



Hamilton

**STAFF COMMENTS**

**HEARING DATE: June 11, 2024**

**A-24:90 – 122 East 16<sup>th</sup> Street, Hamilton**

**Recommendation:**

Approve

**Proposed Conditions:**

**Proposed Notes:**



# Hamilton

## **Development Planning:**

### **Background**

The application is to facilitate the construction of a two (2) storey addition to an existing single detached dwelling.

The following variance is requested:

1. A minimum setback from a flankage lot line of 2.2 metres shall be permitted instead of the required minimum 3.0 metre setback from a flankage lot line.

### 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 single detached dwellings.

### **Analysis**

#### Variance 1

The applicant is proposing a minimum setback from a flankage lot line of 2.2 metres for a two storey addition to the existing single detached dwelling; whereas, the Zoning By-law requires a minimum 3.0 metre setback from a flankage lot line. Staff are of the opinion that the proposed reduction in the side yard maintains the intent of the function of a flankage yard where it will not interfere with vehicular traffic, landscaping, municipal trees and provides ample separation to the public realm as the addition will be screened from view by the existing board on board fence. The proposed addition does not impose any adverse impacts on abutting properties and is minor in nature.

Based on foregoing, the requested variance maintains the general intent and purpose of the Urban Hamilton Official Plan and the City of Hamilton Zoning By-law No. 05-200. The variance is considered to be minor in nature and desirable for the appropriate use of the property.

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	



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Comments:	<p>1. Please be advised insufficient information was provided to determine zoning conformity for landscaped area. Additional variances will be required if compliance with Section 15.1.2.4 cannot be achieved.</p> <p>2. Please be advised insufficient information was provided to determine zoning conformity for Sections 4.6 and 4.35. Additional variances will be required if compliance with these sections cannot be achieved.</p> <p>3. Please be advised insufficient information was provided regarding parking. Please note these lands are subject to amending By-law 24-052, which is not yet final and binding.</p> <p>4. Please note 'generational living' was stated within this application. If an Additional Dwelling Unit is proposed it shall be in accordance with Section 4.33.1 of the Hamilton Zoning By-law 05-200.</p>
Proposed Notes:	

Cultural Heritage:

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

Natural Heritage:

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

Development Engineering:

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

Building Engineering:

Recommendation:	Comments Only
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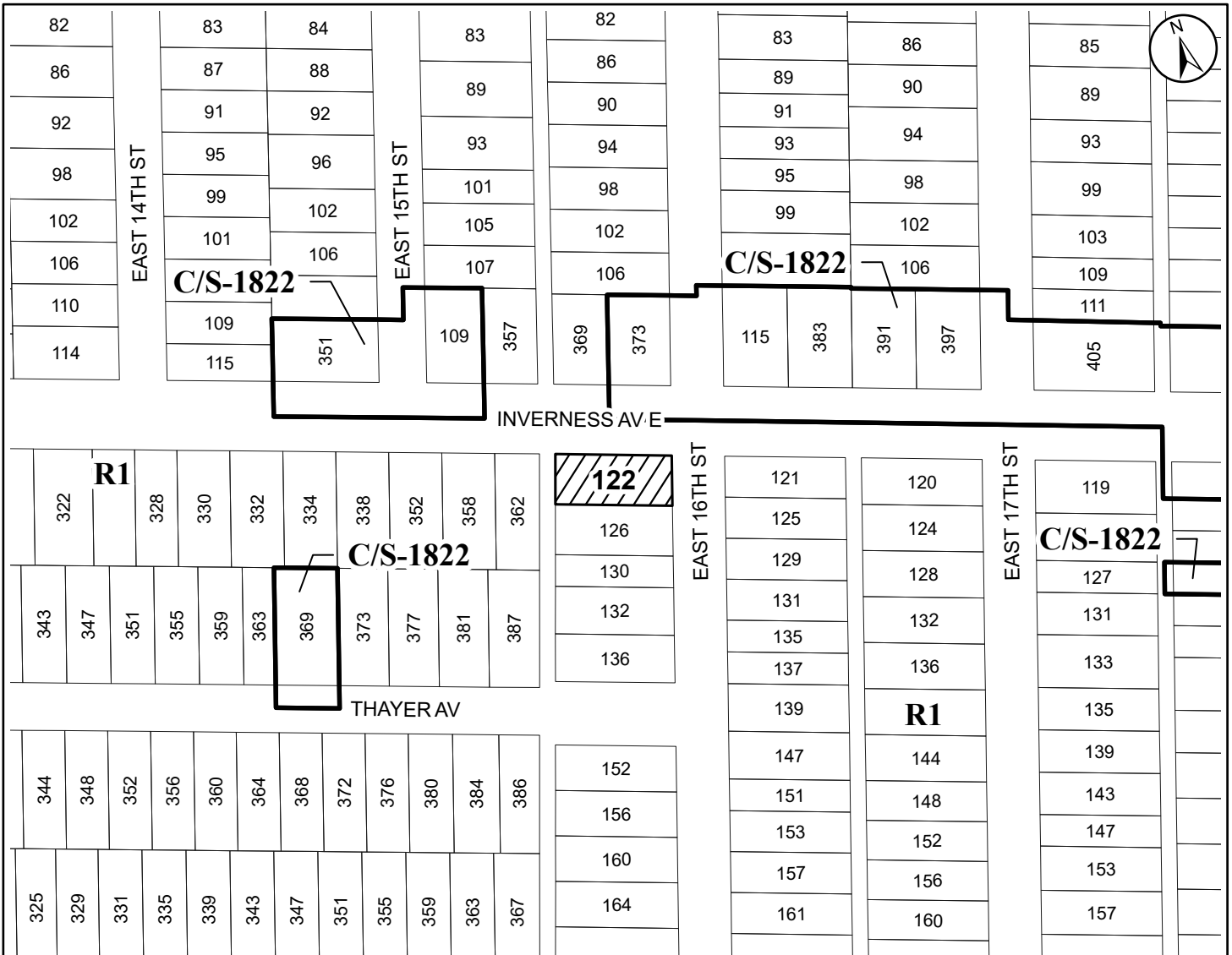


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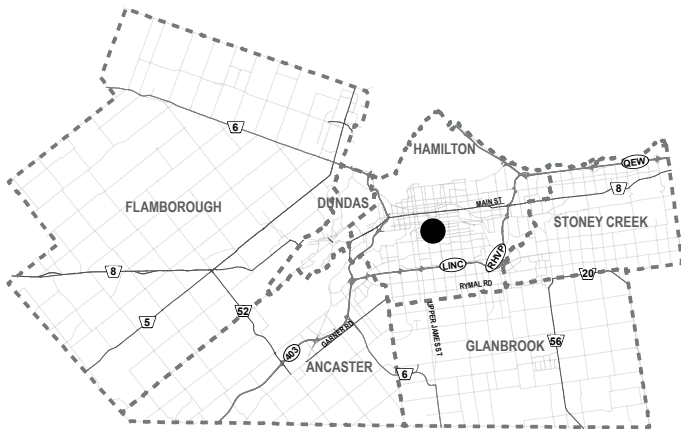
Proposed Conditions:	
Comments:	
Proposed Notes:	<p>Order to Comply 22 154992, dated December 9, 2022 remains outstanding.</p> <p>Order to Comply 23 114937, dated April 12, 2023 remains outstanding.</p> <p>A building permit is required for the construction of the proposed two-storey addition to an existing single detached dwelling.</p> <p>Be advised that Ontario Building Code regulations may require specific setback and construction types.</p>

Transportation Planning:

Recommendation:	Approve
Proposed Conditions:	
Comments:	
Proposed Notes:	



● Site Location




**City of Hamilton**

# Committee of Adjustments

**Subject Property**

122 East 16th Street, Hamilton (Ward 7)

 Lands to be retained

**File Name/Number:**

A-24:90

**Date:**

May 28, 2024

**Technician:**

SH

**Scale:**

N.T.S.

**Appendix "A"**



**Hamilton**