



Hamilton

STAFF COMMENTS

HEARING DATE: February 13, 2025

HM/A-24:32 — 211-225 John Street and 70-78 Young Street, Hamilton

Recommendation:

See attached

Proposed Conditions:

Proposed Notes:

A building permit is required for the construction of the proposed mixed-use development including a total of 786 dwelling units, commercial-use(s) at grade. (Building Engineering)



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Development Planning: see attached

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	<ul style="list-style-type: none"> i. The requested variance(s) are necessary to facilitate Site Plan Control Application No. DA-23-035 (formerly DA-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. 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



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	<p>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 Variance No.1, shall be addressed through the Site Plan Control Application process.</p> <p>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).</p> <p>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.</p>
Notes:	

Development Engineering:

Recommendation:	Comments Only
Proposed Conditions:	N/A
Comments:	Detailed comments related to grading and servicing for the development will be provided through Site Plan application DA-23-035. Development Engineering has no objections to the minor variances as proposed.
Notes:	

Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	



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STAFF COMMENTS

HEARING DATE: February 13, 2025

Comments:	
Notes:	A building permit is required for the construction of the proposed mixed-use development including a total of 786 dwelling units, commercial-use(s) at grade.

Transportation Planning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

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



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COMMITTEE OF ADJUSTMENT

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

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To: Jamila Sheffield, Secretary-Treasurer, Committee of Adjustment
From: David Bonaventura, Planning Technician I – Development Planning
Email: David.Bonaventura@hamilton.ca
File Number: HM/A-24:32
Address: 211-225 John Street South and 70-78
Young Street, Hamilton
Subject: Committee of Adjustment File Comments – February 13, 2025

Recommendation

- Approve

Proposed Conditions

N/A

Proposed Notes

N/A

Background

The purpose of Minor Variance application HM/A-24:32 is to facilitate the construction of a mixed use development consisting of 786 dwelling units, commercial space at grade and a total of 246 parking spaces provided primarily in an underground parking structure. Staff note that this minor variance application is associated with Site Plan application DA-23-035 (formerly DA-21-112), which was conditionally approved on May 18, 2021.

Staff further note that the subject property has had previous reductions in required parking. First, through Council approved Site-Specific By-law No. 21-038 in March 2021, which among other regulations, required a minimum parking rate of 0.6 spaces per dwelling unit. Second, Minor Variance application HM/A-22:64, approved by the Committee of Adjustment on April 7, 2022, included a variance to reduce the required parking rate to 0.55 spaces per dwelling unit.

Analysis



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Urban Hamilton Official Plan

The subject lands are identified as “Neighbourhoods” in Schedule E – Urban Structure and are designated “Mixed Use Medium Density” in Schedule E – 1 Urban Land Use Designations of the Urban Hamilton Official Plan. Policies, E. 2.3.1.16, E.4.6.1 and E.4.6.5, amongst others, are applicable and permit the mixed-use development.

Policy E.2.3.1.16 states that reduced parking requirements shall be considered to encourage a broader range of uses and densities and to support transit. Staff note that the subject property is within walking distance of the Hamilton GO Station located and numerous HSR bus routes that run along John Street South and other nearby arterial roads such as James Street South, Main Street East and King Street East.

Archaeology

Staff comments addressed as part of Site Plan Control Application DA-23-035 (Formerly DA-21-112).

Cultural Heritage

Staff comments addressed as part of Site Plan Control Application DA-23-035 (Formerly DA-21-112).

Staff are of the opinion that the requested variance maintains the intent of the Urban Hamilton Official Plan as the proposed development will still provide a significant amount of on-site parking and is located in close proximity to existing intercity transit and public transit, as well as the future planned LRT corridor.

Corktown Neighbourhood Plan

The subject lands are identified as “Commercial and Apartments” on Map 6702 of the Corktown Neighbourhood Plan. The proposed development is consistent with the vision of the Neighbourhood Plan.

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

The subject lands are zoned Mixed Use Medium Density (C5, 739, H118) Zone in City of Hamilton Zoning By-law No. 05-200. The proposed mixed use development is a permitted use.

Variance 1



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1. No parking spaces shall be required for residents, and a minimum of 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.

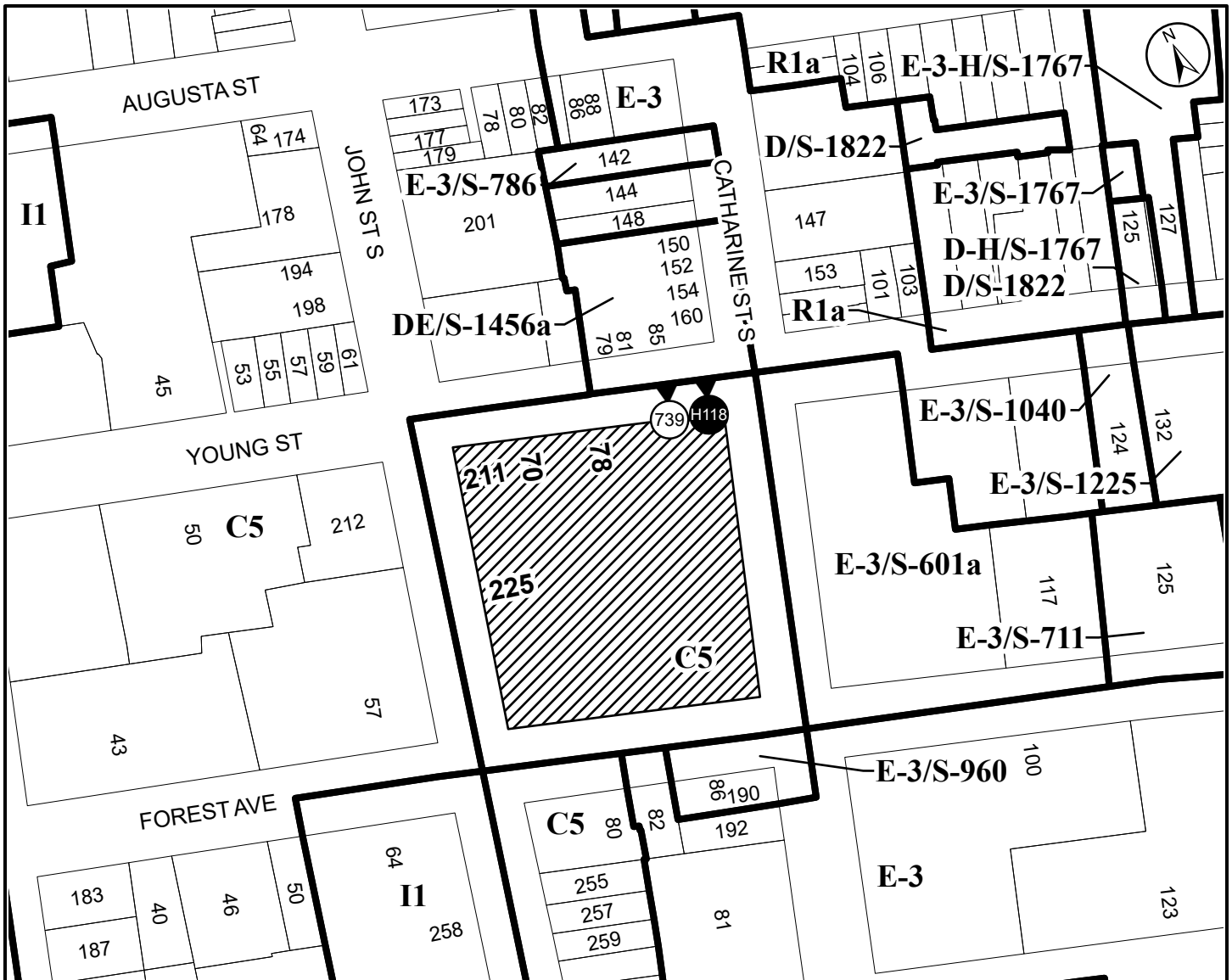
The intent of this provision is to provide sufficient on site parking for the proposed development.

Staff note that a total of 246 on site parking spaces are proposed. Additionally, under the current parking requirements of Parking Rate Area 1, no parking spaces are required for residential uses and a minimum of 41 visitor parking spaces would be required (at a rate of 2 spaces plus 0.05 per dwelling unit). The requested variance is in keeping with the current parking requirements of Parking Rate Area 1 and the proposed parking would exceed the minimum required parking.

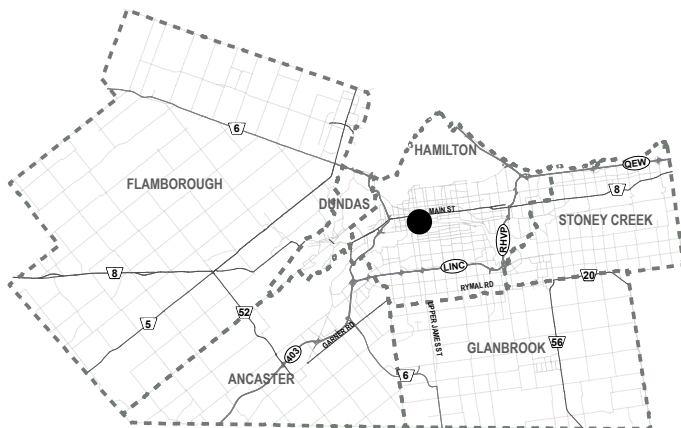
Staff further note that subject property is in close proximity to the Hamilton GO Station for intercity transit and is close to numerous HSR bus routes. The proposed development will be transit supportive and would exceed the minimum required parking found in the current parking regulations.

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

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



● Site Location



City of Hamilton

Committee of Adjustments

Subject Property



211-225 John Street and 70-78
Young Street, Hamilton (Ward 2)

File Name/Number:
HM/A-24:32

Date:
February 6, 2025

Technician:
DR

Scale:
N.T.S.

Appendix "A"



Hamilton