



Hamilton

STAFF COMMENTS

HEARING DATE: September 10, 2024

A-24:181 (317 Queenston Rd., Hamilton)

Recommendation:

Development Planning - Table

Proposed Conditions:

1. That the owner shall investigate the noise levels on the severed and retained lands and determine and implement the noise control measures that are satisfactory to the City of Hamilton in meeting the Ministry of Environment, Conservation and Parks (MECP) recommended sound level limits. An acoustical report prepared by a qualified Professional Engineer containing the recommended noise control measures shall be submitted to the satisfaction of the City of Hamilton, Director of Planning and Chief Planner. Should a peer review of the acoustical report be warranted, all associated costs shall be borne by the owner and shall be submitted to the satisfaction of the Director of Planning and Chief Planner.

Proposed Notes:

The variance has been written as requested by the applicant. Additional variances may be required if zoning conformity cannot be achieved.



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HEARING DATE: September 10, 2024

Development Planning:

Background

To permit the conversion of the existing building into a multiple dwelling.

Analysis

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. The lands are also identified as being along a “Primary Corridor” and “Priority Transit Corridor” on Schedule E-1 – Urban Land Use Designations.

Policies B.3.6.3, C.4.8 and E.4.6.5, amongst others, are applicable and permit the proposed multiple dwellings.

Policy E.4.6.2 states that the Mixed Use - Medium Density designation shall be applied to traditional ‘main street’ commercial areas outside of the area designated Downtown Mixed Use, and to promote the continuation of these areas as pedestrian oriented mixed use areas. Retail and service commercial uses are key elements in maintaining that function and ensuring the continued vibrancy of the pedestrian realm.

Policy E.4.6.9 states that the predominant built form shall be mid rise and low rise mixed use buildings that have retail and service commercial stores at grade. Single use commercial buildings and medium density ground related housing forms shall also be permitted, except for pedestrian focus streets as listed by Policy E.4.3.1.1.

Policy B.3.6.3.7 requires a noise feasibility study or detailed noise study (or both) be submitted for development of residential or other noise sensitive land uses within 400 metres of a major arterial road, as identified on Schedule C – Functional Road Classification. The subject property is within 400 metres of Queenston Road, which is identified as a major arterial road on Schedule C. Staff have included the Noise Study as a condition of approval.

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

The subject lands are zoned “TOC1” Transit Oriented Corridor Mixed Use Medium Density Zone in City of Hamilton Zoning By-law No. 05-200. The proposed multiple dwellings are permitted.



Variance 1

1. The finished floor elevation of any dwelling unit shall be a minimum of 0.51 metres above grade; whereas, the by-law requires the finished floor elevation of any dwelling unit to be a minimum 0.9 metres above grade.

The intent of this provision is to ensure the privacy of ground floor residential units by maintaining a separation between public and private spaces by elevating the ground floor units above public spaces such as walkways, streetscapes, parking areas or ground floor commercial uses. This separation creates a transition between the private and public space and a more comfortable streetscape for the pedestrian, as well as a more comfortable living space for future residents.

Staff note that proposal is to convert and existing commercial building into a multiple dwelling. This would include converting the previous commercial unit on the ground floor into a dwelling unit. The ground floor of the existing building is designed for commercial uses, this includes a large bay window at the front of the building facing the street, which is designed to provide visibility into the commercial storefront from the pedestrian on the street. Further, the existing building and display window are approximately 0.2 metre from the street line, which is directly adjacent to a public sidewalk along Queenston Road. Queenston Road is a future light-rail transit (LRT) corridor, and there is a proposed stop at Parkdale, which is approximately 200 metres from the subject lands to the west. This area is anticipated to transition into a much more pedestrian oriented area through the development of the LRT, and more pedestrians would likely interact with the proposed converted storefront.

Staff are not currently satisfied that the development, as proposed, meets the intent of the Zoning By-law as it would create an undesirable interface between the proposed street-facing residential unit and the public sidewalk from a privacy and street animation perspective. Staff are currently not supportive of the proposal, but would recommend tabling the application to allow for potential modifications and the removal of the street facing unit.

Staff recommend tabling Variance 1

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	1. The variance has been written as requested by the applicant. Additional variances may be required if zoning conformity cannot be achieved.



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	2. Please be advised the property is subject to amending by-law 24-052, which is not yet final and binding.
Notes:	

Development Engineering:

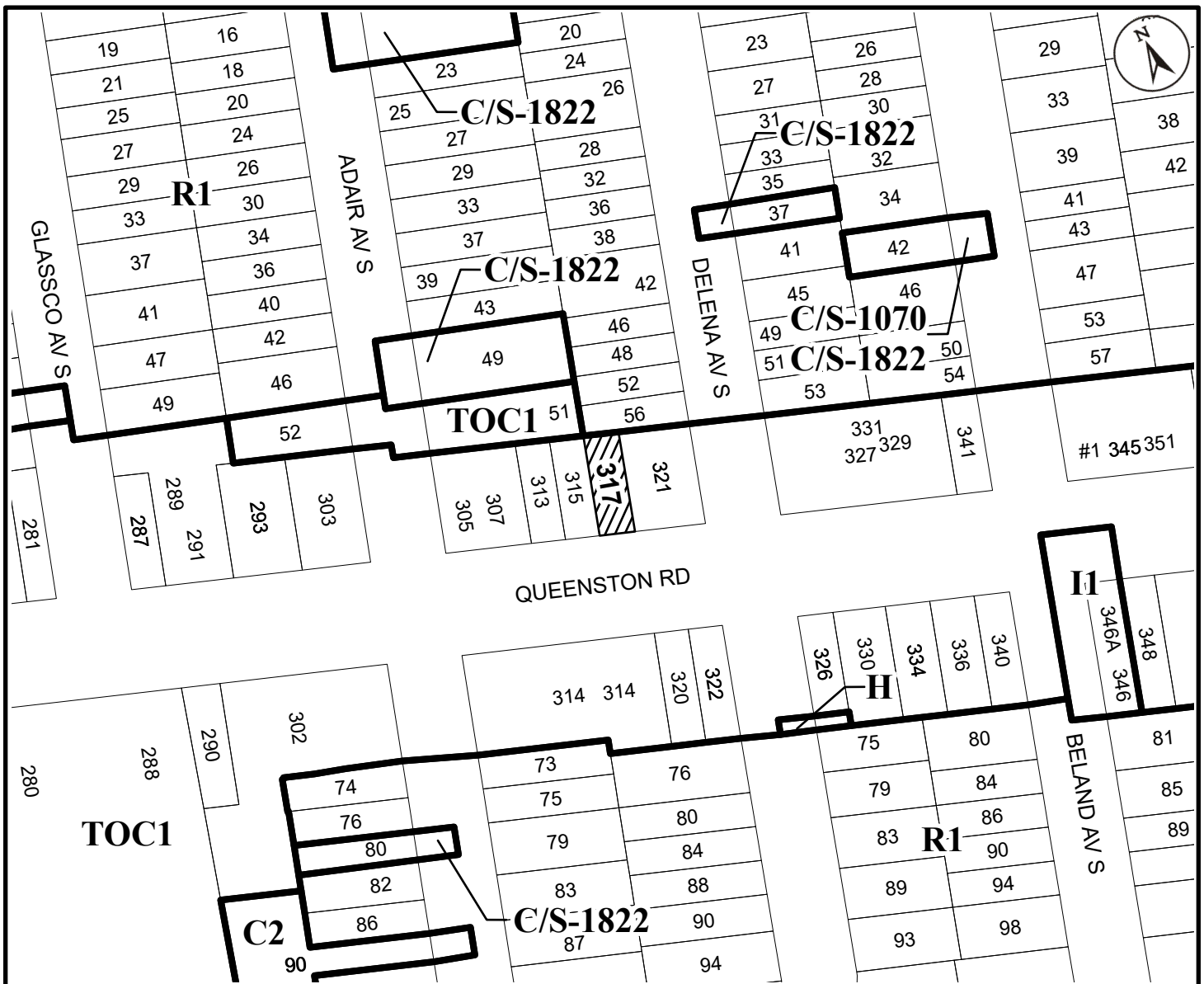
Recommendation:	Approve
Proposed Conditions:	
Comments:	No Comments.
Notes:	

Building Engineering:

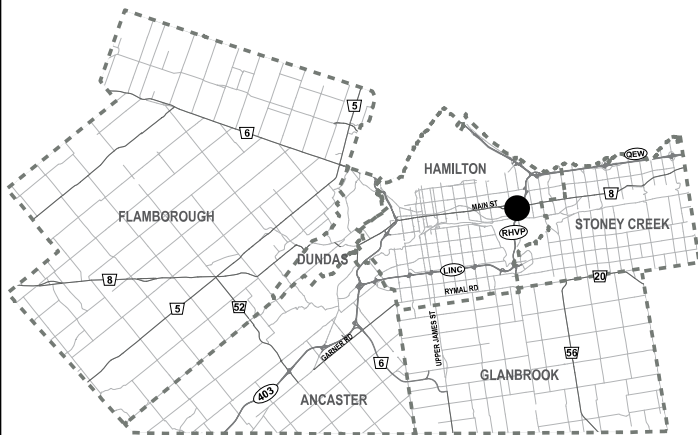
Recommendation:	Comments Only
Proposed Conditions:	
Comments:	
Notes:	A building permit is required for the conversion of the proposed multiple dwelling. Be advised that Ontario Building Code regulations may require specific setback and construction types. The Ontario Building Code requires a clear height of 1.95m under beams and ducting in basement units.

Transportation Planning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	



● Site Location



City of Hamilton

Committee of Adjustment

Subject Property



317 Queenston Road, Hamilton
(Ward 4)

File Name/Number:

A-24:181

Date:

August 23, 2024

Technician:

AL

Map Not To Scale

Appendix "A"



Hamilton