



Hamilton

**STAFF COMMENTS**

**HEARING DATE: November 12, 2024**

A-24:221 – 86 Markson Crescent, Hamilton

**Recommendation:**

Approve

**Proposed Conditions:**

N/A

**Proposed Notes:**

N/A



Hamilton

**STAFF COMMENTS**

**HEARING DATE: November 12, 2024**

## **Development Planning:**

### **Background**

To permit the construction of a covered porch in the rear yard of a residential dwelling

### **Analysis**

#### **Urban Hamilton Official Plan**

The subject lands are identified as “Neighbourhoods” in Schedule E – Urban Structure and are designated “Neighbourhoods” in Schedule E – 1 Urban Land Use Designations of the Urban Hamilton Official Plan. Policy E.3.4.3, amongst others, is applicable and permits the existing single detached dwelling.

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

The subject lands are zoned Low Density Residential (R1) Zone in City of Hamilton Zoning By-law No. 05-200. The existing single detached dwelling is permitted.

#### **Variance 1**

1. A minimum 5.2 metre rear yard setback shall be permitted instead of the minimum required 7.5 metre rear yard setback.

The intent of this provision is to ensure that there is no loss of amenity space and privacy in the rear yard.

Staff note that the proposed porch is covered and considered to be a part of the main structure but does not introduce any privacy concerns or overlook impacts on adjacent lands and enhances the rear yard amenity space for the existing single detached dwelling. Staff are of the opinion that the proposed porch enhances the amenity space, will not negatively impact privacy and fits into the context of the neighbourhood.

Staff are of the opinion that the requested variance maintains the general intent of the Urban Hamilton Official Plan and Zoning By-law, is desirable for the appropriate use of the land and is minor in nature. Staff support the variance.

Based on the foregoing, staff are of the opinion that the requested variance meets the four tests of a minor variance. **Staff recommend approval.**



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**Zoning:**

Recommendation:	Comments Only
Proposed Conditions:	N/A
Comments:	N/A
Notes:	i) Should the above noted variance for the rear yard be approved the proposed porch will encroach 1.5 metres into the required rear yard and comply to Section 4.6 d).

**Development Engineering:**

Recommendation:	No Comments
Proposed Conditions:	N/A
Comments:	N/A
Notes:	N/A

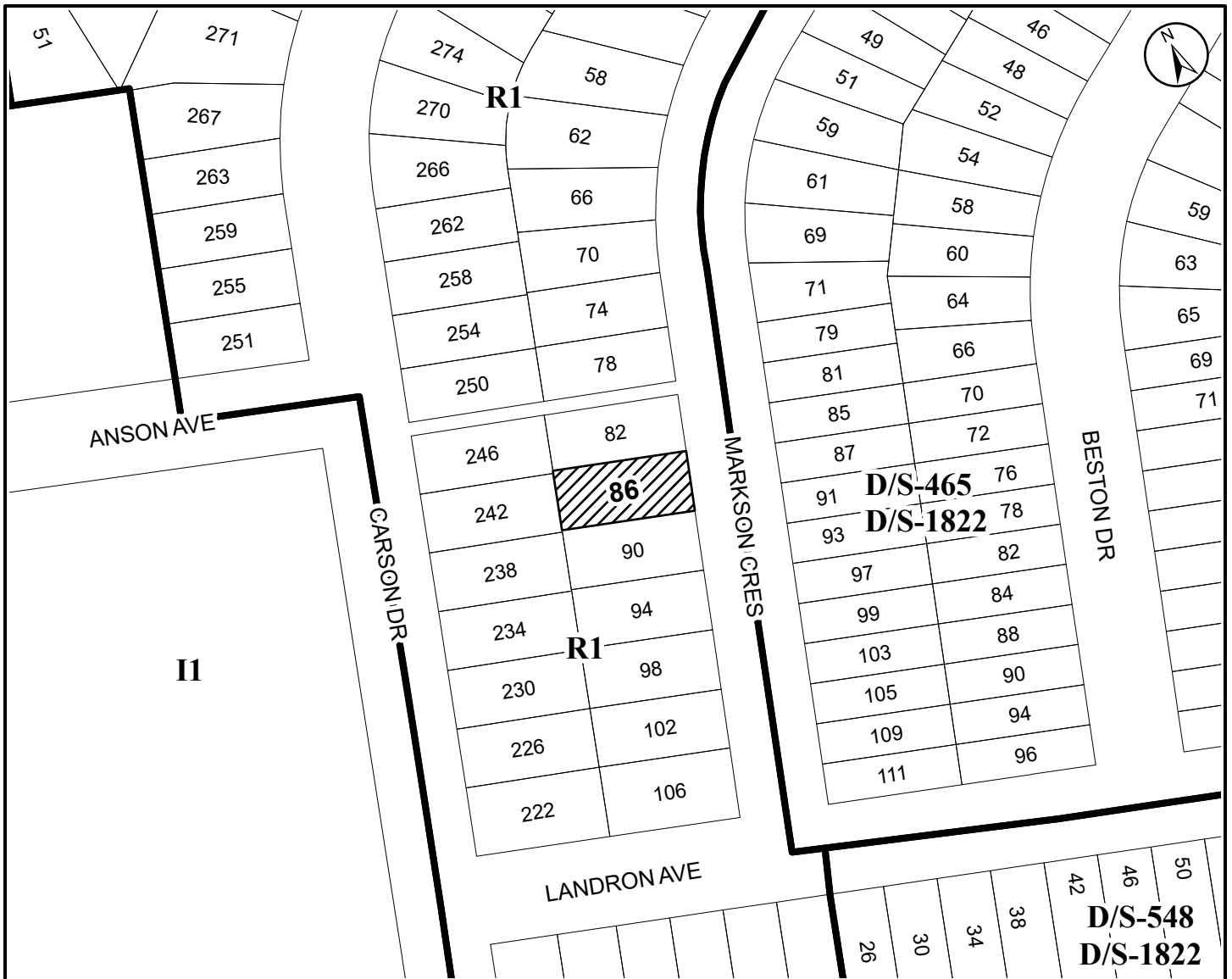
**Building Engineering:**

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	
Notes:	A building permit is required for the construction of the proposed porch in the rear yard of a residential dwelling.  Be advised that Ontario Building Code regulations may require specific setback and construction types.

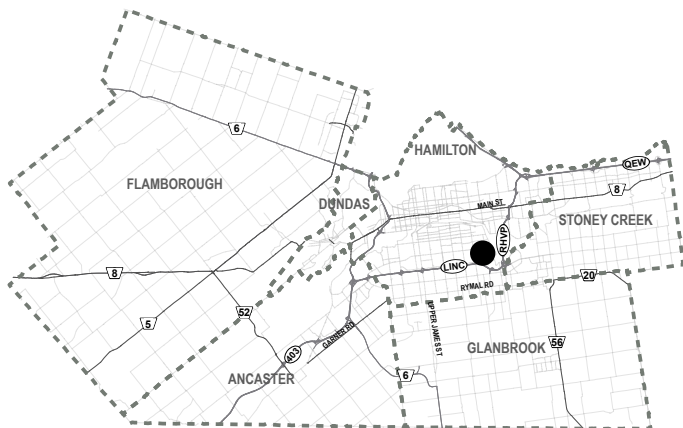
**Transportation Planning:**

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

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



● Site Location



**City of Hamilton**

## Committee of Adjustments

### Subject Property



86 Markson Crescent, Hamilton  
(Ward 6)

File Name/Number:  
A-24:221

Date:  
October 30, 2024

Technician:  
SH

Scale:  
N.T.S.

Appendix "A"



**Hamilton**