



Hamilton

STAFF COMMENTS

HEARING DATE: March 27, 2025

A-25:027 — 39 Trailbank Gardens, Flamborough

Recommendation:

Deny — Development Planning

Proposed Conditions:

1. The Applicant would require a boulevard parking agreement for the additional required parking as a vehicle would not fit in a 4.2 metres long parking space. All to the satisfaction of the Manager, Transportation Planning

Proposed Notes:

A building permit is required for the conversion of the semi-detached single-family dwelling to contain a secondary dwelling unit. (Building Engineering)



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Development Planning:

Background

The purpose of Minor Variance application A-25:027 is to permit the establishment of a secondary dwelling unit within an existing semi-detached dwelling.

Urban Hamilton Official Plan

The subject lands are identified as “Neighbourhoods” on Schedule E – Urban Structure and are designated “Neighbourhoods” on Schedule E – 1 Urban Land Use Designations of the Urban Hamilton Official Plan. Policies E.3.2.3, amongst others, are applicable and permit the proposed additional dwelling unit and existing semi-detached dwelling.

Waterdown South Secondary Plan

The subject lands are identified as “Low Density Residential 3” on Map B.4.3-1- Land Use Plan Map of the Urban Hamilton Official Plan Waterdown South Secondary Plan. Policies 4.3.3.6, amongst others, are applicable and permit the existing semi-detached dwelling and proposed additional dwelling unit.

Town of Flamborough No. 90-145-Z

The subject lands are zoned Urban Residential (Semi-Detached & Link) (R4-6) Zone, Modified in the Town of Flamborough No. 90-145-Z. The existing semi-detached dwelling and proposed secondary dwelling unit are permitted.

Variance 1

12. To permit a minimum parking space length of 4.2 metres instead of the minimum required parking space length of 5.8 metres.

The intent of this provisions is to ensure on-site parking is large enough to accommodate a wide range of private vehicles.

Staff are concerned that the reduced length of the parking space would be insufficient to accommodate vast majority of vehicles, from smaller compact sedans to larger SUVs or pick-up trucks. Therefore, staff are of the opinion that the variance does not maintain the intent of the Zoning By-law, is not desirable for the appropriate use or development of the land and is not minor in nature.



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Based on the foregoing, staff are of the opinion that the requested variance does not meet the four tests of a minor variance. **Staff recommend denial but would support tabling the application to discuss alternatives with the applicant.**

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	<ol style="list-style-type: none"> 1. The variances have been written as requested by the applicant and do not satisfy the requirements of the Zoning By-law to facilitate the establishment of a Secondary Dwelling Unit within an existing Single Detached dwelling which was not existing as of May 12, 2021. 2. In accordance with Section 5.21.5(a) of the Zoning By-law, in all residential zones, required parking spaces shall be prohibited within the required front yard, except that a driveway within the required front yard which is provided for a single detached dwelling may be used to provide additional parking supplementary to the parking required in the Zoning By-law. Therefore, the parking space required for the Secondary Dwelling Unit is not permitted to be located within the required front yard. Further, as the parking space proposed to be provided for the Secondary Dwelling Unit will be partly located on the Trailbank Gardens road allowance and will require a boulevard parking agreement, such space is not counted as required parking for the purpose of applying the regulations of the Zoning By-law. 3. The variance requested to reduce the minimum required front yard landscaping from 50% to 26.12% is not required as Section 5.12.1(d) of the Zoning By-law does not apply to Single Detached Dwellings within a "R1-64" zone.
Notes:	

Development Engineering:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	Provided the existing drainage pattern is maintained, Development Approvals has no comments.
Notes:	

Building Engineering:



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STAFF COMMENTS

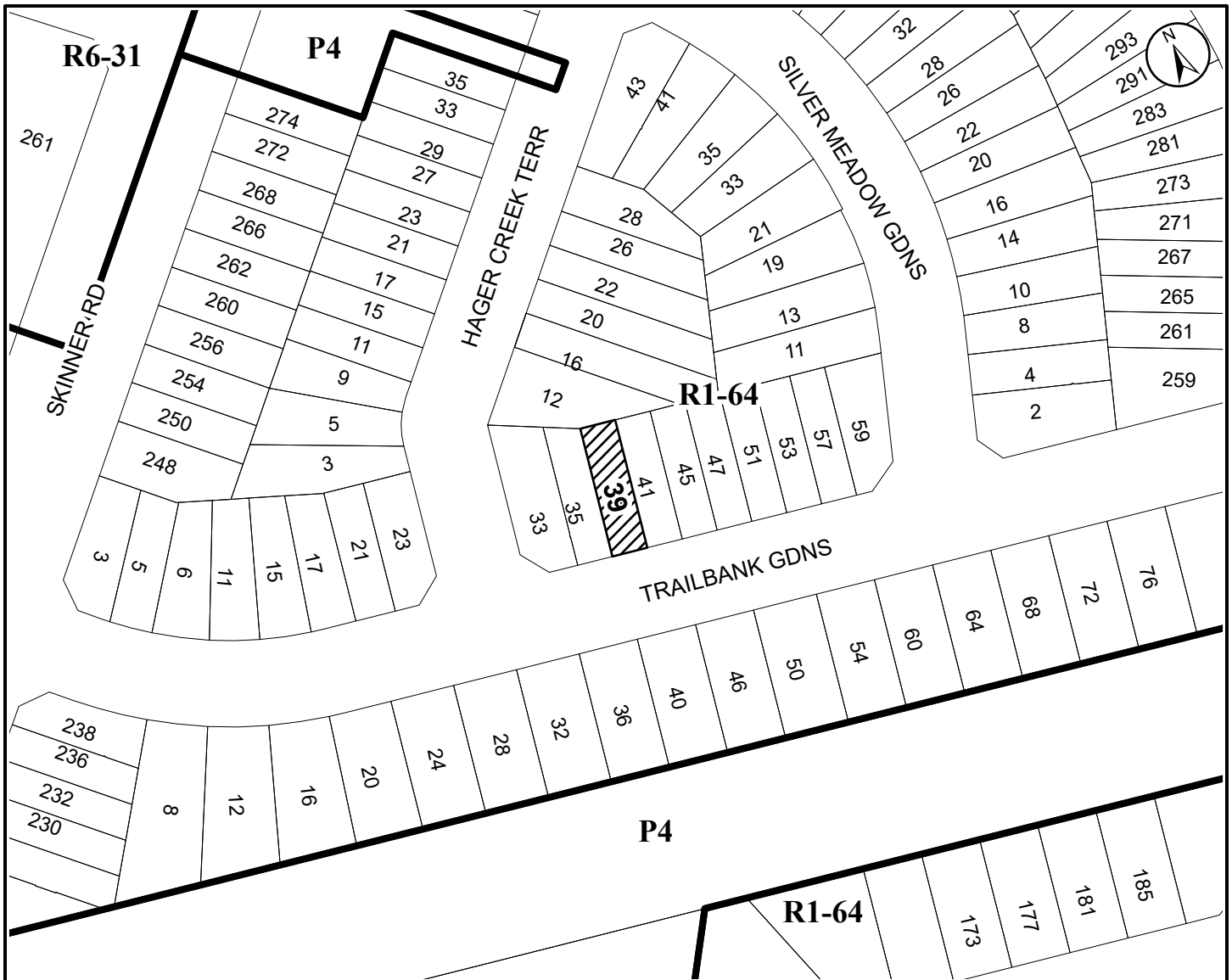
HEARING DATE: March 27, 2025

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	
Notes:	A building permit is required for the conversion of the semi-detached single-family dwelling to contain a secondary dwelling unit.

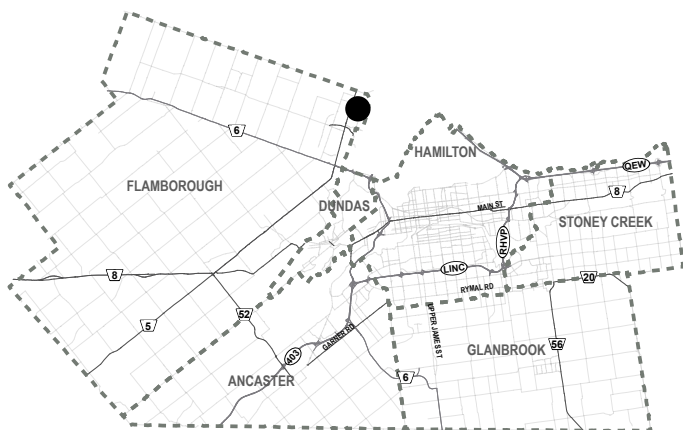
Transportation Planning:

Recommendation:	Approve with Conditions
Proposed Conditions:	The Applicant would require a boulevard parking agreement for the additional required parking as a vehicle would not fit in a 4.2 metres long parking space. All to the satisfaction of the Manager, Transportation Planning
Comments:	Additional details regarding the Residential Boulevard Parking Agreement can be found at: https://www.hamilton.ca/sites/default/files/2025-01/parking-residential-driveway-blvd-parking-requirements-2025.pdf
Notes:	

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



● Site Location



City of Hamilton

Committee of Adjustments

Subject Property



39 Trailbank Gardens,
Flamborough (Ward 15)

File Name/Number:
A-25:027

Date:
March 17, 2025

Technician:
DR

Scale:
N.T.S.

Appendix "A"



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Planning and Economic Development Department