



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-21:269

APPLICANTS: Agent Graham McNally
Owner City Housing Hamilton

SUBJECT PROPERTY: Municipal address **55 Queenston Rd., Hamilton**

ZONING BY-LAW: Zoning By-law 05-200, as Amended

ZONING: "TOC1,641 H54" (Transit Oriented Corridor Mixed Use Medium Density) district

PROPOSAL: To permit the construction of a new six (6) storey mixed use building containing a 40-unit multiple dwelling notwithstanding that:

1. A maximum setback of 5.0m shall be provided from the westerly side lot line instead of the maximum permitted 3.5m setback from a street line required for the first three (3) storeys.
2. No maximum building setback shall apply from the northerly lot line along Main Street East (for Phase #1) instead of the maximum permitted 3.5m setback from a street line required for the first three (3) storeys.
3. Parking spaces, driveways and aisles shall be provided between the building and Main Street East, whereas the by-law prohibits any parking spaces, driveways or aisles from being located between the building façade and a public street.
4. A portion of the building shall be 4.0m in height instead of the minimum required building height of 7.5m.
5. Parking spaces may be located 0.0m from a street line (along Main Street East) whereas the by-law requires all parking spaces to be at least 3.0m from a street line.
6. No Planting Strip shall be provided along a street line (abutting Main Street East) whereas the by-law requires a minimum 2.0m wide planting strip to be provided on-site between parking spaces and a street line.
7. The height of the ground floor storey shall be 4.0m in height instead of the minimum required height of 4.5m.

NOTES:

1. These variances are necessary to facilitate Site Plan Control Application DA-21-106.

This application will be heard by the Committee as shown below:

DATE: Thursday, December 9th, 2021
TIME: 3:30 p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at
www.hamilton.ca/committeeofadjustment
for viewing purposes only

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, including deadlines for submitting to be seen by the Committee.

Orally: If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

MORE INFORMATION

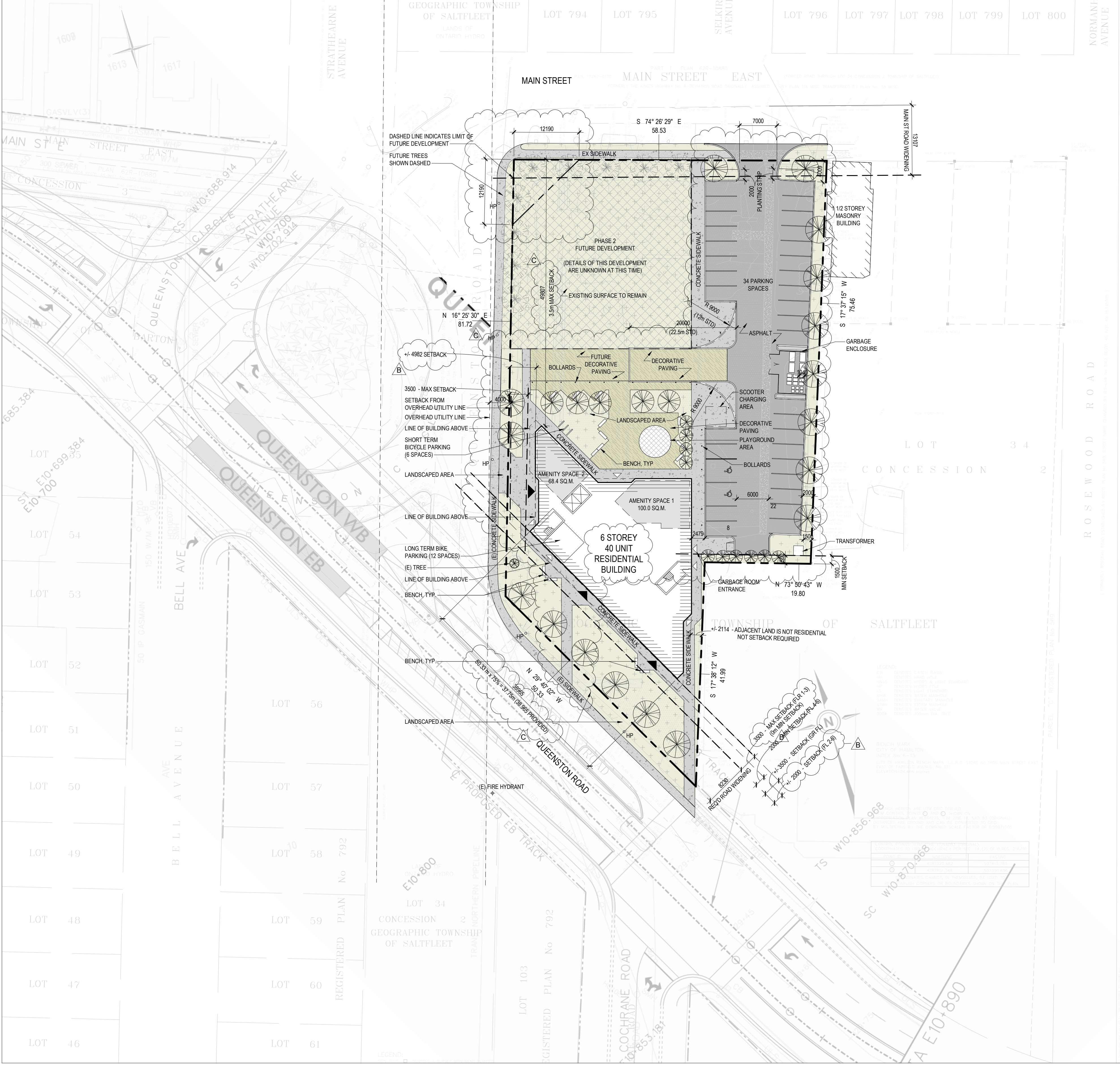
For more information on this matter, including access to drawings illustrating this request:

- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: November 23rd, 2021.

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.



1 SITE PLAN
A1.00 1:400

UNDERTAKING
RE: 55 QUEENSTON ROAD File No. DA-XX-XXX

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.

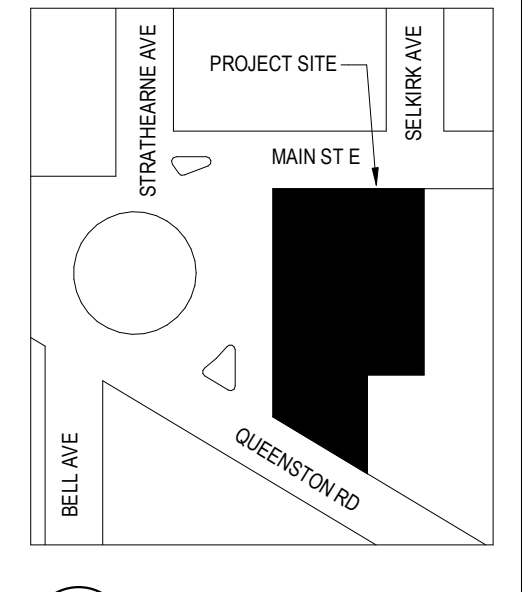
DATED THIS _____ DAY OF _____ 20__

WITNESS (SIGNATURE) _____ OWNER(S) (SIGNATURE) _____
 WITNESS (PRINT) _____ OWNER(S) (PRINT) _____
 ADDRESS OF WITNESS _____

SITE PLAN NOTES

- ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR OF PLANNING AND CHIEF PLANNER, PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT.
- FIRE ROUTE SIGNS AND 3-WAY FIRE HYDRANTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENSE OF THE OWNER.
- MAIN DRIVEWAY DIMENSIONS AT THE PROPERTY LINE BOUNDARIES ARE PLUS OR MINUS 7.5 M UNLESS OTHERWISE STATED.
- ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5 M SHALL BE WITHIN 5% MAXIMUM GRADE. THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADES.
- THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER'S BONDED CONTRACTOR FROM THE REQUIREMENTS TO OBTAIN THE VARIOUS PERMITS/APPROVALS NORMALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING:
 - BUILDING PERMIT
 - SEWER AND WATER PERMIT
 - ROAD CUT PERMITS
 - RELOCATION OF SERVICES
 - APPROACH APPROVAL PERMITS
 - EMBANKMENT AGREEMENTS (IF REQUIRED)
 - COMMITTEE OF ADJUSTMENT
- ABANDONED ACCESSES MUST BE REMOVED AND THE CURB AND BOULEVARD RESTORED WITH SOD AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE TRAFFIC ENGINEERING SECTION, PUBLIC WORKS DEPARTMENT.
- FOR VISIBILITY TRIANGLES AT THE VEHICULAR ACCESS POINTS, THE FOLLOWING NOTE TO BE PROVIDED:

A. "5.0 METRE BY 5.0 METRE VISIBILITY TRIANGLES IN WHICH THE MAXIMUM HEIGHT OF ANY OBJECTS OR MATURE VEGETATION IS NOT TO EXCEED A HEIGHT OF 0.70 METRES ABOVE THE CORRESPONDING PERPENDICULAR CENTRELINE ELEVATION OF THE ADJACENT STREET."
- PROPOSED SIGNAGE SHALL CONFORM TO THE CITY'S SIGN AND OTHER DEVICES BY-LAW NO. 10-197.
- LIGHTING MUST BE DIRECTED ON SITE AND MUST NOT SPILL OVER TO ADJACENT PROPERTIES OR STREETS.
- THE SETBACK SOWN HAVE BEEN TAKEN FROM THE CLOSEST PART OF THE BUILDING I.E. THE CLADDING TO THE LOT LINES.



3 KEY PLAN
A1.00 1:800

SITE PLAN LEGEND:

- ▲ PRINCIPLE ENTRY
- △ SECONDARY ENTRY
- LANDSCAPED AREA
- ▨ CONCRETE SIDEWALK
- ▩ ASPHALT PAVING
- ▧ DECORATIVE PAVING
- ⋯ LINE OF BUILDING ABOVE
- ◯ TREE
- ◻ BENCH

SITE STATISTICS

#	ITEM	PERMITTED	PROPOSED
1	NET SITE AREA		5,242 sq. m.
2	BUILDING AREA		770.6 sq. m.
3	BUILDING COVERAGE (FLOOR AREA RATIO) FOR DEVELOPMENT		0.76
4	TOTAL GROSS FLOOR AREA		4,010 sq. m.
5	TOTAL GROSS FLOOR AREA FOR COMMERCIAL DEVELOPMENT		195 sq. m.
6	TOTAL GROSS FLOOR AREA FOR RESIDENTIAL DEVELOPMENT		3815
7	BUILDING HEIGHT	30 m	21.23 m
8	NUMBER OF RESIDENTIAL UNITS		40
9	NUMBER OF PARKING SPACES - RESIDENTIAL (25 units < 50sq.m @ 0.3unit = 7 spaces; 15 units > 50sq.m @ 0.85unit = 12 spaces)	19	33
10	NUMBER OF PARKING SPACES - COMMERCIAL	5	5
11	NUMBER OF BARRIER FREE SPACES	2	2
12	LONG TERM BICYCLE PARKING (PER EXCEPTION 461)	4	4
13	SHORT TERM BICYCLE PARKING	5	6
14	AMENITY AREA REQUIRED	190 sq. m.	Ground Floor - 162 sq.m. Roof Top @ 2nd Flr - 152.7 sq.m.
15	LANDSCAPE AREA PROPOSED		2030 sq. m.
16	LANDSCAPE AREA REQUIRED		

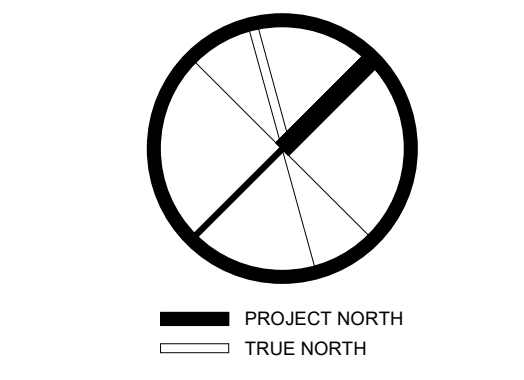
PROJECT AREAS

1	GROUND FLOOR GFA 770.6
2	FLOORS 2 - 6 650 (each floor)
3	TOTAL GFA 4010

INVIZIJ
Architects Inc.
185 YOUNG STREET,
HAMILTON, ON L8N 1Y9
T: 905 525 9000 | invizij.ca

TOMS + MCNALLY
DESIGN | ARCHITECTURE | URBANISM | CONSTRUCTION
145 KING ST. E.
HAMILTON, ON L8N 1B1
T: 289 768 2211 | toms-mcnally.ca

REV.	DESCRIPTION	DATE
D	REISSUED FOR MINOR VARIANCE	2021/11/04
C	ISSUED FOR REVIEW	2021/11/04
B	ISSUED FOR CM REVIEW	2021/08/27
A	ISSUED FOR SITE PLAN APPROVAL	2021/06/11



DO NOT SCALE DRAWING. DIMENSIONS ARE TO BE CHECKED AND VERIFIED BY THE CONTRACTOR ON SITE.

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

THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS COUNTERSIGNED BY INVIZIJ ARCHITECTS INC.

PROJECT NAME:
**CITY HOUSING HAMILTON
55 QUEENSTON
REDEVELOPMENT**

PROJECT ADDRESS:
**55 QUEENSTON RD
HAMILTON, ON, L8K 1E8**

PROJECT NO.:
T+M 19062 IAI 19040

DRAWING TITLE:
SITE PLAN

DRAWN BY:
T+M

CHECKED BY:
GM

DATE:
04/16/18

SCALE:
As indicated

DRAWING NO.:
A1.00



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

FOR OFFICE USE ONLY.

APPLICATION NO. _____ **DATE APPLICATION RECEIVED** _____

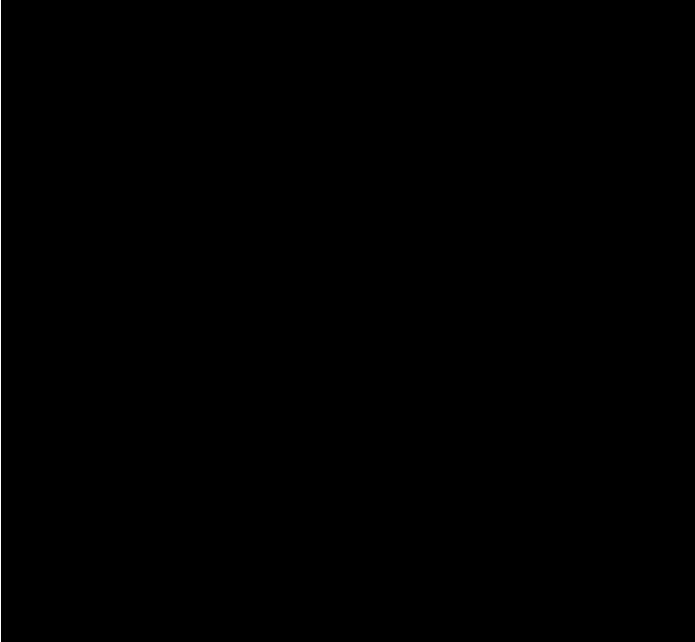
PAID _____ **DATE APPLICATION DEEMED COMPLETE** _____

SECRETARY'S SIGNATURE _____

The Planning Act

Application for Minor Variance or for Permission

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

1, 2	NAME	MAILING ADDRESS
Registered Owners(s)	City Housing Hamilton	
Applicant(s)*	City Housing Hamilton	
Agent or Solicitor	GRAHAM MCNALLY	

Note: Unless otherwise requested all communications will be sent to the agent, if any.

3. Names and addresses of any mortgagees, holders of charges or other encumbrances:

None

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

4. Nature and extent of relief applied for:

Along the western lot-line 4.88m setback instead of 3.5m setback.
For corner lot, 44% of ground floor facade facing the front and flanking lot-line instead of 50%.

Secondary Dwelling Unit Reconstruction of Existing Dwelling

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

- a) Design endeavors to maximize distance from exiting overhead utility lines.
- b) Current zoning considered a single building on this site, the owners chose a multi phase building plan in which Phase 1 cannot meet the zoning but Phase 2, when constructed, will meet the zoning requirements.

6. Legal description and Address of subject lands (registered plan number and lot number or other legal description and where applicable, **street and street number**):

Lot: 43 Concession: 2 Former Township: Saltfleet Lot: Part 1
Expropriation Plan WE866275 Municipal Address: 55 Queenston Rd.

7. PREVIOUS USE OF PROPERTY

Residential Industrial Commercial
Agricultural Vacant Other

Other _____

8.1 If Industrial or Commercial, specify use _____

8.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?

Yes No Unknown

8.3 Has a gas station been located on the subject land or adjacent lands at any time?

Yes No Unknown

8.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes No Unknown

8.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes No Unknown

8.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?

Yes No Unknown

8.7 Have the lands or adjacent lands ever been used as a weapon firing range?

Yes No Unknown

8.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?

Yes No Unknown

8.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?

Yes No Unknown

8.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes No Unknown

8.11 What information did you use to determine the answers to 8.1 to 8.10 above?

ENGLOBE REPORT – 128-P-0021656-0-01-200-HG-R-0001-00

8.12 If previous use of property is industrial or commercial or if YES to any of 8.2 to 8.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes No

9. ACKNOWLEDGEMENT CLAUSE

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

6/25/2021
Date


Signature Property Owner(s)

Tom Hunter
Print Name of Owner(s)

10. Dimensions of lands affected:

Frontage	<u>50.33m</u>
Depth	<u>81.72m</u>
Area	<u>5242 m2</u>
Width of street	<u>19.6m</u>

11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing:
N/A

Proposed

Ground Floor Area: 690 square meters.
Gross Floor Area: 3900 square meters
Stories: Six Width: 53 meters
Length: 10 meters
Height: 23 meters
Parking: 40 spaces.

12. Location of all buildings and structures on or proposed for the subject lands; (Specify distance from side, rear and front lot lines)

Existing:
N/A

Proposed:

Front Yard: 3.5m Ground Floor @ South street line; 4.88m @ West street line;
1.5m stories 2-6 @ South street line; 4.88m @ West street line
Side Yard: 2.2m
Rear Yard: 20m

13. Date of acquisition of subject lands:
December 2017
-
14. Date of construction of all buildings and structures on subject lands:
No buildings on site; existing building demolished 2013
-
15. Existing uses of the subject property (single family, duplex, retail, factory etc.):
City Motor Hotel (2013, 2007/2008, 2001/2002, 1997/1998, 1992, 1982, 1972, 19
16. Existing uses of abutting properties (single family, duplex, retail, factory etc.):
Low Density Residential, Commercial Retail
17. Length of time the existing uses of the subject property have continued:
Land as been vacant for about eight years
18. Municipal services available: (check the appropriate space or spaces)
- | | | | |
|----------------|-------------------------------------|-----------|--------------------------|
| Water | <input checked="" type="checkbox"/> | Connected | <input type="checkbox"/> |
| Sanitary Sewer | <input checked="" type="checkbox"/> | Connected | <input type="checkbox"/> |
| Storm Sewers | <input type="checkbox"/> | | |
19. Present Official Plan/Secondary Plan provisions applying to the land:
Urban Hamilton Official Plan
20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:
Hamilton Zoning By-law 05-200, Transit Oriented Corridor Zoning TOC 1 & Exception 461.
21. Has the owner previously applied for relief in respect of the subject property?
Yes No
If the answer is yes, describe briefly.
22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?
Yes No
23. Additional Information
24. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.