



Hamilton

STAFF COMMENTS

HEARING DATE: May 29, 2025

A-25:085 — 29 Wiltshire Place, Ancaster

Recommendation:

Approve — Development Planning

Proposed Conditions:

Proposed Notes:

A building permit is required for the construction of the proposed canopy at the rear of the existing single-family dwelling.

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

MCFN's Department of Consultation and Accommodation (DOCA) have no questions or comments for you at this time. This does not indicate a position of support for the project, that the Duty to Consult and Accommodate the MCFN has been met, or that there are no adverse impacts to the MCFN's Indigenous and Treaty Rights.

DOCA expects to be notified of any and all future project updates and/or changes. Additionally, DOCA must be notified of, invited to participate in, and provided the opportunity to review any environmental and/or archaeological assessments. At its discretion, DOCA may request capacity funding from the proponent for its consultation and engagement activities relating to the project. (Mississaugas of the Credit First Nation)



Hamilton

Development Planning:

Background

The purpose of Minor Variance application A-25:085 is to permit the construction of a canopy attached to the rear of the existing single detached dwelling to cover an existing rear yard patio.

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.3.4.3, amongst others, are applicable and permit 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 the City of Hamilton Zoning By-law No. 05-200. The existing single detached dwelling is a permitted use.

Variance 1

1. A canopy, including eaves and gutters may encroach a maximum of 3.65 metres into the required rear yard instead of the maximum permitted encroachment of 1.5 metres.

The intent of this provision is to maintain sufficient separation between a canopy and the property line to prevent encroachment and stormwater drainage conflicts. Staff defer to Development Engineering regarding stormwater drainage or grading concerns.

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 or development of the land and is minor in nature. Provided that Development Engineering has no concerns, 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.**

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	Variance #1 shall be revised to include the word ‘deck’ and shall now read as follows: ‘A deck or canopy, including eaves and gutters may encroach a maximum of 3.65 metres into the required rear yard instead of the maximum permitted encroachment of 1.5 metres.’



Hamilton

Notes:	
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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.
Notes:	

Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	
Notes:	A building permit is required for the construction of the proposed canopy at the rear of the existing single-family dwelling. Be advised that Ontario Building Code regulations may require specific setback and construction types.

Transportation Planning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

Mississaugas of the Credit First Nation:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	MCFN's Department of Consultation and Accommodation (DOCA) have no questions or comments for you at this time. This does not indicate a position of support for the project, that the Duty to Consult and Accommodate the MCFN has been met, or that there are no adverse impacts to the MCFN's Indigenous and Treaty Rights. DOCA expects to be notified of any and all future project updates and/or changes. Additionally, DOCA must be notified of, invited to participate in,



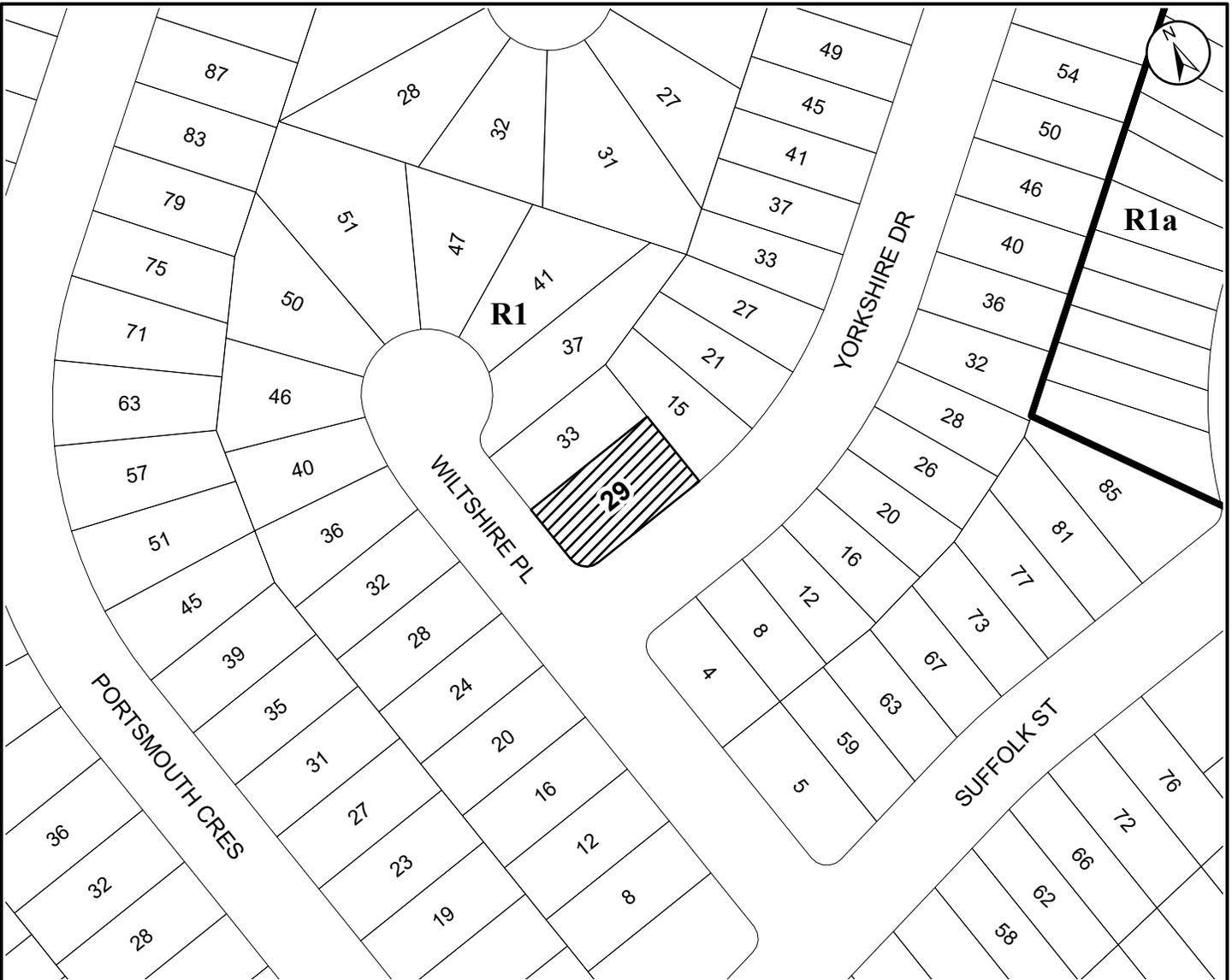
Hamilton

STAFF COMMENTS

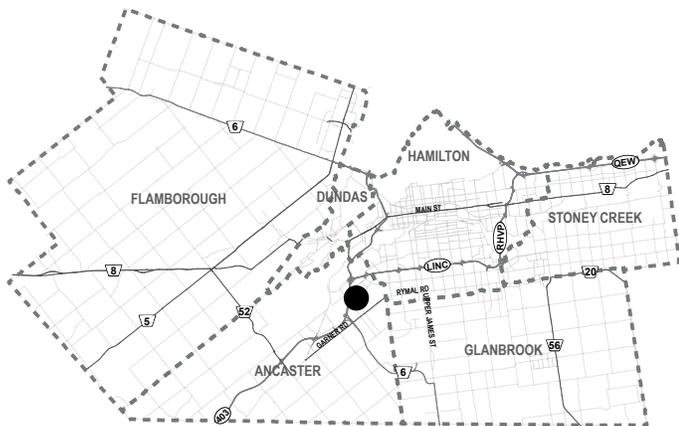
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	and provided the opportunity to review any environmental and/or archaeological assessments. At its discretion, DOCA may request capacity funding from the proponent for its consultation and engagement activities relating to the project.
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Please Note: Public comment will be posted separately, if applicable.



● Site Location



City of Hamilton

Committee of Adjustments

Subject Property



29 Wiltshire Place, Ancaster
(Ward 12)

File Name/Number:
A-25:085

Date:
May 21, 2025

Technician:
DR

Scale:
N.T.S.

Appendix "A"



Hamilton