



Hamilton

STAFF COMMENTS

HEARING DATE: February 13, 2025

A-24:277 — 126 Wilson Street East, Ancaster

Recommendation:

Approve — Development Planning

Proposed Conditions:

Proposed Notes:

A building permit is required for the construction of the proposed canopy addition.

Be advised that Ontario Building Code regulations may require specific setback and construction types. (Building Engineering)



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Development Planning:

Background

The purpose of the application is to permit the construction of a canopy feature at the front of the existing building.

The following variances are requested:

1. A minimum front yard setback of 10.9 metres shall be permitted for the proposed canopy feature instead of the minimum required front yard setback of 12.3 metres.

Urban Hamilton Official Plan

The subject property is designated “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations in the Urban Hamilton Official Plan. Policies E.3.2.3 d) and E.3.8.2 permit local commercial uses. The existing land use is permitted in the Neighbourhoods land use designation.

Ancaster Wilson Street Secondary Plan

The subject property is further designated “Low Density Residential 3” on Map B.2.8-1 – Ancaster Wilson Street Secondary Plan – Land Use Plan. The subject property is identified as being in a “Community Node Area” in Appendix A - Character Areas and Heritage Features, and Policy B.2.8.6 is applicable. Policy B.2.8.7.3 b) iii) allows small scale commercial uses including business and professional offices, medical office uses or clinics, day nursery, artist studios, funeral homes, and personal services. Based on the forgoing the existing land use is permitted.

Archaeological:

No comments.

Cultural Heritage:

No comments.

Ancaster Zoning By-law No. 87-57

The subject property is zoned as zoned Existing Residential “ER-225” Zone, Modified, in the Ancaster Zoning By-law No. 87-57. The “ER-225” Zone permits the use of Day Nursery subject to additional provisions. Based on the forgoing the existing land use is permitted in the “ER-225” Zone.

Analysis



Variance 1

1. A minimum front yard setback of 10.9 metres shall be permitted for the proposed canopy feature instead of the minimum required front yard setback of 12.3 metres.

The intent of the minimum front yard is to respect the setback of the existing building containing the Day Nursery use and the front lot line. The proposed reduction is to allow for a proposed canopy feature addition to the existing commercial building. The reduction will only occur for the canopy feature and is not proposed for the whole of the existing structure. Due to the Ancaster Zoning By-law No. 87-57 not containing provisions to allow a canopy feature as a permitted yard encroachment, this has required the variance for the required setback. The proposed reduction is 1.4 metres and as the variance is written is to apply to the canopy structure. In staff's opinion the proposed canopy will not generate impacts to neighbouring lands and is inline with the general character of the area.

Based on the forgoing analysis staff recommend the **approval** 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:	The minimum required front yard setback applicable to the principal building has been applied to the proposed canopy feature as Section 7.12 "Yard Encroachments" of Ancaster Zoning By-law 87-57 does not contain a provision to allow a canopy feature to encroach into a minimum required yard.
Notes:	

Development Engineering:

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

Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	



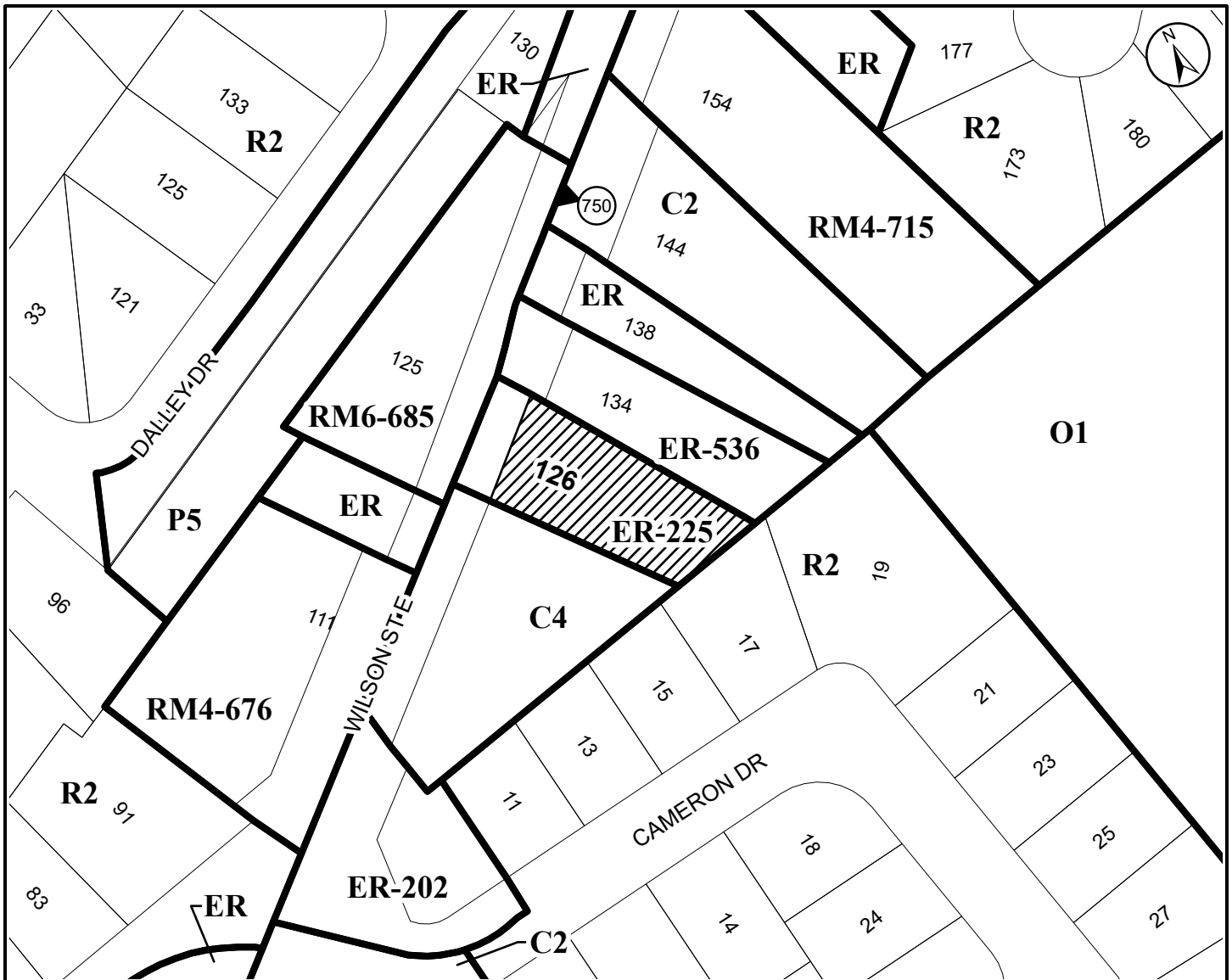
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Notes:	<p>Building Permit # 24T-6488, issued on October 22, 2024, for alterations to the existing child-care centre to construct a new interior partition remains not finalized.</p> <p>Building Permit # 24T-5263, issued on August 19, 2024, for interior alterations to install fire rated door and wall for storage room B01 in the basement at an existing child-care facility remains not finalized.</p> <p>A building permit is required for the construction of the proposed canopy addition.</p> <p>Be advised that Ontario Building Code regulations may require specific setback and construction types.</p>
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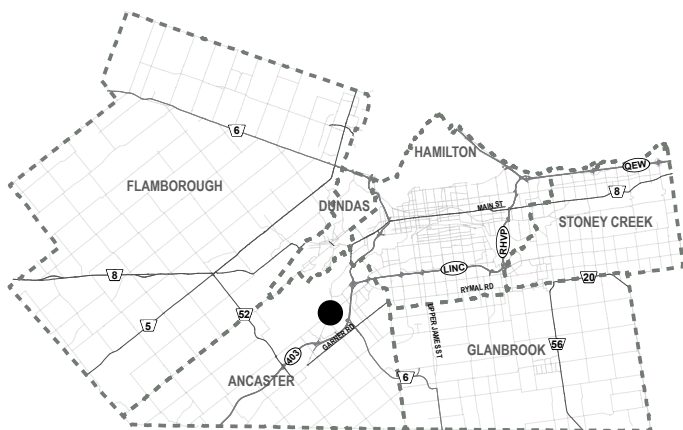
Transportation Planning:

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



126 Wilson Street East, Ancaster
(Ward 12)

File Name/Number:
A-24:277

Date:
February 6, 2025

Technician:
DR

Scale:
N.T.S.

Appendix "A"



Hamilton

Planning and Economic Development Department