



Hamilton

STAFF COMMENTS

HEARING DATE: January 21, 2025

A-24:254 – 158 Sunnyridge Road, Ancaster

Recommendation:

Approve — Development Planning

Proposed Conditions:

Proposed Notes:

“Acknowledgement Note: The subject property has been determined to be an area of archaeological potential. It is reasonable to expect that archaeological resources may be encountered during any demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances. If archaeological resources are encountered, the proponent may be required to conduct an archaeological assessment prior to further impact in order to address these concerns and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. Mitigation, by an Ontario-licensed archaeologist, may include the monitoring of any mechanical excavation arising from this project. If archaeological resources are identified on-site, further Stage 3 Site-specific Assessment and Stage 4 Mitigation of Development Impacts may be required as determined by the Ontario Ministry of Citizenship and Multiculturalism (MCM). All archaeological reports shall be submitted to the City of Hamilton for approval concurrent with their submission to the MCM.

Should deeply buried archaeological materials be found on the property during any of the above development activities the MCM should be notified immediately (416-212-8886). In the event that human remains are encountered during construction, the proponent should immediately contact both MCM and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services (416-212-7499).” (Development Planning)



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Development Planning:

Background

The purpose of Minor Variance Application A-24:254 is to permit the construction of an accessory building within the rear yard of an existing single detached dwelling. Staff note there is an existing accessory building, labelled “Proposed Accessory 1” on the submitted site plan and the proposed accessory building is labelled “Proposed Accessory 2”.

Analysis

Greenbelt Plan

The subject lands are designated “Hamlet” and “Protected Countryside” under the Greenbelt Plan. The existing single detached dwelling and accessory structures are permitted.

Rural Hamilton Official Plan

The subject lands are identified as “Greenbelt Protected Countryside” in Schedule A – Provincial Plans of the Rural Hamilton Official Plan. The subject lands are designated “Rural Settlement Area” in Schedule D – Rural Land Use Designations of the Rural Hamilton Official Plan. Policy D.5.1.1, amongst others, is applicable and permits the existing single detached dwelling and accessory structures.

Jerseyville Rural Settlement Area

The subject lands are designated “Settlement Residential” in Volume 2: Map 3 – Jerseyville Rural Settlement Area Plan of the Rural Hamilton Official Plan. Policy 1.3.1 of Volume 2, amongst others, is applicable and permits the existing single detached dwelling.

Archeology:

The subject property meets three (3) of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential:

- 1) Within 250 metres of known archaeological sites;
- 2) Within 300 metres of a primary watercourse or permanent waterbody, 200 metres of a secondary watercourse or seasonal waterbody, or 300 metres of a prehistoric watercourse or permanent waterbody; and,
- 3) Along historic transportation routes.



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These criteria define the property as having archaeological potential. Accordingly, Section 2 (d) of the *Planning Act* and Section 4.6.2 of the Provincial Planning Statement apply to the subject application.

If this variance is granted, the City does not require an archaeological assessment, but the proponent must be advised in writing by the Committee of Adjustment as follows:

“Acknowledgement Note: The subject property has been determined to be an area of archaeological potential. It is reasonable to expect that archaeological resources may be encountered during any demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances. If archaeological resources are encountered, the proponent may be required to conduct an archaeological assessment prior to further impact in order to address these concerns and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. Mitigation, by an Ontario-licensed archaeologist, may include the monitoring of any mechanical excavation arising from this project. If archaeological resources are identified on-site, further Stage 3 Site-specific Assessment and Stage 4 Mitigation of Development Impacts may be required as determined by the Ontario Ministry of Citizenship and Multiculturalism (MCM). All archaeological reports shall be submitted to the City of Hamilton for approval concurrent with their submission to the MCM.

Should deeply buried archaeological materials be found on the property during any of the above development activities the MCM should be notified immediately (416-212-8886). In the event that human remains are encountered during construction, the proponent should immediately contact both MCM and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services (416-212-7499).”

Cultural Heritage:

The property known as 158 Sunnyridge Road is located within the Jerseyville Cultural Heritage Landscape.

Accordingly, sections B.3.4.1.3; B.3.4.2.1 (h); and B.3.4.6.2 of the Rural Hamilton Official Plan, Volume 1, apply.

The proponent proposes to construct an accessory building within the rear yard of an existing single detached dwelling.

Where new construction and/or alterations or additions to existing structures are proposed in a Cultural Heritage Landscape, key considerations are the visual and physical impacts on landscape



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features, typically public views of the building fabric, building set-back, the streetscape and significant vistas.

Notwithstanding that the subject property is within the Jerseyville Cultural Heritage Landscape, staff have reviewed the application and are of the opinion that the cultural heritage value of the landscape will be conserved. Staff have no further comments on the application as circulated.

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

The subject lands are zoned Settlement Residential (S1) Zone in City of Hamilton Zoning By-law No. 05-200. The existing single detached dwelling and accessory structure are permitted and the proposed accessory structure is permitted.

Variance 1

1. The maximum combined lot coverage of all buildings accessory to the single detached dwelling shall not exceed 63 square metres or 8.8% of the lot area, instead of the requirement that the maximum combined lot coverage of all accessory buildings shall not exceed 45 square metres or 7.5% of the lot area whichever is the lesser.

The intent of this provision is to ensure accessory structures remain subordinate in scale and function to the primary use and structure.

Staff note that the existing dwelling has a height of one storey and a ground floor area of approximately 299.61 square metres. The existing accessory structure (labelled "Proposed Accessory 1" on the submitted site sketch) has a ground floor area of 36.41 square metres and is one storey in height. The proposed accessory structure (labelled "Proposed Accessory 2") is to have a ground floor area of approximately 26 square metres (or 280 square feet) and a height of one storey. The combined area of both accessory buildings would be approximately 62.41 square metres.

Staff are of the opinion that both the individual size and cumulative size of the accessory buildings is significantly smaller than the existing dwelling and the accessory structures will remain subordinate in scale, function and character to the existing dwelling. Therefore, it is staff's opinion that the requested variance maintains the intent of the Rural Hamilton Official Plan and Zoning By-law, is desirable for the appropriate use or development of the land and is minor in nature. Staff support the variance.

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



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Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	Please note that no elevation drawings have been provided by the applicant to confirm the height of the proposed accessory building. The Zoning By-law permits a maximum height of 4.5m for an accessory building/structure. Based on the application, a maximum height of 3.04m is proposed. Additional variances may be required if compliance with Section 4.8(g) cannot be achieved.
Notes:	

Cultural Heritage:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	<p>Archeology:</p> <p>The subject property meets three (3) of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential:</p> <ol style="list-style-type: none"> 1) Within 250 metres of known archaeological sites; 2) Within 300 metres of a primary watercourse or permanent waterbody, 200 metres of a secondary watercourse or seasonal waterbody, or 300 metres of a prehistoric watercourse or permanent waterbody; and, 3) Along historic transportation routes. <p>These criteria define the property as having archaeological potential. Accordingly, Section 2 (d) of the Planning Act and Section 4.6.2 of the Provincial Planning Statement apply to the subject application.</p> <p>Cultural Heritage:</p> <p>The property known as 158 Sunnyridge Road is located within the Jerseyville Cultural Heritage Landscape.</p> <p>Accordingly, sections B.3.4.1.3; B.3.4.2.1 (h); and B.3.4.6.2 of the Rural Hamilton Official Plan, Volume 1, apply.</p> <p>The proponent proposes to construct an accessory building within the rear yard of an existing Single Detached Dwelling.</p> <p>Where new construction and/or alterations or additions to existing structures are proposed in a Cultural Heritage Landscape, key</p>



	<p>considerations are the visual and physical impacts on landscape features, typically public views of the building fabric, building set-back, the streetscape and significant vistas.</p> <p>Notwithstanding that the subject property is within the Jerseyville Cultural Heritage Landscape, staff have reviewed the application and are of the opinion that the cultural heritage value of the landscape will be conserved. Staff have no further comments on the application as circulated.</p>
Notes:	<p>If this variance is granted, the City does not require an archaeological assessment, but the proponent must be advised in writing by the Committee of Adjustment as follows:</p> <p>“Acknowledgement Note: The subject property has been determined to be an area of archaeological potential. It is reasonable to expect that archaeological resources may be encountered during any demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances. If archaeological resources are encountered, the proponent may be required to conduct an archaeological assessment prior to further impact in order to address these concerns and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. Mitigation, by an Ontario-licensed archaeologist, may include the monitoring of any mechanical excavation arising from this project. If archaeological resources are identified on-site, further Stage 3 Site-specific Assessment and Stage 4 Mitigation of Development Impacts may be required as determined by the Ontario Ministry of Citizenship and Multiculturalism (MCM). All archaeological reports shall be submitted to the City of Hamilton for approval concurrent with their submission to the MCM. Should deeply buried archaeological materials be found on the property during any of the above development activities the MCM should be notified immediately (416-212-8886). In the event that human remains are encountered during construction, the proponent should immediately contact both MCM and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services (416-212-7499).”</p>

Development Engineering:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	Provided the existing drainage pattern is maintained, Development Engineering has no comments or objections to the minor variances as proposed



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Notes:	
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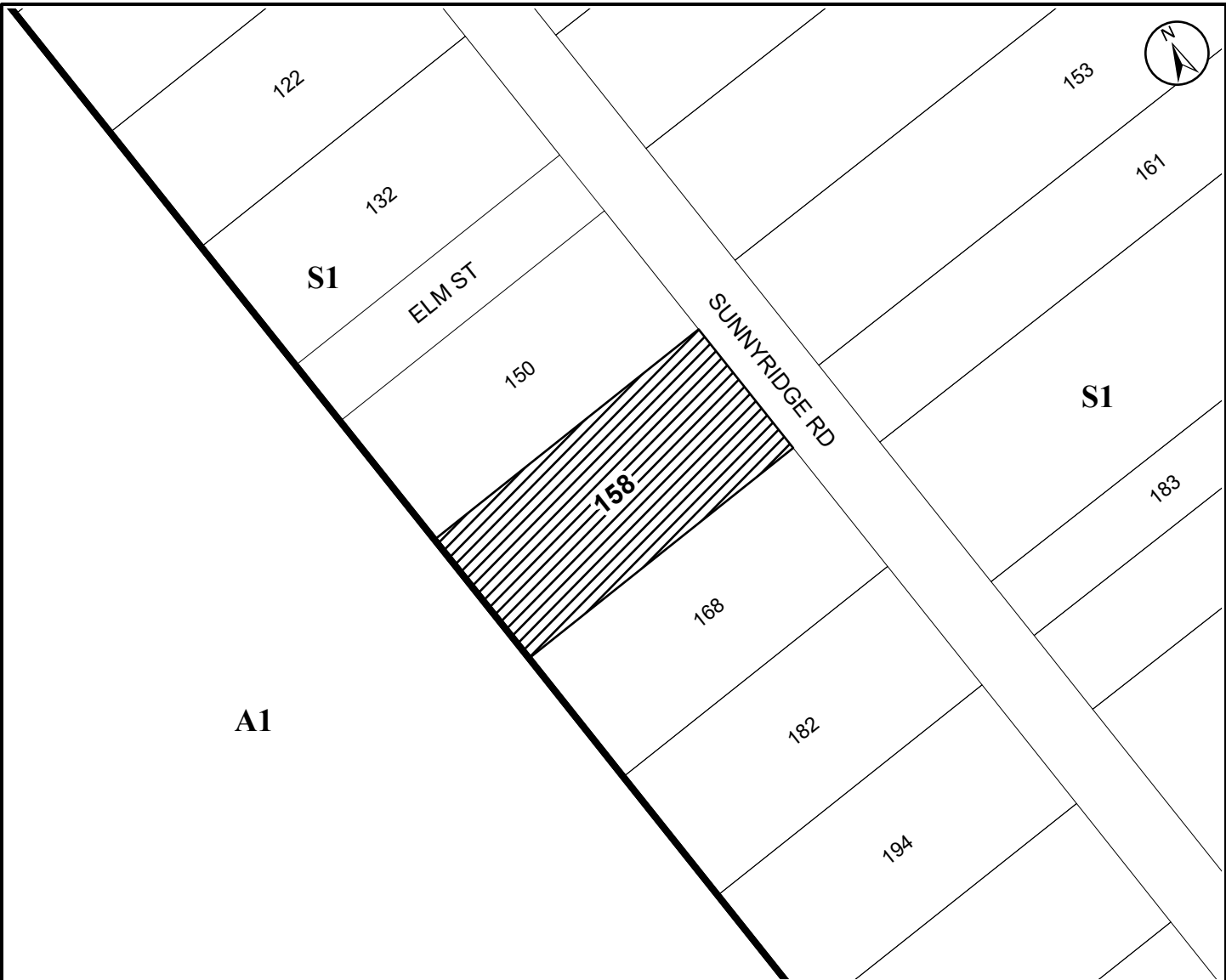
Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	
Notes:	<p>A building permit is required for the construction of the proposed accessory building within the rear yard of an existing Single Detached Dwelling.</p> <p>Be advised that Ontario Building Code regulations may require specific setback and construction types.</p>

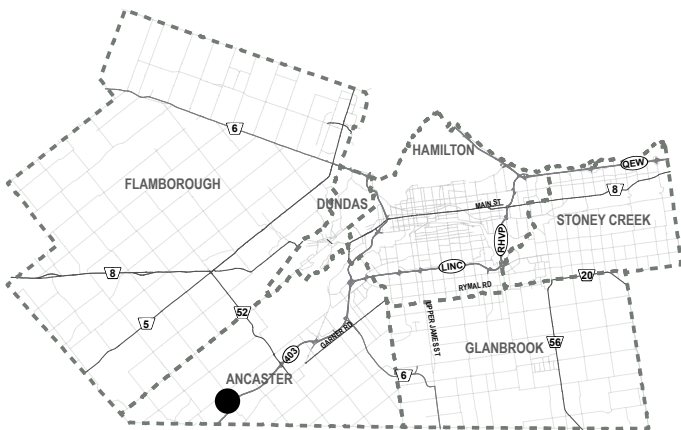
Transportation Planning:

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



158 Sunnyridge Road, Ancaster
(Ward 12)

File Name/Number:
A-24:254

Date:
January 6, 2025

Technician:
SH

Scale:
N.T.S.

Appendix "A"



Hamilton