



Hamilton

STAFF COMMENTS

HEARING DATE: July 2, 2024

A-24:132 – 10 Taylor Crescent, Dundas

Recommendation:

Approve – Development Planning

Proposed Conditions:

Proposed Notes:

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.

Should deeply buried archaeological materials be found on the property during any of the above development activities the MCM should be notified immediately (416-212-0036) 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 garage addition to an existing single detached dwelling.

Analysis

Rural Hamilton Official Plan

The subject site is designated “Rural Settlement Area” within Schedule D of the Rural Hamilton Official Plan.

Greenville Rural Settlement Area Plan

The subject site is further designated “Settlement Residential” on Map 8a within the Greenville Rural Settlement Area Plan. Policies A.3.5.5, among others, are applicable and permit single detached dwellings.

Hamilton Zoning By-law No. 05-200

The subject lands are zoned Settlement Residential (S1) Zone which permits the use.

Variance 1

1. A minimum side yard of 1.2 metres instead of 3.0 metres is required.

The intent of this provision is to ensure sufficient access, drainage, and a proper building envelope is provided. Staff defers any drainage or source water concerns to Development Engineering or Source Protection Planning.

Staff are of the opinion that the variance maintains the general intent of the By-law as sufficient access and a proper building envelope is being provided. Staff note that due to the irregular shape of the subject site, the side yard setback tapers closer to the front of the property due to the slanted side yard lot line. As such, the variance being requested for a reduced side yard setback is only for a portion of the proposed addition. Staff are of the opinion that the variance is minor in nature and desirable for the development as no negative impacts are anticipated to area surrounding the subject site and that the use of the land will be of what is permitted. Staff are of the opinion that the variance meets the four tests of a minor variance. Based on the foregoing, **staff support the variance.**



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Zoning:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	N/A
Comments:	N/A
Proposed Notes:	i) Please note that eaves and gutters are permitted to encroach 0.6 metres into any required yard, eaves and gutters were not dimensioned on elevations therefore unable to determine zoning compliance.

Cultural Heritage:

Recommendation:	Comments and Conditions/Notes
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 <i>Planning Act</i> and Section 2.6.2 of the <i>Provincial Policy Statement</i> apply to the subject application.</p> <p>Cultural Heritage:</p> <p>No comment.</p>
Proposed Notes:	<p>If this variance is granted, the proponent must be advised in writing by the Committee of Adjustment as follows:</p> <p>“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</p>



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	<p>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 Should deeply buried archaeological materials be found on the property during any of the above development activities the MCM should be notified immediately (416-212-0036) 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>
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Development Engineering:

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



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STAFF COMMENTS

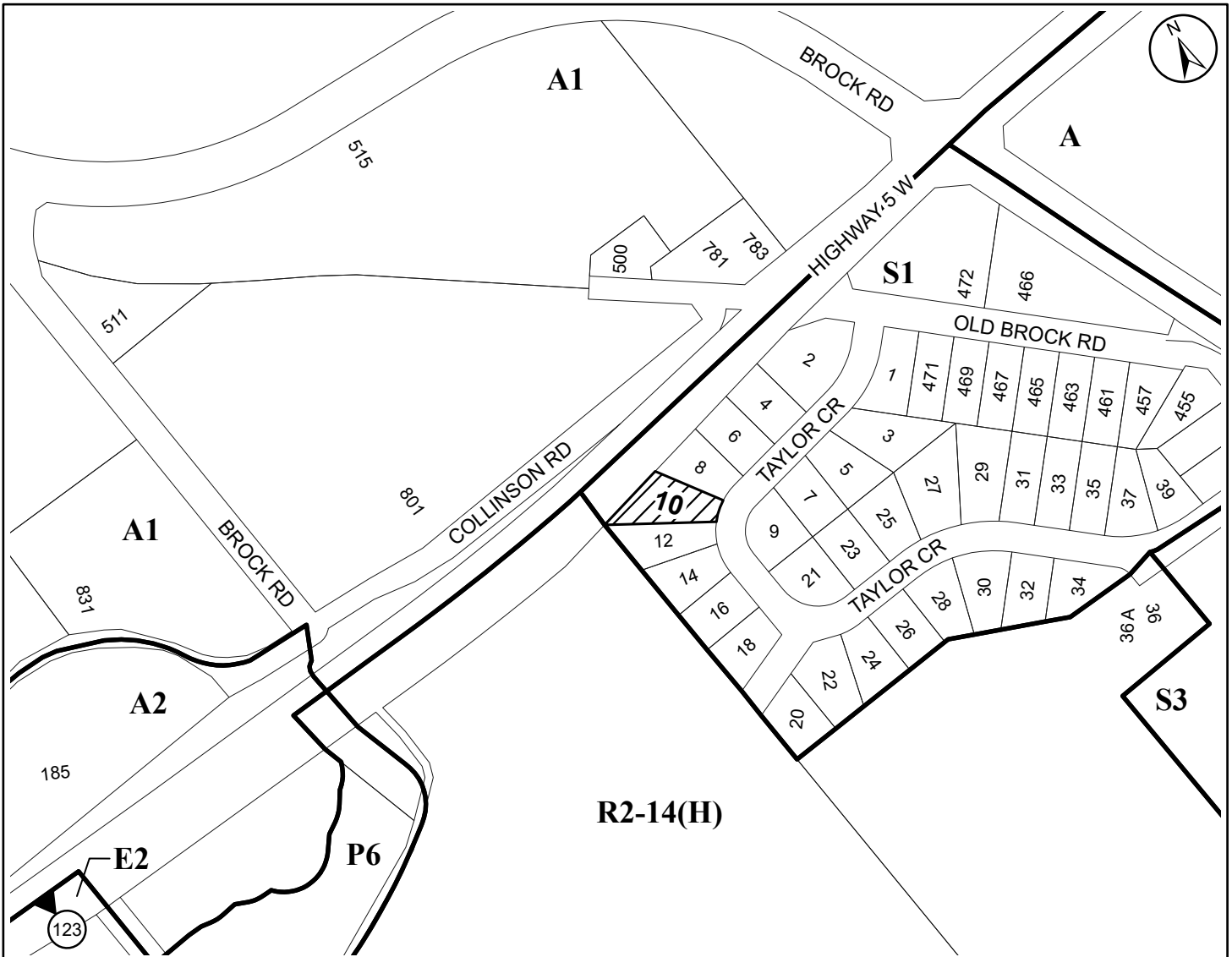
HEARING DATE: July 2, 2024

Building Engineering:

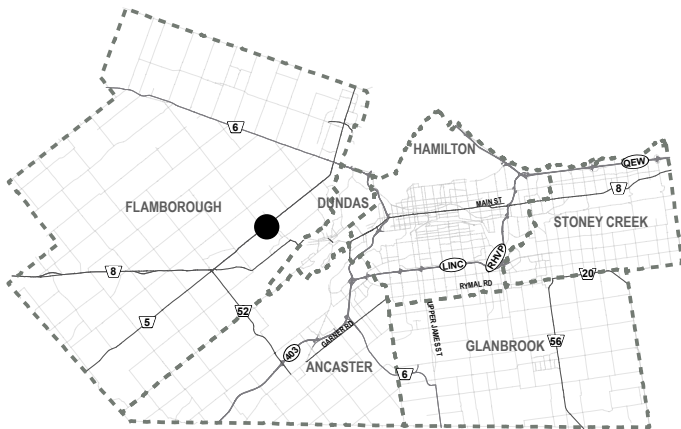
Recommendation:	Comments Only
Proposed Conditions:	
Comments:	
Proposed Notes:	A building permit is required for the construction of the proposed garage addition to an existing single-family dwelling. Be advised that Ontario Building Code regulations may require specific setback and construction types.

Transportation Planning:

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



● Site Location



City of Hamilton

Committee of Adjustments

Subject Property



10 Taylor Crescent, Flamborough
(Ward 13)

File Name/Number:

A-24:132

Date:

June 18, 2024

Technician:

SH

Scale:

N.T.S.

Appendix "A"



Hamilton