



Hamilton

STAFF COMMENTS

HEARING DATE: January 21, 2025

A-24:257 – 44 Bellstone Lane, Glanbrook

Recommendation:

Approve with Condition — Development Planning

Proposed Conditions:

1. That the requested variances generally apply as shown on the site sketch and plans in the Notice of Public Hearing for file A-24:257 being heard on January 21, 2025. Notwithstanding the foregoing, the proponent shall provide visual screening in the form of a privacy screen or mature landscaping between the proposed deck and the easterly rear lot line to mitigate potential privacy and overlook impacts on the adjacent lands, all to the satisfaction of the Director of Development Planning.

Proposed Notes:



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STAFF COMMENTS

HEARING DATE: January 21, 2025

Development Planning:

Background

The applicant is proposing a variance to facilitate the construction of a rear yard deck on a lot with an existing single detached dwelling.

The following variances are requested:

1. A deck shall be permitted to be located at a distance of 2.6m from the easterly rear lot line instead of the minimum 6.0m setback required.

Urban Hamilton Official Plan

The subject property is designated “Neighbourhoods” on Schedule E-1 of the Urban Hamilton Official Plan. Policy E.3.4.3 permits single-detached, semi-detached, duplex, triplex, fourplex and street townhouse dwellings. Based on the forgoing, the land use designation permits the existing single detached dwelling use.

North-West Glanbrook Secondary Plan

The subject lands are further designated “Low Density Residential 2” on Map B.5.3-1 – North-West Glanbrook Secondary Plan – Land Use Plan. In accordance with Policy B.1.5 a), Policy E.3.4.3 of Volume 1 shall apply for the purposes of permitted density ranges, built form, and height. Based on the forgoing the proposal complies with the North-West Glanbrook Secondary Plan.

Archeology:

No Comments.

Cultural Heritage:

No Comments

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

The subject property is zoned Low Density Residential (R1) Zone in Zoning By-law No. 05-200, which permits Single Detached Dwellings.

Analysis

Variance 1



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1. A deck shall be permitted to be located at a distance of 2.6m from the easterly rear lot line instead of the minimum 6.0m setback required.

The intent of the minimum setback provision is to allow for adequate spacing between neighbouring properties in order to reduce impacts related to drainage, privacy, and overlook. The required setback also ensures that amenity area is maintained within the rear yard. The proposal seeks to construct a rear covered deck attached at the rear of the existing single detached dwelling. Staff generally do not have concerns with the proposed variance given the context that there is an existing deck on the lands and does not appear to greatly impact the setback to the rear lot line. To mitigate potential privacy and overlook impacts staff propose that a condition be added that the privacy screening be extended or mature landscaping be provided along the easterly rear lot line. Through discussions with the applicant, they have provided additional details of the proposal detailing the rear façade and roof over the proposed deck. Staff are supportive of the proposed variance with the proposed condition.

Based on the forgoing, staff recommend that the application be **approved with a condition** as it maintains the general intent and purpose of the Official Plan and Zoning By-law, is minor in nature, and is desirable for the appropriate development of the subject lands.

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	N/A
Notes:	

Cultural Heritage:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	Archeology: No Comments. Cultural Heritage: No Comments
Notes:	

Development Engineering:

Recommendation:	Comments Only
Proposed Conditions:	



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Comments:	As long as Existing Drainage Patterns are maintained, Development Engineering supports the minor variance to reduce minimum rear yard to 2.6m.
Notes:	

Building Engineering:

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

Transportation Planning:

Recommendation:	Approve
Proposed Conditions:	
Comments:	
Notes:	

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

ArcGIS Web Map



1/10/2025, 1:03:11 PM

1:564

SWOOP 2020 NPCA

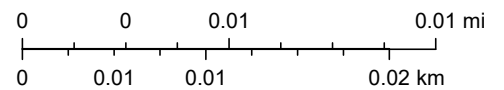
- Red: Band_1
- Green: Band_2
- Blue: Band_3
- Roads

Assessment Parcels

2K Hydrography

Niagara Region Ortho 2023

- Red: Red
- Green: Green
- Blue: Blue



WRIP Quaternary Watersheds (10K)

NPCA, Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Web AppBuilder for ArcGIS

From: [Kyle Riley](#)
To: [Committee of adjustment](#)
Subject: Attn: Jamila Sheffield NPCA: Planning Comments January 21, 2025 COA Agenda
Date: Monday, January 13, 2025 1:10:47 PM
Attachments: [Outlook-ot3vf1sx.png](#)
[44 Bellstone Lane Basemap.pdf](#)
[476 Book Road East Basemap.pdf](#)
[2187 Regional Road 56 Basemap.pdf](#)

External Email: Use caution with links and attachments

Hello Jamila,

The Niagara Peninsula Conservation Authority (NPCA) has reviewed the subject matter from Hamilton's January 21st, 2025 CofA Agenda, and offers the following comments.

The following Applications are within the regulation area of the NPCA.

A-24:257 44 Bellstone Lane -

The Applicants seek to construct a deck 2.6m from the easterly lot lines where a 6m setback is required.

There are currently no NPCA-regulated features which traverse the subject address. As such, we offer No Objections to the proposed development at this address.

Our Offices require no Planning fees for our comments on this file.

A-24:184 2187 Regional Road 56 -

The Applicants seek a Minor Variance to allow for the indoor and outdoor storage of recreation equipment, commercial motor vehicles, equipment and equipment accessories to motor vehicles, major recreational equipment, commercial motor vehicles, and indoor household goods.

As this Application does not involve site alteration or development and the proposed usage is not considered sensitive, the NPCA offers No Objections to this Proposal.

No Planning is required for our comments on this file.

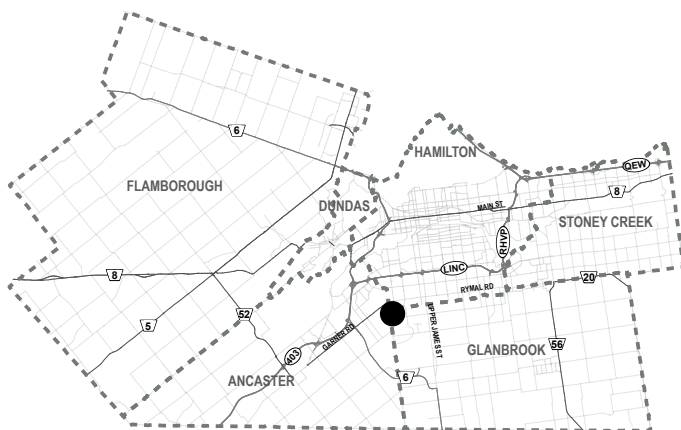
The NPCA advises the Applicant that the proposed development within the regulated area of NPCA features on-site will require a Permit before undertaking works.

A-24:258 476 Book Road East -

The Applicants are seeking to construct and expand the existing non-conforming



● Site Location



City of Hamilton

Committee of Adjustments

Subject Property



44 Bellstone Lane, Glanbrook
(Ward 11)

File Name/Number:
A-24:257

Date:
January 7, 2025

Technician:
SH

Scale:
N.T.S.

Appendix "A"



Hamilton