



Hamilton

STAFF COMMENTS

HEARING DATE: June 11, 2024

A-24:94 – 5 Idared Road, Flamborough

Recommendation:

Approve

Proposed Conditions:

Proposed Notes:

“Caution: Notwithstanding current surface conditions, the property has been determined to be an area of archaeological potential. Although an archaeological assessment is not required by the City of Hamilton, the proponent is cautioned that during development activities, should deeply buried archaeological materials be found on the property the Ontario Ministry of Citizenship and Multiculturalism (MCM) should be notified immediately (416-212-0036). 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

To facilitate the construction of an accessory structure.

Analysis

Rural Hamilton Official Plan

The subject lands are designated “Rural Settlement Area” in Schedule D – Rural Land Use Designations. Policy C.3.1.4, amongst others, is applicable and permits the existing residential use. The subject property is located within the Carlisle Rural Settlement Area and is also subject to the policies of the Carlisle Rural Settlement Area.

Carlisle Rural Settlement Area

The subject lands are designated “Settlement Residential” in Map 6 of the Carlisle Rural Settlement Area plan. Volume 2, Chapter A, Policy 1.3.1 permits the existing single detached dwelling.

Archaeology

No comment.

Cultural Heritage

No comment.

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

The subject lands are zoned Settlement Residential (S1) Zone under City of Hamilton Zoning By-law No. 05-200. The existing single detached dwelling is a permitted use.

Variance 1

1. To permit an aggregate gross floor area for all accessory buildings of 54.9 square metres whereas the maximum aggregate gross floor area of all accessory buildings shall not exceed 45 square metres or 7.5% total lot coverage, whichever is the lesser.

The intent of this provision is to ensure that accessory structures remain subordinate in size to the existing primary dwelling.

Staff note that the gross floor area of the existing dwelling is 269 square metres and the lot area of the subject property is 1848.9 square metres. Staff are of the opinion that the requested increase in



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permitted maximum gross floor area for accessory structures of 54.9 square metres (from 45 square metres) represents a minor increase where the proposed accessory structure will remain far smaller in size than the principal dwelling. Staff support the variance.

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

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	No comment.
Proposed Notes:	<p>“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.

Cultural Heritage:

Recommendation:	Comments Only.
Proposed Conditions:	
Comments:	<p>Archaeology:</p> <p>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.</p> <p>If this variance is granted, the proponent must be advised in writing by the Committee of Adjustment as follows:</p> <p>“Caution: Notwithstanding current surface conditions, the property has been determined to be an area of archaeological potential. Although an archaeological assessment is not required by the City of Hamilton, the proponent is cautioned that during development activities, should deeply buried archaeological materials be found on the property the Ontario</p>



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	<p>Ministry of Citizenship and Multiculturalism (MCM) should be notified immediately (416-212-0036). 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).”</p> <p>Cultural Heritage:</p> <p>No comments</p>
Proposed Notes:	

Natural Heritage:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	<p>The subject property is located within the boundaries of the Rural Hamilton Official Plan (RHOP) and has been identified within the Greenbelt Protected Countryside. Based on Schedule B (Natural Heritage System) of the RHOP, Core Areas have not been identified within the subject property. Core Areas (Significant Woodland, Bronte Creek Ravine Environmentally Significant Area, Bronte Creek, and Bronte Creek Escarpment Valley Area of Natural and Scientific Interest) have been located at least 120 metres from the subject property. The creek is also regulated by Conservation Halton. It is anticipated that the proposed accessory structure will not further negatively impact these features or their functions.</p>
Proposed Notes:	

Development Engineering:

Recommendation:	No comments.
Proposed Conditions:	
Comments:	<p>Provided the existing drainage pattern is maintained, Development Approvals has no comments.</p>
Proposed Notes:	

Building Engineering:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	

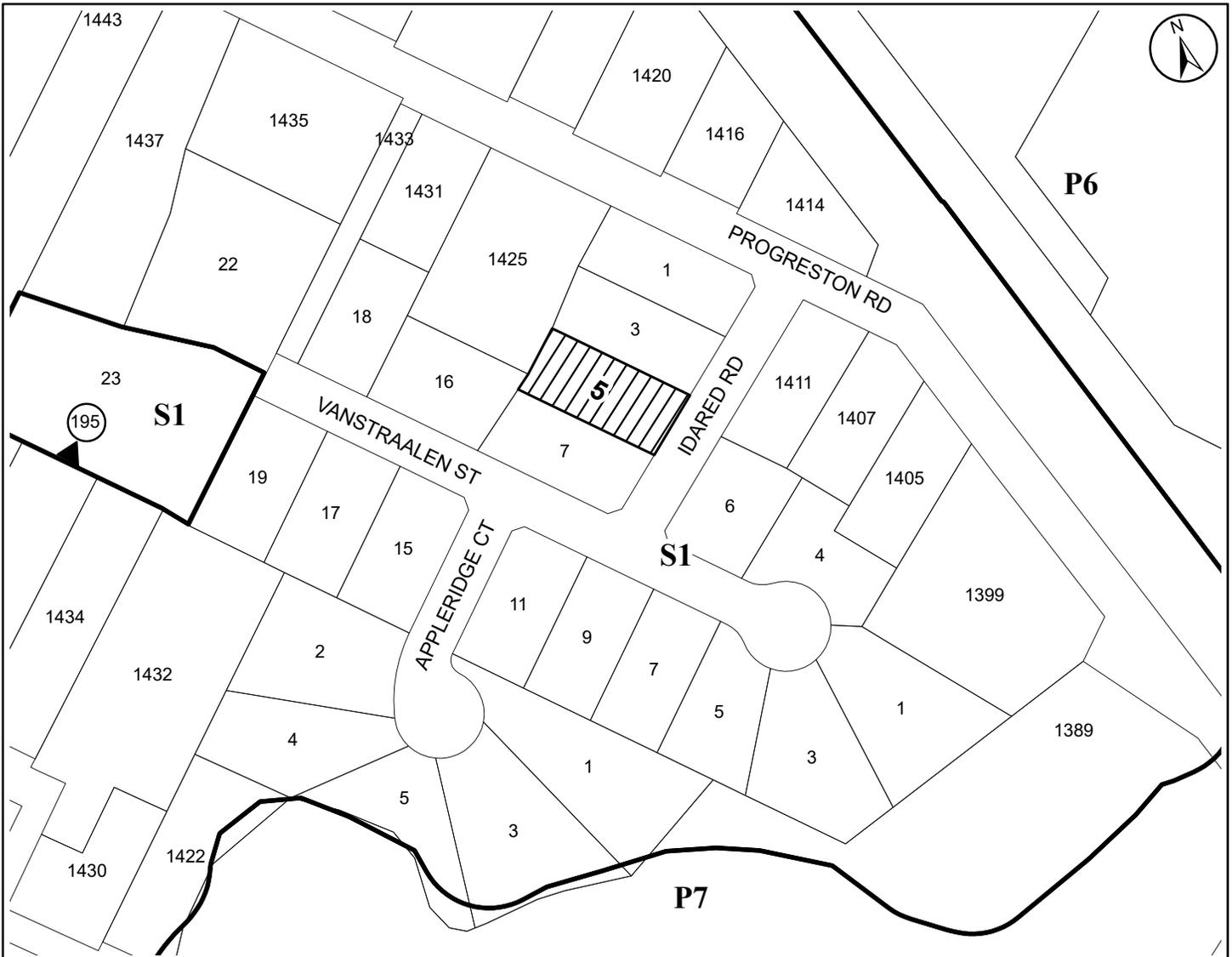


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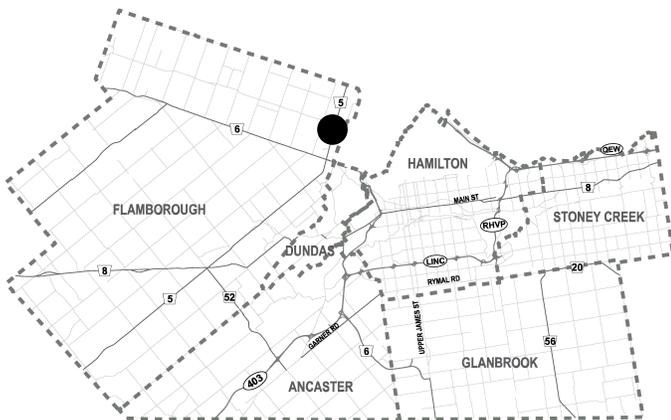
Proposed Notes:	<p>A building permit is required for the construction of the proposed accessory structure.</p> <p>Be advised that Ontario Building Code regulations may require specific setback and construction types.</p>
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Transportation Planning:

Recommendation:	Approve
Proposed Conditions:	
Comments:	
Proposed Notes:	



● Site Location



City of Hamilton

Committee of Adjustments

Subject Property



5 Idared Road, Flamborough
(Ward 15)

File Name/Number:

A-24:94

Date:

May 31, 2024

Technician:

AL

Scale:

N.T.S.

Appendix "A"



Hamilton

Planning and Economic Development Department