



Hamilton

STAFF COMMENTS

HEARING DATE: October 8, 2024

A-24:201 – 579 Upper Wentworth Street, Hamilton

Recommendation:

Development Planning - Approve

Proposed Conditions:

Proposed Notes:



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Development Planning:

Background

The purpose of this application is to permit the expansion of an existing porch to allow for more accessible access to the existing dwelling unit. The proposed variance is to increase the permitted encroachment of a porch into the required front yard setback.

The following variance has been requested:

1. That a porch shall be permitted to project a maximum of 2.15 metres into the required front yard and provide a minimum setback of 1.85m from the front lot line instead of the maximum permitted encroachment of 1.5 metres, or half the distance of the required yard (4 metres), whichever is the lesser.

Urban Hamilton Official Plan

The subject property is designated as “Neighbourhoods on Schedule E1 - Urban Land Use Designations in the Urban Hamilton Official Plan. Policy E.3.2.3 permits single detached residential dwellings. Policy E.3.4.3 permits single detached, semi detached, duplex, triplex, fourplex, and street townhouse dwellings. The subject property is not located in any secondary plan area found in Volume 2 of the Urban Hamilton Official Plan.

Based on the forgoing policies single detached dwellings are a permitted use on the subject lands. The existing use of the site is for a single detached dwelling, which is permitted and conforms to the Urban Hamilton Official Plan.

City of Hamilton Zoning By-law 05-200

The subject lands are zoned Low Density Residential (R1) in the City of Hamilton Zoning By-law No. 05-200. The “R1” Zone permits the use of a Single Detached Dwelling under section 15.1.1.

Analysis

Variance

1. That a porch shall be permitted to project a maximum of 2.15 metres into the required front yard and provide a minimum setback of 1.85m from the front lot line instead of the maximum permitted encroachment of 1.5 metres, or half the distance of the required yard (4 metres), whichever is the lesser.

The intent of the setback provision noted above is to ensure there is space for landscaping in the front yard and to ensure a consistent setback from the street to preserve the character of the neighbourhood. This provision also avoids conflicts where road widening conveyances are required in



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the future. Staff are of the opinion that the provided setback will maintain the intent and purpose of this provision and wont cause undue adverse impact to the neighbourhood and will be compatible with the existing character of the area, which contains porches with similar encroachments. Staff are of the opinion that the increase in the permitted encroachment for the porch will not result in adverse impacts on the neighbourhood. Please note that Transportation Planning confirmed that no further widening is required along this portion of Upper Wentworth Street.

Based on the foregoing, staff recommend **approval of the variance as it** maintains the general intent and purpose of the Urban Hamilton Official Plan and the City of Hamilton Zoning By-law No. 05-200, is minor and nature, and desirable for the appropriate development of the lands.

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	1. This property is listed in the City of Hamilton’s Inventory of Buildings of Architectural and/or Historical Interest as a property of cultural heritage value or interest. Please contact a Cultural Heritage Planner CulturalHeritagePlanning@hamilton.ca for further information.
Notes:	

Development Engineering:

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

Building Engineering:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	Building Permit # 23-313190, issued on December 6, 2023, for alterations to the interior of the single-family dwelling to finish the basement and remove walls on the main floor, remains not finalized. A building permit is required for the construction of the proposed front porch. Be advised that Ontario Building Code regulations may require specific setback and construction types.
Notes:	



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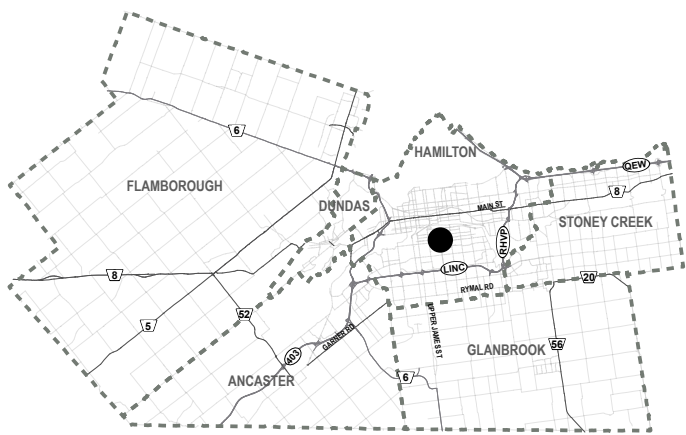
Transportation Planning:

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

579 Upper Wentworth Street, Hamilton (Ward 7)

File Name/Number:
A-24:201

Date:
September 23, 2024

Technician:
SH

Scale:
N.T.S.

Appendix "A"



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