



Hamilton

STAFF COMMENTS

HEARING DATE: April 9, 2024

SC/A-24:46 – 10 Redhaven Court, Stoney Creek

Recommendation:

Approve

Proposed Conditions:

1. That this variance only apply to the proposed development of a one-storey addition in the rear yard of the existing Semi-Detached Dwelling, to the satisfaction of the Manager of Site Planning.

Proposed Notes:



Hamilton

Development Planning:

Background

To permit a new one-storey addition in the rear yard of the existing Semi-Detached Dwelling.

Analysis

Urban Hamilton Official Plan

The subject lands are designated as “Neighbourhoods” in Schedule E-1– Urban Land Use Designations within the Urban Hamilton Official Plan. Policies E.3.4.3, among others, are applicable and permit the use.

Western Development Area Secondary Plan

The subject site is further designated “Low Density Residential 2b” on Map B.7.1-1 within the Western Development Area Secondary Plan. Policy B.7.1.1.2, among others, are applicable and permit the use.

Zoning By-law former City of Stoney Creek 3692-92

The subject site is zoned Residential “R5” Zone, which permits the use.

Variance 1

1. A minimum rear yard setback of 5.5m shall be provided instead of the minimum required rear yard setback of 7.5m

The intent of this provision is to provide amenity space, access, drainage, and a proper built form. Staff defer any drainage concerns to Development Engineering.

Staff notes that the subject lands are an irregular shape and have a sloping rear lot line. Staff further note that if the provision of the By-law were to be implemented as is to the proposed addition, the addition would have to be slanted, creating an undesirable floorspace. Staff are of the opinion that the variance maintains the general intent of the By-law as sufficient access and a proper built form will be provided. Staff are of the opinion the variance is minor in nature and desirable for the development as no negative impacts are anticipated to the subject site or surrounding area. Staff recommend that if the variance is approved, that the minimum rear yard of 5.5 metres only be applied to the proposed addition, as per submitted plan A1 dated 2024-02-10.

Staff are of the opinion that the variance meets the four tests of a minor variance. Based on the foregoing, **staff support the variance.**



Hamilton

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	
Proposed Notes:	<p>1. 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 scheduled to be heard at the Planning Committee meeting of February 23, 2024.</p> <p>Please visit https://www.hamilton.ca/build-invest-grow/planning-development/zoning/residential-zones-project or email reszoning@hamilton.ca for further information.</p> <p>2. Please note that these lands may be:</p> <ul style="list-style-type: none"> - Regulated by a Conservation Authority; Located within or adjacent to an Environmentally Sensitive Area (ESA); - Designated under the Ontario Heritage Act; - Listed in the City of Hamilton’s Inventory of Buildings of Architectural and/or Historical Interest; and/or, - Included in the City of Hamilton’s Register of Property of Cultural Heritage Value or Interest. <p>Staff cannot confirm this information at this time and the applicant should make the appropriate inquiries in order to determine what other regulations may be applicable to the subject property.</p>

Development Engineering:

Recommendation:	No comments
Proposed Conditions:	



Hamilton

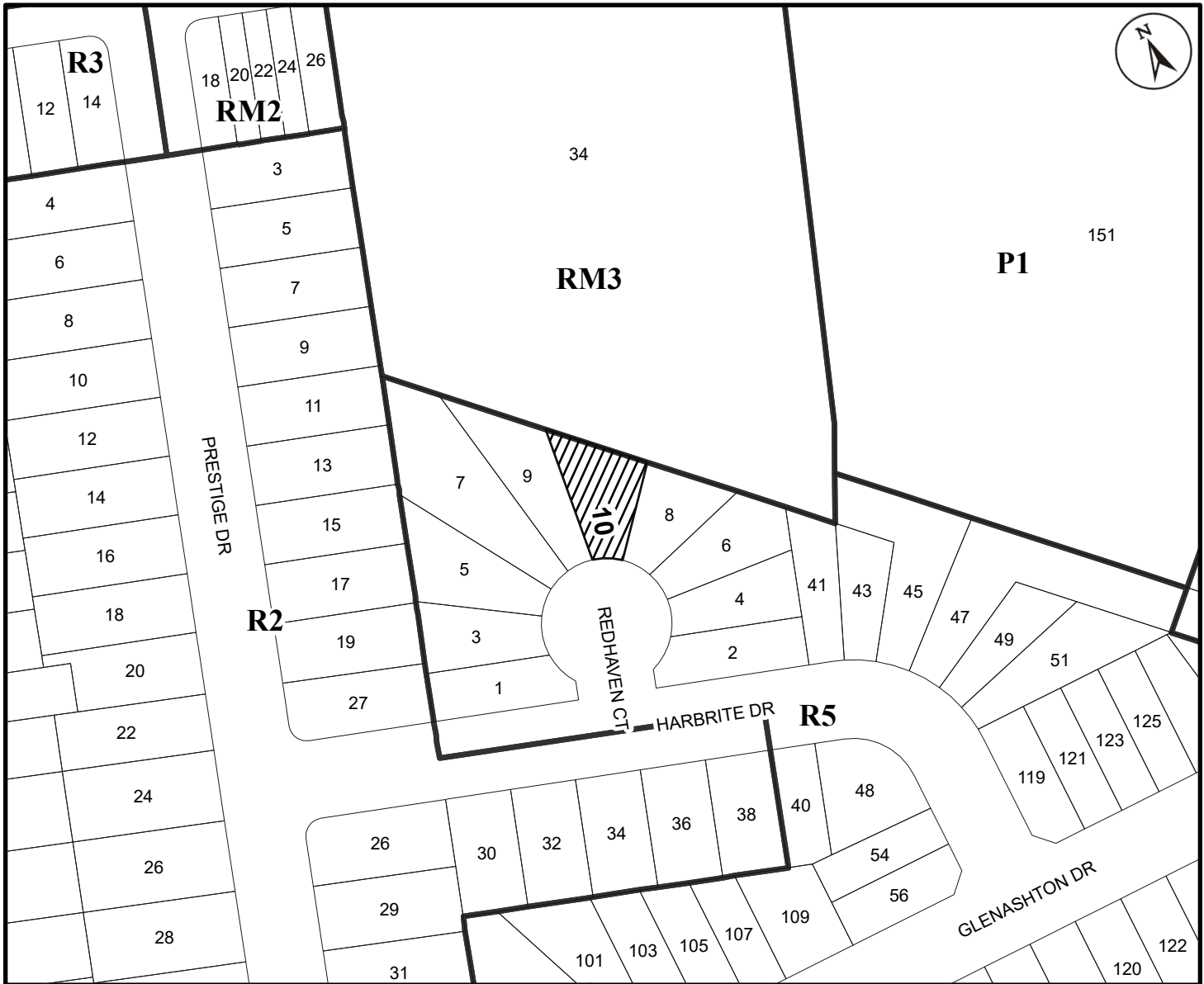
Comments:	Provided the existing drainage is maintained, development engineering has no comments.
Proposed Notes:	

Building Engineering:

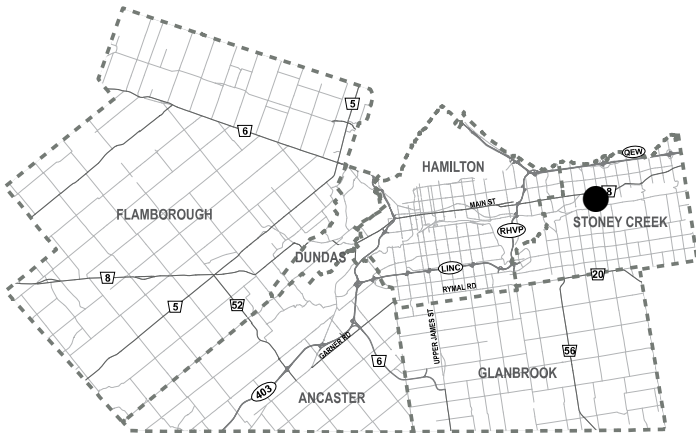
Recommendation:	Comments Only
Proposed Conditions:	
Comments:	
Proposed Notes:	<p>Be advised that Ontario Building Code regulations may require specific setback and construction types.</p> <p>A building permit is required for the construction of one-storey addition in the rear yard of the existing semi detached dwelling.</p>

Transportation Planning:

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



● Site Location



City of Hamilton

Committee of Adjustment

Subject Property



10 Redhaven Court, Stoney Creek (Ward 10)

File Name/Number:
SC/A-24:46

Date:
March 15, 2024

Technician:
NB

Map Not To Scale

Appendix "A"



Hamilton