



Hamilton

STAFF COMMENTS

HEARING DATE: March 27, 2025

A-25:021 — 1791 King Street East, Hamilton

Recommendation:

Approve as amended — Development Planning

Proposed Conditions:

1. That the requested variances generally apply to the provided site plan sketch package found in the Notice of Public Hearing for file A-25:021 (1791 King Street East, Hamilton) being heard on March 27, 2025. (Development Planning)

Proposed Notes:

A building permit is required for the construction of seven (7) new apartment units in the basement and to add one (1) new apartment unit in the lobby area on main floor for a total of eight (8) new apartment units for a total of 42 units. of the proposed

The Ontario Building Code requires a clear height of 1.95m under beams and ducting in basement units.

Be advised that Ontario Building Code regulations may require specific setback and construction types. (Building Engineering)



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HEARING DATE: March 27, 2025

Development Planning:

Background

The purpose of the application is to facilitate the construction of seven (7) new apartment dwelling units in the basement and to add one (1) new apartment dwelling unit in the lobby area on main floor for a total of eight (8) new apartment dwelling units, for a total of 42 dwelling units in the existing building.

The following variances are **requested**:

1. 0 parking spaces per Class A dwelling unit for a Multiple Dwelling shall be permitted instead of the required 1.25 spaces per Class A dwelling unit.
2. 0 visitor parking spaces per Class A dwelling unit shall be permitted instead of the required 0.25 spaces per Class A dwelling unit.
3. No loading spaces shall be permitted instead of the required minimum one (1) loading space.

Staff are of the opinion that the variances should be modified to specify that the relief being sought is only for the 8 additional dwelling units being added to the existing building through interior renovations for variances 2 and 3. Variance 1 is identified in staffs review as not needing to apply to the additional 8 units as to avoid the circumstance that converting existing surplus spaces to be visitor spaces would trigger additional variances.

The following variances are **recommended to remain as requested**:

1. 0 parking spaces per Class A dwelling unit for a Multiple Dwelling shall be permitted instead of the required 1.25 spaces per Class A dwelling unit.

The following **amended variances are recommended**:

2. 2 visitor parking spaces plus 0.15 per Class A dwelling unit shall be permitted for a maximum of eight (8) additional dwelling units instead of the required 0.25 spaces per Class A dwelling unit.
3. No loading spaces shall be permitted for a maximum of eight (8) additional dwelling units instead of the required minimum one (1) loading space.

Urban Hamilton Official Plan



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The subject property is designated “Neighbourhoods” on Schedule E-1 of the Urban Hamilton Official Plan. Policy E.3.2.3 a) permits residential dwellings, including second dwelling units and housing with supports. Policy E.3.5.2 Medium Density Residential says “medium density residential areas shall include all forms of *Multiple Dwellings*.” The subject property is not identified as being within a Secondary Plan Area found in Volume 2 of the Urban Hamilton Official Plan. Based on the forgoing policies, the existing multiple dwelling is permitted.

Archaeology

No Comments.

Cultural Heritage

No Comments.

Former City of Hamilton Zoning By-law 6593, as Amended by By-law 10-561

The subject property is zoned E (Multiple Dwellings, Lodges, Clubs, Etc.) in the Former City of Hamilton Zoning By-law No. 6593, which permits the existing Multiple Dwelling use.

Analysis

Variance 1 as requested.

1. 0 parking spaces per Class A dwelling unit for a Multiple Dwelling shall be permitted instead of the required 1.25 spaces per Class A dwelling unit.

Revised Variance 2 as amended by staff.

2. 2 visitor parking spaces plus 0.15 per Class A dwelling unit shall be permitted for a maximum of eight (8) additional dwelling units instead of the required 0.25 spaces per Class A dwelling unit.

The intent of these provisions are to ensure that adequate on-site parking spaces are provided for both residents and visitors of the multiple dwelling. Staff have analysed the proposed variance against the applicable policies and generally have no concerns with the proposed reduction of both resident and visitor parking spaces, provided the relief is limited to the proposed eight (8) additional dwelling units being proposed in the existing multiple dwelling for variance 2 as there currently is no visitor parking spaces on-site. Staff note that the lands are zoned within the former City of Hamilton Zoning By-law No.6593. Had these lands been zoned within the comprehensive City of Hamilton Zoning By-law No. 05-200, the eight (8) additional dwelling units would have required zero (0) parking spaces for residents and two (2) spaces for visitors. Staff note that the submitted plans show a total of 27 parking spaces being provided, which would exceed the zoning requirement had the lands been



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brought into Zoning By-law 05-200. Staff note that the lands will likely be brought into Zoning By-law No. 05-200 through a subsequent phase/update to the Zoning by-law. Staff also note as confirmed by the applicant, there are no visitor parking spaces marked or designated on-site. The portion of King Street East along the frontage of the property is identified as being an arterial road in Schedule C of the UHOP with access to public transportation, reducing the dependency on personal vehicular travel, which results in reduced demand for parking spaces. Based on the forgoing analysis **staff are supportive of requested variance 1 and amended variance 2 as proposed by staff.**

Revised Variance 3

- 3. No loading spaces shall be permitted for a maximum of eight (8) additional dwelling units instead of the required minimum one (1) loading space.

The intent of the provision is to ensure that there are adequate loading spaces to service the multiple dwelling and users of the site. Based on the provision in the Former City of Hamilton Zoning By-law No. 6593 one (1) loading space is required to service the multiple dwelling. Given that the multiple dwelling is existing and that the purpose and effect of the application is to permit additional units on the interior of the existing multiple dwelling, staff generally have no concerns with the proposed variance. Staff note that the existing multiple dwelling does not appear to have a zoning compliant loading space, and the addition of 8 additional dwelling units internal to the site is unlikely to exasperate the deficiency. Staff note that, should the lands be located under Zoning By-law No. 05-200, a loading space would not be required. The site is also constrained and opportunities to locate a zoning compliant loading space are limited. Given that the site has constraints and does not have an existing area to accommodate a loading space the **amended variance is minor and meets all four tests under the *Planning Act*.**

Based on the forgoing analysis, staff recommend the **approval of variance 1 as requested and amended variance 2 & 3 as proposed by staff** as they maintain the general intent and purpose of the Official Plan and Zoning By-law, are minor in nature, and desirable for the appropriate development of the subject lands.

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	N/A
Notes:	

Development Engineering:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	



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Notes:	
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Building Engineering:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	
Notes:	<p>A building permit is required for the construction of seven (7) new apartment units in the basement and to add one (1) new apartment unit in the lobby area on main floor for a total of eight (8) new apartment units for a total of 42 units. of the proposed</p> <p>The Ontario Building Code requires a clear height of 1.95m under beams and ducting in basement units.</p> <p>Be advised that Ontario Building Code regulations may require specific setback and construction types.</p>

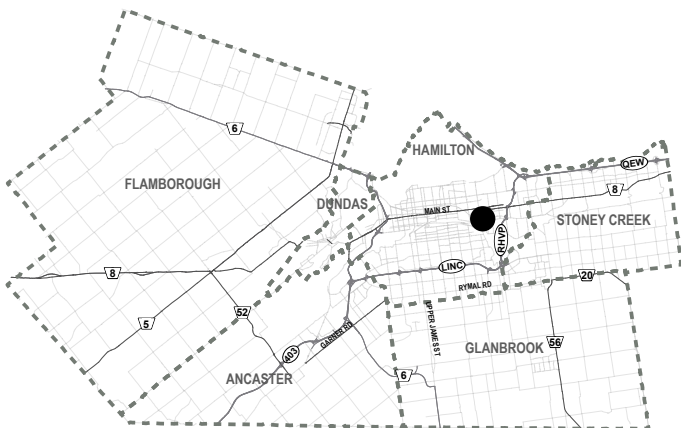
Transportation Planning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	On-Street regulations are subject to change and no future accommodations will be made for the development. There is no on-street parking on King Street East.
Notes:	

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



● Site Location



City of Hamilton

Committee of Adjustments

Subject Property



1791 King Street East, Hamilton
(Ward 4)

File Name/Number:
A-25:021

Date:
March 11, 2025

Technician:
DR

Scale:
N.T.S.

Appendix "A"



Hamilton

Planning and Economic Development Department