



Hamilton

STAFF COMMENTS

HEARING DATE: July 23, 2024

A-24:144 – 121 Whitefish Crescent, Stoney Creek

Recommendation:

Approve

Proposed Conditions:

N/A

Proposed Notes:

N/A



Hamilton

STAFF COMMENTS

HEARING DATE: July 23, 2024

Development Planning:

Background

To facilitate the establishment of a rear yard deck.

Analysis

Urban Hamilton Official Plan

The property is identified as “Neighbourhoods” in Schedule E – Urban Structure and is designated “Neighbourhoods” in Schedule E-1 – Urban Land Use Designations. Policies E.3.2.3, and E.3.4.3 amongst others, are applicable and permit single detached dwellings.

Urban Lakeshore Area Secondary Plan

The property is further designated “Low Density Residential 2b” and “Low Density Residential 3c” on Map B.7.3-1 within the Urban Lakeshore Area Secondary Plan. Policy B.7.3.1.3 permits single detached dwellings while Policy B.7.3.1.6 does not. Staff note that the single detached dwelling is existing and is permitted per Policy F.1.12.9 of Volume 1 of the Urban Hamilton Official Plan.

City of Stoney Creek Zoning By-law No. 3692-92

The subject lands are zoned Single Residential “R3” Zone and Rural Residential “RR” Zone, which permits the use of a single detached dwelling.

Variance 1

1. An unenclosed porch and deck may project 4.5 metres into a required rear yard instead of the maximum 4.0 metre encroachment permitted.

The intent of this provision is to minimize the encroachment of a deck into a rear yard to ensure space for amenity space, limit overbuild, and to provide space for drainage. Staff defers any drainage concerns to Development Engineering.

Staff are of the opinion that the variance maintains the general intent of the By-law as sufficient amenity space is being provided nor will an over development of the site be created. Staff are of the opinion that the variance is minor in nature and desirable for the development as no negative impacts are anticipated to the subject site or surrounding area 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.**



Hamilton

STAFF COMMENTS

HEARING DATE: July 23, 2024

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	Requested variance is required to facilitate the construction of a proposed rear yard deck
Notes:	

Development Engineering:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

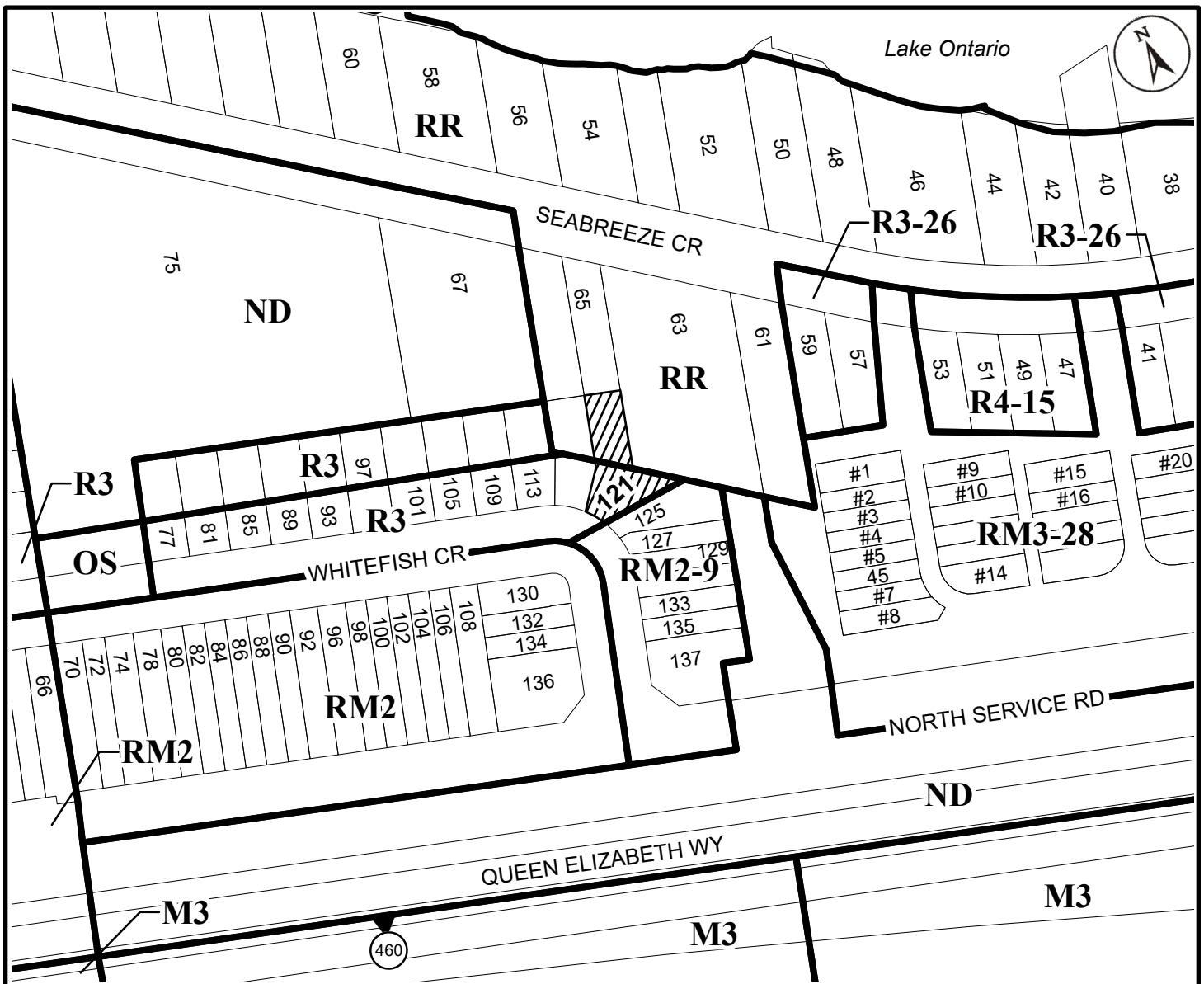
Building Engineering:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	
Notes:	<p>Building Permit # 22-153094, issued on February 27, 2023, to construct a 2-storey, 312 m² single family dwelling, remains not finalized.</p> <p>A building permit is required for the construction of the proposed rear yard deck.</p> <p>Be advised that Ontario Building Code regulations may require specific setback and construction types.</p>

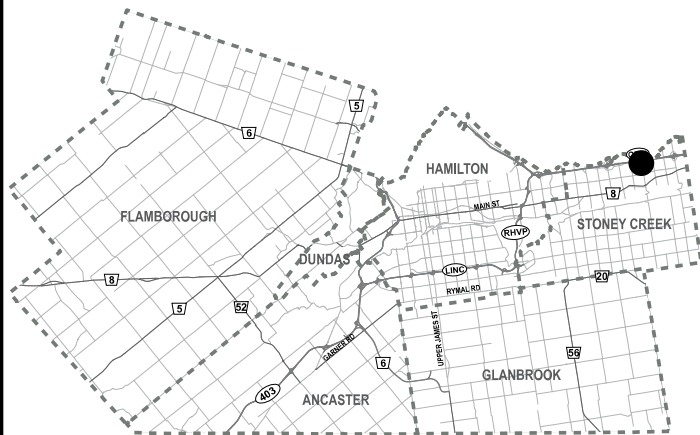
Transportation Planning:

Recommendation:	Approve
Proposed Conditions:	
Comments:	
Notes:	

Please Note: Public comment will be posted separately, if applicable.



● Site Location



City of Hamilton

Committee of Adjustment

Subject Property



121 Whitefish Crescent,
Stoney Creek (Ward 10)

File Name/Number:

A-24:144

Date:

July 8, 2024

Technician:

AL

Map Not To Scale

Appendix "A"



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT