



Hamilton

STAFF COMMENTS

HEARING DATE: February 13, 2024

HM/A-23:341 – 270 & 274 Ottawa Street South, Hamilton

Recommendation:

Development Planning - Approve

Proposed Conditions:

N/A

Proposed Notes:

N/A



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Development Planning:

To permit the conveyance of a parcel of land for residential purposes, all existing structures to remain, and to retain a parcel of land for residential purposes, all existing structures to remain, and also to permit the creation of an easement over a portion of lands for access and maintenance purposes.

	Frontage	Depth	Area
Severed Lands	9.14 m±	35.27 m±	322.1 m2 ±
Retained Lands	9.14 m±	35.27 m±	322.1 m2 ±
Easement Land – 274 Ottawa Street	1.00 m	16.0	16.0 m2
Easement Land – 270 Ottawa Street	2.00 m	16.0	32.0 m2

Analysis

Urban Hamilton Official Plan

The subject lands are identified as “Neighbourhoods” in Schedule E – Urban Structure and designated “Neighbourhoods” in Schedule E-1 – Urban Land Use Designations in Volume 1 of the Urban Hamilton Official Plan. Policies F.1.14.3.1 and E.3.4.3, among others, are applicable.

Policy F.1.14.3.1 requires, among other things, that consents for new lot creation comply with the policies of the Urban Hamilton Official Plan, including secondary plans, and the lots are in conformity with the Zoning By-law or a minor variance is approved. Staff are of the opinion that the Consent application maintains the general scale and character of Ontario Avenue and the neighbourhood. Staff note that the severed and retained lands have frontage onto a public road and are fully serviced. Staff note that the proposal is to re-establish two parcels that inadvertently merged. No constructions or demolition is proposed.

Archaeology

No comment.

Cultural Heritage

No comment.



Zoning By-law City of Hamilton 05- 200

The subject site is zoned Low Density Residential – Small Lot (“R1a”) Zone and permits a single detached dwelling.

Variances 1-5

1. A minimum 0.4 metre side yard setback for an accessory building shall be provided instead of the minimum required 1.2 metre side yard setback for an accessory building.
2. A minimum 40% landscaped area in the front yard shall be provided instead of the minimum required 50% landscaped area in the front yard.
3. A deck, porch, and steps, shall be permitted within the front yard instead of the requirement that where a driveway is provided in the front yard, all other portions of the front yard shall be landscaped area.
4. A minimum aisle width of 4.0 metre for 90 degree parking shall be provided instead of the minimum required aisle width of 6.0 metre for 90 degree parking is required.
5. A minimum of 1 parking space for a Single Detached Dwelling shall be provided instead of the minimum required 2 parking spaces for a Single Detached Dwelling.

Staff note that all the variances being requested are existing conditions that are due to an inadvertent merger. Staff note no changes are being proposed on site. Staff are of the opinion the four tests are being met. Based on the foregoing, staff **support the variances**.

Zoning:

Recommendation:	Comments Only
Comments:	<ol style="list-style-type: none"> 1. The variances are necessary to facilitate consent application HM/B-23:95. 2. An Encroachment Agreement is required to be registered on title as it pertains to the Access and Maintenance Easement indicated on the Survey. 3. The City of Hamilton is continuing to develop Hamilton Zoning By-law 05-200 which encompasses the former City of Hamilton and the five (5) outlining municipalities. Please be advised that the next phase is the Residential Zones Project which will include Low Density Residential Zones. The subject property may be impacted by upcoming changes



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	scheduled to be heard at the Planning Committee meeting of February 23, 2024.
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Development Engineering:

Recommendation:	Approve
Proposed Conditions:	N/A
Comments:	The proposed side yard setback 0.40m does not meet the minimum requirement of 1.2m side yard setback as identified in the City’s Lot Grading Policy. This is required for drainage purposes as well as maintenance and access on the garage side. Since there is no new proposed development so there will be no impact to current grading and drainage the city will accept this minor variance.

Transportation Planning:

Recommendation:	No comments
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Building Engineering:

Recommendation:	Comments Only
Notes:	Be advised that Ontario Building Code regulations may require specific setback and construction types.

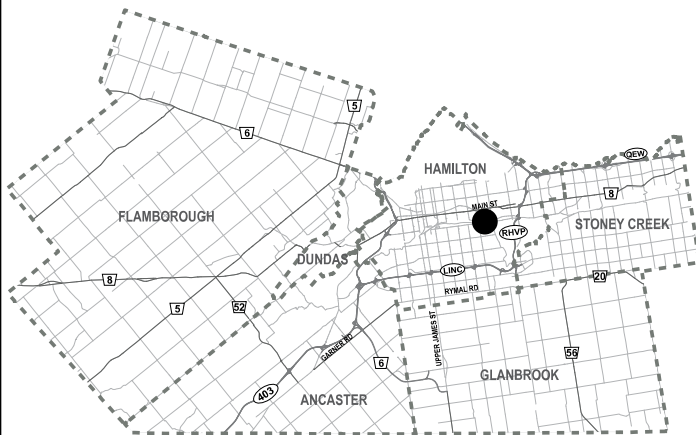
Legislative Approvals:

Recommendation:	No comments.
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Please Note: Public comment will be posted separately, if applicable.



● Site Location



City of Hamilton

Committee of Adjustment

Subject Property



270 & 274 Ottawa Street South,
Hamilton (Ward 3)

File Name/Number:

HM/A-23:341

Date:

January 29, 2024

Technician:

AL

Map Not To Scale

Appendix "A"



Hamilton