPLY BURIED ARCHAEOLOGICAL MATERIALS BE FOUND ON THE PROPERTY THE ONTARIO MINISTRY OF TOURISM, CULTURE AND SPORT (MTCOS) SHOULD BE NOTIFIED IMMEDIATELY (416.314.7143). IN THE EVENT THAT HUMAN REMAINS ARE ENCOUNTERED DURING CONSTRUCTION, THE PROponent SHOULD IMMEDIATELY CONTACT BOTH MTCOS AND THE REGISTRAR OR DEPUTY REGISTRAR OF THE CEMETERIES REGULATION UNIT OF THE MINISTRY OF SMALL BUSINESS AND CONSUMER SERVICES (416.326.6392).

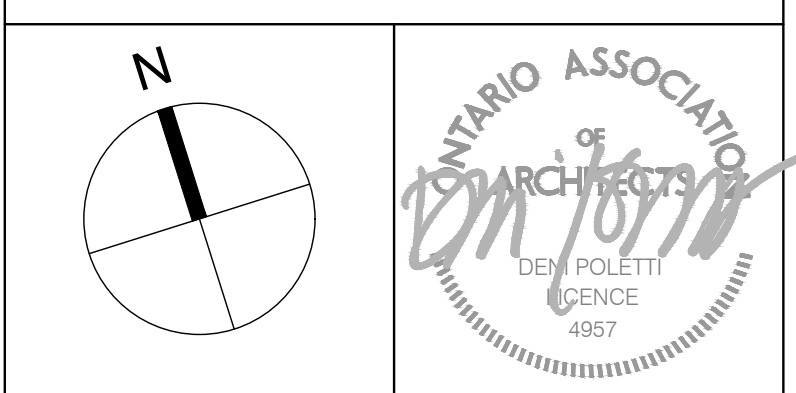
NO.	REVISIONS	DATE
9	REISSUED FOR SPA	29 SEPTEMBER 2023
8	REISSUED FOR SPA	21 DECEMBER 2022
7	ISSUED FOR COORDINATION	8 SEPTEMBER 2022
6	ISSUED FOR COORDINATION	13 MAY 2022
5	ISSUED FOR PRELIMINARY PRICING	21 APRIL 2022
4	ISSUED FOR SPA	30 JUNE 2021
3	ISSUED FOR PRELIMINARY SPA	24 JULY 2020
2	REISSUED FOR REZONING	9 MARCH 2020
1	ISSUED FOR REZONING	29 JUNE 2018

ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST. PRODUCTION OF DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE JOB.

COREARCHITECTS
 CORE ARCHITECTS INC.
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 TORONTO, ON CANADA M5A 0P6
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 INFO@COREARCHITECTS.COM
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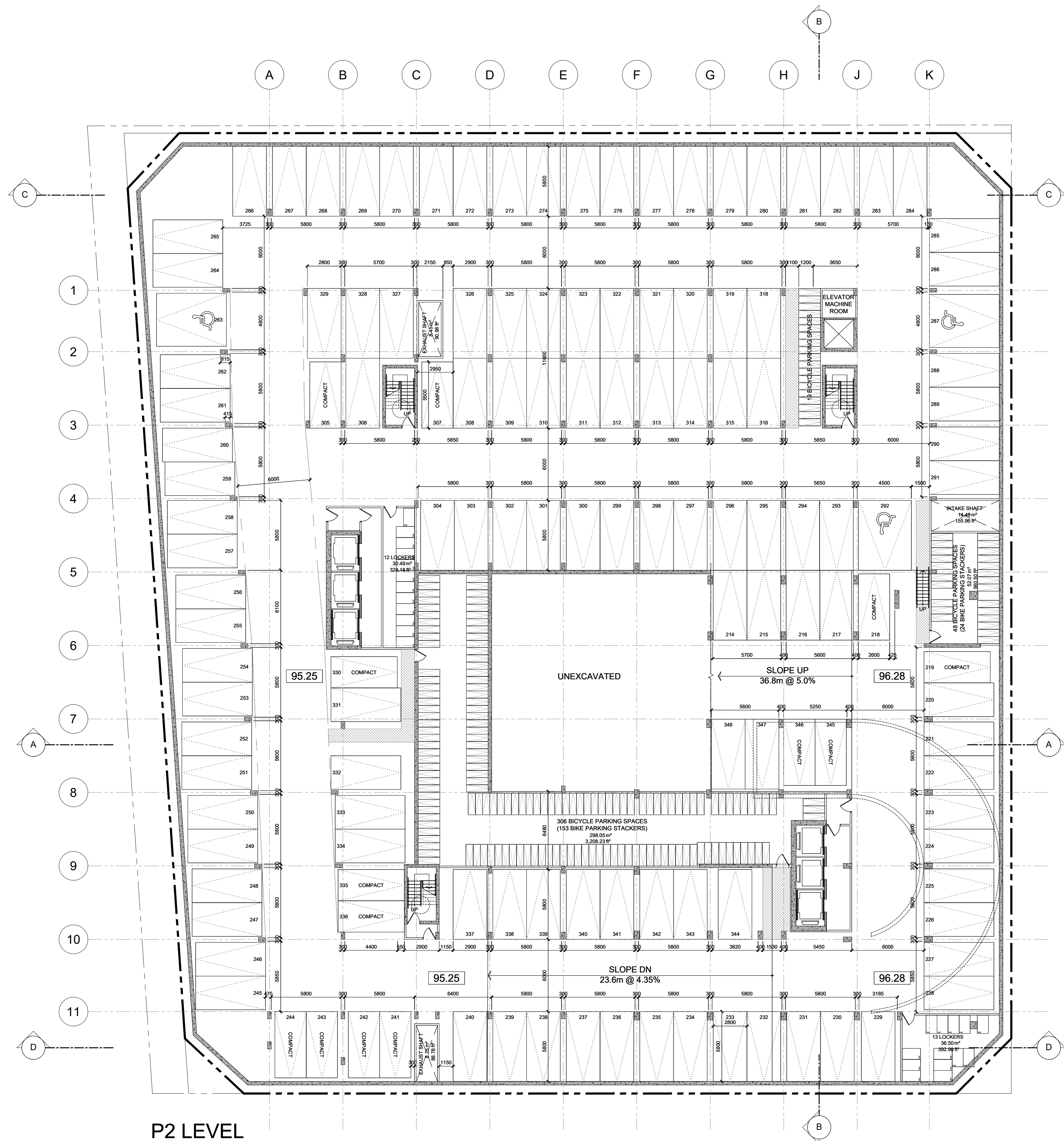
CORKTOWN
 211-225 JOHN STREET S
 AND 70-78 YOUNG STREET
 HAMILTON, ON



DRAWN G.S. SCALE 1:250
 CHECKED G.S. DATE 17 JANUARY 2018

TITLE
SITE PLAN

PROJECT NO. 19-188 DRAWING NO. A103

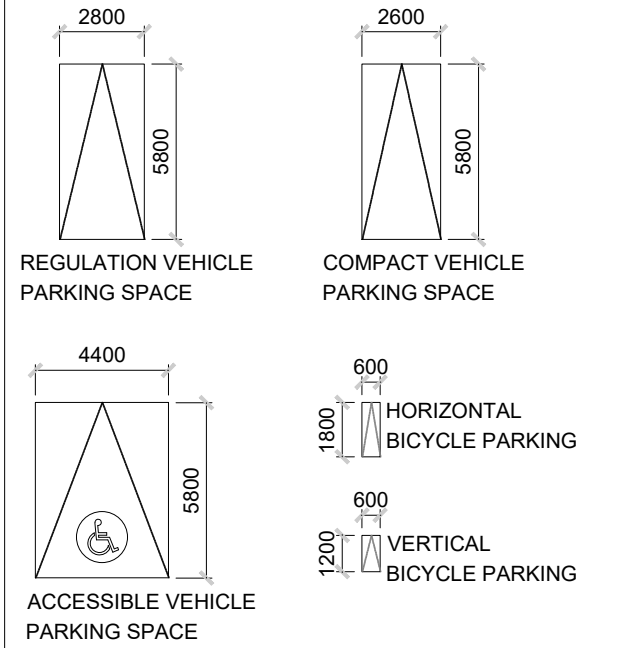


**P2 LEVEL
134 PARKING SPACES**

NOTES:

1. LOBBY VESTIBULES DOORS AND WALLS ADJACENT TO VESTIBULE DOORS HAVE TRANSPARENT GLAZING IN FIRE RATED DOORS AND ASSEMBLIES TO CONFORM TO O.B.C. ALLOWABLE AREA.

PARKING LEGEND



NO.	REVISIONS	DATE
10	ISSUED FOR MINOR VARIANCE	25 JANUARY 2024
9	REISSUED FOR SPA	29 SEPTEMBER 2023
8	REISSUED FOR SPA	21 DECEMBER 2022
7	ISSUED FOR COORDINATION	8 SEPTEMBER 2022
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5	ISSUED FOR PRELIMINARY PRICING	4 APRIL 2022
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1	ISSUED FOR REZONING	29 JUNE 2018

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CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE JOB.

COREARCHITECTS
CORE ARCHITECTS INC.
130 QUEENS QUAY EAST, SUITE 700, WEST TOWER
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WWW.COREARCHITECTS.COM

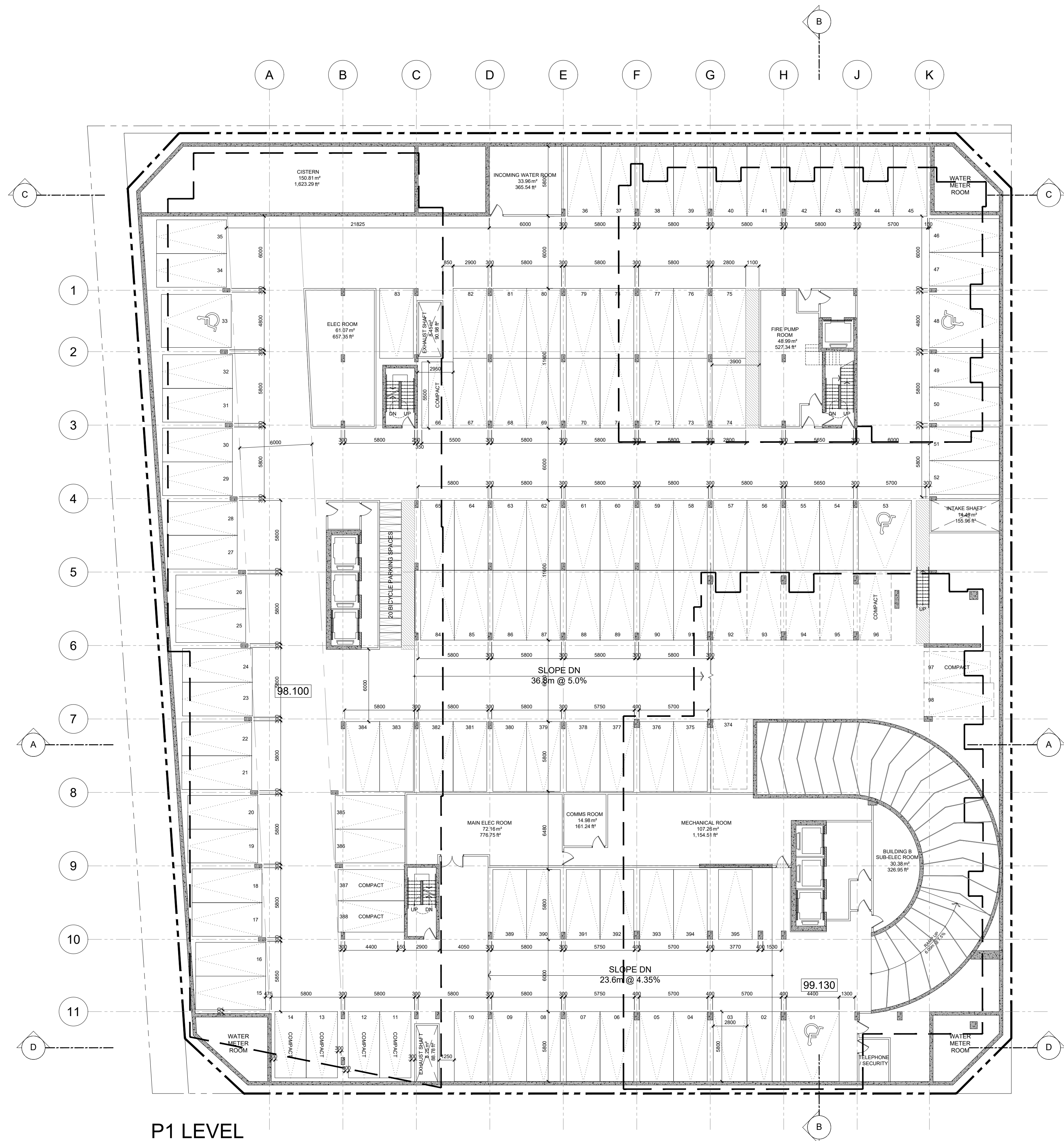
CORKTOWN
211-225 JOHN STREET S
AND 70-78 YOUNG STREET
HAMILTON, ON



DRAWN G.S.	SCALE 1:200
CHECKED G.S.	DATE 17 JANUARY 2018

TITLE
P2 PARKING LEVEL

PROJECT NO. 19-188	DRAWING NO. A203
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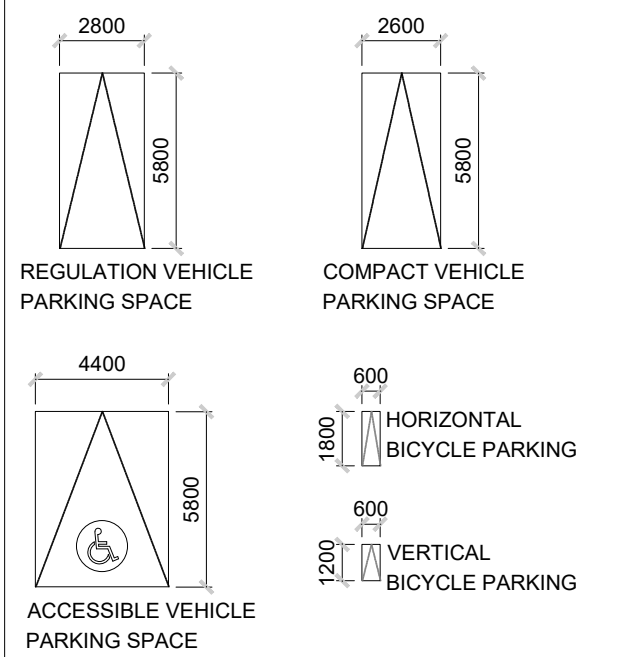


P1 LEVEL
112 PARKING SPACES

NOTES:

1. LOBBY VESTIBULES DOORS AND WALLS ADJACENT TO VESTIBULE DOORS HAVE TRANSPARENT GLAZING IN FIRE RATED DOORS AND ASSEMBLIES TO CONFORM TO O.B.C. ALLOWABLE AREA.

PARKING LEGEND



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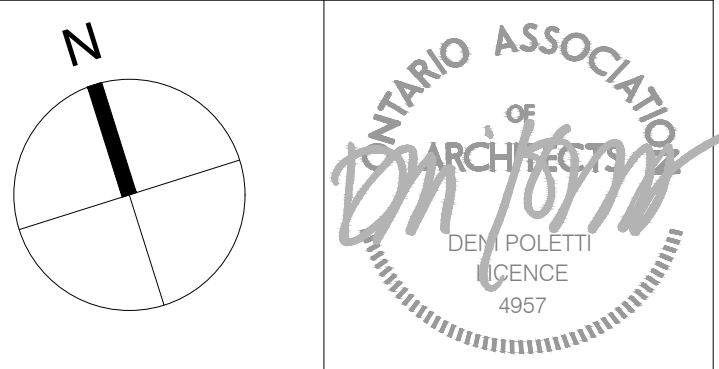
NO. REVISIONS DATE

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CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE JOB.

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CORKTOWN
 211-225 JOHN STREET S
 AND 70-78 YOUNG STREET
 HAMILTON, ON



DRAWN G.S.	SCALE 1:200
CHECKED G.S.	DATE 17 JANUARY 2018

TITLE
P1 PARKING LEVEL

PROJECT NO. 19-188	DRAWING NO. A204
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SHAPING GREAT COMMUNITIES

December 20, 2024

File: 17228

City of Hamilton
Committee of Adjustment
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

Attn: Ms. Jamila Sheffield
Secretary-Treasurer

**RE: 211-225 John Street South & 70-78 Young Street, Hamilton (Corktown Plaza)
Minor Variance Application HM/A-24:32 – Resubmission
Related Site Plan Application: DA-21-112**

Dear Ms. Sheffield:

On behalf of Corktown L.P., GSP Group is pleased to resubmit the attached minor variance application for the property known municipally as 211-225 John Street South and 70-78 Young Street, more commonly known as Corktown Plaza (the “Site”). The purpose of the request was to permit a reduction in the site specific parking requirements applicable to the Site.

At the applicant’s request, Minor Variance application HM/A-24:32 was tabled in March 2024 to consider the outcome of the City’s new Parking regulations. The requested minor variance was to further reduce the site specific parking regulations applicable to the Site.

The Site is currently subject to conditional Site Plan Approval (DA-21-112) for a comprehensive redevelopment consisting of a 27-storey residential building and a 14-storey residential building atop a mixed-use podium containing commercial retail space. The owners are in the process of clearing the conditions to allow construction.

The purpose of this correspondence is to provide justification for a minor variance and it would be appreciated if it was circulated with the application to Committee Members.

PLANNING | URBAN DESIGN | LANDSCAPE ARCHITECTURE

72 Victoria Street South, Suite 201, Kitchener, ON N2G 4Y9 519 569 8883
162 Locke Street South, Suite 200, Hamilton, ON L8P 4A9 289-921-1975
gspgroup.ca

1.0 BACKGROUND

a) 2021: Zoning By-law Amendment

To facilitate the comprehensive redevelopment of the Site comprised of a full city block, City Council approved Site-specific By-law No. 21-038 in March 2021, which among other regulations, required that parking be provided at a minimum rate of 0.6 parking spaces per unit. This parking rate was supported by a Parking Justification Study prepared by Paradigm Transportation Solutions Limited (PTSL). The June 2020 Study outlined a range of parking requirements that applied to the site's context. The review concluded that a parking rate of 0.6 parking spaces per unit was appropriate for the site *at that time*.

b) 2022: Minor Variance HM/A-22:64

The June 2020 PTSL Study did not account for the introduction of Light Rapid Transit (LRT) along King Street as the province previously halted the project in December 2019. However, the province's decision was reversed in May 2021 and ratified by Hamilton City Council in September 2021. As a result, since the LRT will go forward, the parking demand for the site is expected to be lower than the previously approved rate. This conclusion was reached based on observed local parking utilization surveys and the estimated reduction in parking demand resulting from transit improvement, mainly the site being within 800 metres of a future rapid transit station.

Accordingly, in November 2022 a further reduction to the parking rate was requested and approved by the Committee of Adjustment (HM/A-22:64) to permit a parking rate of 0.55 spaces per unit.

c) 2023: City Staff Parking Report (PED23156)

In August 2023 the City's Transportation Planning and Parking Division brought forward a Report (PED23156) dealing with residential parking standards. This Report noted that "*Cities across North America are increasingly adopting more progressive approaches for establishing parking requirements that take into consideration issues such as environmental impacts, cost and affordability, climate change, and the need to reduce auto dependency and associated impacts. Parking standards are also being extended to better reflect different aspects of mobility including active transportation, accessible parking, shared mobility, micro-mobility, and electric vehicle charging.*"

The Report identified Draft Parking Standards for 4 proposed residential parking zones. Zone A is within the Lower City and is where there are high levels of existing transit, residents are observed to own fewer vehicles, and a greater share of residents take alternative modes of transportation. It is also expected that the development industry will provide parking following end user market demands. Staff proposed a significant reduction in minimum parking requirements in Zone A. The Site is located in Zone A.

Council *received* the staff report and, in turn, authorized staff to proceed with public engagement on the Draft Parking Standards.

2024: New Parking Regulations (PED221549a)

On February 23, 2024 Planning Staff brought forward revised parking regulations in the form a Zoning by-law amendment. Staff recommendations, including an implementing Zoning by-law amendment, were subsequently approved by Council on April 10, 2024, but appealed to the Ontario Land Tribunal (OLT).

On September 25, 2024, an Order of the Tribunal approved the new parking regulations except for a few outstanding appeals related to site specific properties, and those regulations applicable to electric vehicles. (Refer to OLT Case #OLT-24-000544)

2.0 REQUESTED MINOR VARIANCE

The purpose of this minor variance application is to eliminate the site specific parking regulations applicable to the Site (0.55 spaces per unit) and allow the City's new standard parking regulations apply.

The residential condominium project approved for the Site is now selling and there is a lack of demand for parking spaces. In their January 4, 2024 correspondence to the Committee of Adjustment (**Attachment A**), RAD Marketing notes that since May 2023 when condominium sales for Corktown were launched, RAD completed extensive market research and has real-time feedback from purchasers regarding the lack of demand for parking when purchasing pre-construction condominium suite. Despite selling over 60% of the Phase 1 units, only 8% (49 of 394) of parking spaces have been sold.

Additionally, it is noted that Corktown is promoting and implementing several Transportation Demand Management (TDM) measures to help reduce the dependency on cars including:

- Long and short-term bicycle parking, and Hamilton Bike Share (SoBi) location;
- Pre-loaded Presto card (equivalent of 3 months) and SoBi membership (6 months);
- Upgrades to the John Street South and Young Street transit stop;
- Carshare parking spaces;
- Wayfinding signage promoting active transportation in the area;
- Established sidewalk networks providing pedestrian access to all necessities;
- In addition to preapproved TDM measures, Corktown will offer a shuttle to McMaster as an alternative mode of transportation, attracting students and young professionals to the development.

This supports the preliminary recommendations of the City's Transportation Planning and Parking Division's August 2023 Report (PED23156) which proposes fewer parking spaces for Zone A (i.e., a zero minimum parking requirement for residents within mixed use buildings).

Consistent with the first two staff directives previously noted, the Site is located within *Residential Parking Rate Area 1 (PRA 1)* which includes lands within an expanded Downtown Secondary Plan area representing the City's most urbanized areas. The proposed mixed-use development includes at grade retail commercial uses, with high density residential uses above, and will therefore be highly transit supportive. Based on the new parking regulations of Zoning By-law 05-200, a *minimum* parking requirement would be eliminated.

The application before the Committee is to eliminate the minimum site specific parking requirements and allow the standard Parking Rate Area 1 parking regulations to apply.

Based on a proposed unit count of 743 units, this would equate to a total of 0 *required* residential parking spaces and 41 visitor parking spaces ($786 \times 0.05 + 2 = 41$). Please note that this does not mean that the developer will necessarily provide 0 resident parking spaces; rather they will provide resident parking spaces based on the demand for them.

Commercial parking will be provided based on the ultimate commercial uses and the applicable parking regulations of Zoning By-law 05-200. For example, retail uses within Parking Rate Area 1 require 2 spaces for each 100m² of gross floor area in excess of 450m² gross floor area. No variances to these parking requirements are proposed.

3.0 FOUR TESTS OF MINOR VARIANCE

Section 45(1) of the *Planning Act* states that the Committee of Adjustment "*may authorize such Minor Variances from the provisions of the by-law, in respect of the land, building or structure or the use thereof*" and provided the following four tests are met:

1. Does the Minor Variance maintain the general intent and purpose of the Official Plan;
2. Does the Minor Variance maintain the general intent and purpose of the Zoning By-law;
3. Is the Minor Variance desirable and appropriate for the lands; and
4. Is the requested variances minor in nature.

The analysis that follows demonstrates how the requested variance satisfies the four tests of a Minor Variance.

3.1 Does the proposed minor variance maintain the general intent and purpose of the Official Plan?

One of the policy Goals of the Urban Hamilton Official Plan (UHOP) is to provide “a balanced, sustainable and integrated transportation network which includes all modes of transportation such as active transportation, transit, automobiles, goods movement vehicles, rail, air marine, and emerging modes of transportation and technology”. (Volume 1, Chapter C, Policy C.4.1.1).

The proposed reduction in required parking spaces per dwelling unit pursuant to the City approved new parking regulations, is supported by the Transportation Policy Goals in Volume 1, Chapter C, Policy C.4.1 of the UHOP, which includes the following :

“4.1.2 Recognize the relationship of transportation and land use planning in connecting communities, land uses and activities and the role of the integrated transportation network in creating complete communities and improving overall quality of life.

4.1.4 Plan urban areas so that travel by automobile is an option not a necessity.”

The proposed reduction in the required minimum number of parking spaces per dwelling unit supports these transportation goals by:

- Allowing modal shifts to occur by not prescribing a parking rate to each individual unit that actively encourages and incentivizes automobile use at the detriment of the environment, public health, infrastructure impacts and contributes to potential public safety concerns, conflicting with goal of a complete community and improved quality of life. (Policy C.4.1.2)
- Removing a portion of the automobile requirement to incentivize alternative modes of transportation and incorporate a rate that is consistent with surrounding C5a zoned sites that have less onerous parking rates for dwelling units. This variance can enable pedestrian, active transportation, and public transit oriented intensification to occur without the limitation of automobile travel being the primary mode of transportation that the development is designed from, out of necessity. Based on the foregoing, the general intent and purpose of the Official Plan (Ancaster Wilson Street Secondary Plan) will continue to be maintained with the requested reduction in the parking ratio from two spaces per unit to one space per unit. The Site is located within an intensification area that is contemplated as a walkable, transit accessible community. (Policy c.4.1.4)

In addition, the Site is designated Mixed Use-Medium Density. Volume 1, Chapter E, Policy 4.6.27 states that “Reduced parking requirement shall be considered to encourage a broader range of uses and take advantage of a higher level of transit service.”

Therefore, a parking reduction maintains the general intent and purpose of the Urban Hamilton Official Plan with regard to the reduction of parking standards to provide a more balanced approach to transportation, with a view reduce dependency over other modes of transportation.

3.2 Does the proposed minor variance maintain the general intent and purpose of the Zoning By-law?

As noted, the site specific zoning on the Site currently permits a parking rate of 0.55 spaces per unit. Historically, the intent and purpose of establishing minimum parking ratios in Hamilton has been to ensure that development provide sufficient parking to satisfy peak demands for parking. The City's new parking regulations acknowledge the trending change in the purpose and intent of providing minimum parking ratios

Based on the parking demand for the proposed development and the City's new Parking Rate Area 1 parking standards that are in force and effect for all PRA 1 properties, sufficient parking will be provided for the proposed development.

Therefore, a parking reduction from 0.55 spaces per unit to the City's new standard maintains the general intent and purpose of the Zoning By-law and changing trends in providing a more balanced approach to parking and the reliance on the private automobile over public transit.

3.3 Is the Minor Variance desirable for the appropriate development and use of the lands?

What is key in the review of this criterion is whether the Minor Variance is desirable from a planning and public interest perspective. The test of desirability includes consideration of many factors that can affect the broad public interest as it relates to the Site, accepted planning principles and existing patterns of development.

At a provincial level, the new Provincial Planning Statement includes policies that promote compact and transit-supportive designs and multimodal transportation that reduce dependence on private automobiles.

As noted, the purpose of a minimum number of parking spaces per dwelling unit is to ensure a sufficient number of parking spaces are provided that off-set transportation impacts of the future citizens residing in the proposed development. However, reducing the amount of parking available on site will effectively allow a development to proceed that does not incentivize excessive automobile use, and alternatively encourages active transportation

and public transit usage. Residents who purchase units will know whether or not they have parking available to them for a private automobile and will make their purchase on that basis.

Finally, the added density will support local businesses and provide less impact on municipal road infrastructure on a per unit impact basis.

Therefore, applying the City's new parking regulations for PRA 1 to the Site is considered desirable and appropriate.

3.4 Is the proposal minor in nature?

In the determination of whether a variance is minor, consideration of more than solely the numerical difference between the requested standard and the zoning by-law requirement is necessary. Consideration of how the variance impacts the overall area, as well as the Site must be evaluated.

As noted, the purpose of a minimum number of parking spaces per dwelling unit is to ensure a sufficient number of parking spaces are provided that off-set transportation impacts of the future residents of the proposed development.

The request is to apply approved parking standards to the Site that are applicable to surrounding existing and new development. This will not negatively impact the overall area which is well serviced with existing and proposed public transit. As noted, individual purchasers of units will make their decision to purchase units based on the availability and their need for parking.

Therefore, eliminating the site specific parking ratio to the Site is considered minor in nature.

4.0 RECOMMENDATIONS

The requested minor variance represents good land use planning as it satisfies the four tests of Section 45(1) of the Planning Act. Approval of the requested variance will continue to maintain the general intent and purpose of the Urban Hamilton Official Plan and Zoning By-law 05-200; is desirable and appropriate; and is considered minor in nature.

In support of this minor variance application, please find attached digital copies of the following items for your review and consideration:

- Signed and commissioned Minor Variance Application form;
- Attachment A: January 4, 2024, correspondence from RAD Marketing;
- Topographical Survey, prepared by R. Avis Surveying Inc., dated August 29, 2017; and,

- Current Site Plan and updated parking plans, prepared by Core Architects Inc., dated January 2024.

Payment of the required recirculation fee of \$320.00 will be provided under separate cover.

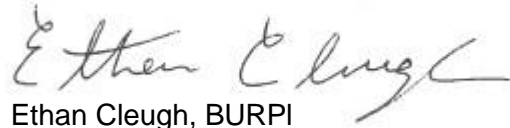
Should you have any other questions, or require any additional information, please contact Brenda Khes at 289-921-1875 or by email at bkhes@gspgroup.ca or Ethan Cleugh at 289-778-1429 or by email at ecleugh@gspgroup.ca.

Yours truly,

GSP Group Inc.



Brenda Khes, MCIP, RPP
Principal Planner



Ethan Cleugh, BURPI
Planner

"P:\17228-Corktown Plaza Inc. - John & Young Sts., Ham-OPA, Formal Cons\documents\06 Minor Variance Parking January 2024\04 December 2024 Resubmission"



RAD MARKETING

January 4, 2024

City of Hamilton – Committee of Adjustment
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

RE: 211-225 John Street South & 70-78 Young Street, Hamilton (Corktown Plaza) – Minor Variance Application

Related Site Plan Application: DA-21-112

City Planners & Committee of Adjustment Members,

RAD is engaged by the owner, Corktown L.P., to sell condominium suites at Corktown. RAD Marketing (“RAD”) supports a reduction in the parking requirement at 211-225 John Street South & 70-78 Young Street, Hamilton (“the Site”, “Corktown”). This reduction seeks to reduce from P3 to P2 level, decreasing the overall number of spaces, resulting in a shorter timeline to construct the below grade, lowering costs, and ultimately delivering homes to the Hamilton market sooner.

Sales for Corktown launched in May 2023. RAD has completed extensive market research and has real-time feedback from purchasers regarding the lack of demand for parking when purchasing a pre-construction condominium suite:

- Both self-described end users and investor purchasers have proven a lack of demand for parking
 - o Despite selling over 60% of Phase 1 units, only 8% (49 of 394) of parking spaces have been sold.
- Purchasers are increasingly cost and environmentally conscious, relying on public transit for which Hamilton has and plans to complete significant infrastructure; and,
- Walkable communities are in high demand, reduce the need for parking, and reduce carbon emissions
 - o The elimination of P3 will result in approximately 133 fewer parking spaces, removing 133 cars from the road, and achieve over 3 million kgCO₂e saved. The Green House Gas savings from reducing the underground parking is the equivalent of 4,085 round trip flights, Toronto to Vancouver.

Corktown aims to build appropriate parking based on learned demand and is promoting and implementing several Transportation Demand Management measures to help reduce the dependency on cars:

- Long and short-term bicycle parking, and Hamilton Bike Share (SoBi) location
- Pre-loaded Presto card (equivalent of 3 months) and SoBi membership (6 months)
- Upgrades to the John Street South and Young Street transit stop
- Carshare parking spaces
- Wayfinding signage promoting active transportation in the area
- Established sidewalk networks providing pedestrian access to all necessities
- In addition to preapproved TDM measures, Corktown will offer a shuttle to McMaster as an alternative mode of transportation, attracting students and young professionals to the development



RAD MARKETING

RAD encourages the City to accept the requested Minor Variance. A reduction in parking will encourage purchasers to drive less, use public transit or other modes of transport more, and promote downtown living, limiting urban sprawl as Hamilton grows. This is in line with the City's own policy and initiatives.

Thank you for considering our experience and support of the parking requirement reduction in your ruling,

Riz Dhanji
President
RAD Marketing

Sean Zahedi
Executive Vice President
RAD Marketing

Sarah Nakamura
Vice-President, Sales & Marketing
RAD Marketing

Sarah Nakamura



Hamilton

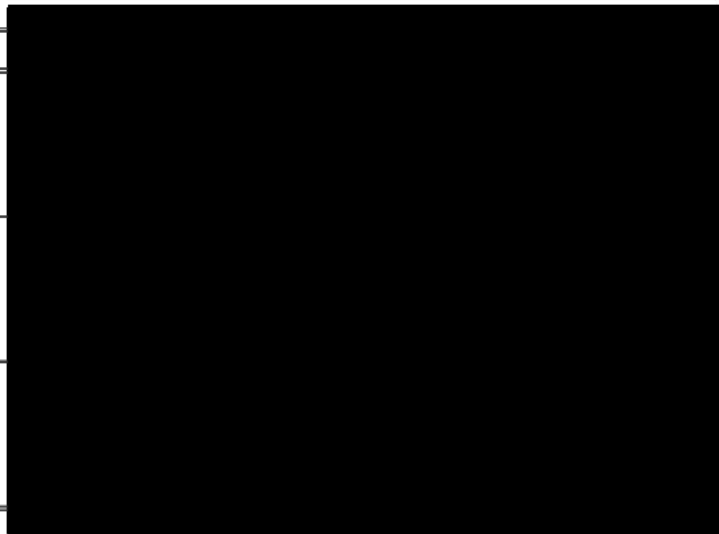
Committee of Adjustment
City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P4Y5

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)	Corktown LP
Applicant(s)	Same as owner
Agent or Solicitor	GSP Group Inc. Attn: Ethan Cleugh



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	211-225 John Street and 70-78 Young Street		
Assessment Roll Number	02014300550		
Former Municipality	City of Hamilton		
Lot		Concession	
Registered Plan Number	1431	Lot(s)	172, 173, 178, 179, 189, 190, 195, & 196
Reference Plan Number (s)	62R-1844	Part(s)	1, 2, 3, 4, 5, 6, 7, 8, 9

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:

The purpose of this minor variance application is to eliminate the site specific parking regulations applicable to the Site (0.55 spaces per unit) and allow the City's new standard parking regulations apply. This variance is necessary to facilitate Site Plan Control Application DA-21-112. A parking variance was previously obtained to permit a 0.55 parking spaces per unit (HM/A-22:64).

Second Dwelling Unit

Reconstruction of Existing Dwelling

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

Unit sales for the development launched in May 2023. Since then over 60% of Phase 1 units have been sold however, only 8% of parking spaces have been purchased. Purchasers are increasingly cost and environmentally conscious relying on public transit. Extensive market research and real-time feedback from purchasers has highlighted the lack of demand for parking.

Please refer to the letter prepared by RAD Marketing for further details (Attachment A)

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
71.3m (Forest Ave)	+/- 80m	0.59 hectares	Forest Ave (+/- 21.2m)

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: Please refer to Survey submitted with this application.

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Commercial Plaza	+/- -0.76m (Forest Ave)	+/- 0.41m	+/- 46.5m & +/- -1.22m	Unknown
Single-Detached	+/- 1m (Young St)	+/- 0.53m	+/- 5.75m & +/- 3.39m	Unknown
Mixed-Use Building	+/- 0.45m (John St)	+/- 0.29m	+/- 0.79 & +/- -1.66m	Unknown

Proposed: Please refer to Site Plan (#A103) drawing, prepared by Core Architects, and submitted with this application.

Type of Structure	Front Yard Setback	Rear Yard Setback	Side Yard Setbacks	Date of Construction
Building A (High-rise)	0m (Forest Ave)	+/- -1.34m (Young St.)	+/- 2.1m (Catharine St.) 0m (John St.)	
Building B (High-rise)	0m (Forest Ave)	+/- 24.06m (Young St.)	+/- 2.4m (Catharine St.) +/- 33m (John St.)	

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
Commercial Plaza	+/- 2,100.4 sq.m	+/- 2,100.4 sq.m	1	+/- 3m
Single-Detached	+/- 107.6 sq.m	+/- 215.2 sq.m	2	+/- 6m
Mixed-Use Building	+/- 95.1 sq.m	+/- 237.8 sq.m	2.5	+/- 7.5m

Proposed: Please refer to Site Plan (#A103) drawing, prepared by Core Architects, and submitted with this application.

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Height
Building A (High-rise)	2,270 sq.m	24, 515 sq.m	14	52.83m
Building B (High-rise)	1,140 sq.m	25,640 sq.m	27	89.93m

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.):

To comprehensively redevelop the site for a 27-storey residential building and a 14-storey residential building atop a mixed-use podium containing commercial retail space. Refer to attached Site Plan prepared by CORE Architects dated September 29, 2023.

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

North: Commercial (Rungos auto centre), office building, townhouses East: High-rise residential apartments
 South: Commercial (at corner of John St & Forest Ave), single-detached dwelling, multiple dwelling West: High-rise residential apartments, strip commercial plaza (corner of John St & Young St)

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

May 2022

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

- 211 John St S. was developed for commercial/residential uses in 1901. The rest of property was undeveloped or in residential use.
- The Site (excluding 211 John St. S) was developed for residential uses (single detached dwellings) prior to 1924
- The Site was redeveloped for commercial uses between 1972 and 1988
- The Site has been in commercial and residential use since at least 1988

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

1-storey retail plaza with a 2-storey single-detached dwelling, and a 2.5-storey mixed-use building.

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

Since approximately the 1980s

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

Rural Hamilton Official Plan designation (if applicable): N/A

Rural Settlement Area: N/A

Urban Hamilton Official Plan designation (if applicable) Schedule E: Neighbourhoods; Schedule E-1 Mixed Use - Medium Density

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

Please refer to Cover Letter attached in the submission.

7.6 What is the existing zoning of the subject land? Mixed Use Medium Density (C5) Zone; Exception 739; H-118

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: ZAC-18-041, HM/A-22:64

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: 0

8.2 Number of Dwelling Units Proposed: 786

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

Refer to covering letter which includes Planning Justification prepared by GSP Group Inc.

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
- _____
- _____