



Hamilton

**STAFF COMMENTS**

**HEARING DATE: May 29, 2025**

A-25:026 — 505 Glover Road, Stoney Creek

**Recommendation:**

Approve variances 1–3 with the proposed condition. — Development Planning

**Proposed Conditions:**

1. That the proposed variances generally apply to the Site Sketch package titled P1.2-P3.2 and dated February 3, 2025, found in the Notice for Public Hearing for file A-25:026 (505 Glover Road) being heard on May 29, 2025, to the satisfaction of the Director of Development Planning.

**Proposed Notes:**

A building permit is required for the construction of the proposed accessory building at the rear.

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)



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## **Development Planning:**

### **Background**

The purpose of the application is to facilitate the construction of a 44.4 m<sup>2</sup> accessory building at the rear of the property.

Staff note that this application was tabled prior to the March 27, 2025, hearing based on staff's recommendation to the committee to deny the application due to discrepancies in the distances between the side yards and the calculation of the lot area. Staff have since received updated plans from the applicant that detail the true area of the lot and the applicant has provided additional setbacks to the required yards for the proposed accessory building. The accessory building has also been reduced in size.

The following **variances are requested**:

1. A Rear Yard Setback of 0.9 metres shall be provided instead of the minimum required Rear Yard setback of 1.2 metres.
2. A Flankage Yard Setback of 2.85 metres shall be provided instead of the minimum required Flankage Yard setback of 3.0 metres.
3. A maximum lot coverage of 37.2% shall be provided instead of the maximum required Lot Coverage of 35%.

### **Urban Hamilton Official Plan and Urban Lakeshore Area Secondary Plan**

The subject property is designated "Neighbourhoods" on Schedule E-1 of the Urban Hamilton Official Plan. Policy E.3.2.3 a) permits residential dwellings, including second dwelling units and housing with supports. Policy E.3.4.3 a) permits single detached, semi detached, duplex, triplex, fourplex, and street townhouse dwellings. Based on the forgoing policies, single detached dwellings are permitted.

The subject property is further designated "Low Density Residential 2b" on Map B.7.3-1 – Urban Lakeshore Area 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 Urban Lakeshore Area Secondary Plan.

### **Archaeology**

The subject property meets four (4) of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential:



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- 1) 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;
- 2) In an area of sandy soil in areas of clay or stone;
- 3) In areas of pioneer Euro-Canadian settlement; and
- 4) Along historic transportation routes.

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.

## Cultural Heritage

No comments

## City of Hamilton Zoning By-law 05-200

The subject property is zoned “R2” (Low Density Residential – Large Lot) in the City of Hamilton Zoning By-law No. 05-200. The R2 zone permits the existing Single Detached Dwelling.

## Analysis

### Variance 1 & 2

1. A Rear Yard Setback of 0.9 metres shall be provided instead of the minimum required Rear Yard setback of 1.2 metres.
2. A Flankage Yard Setback of 2.85 metres shall be provided instead of the minimum required Flankage Yard setback of 3.0 metres.

The intent of the above provisions is to ensure that there is an adequate required yard setback to facilitate the permitted uses in the R2 Zone. The required yard also provides space for access and maintenance and grading/drainage. Based on staff’s analysis of the proposed variances, staff are of the opinion that the proposed decrease in rear yard and flankage yard setbacks are minor, as staff do not foresee adverse impacts being generated through the proposed decrease. Staff note that the applicant has revised the proposal to provide a minimum 0.9 metre rear yard setback to ensure sufficient area for drainage and access for maintenance. Through the submitted minor variance sketch and package, the applicant has demonstrated that the proposed configuration of the accessory structure is in character with the area and that the required yard setbacks will not generate concerns with privacy and overlook or massing. Staff defer concerns relating to drainage to Development Engineering Staff. Based on the forgoing analysis **staff are supportive of the proposed variances 1 & 2** as they meet the four tests of a minor variance under the *Planning Act*.

### Variance 3



- 3. A maximum lot coverage of 37.2% shall be provided instead of the maximum required Lot Coverage of 35%.

The intent of the above provision is to ensure that the uses/structures on the site do not exceed 35% of the area of the lot, leading to concerns of overdevelopment on a lot. Based on staff's analysis of the proposed variance, staff are of the opinion that the proposed increase in maximum lot coverage from 35% to 37.2% an increase of 2.2% or approximately 16.21 square metres is minor, as staff do not foresee adverse impacts being generated through the proposed increase in lot coverage. Through the submitted minor variance sketch and package, the applicant has demonstrated that the lot configuration is able to support the proposed increase and is appropriate as no adverse impacts are anticipated to neighboring properties. Based on the forgoing analysis **staff are supportive of variance 3** as it meets the four tests of a minor variance under the *Planning Act*.

Based on the forgoing analysis **staff recommend the approval of variances 1-3 with the proposed condition** as they maintain the general intent and purpose of the Official Plan and Zoning By-law, are minor in nature and are desirable for the appropriate development of the subject lands.

**Zoning:**

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

**Development Engineering:**

Recommendation:	Approve
Proposed Conditions:	
Comments:	The 0.9 meter set back is consistent with the City's Lot Grading Policy.
Notes:	

**Building Engineering:**

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



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**Transportation Planning:**

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

**Ministry of Transportation:**

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	<p>The Ministry has no issues with the proposed minor variances. However, the proponent must be aware that the property is located within the Ministry's permit control area and therefore requires a Ministry Building and Land Use permit.</p> <p>Please ensure that the following documents are uploaded with the application:</p> <ul style="list-style-type: none"> <li>• Site Plan</li> <li>• Architectural Drawing</li> </ul> <p>No construction or grading is to commence before the permit has been approved and issued by the Ministry.</p> <p>The proponent may submit an application through the following link: <a href="https://www.hcms.gov.on.ca">HCMS - Apply for a permit - Application for Building and Land Use permit (gov.on.ca)</a></p>
Notes:	

**Mississaugas of the Credit First Nation:**

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	<p>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.</p> <p>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,</p>



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**HEARING DATE: May 29, 2025**

	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.

## Danelski, Alexander

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**From:** Boucetta, Alexandra (MTO) <Alexandra.Boucetta@ontario.ca>  
**Sent:** Friday, May 16, 2025 2:59 PM  
**To:** Committee of adjustment  
**Subject:** RE: May 29, 2025 COA Agenda Available - 505 Glover Road, Stoney Creek  
**Attachments:** 505 Glover Road, Stoney Creek.docx

**External Email:** Use caution with links and attachments

Good day, Jamila,

### Re: 505 Glover Road, Stoney Creek

The Ministry has no issues with the proposed minor variances. However, the proponent must be aware that the property is located within the Ministry's permit control area and therefore requires a Ministry Building and Land Use permit.

Please ensure that the following documents are uploaded with the application:

- Site Plan
- Architectural Drawing

No construction or grading is to commence before the permit has been approved and issued by the Ministry.

The proponent may submit an application through the following link: [HCMS - Apply for a permit - Application for Building and Land Use permit \(gov.on.ca\)](#)

Thank you,

#### Alexandra Boucetta

Corridor Management Officer | Corridor Management, Central Region West | Operations Division  
Ministry of Transportation | Ontario Public Service  
416-816-4719 | [alexandra.boucetta@ontario.ca](mailto:alexandra.boucetta@ontario.ca)



*Taking pride in strengthening Ontario, its places and its people*

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**From:** Committee of adjustment <cofa@hamilton.ca>  
**Sent:** Monday, May 12, 2025 10:23 AM  
**To:** Committee of adjustment <cofa@hamilton.ca>  
**Subject:** May 29, 2025 COA Agenda Available

**CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.**

Good Afternoon,

## Danelski, Alexander

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**From:** Mikiya Hobbs <mhobbs@conservationhamilton.ca>  
**Sent:** Wednesday, May 21, 2025 12:20 PM  
**To:** Committee of adjustment  
**Subject:** May 29th COA - HCA Comments for A-25:026 - 505 Glover Road

**External Email:** Use caution with links and attachments

Hello,

Thank you for circulating the Hamilton Conservation Authority (HCA) with the Minor Variance Application A-25:026 for 505 Glover Road, Stoney Creek. HCA staff have reviewed the information provided in accordance with HCA's plan review and regulatory responsibilities under the *Conservation Authorities Act* and provide the following comments.

HCA understands that the following variances are requested to facilitate the construction of an accessory building at the rear of the property:

1. A Rear Yard Setback of 0.9 metres shall be provided instead of the minimum required Rear Yard setback of 1.2 metres.
2. A Flankage Yard Setback of 2.85 metres shall be provided instead of the minimum required Flankage Yard setback of 3.0 metres.
3. A maximum lot coverage of 37.2% shall be provided instead of the maximum required Lot Coverage of 35%.

The subject property is 0.07 ha in size and is located near the Lake Ontario Shoreline. The subject property is not regulated by HCA pursuant to *Ontario Regulation 41/24 (Prohibited Activities, Exemptions, and Permits)* and the *Conservation Authorities Act, R.S.O.1990*.

Please note that HCA recently completed a Shoreline Management Plan for Lake Ontario and Hamilton Harbour. The plan provides new information and recommendations regarding shoreline related to dynamic beach, flooding and erosion hazards. This includes an updated 100-year flood level of 76.2m (IGLD85) and shoreline erosion rate of 0.5m per year, which are used to determine flooding and erosion hazard limits. The identification of updated hazard limits may impact the development potential on the subject property. HCA staff are considering how to incorporate the SMP's recommendations and information into updates to policies and standards. Until such time as new policies or standards are approved, any application for development on the shoreline will be considered in accordance with HCA's existing policies and requirements.

Based on the above, HCA would have no concerns with approval of the requested minor variances. If you have any questions regarding the above, please let me know.

Thank you,

### Mikiya Hobbs

Planner, Watershed Management Services  
Hamilton Conservation Authority  
838 Mineral Springs Road, P.O. Box 81067  
Ancaster, ON L9G 4X1

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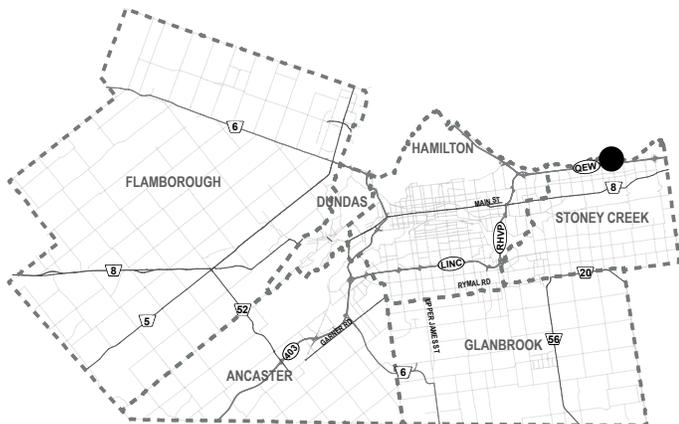


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● Site Location



**City of Hamilton**

**Committee of Adjustments**

**Subject Property**



505 Glover Road, Stoney Creek  
(Ward 10)

File Name/Number:

A-25:026

Date:

May 9, 2025

Technician:

RS

Scale:

N.T.S.

Appendix "A"



**Hamilton**