



Hamilton

STAFF COMMENTS

HEARING DATE: July 23, 2024

A-24:148 – 56 Baldwin Street, Dundas

Recommendation:

Development Planning - Approve

Development Engineering – Deny

Proposed Conditions:

1. That the variances only apply to the proposed addition shown on the site plan titled SP1.01 submitted for application A-24:148.

Proposed Notes:

N/A



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HEARING DATE: July 23, 2024

Development Planning:

Background

To facilitate the construction of an addition to an existing single detached dwelling for the use of an additional dwelling unit.

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 B.3.2.4.4, E.3.2.3, and E.3.4.3 amongst others, are applicable and permit single detached dwellings and secondary dwelling units.

Town of Dundas Zoning By-law No. 3581-86 and City of Hamilton Zoning By-law No. 05-200

The subject lands are zoned Single Detached Residential (R2) Zone, which permits the use of single detached dwellings and secondary dwelling units.

The approved zoning of the subject lands in Zoning By-law No. 05-200, which is not final and binding, is Low Density Residential (R1) Zone, which also permits the use of single detached dwellings and secondary dwelling units.

VariANCES 1 and 2 (Dundas Zoning By-law No. 3581-86)

1. A minimum side yard of 0.8 metres shall be permitted instead of the required minimum side yard of 1.2 metres.
2. A minimum side yard of 2.4 metres on one side shall be permitted instead of the required minimum side yard of 5.0 metres on one side of an interior lot upon which there is no garage or carport.

Variance 1 (Hamilton Zoning By-law No. 05-200)

1. A minimum setback from a side lot line of 0.8 metres shall be permitted instead of the required minimum setback from a side lot line of 1.2 metres.

The intent of these provisions are to provide sufficient access, drainage, and to provide a proper building envelope. Staff defers any drainage concerns to Development Engineering.



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Staff note that the proposed addition is maintaining the general angle of the existing single detached dwelling relative to the subject site lot lines. Staff note that due to the angle of the lot lines, if the applicant were to comply with the setback provision, they would require a slanted addition. Staff are of the opinion that the variances maintain the general intent of the By-law as sufficient access and a consistent building envelope will be provided. Staff are of the opinion that the variances are 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. If the application is to be approved, staff recommend that a condition be placed on the approval that the variances only apply to the proposed addition as shown on submitted plan SP1.01. Staff are of the opinion that the variance meets the four tests of a minor variance. Based on the foregoing, **staff support the variances.**

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	<p>Dundas Zoning By-law 5381-86</p> <p>3. Insufficient information was provided to determine zoning conformity for canopy and unenclosed porch encroachments and front yard landscaping. Additional variances may be required if compliance cannot be achieved.</p> <p>Hamilton Zoning By-law 05-200</p> <p>1. Insufficient information was provided to determine zoning conformity for canopy and porch encroachments and landscaped area. Additional variances may be required if compliance cannot be achieved.</p> <p>2. Please be advised the property falls under the Hamilton Conservation Authority.</p>
Notes:	

Development Engineering:

Recommendation:	Deny
Proposed Conditions:	N/A
Comments:	The proposed side yard setback 0.80m does not meet the minimum requirement of 1.2m side yard setback as identified in the City's Lot Grading Policy. This is required for drainage purposes as well as maintenance and access on the garage side. Therefore, we recommend that the minor variance #1 be denied.
Notes:	



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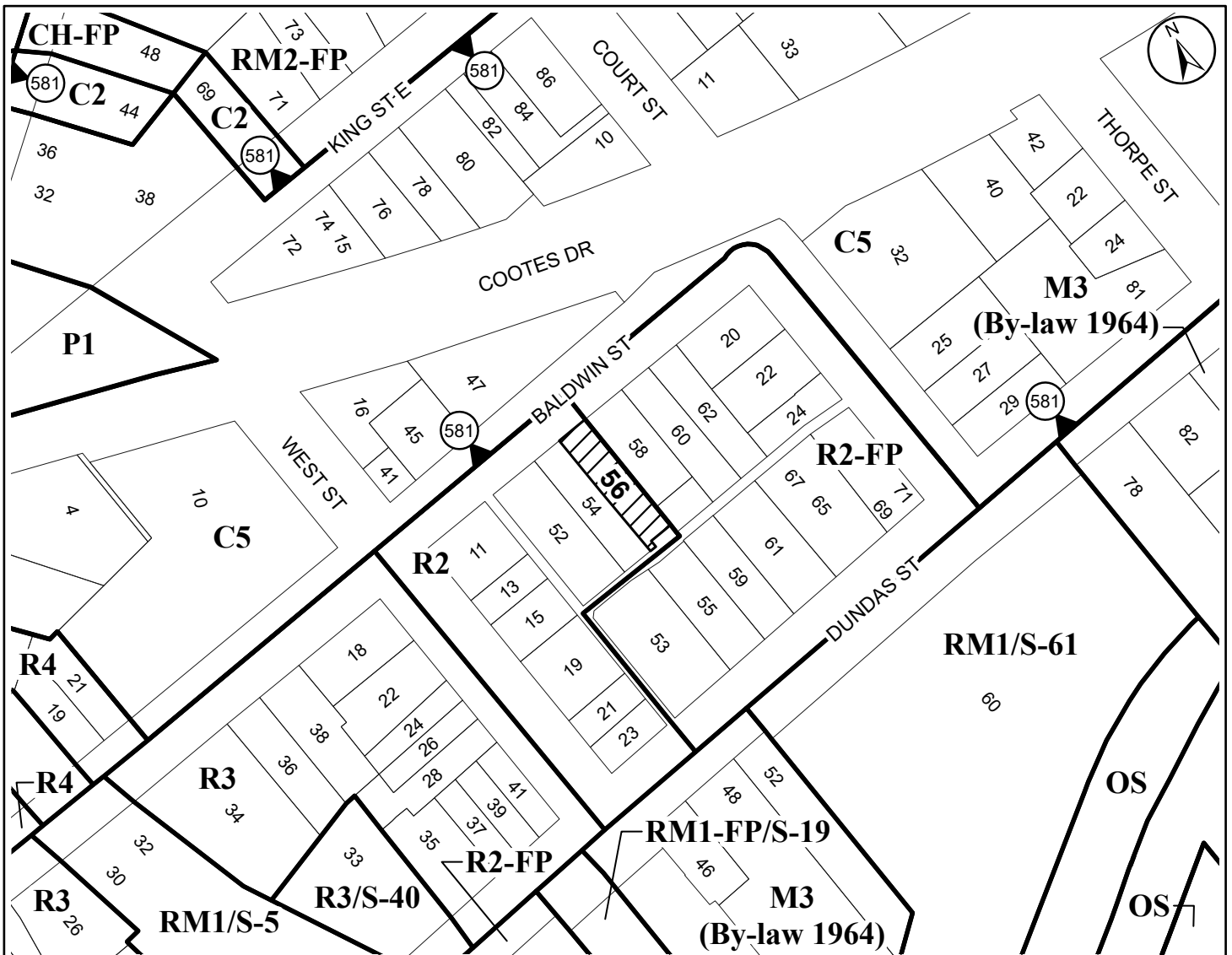
Building Engineering:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	
Notes:	<p>A building permit is required for the construction of the proposed addition to an existing single detached dwelling for the use of an additional dwelling unit.</p> <p>Be advised that Ontario Building Code regulations may require specific setback and construction types.</p>

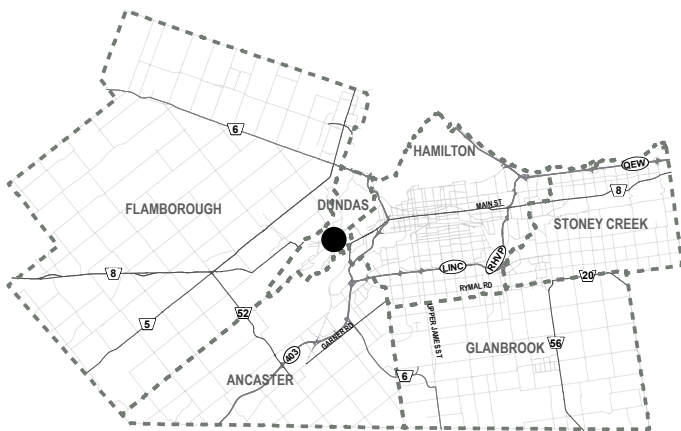
Transportation Planning:

Recommendation:	Approve
Proposed Conditions:	
Comments:	
Notes:	

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



● Site Location



City of Hamilton

Committee of Adjustments

Subject Property

 56 Baldwin Street, Dundas (Ward 13)

File Name/Number:

A-24:148

Date:

July 5, 2024

Technician:

SH

Scale:

N.T.S.

Appendix "A"



Hamilton

Planning and Economic Development Department