



Hamilton

STAFF COMMENTS

HEARING DATE: June 11, 2024

A-24:96 – 23 Cadwell Lane, Hamilton

Recommendation:

Approve

Proposed Conditions:

Proposed Notes:



Hamilton

Development Planning:

Background

The application is to facilitate the construction of a second storey deck to complement the existing condominium townhouse.

The following variance is requested:

1. To permit a maximum encroachment of 2.5 metres for a deck into the required rear yard; whereas the zoning by-law permits a maximum encroachment of 1.5 metres or to a maximum of half the distance of the yard, whichever is the lesser.

Urban Hamilton Official Plan

The subject lands are identified as “Neighbourhoods” on Schedule E – Urban Structure and designated “Institutional” on Schedule E-1 – Urban Land Use Designations in the Urban Hamilton Official Plan. The lands are designated as “Institutional” in the Chedmac Secondary Plan of Volume 2 of the Urban Hamilton Official Plan.

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

The subject lands are zoned Major Institutional “I3” District, which permits street townhouses.

Analysis

Variance 1

The applicant is proposing that a deck be permitted to encroach a maximum of 2.5 metres into a required rear yard instead of the requirement that a deck may encroach into a required yard to a maximum of 1.5 metres or to the maximum of half the distance of the required yard, whichever is the lesser. Staff are of the opinion that the proposed deck will enhance the amenity space within the rear yard, and there are other townhomes that have similar style decks throughout the neighbourhood. The porch will be more desirable and provide better functionality for the homeowners. The proposed deck does not impose any adverse impacts on abutting properties from a privacy and overlook perspective and the increase in the proposed encroachment is minor in nature.

Based on the 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.



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Zoning:

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



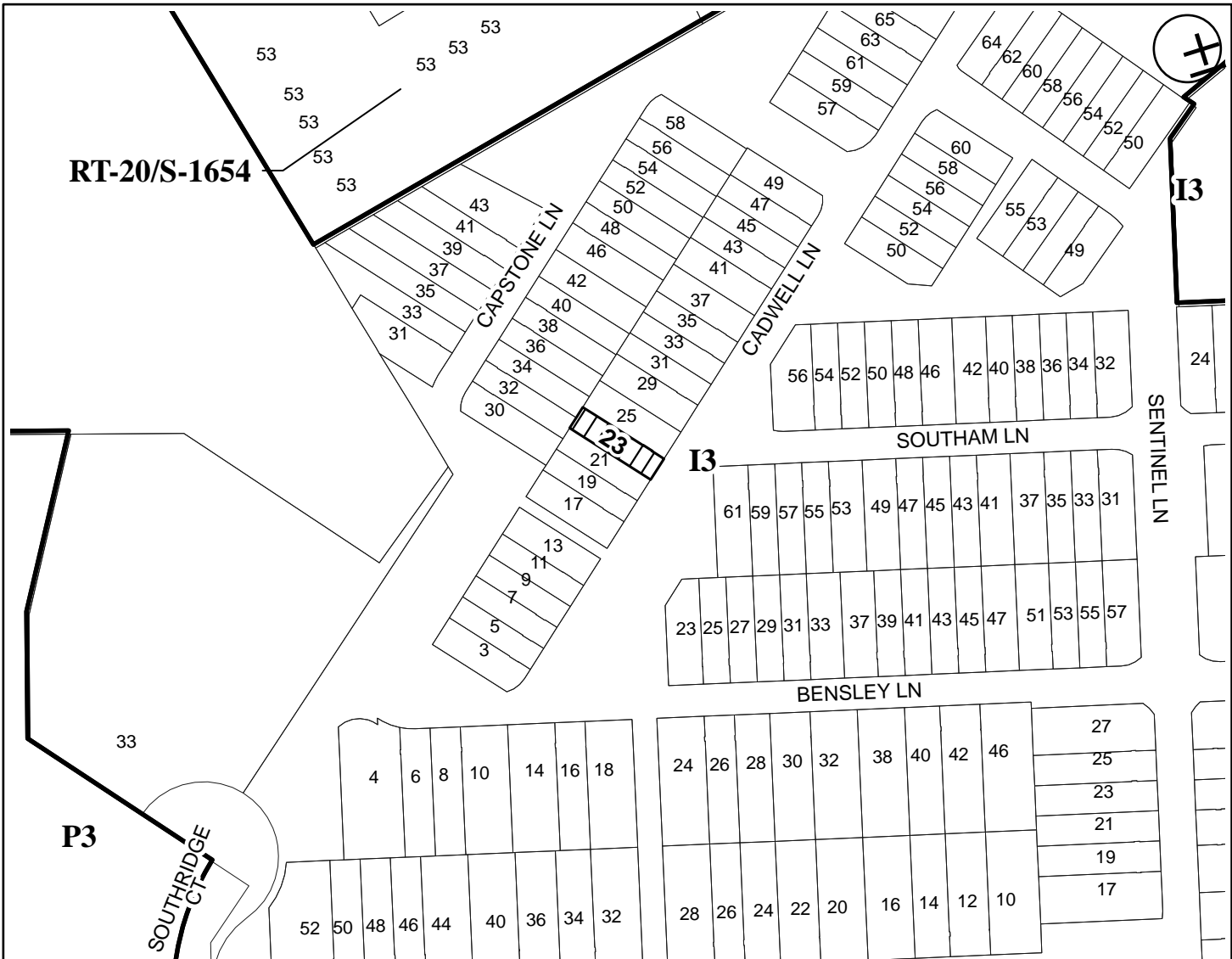
Hamilton

Building Engineering:

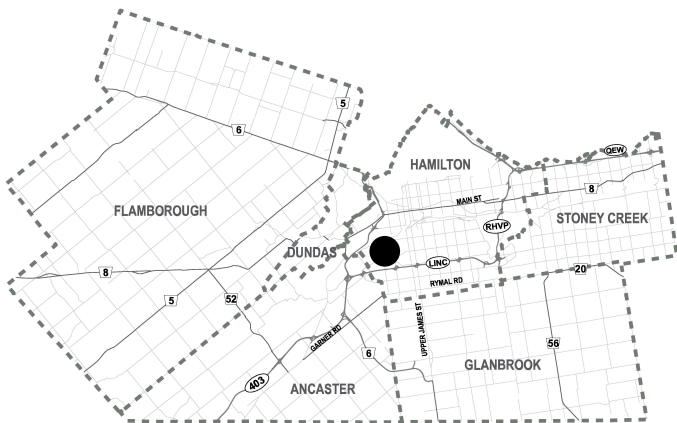
Recommendation:	Comments Only
Proposed Conditions:	
Comments:	
Proposed Notes:	A building permit is required for the construction of the proposed second storey deck. Be advised that Ontario Building Code regulations may require specific setback and construction types.

Transportation Planning:

Recommendation:	Approve
Proposed Conditions:	
Comments:	
Proposed Notes:	



● Site Location



City of Hamilton

Committee of Adjustments

Subject Property

 23 Cadwell Lane, Hamilton (Ward 14)

File Name/Number:

A-24:96

Date:

May 31, 2024

Technician:

AL

Scale:

N.T.S.

Appendix "A"



Hamilton