



Hamilton

STAFF COMMENTS

HEARING DATE: February 13, 2025

A-24:280 — 20 Emerald Street North, Hamilton

Recommendation:

See attached

Proposed Conditions:

Proposed Notes:

A change of use permit is required for the proposed day nursery. (Building Engineering)



Hamilton

Development Planning: see attached

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	<ol style="list-style-type: none"> 1. Building Division records indicate that a total of 337 parking spaces are required for the uses contained within the existing building. The proposed Day Nursery is indicated to accommodate 31 children, which requires a minimum of six (6) parking spaces. Therefore, a total of 343 parking spaces are required for the mixed-use development with the addition of the Day Nursery. 2. It is noted by the applicant that 329 parking spaces have been provided for the existing mixed-use development. Variance No.1 has been requested so that no additional parking spaces shall be required for the use of a Day Nursery, as the total number of parking spaces provided on the property is insufficient, notwithstanding the additional parking requirement for the use of a Day Nursery. 3. Please note that detailed parking plans were not provided to confirm the number of parking spaces provided. The number of parking spaces provided on the property is based on information provided by the applicant. 4. This application is necessary to facilitate Building Permit No. 24T-0857 C3.
Notes:	

Development Engineering:

Recommendation:	No Comments
Proposed Conditions:	N/A
Comments:	No Comments
Notes:	

Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	



Hamilton

STAFF COMMENTS

HEARING DATE: February 13, 2025

Comments:	
Notes:	A change of use permit is required for the proposed day nursery.

Transportation Planning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

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



Hamilton

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: A-24:280
Address: 20 Emerald Street North, 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 A-24:280 is to permit the use of a day nursery as part of the existing mixed use development.

Analysis

Urban Hamilton Official Plan

The subject lands are identified as “Primary Corridor” 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 and E.4.6.5, amongst others, are applicable and permit the existing mixed use development and proposed day nursery.

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 fronts onto both Emerald Street North and King Street East, with bus stops for HSR bus routes 1 – King and 10 – B-line accessible on King Street East.



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Additionally, the planned LRT route would along King Street East with nearby stops at the intersections of King Street East and Wentworth Street and King Street East and Wellington Street.

Therefore, staff are of the opinion that the requested variance maintains the intent of the Urban Hamilton Official Plan as the proposed development will maintain the property's existing on-site parking and is located in close proximity to existing and planned public transit.

Landsdale Neighbourhood Plan

The subject lands are identified as "Commercial and Apartments" on Map 6608 (Map 2 of 2) of the Landsdale Neighbourhood Plan. The proposal is consistent with the vision of the Neighbourhood Plan.

Former City of Hamilton Zoning By-law No. 6593

The subject lands are zoned "CR-2" (Commercial – Residential Districts) District and "CR-2/S-295" (Commercial – Residential Districts) District, Modified in Former City of Hamilton Zoning By-law No. 6593. The existing mixed use development and proposed day nursery are permitted uses.

Variance 1

1. No parking spaces shall be required for the use of a day nursery accommodating up to a maximum of 31 children, instead of the requirement that one parking space shall be required for every 6 children.

The intent of these provisions is to ensure sufficient on-site parking is provided for the proposed day nursery.

Staff note that the required amount of parking for 31 children would be 6 spaces under Zoning By-law No. 6593. However, under Zoning By-law No. 05-200 the required parking rate is 0.8 spaces per 100 square metres of gross floor area. With 264 square metres of gross floor area proposed for the day nursery, 3 parking spaces would be required. Additionally, per information provided by the applicant, there are currently 4 available parking spaces on site, exceeding the parking required by Zoning By-law 05-200.

Staff further note that the subject property fronts onto both Emerald Street North and King Street East, with bus stops for HSR bus routes 1 – King and 10 – B-line accessible



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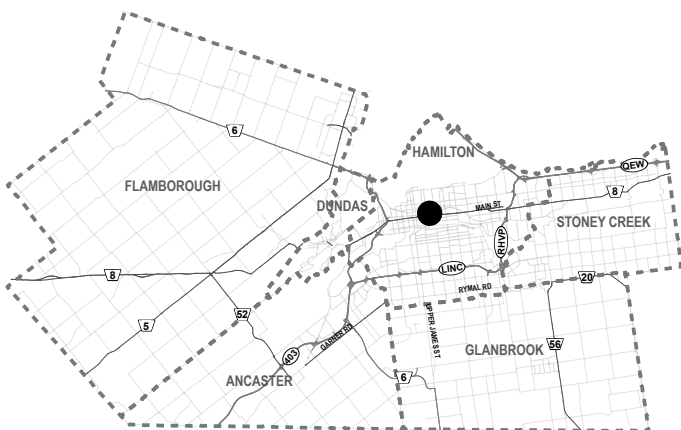
on King Street East. The planned LRT route would along King Street East with nearby stops at the intersections of King Street and Wentworth Street and King Street and Wellington Street.

As the requested variance would exceed the parking requirements of Zoning By-law No. 05-200 and the subject property is in close proximity to existing and planned public transit services, staff do not anticipate negative impacts as a result of the requested variance. It is staff's opinion that the requested variance maintains the intent of the Urban Hamilton Official Plan and Zoning By-law, is desirable for the appropriate use and development of the land and is minor in nature.

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



20 Emerald Street North, Hamilton
(Ward 3)

File Name/Number:

A-24:280

Date:

February 6, 2025

Technician:

DR

Scale:

N.T.S.

Appendix "A"



Hamilton

Planning and Economic Development Department