



Hamilton

**HM/A-24:26 – 9 Munn Street, Hamilton**

**Recommendation**

- Approve

**Acknowledgement Note:**

The subject property has been determined to be an area of archaeological potential. It is reasonable to expect that archaeological resources may be encountered during any demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances. If archaeological resources are encountered, the proponent may be required to conduct an archaeological assessment prior to further impact in order to address these concerns and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. Mitigation, by an Ontario-licensed archaeologist, may include the monitoring of any mechanical excavation arising from this project. If archaeological resources are identified on-site, further Stage 3 Site-specific Assessment and Stage 4 Mitigation of Development Impacts may be required as determined by the Ontario Ministry of Citizenship and Multiculturalism (MCM). All archaeological reports shall be submitted to the City of Hamilton for approval concurrent with their submission to the MCM.

Should deeply buried archaeological materials be found on the property during any of the above development activities the MCM should be notified immediately (416-212-8886). In the event that human remains are encountered during construction, the proponent should immediately contact both MCM and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services (416-212-7499).



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**Development Planning:**

**Background**

The purpose of this application is to facilitate the construction of a proposed converted dwelling.

The following variances are requested:

1. A converted dwelling, containing more than two (2) but not more than three (3) units shall be permitted instead of the requirement that reads; For the purpose of Section 4.34, a Converted Dwelling shall mean a Single Detached Dwelling or Duplex Dwelling, existing as of August 12, 2022, converted to contain greater than two but no more than four Dwelling Units
2. Two (2) on-site parking spaces shall be permitted instead of the minimum 1 per dwelling unit required.

**Archaeology:**

The subject property meets the criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential. These criteria define the property as having archaeological potential. Accordingly, Section 2 (d) of the *Planning Act* and Section 2.6.2 of the *Provincial Policy Statement* apply to the subject application.

If this variance is granted, the City does not require an archaeological assessment, but the proponent must be advised in writing by the Committee of Adjustment as follows:

**“Acknowledgement Note:** The subject property has been determined to be an area of archaeological potential. It is reasonable to expect that archaeological resources may be encountered during any demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances. If archaeological resources are encountered, the proponent may be required to conduct an archaeological assessment prior to further impact in order to address these concerns and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. Mitigation, by an Ontario-licensed archaeologist, may include the monitoring of any mechanical excavation arising from this project. If archaeological resources are identified on-site, further Stage 3 Site-specific Assessment and Stage 4 Mitigation of Development Impacts may be required as determined by the Ontario Ministry of Citizenship and Multiculturalism (MCM). All archaeological reports shall be submitted to the City of Hamilton for approval concurrent with their submission to the MCM.

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#### Urban Hamilton Official Plan

The subject lands are identified as “Neighbourhoods” on Schedule E – Urban Structure and designated “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations in the Urban Hamilton Official Plan.

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

The subject lands are zoned Low Density Residential “R1” District, which permits a single detached dwelling and converted dwellings. Section 4.34 of the Zoning By-law No. 05-200 states that a Converted Dwelling shall mean a Single Detached Dwelling or Duplex Dwelling, existing as of August 12, 2022, converted to contain greater than two but no more than four Dwelling Units.

#### **Analysis**

##### Variance 1

The applicant is requesting to convert the existing single detached dwelling with an Additional Dwelling Unit (ADU) to a converted dwelling, containing 3 dwelling units in total. The existing dwelling was constructed in 2023, hence why the variance is required. The applicant as of right is able to build an attached and detached ADU on the subject lands. Staff do not see any adverse impacts with 3 dwelling units within the existing building. Furthermore, a City Initiative approved by Planning Committee on February 23, 2024, Report PED22154(a) would allow a Triplex as-of-right in the R1 Zone following Council approval and it being in-force and effect, which is similar to the proposed. Staff support this variance as it meets the intent of the Zoning By-law and Official Plan and is minor in nature.

##### Variance 2

The applicant is proposing two on-site parking spaces instead of the minimum 1 per dwelling unit required. Staff would like to note that there is a City Initiative approved by Planning Committee on February 23, 2024, Report PED22154(a), to modify and update the parking requirements within Hamilton Zoning By-law No. 05-200. If the amendments are approved by Council, parking will not be required for Additional Dwelling Units within the urban area. The proposed changes through Report PED22154(a) also reduce the required parking for a Triplex in this area of the City to two spaces, which is consistent with what is proposed. Furthermore, the subject property is on close proximity to the Upper Sherman and Queensdale HSR bus routes. Staff recommend approval of this variance as it meets the intent of the Zoning By-law and Official Plan and is minor in nature.



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**Zoning:**

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	1. Requested variances are required to facilitate the construction of a proposed converted dwelling.
Proposed Notes:	

**Development Engineering:**

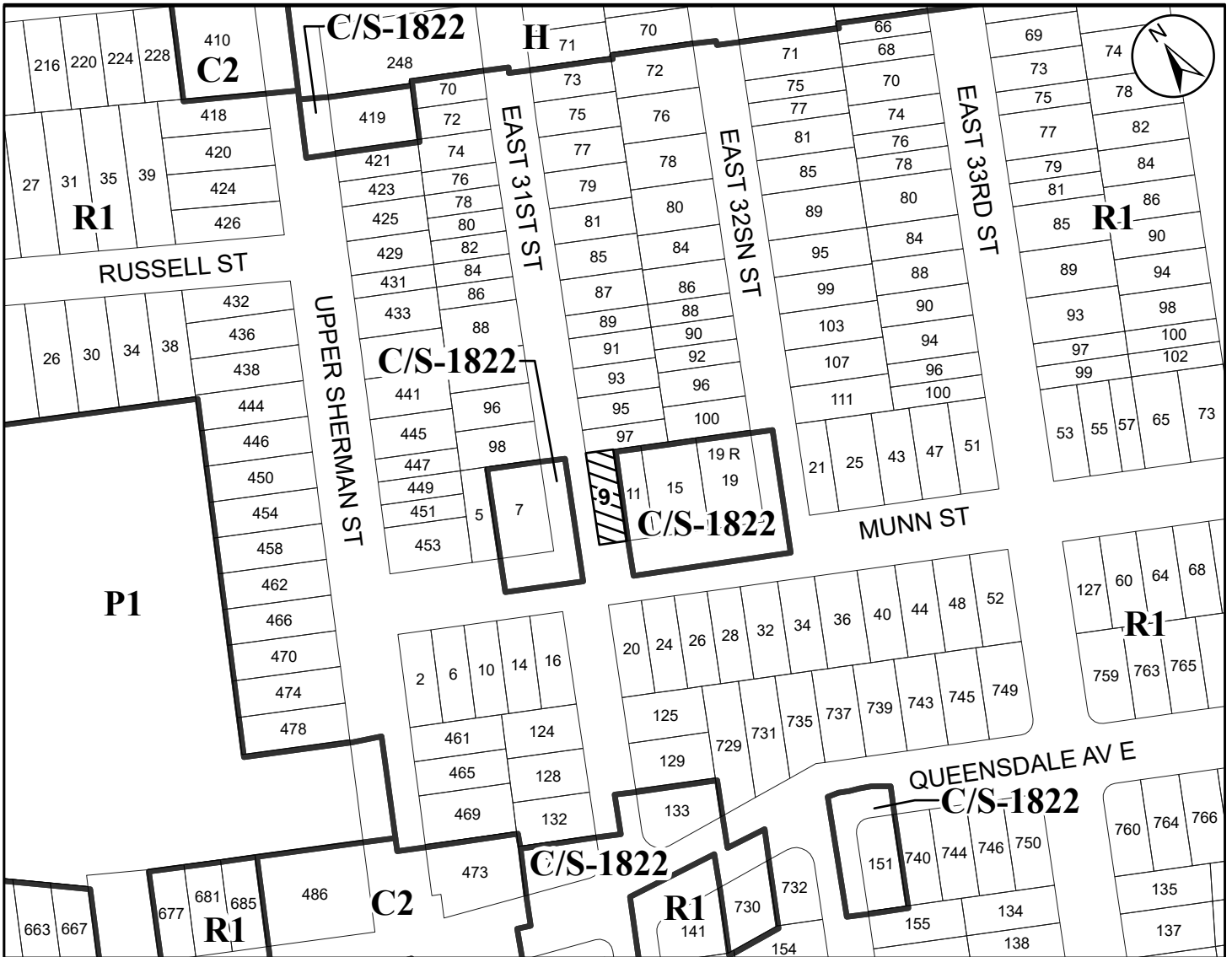
Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Proposed Notes:	

**Building Engineering:**

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	
Proposed Notes:	A building permit is required for the conversion of a single family dwelling to a three family dwelling.  Building Permit 23-120046, issued on August 25, 2023 To construct a 2-storey, 144m <sup>2</sup> single family dwelling, remains not finalized.

**Transportation Planning:**

Recommendation:	No comments
Proposed Conditions:	
Comments:	
Proposed Notes:	



● Site Location



# Committee of Adjustments

## Subject Property



9 Munn Street, Hamilton  
(Ward 7)

File Name/Number:

HM/A-24:26

Date:

March 1, 2024

Technician:

NB

Scale:

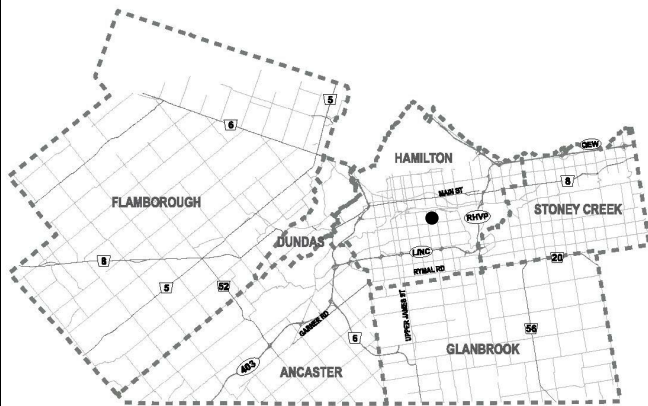
N.T.S.

Appendix "A"



Hamilton

Planning and Economic Development Department



City of Hamilton