



A-25:129 — 17 Ebenezer Drive, Flamborough

Recommendation:

Deny — Development Planning
Deny — Transportation Planning

Proposed Conditions:

Proposed Notes:

A building permit is required for the conversion of the existing single-family dwelling to a proposed two-family dwelling. (Building Engineering)

The Ontario Building Code requires a clear height of 1.95m under beams and ducting in basement units. (Building Engineering)

Development Planning:

Background

The purpose of Minor Variance application A-25:129 is to permit the construction of a Secondary Dwelling Unit in the basement of an existing semi-detached dwelling.

Analysis

Urban Hamilton Official Plan

The subject property is designated “Neighbourhoods” on Schedule E and Schedule E-1 of the Urban Hamilton Official Plan. Policy E.3.4.3 a) permits single detached, semi detached, duplex, triplex, fourplex, and street townhouse dwellings. Policy E.3.2.3 permits additional dwelling units. Based on the forgoing policies, the existing semi-detached dwelling and proposed additional dwelling unit is permitted.

Waterdown South Secondary Plan

The subject property is designated “Low Density Residential 3” on Land Use Map B.4.3-1 of the Waterdown South Secondary Plan. Policy B.4.3.3.6 a) permits semi-detached dwellings. The existing semi-detached dwelling is a permitted use.

Town of Flamborough Zoning By-law No. 90-145-Z

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

Variances 1 and 2

1. A minimum parking space length of 4.5 metres shall be provided instead of the minimum required parking space length of 5.8 metres.
2. Tandem parking shall be permitted for a Secondary Dwelling Units parking space whereas the by-law prohibits tandem parking for separate dwelling units.

The intent of these provisions is to ensure that on site parking is large enough to accommodate a wide range of private vehicles and that there is sufficient space for tenants to access their vehicles.

Staff are concerned that the reduced width of the parking spaces would be insufficient to accommodate most vehicles, including larger vehicles such as pickup trucks in the driveway. Additionally, staff are concerned that tenants will not have adequate means of ingress and egress to and from the street without the necessity of moving any other motor vehicle. Also, staff have concerns that the proposed parking location would require an additional minor variance to permit a reduced landscaped area in the front yard to accommodate the additional space.



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STAFF COMMENTS

HEARING DATE: August 14, 2025

Staff are of the opinion that the requested variances do not maintain the general intent and purpose of the Urban Hamilton Official Plan and Zoning By-law, are not desirable for the appropriate use of the land, and are not minor in nature. Staff do not support the variances.

Based on the foregoing, staff are of the opinion that the requested variances do not meet the four tests of a minor variance. **Staff recommend denial.**

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	N/A
Comments:	<p>i) The R4-6 zone has already notwithstood General Provision 5.12.1 d) therefore no variance is required for the front yard landscaping.</p> <p>ii) Based off review of building permit the rear walkout basement is 0.15m from grade and therefore does not need to comply with the encroachment requirements.</p> <p>iii) Please note the Semi-detached dwelling only requires 1 parking space and the Secondary Dwelling Unit only required 1 parking space.</p>
Notes:	N/A

Development Engineering:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	
Notes:	<p>A building permit is required for the conversion of the existing single-family dwelling to a proposed two-family dwelling.</p> <p>The Ontario Building Code requires a clear height of 1.95m under beams and ducting in basement units.</p>

Transportation Planning:



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STAFF COMMENTS

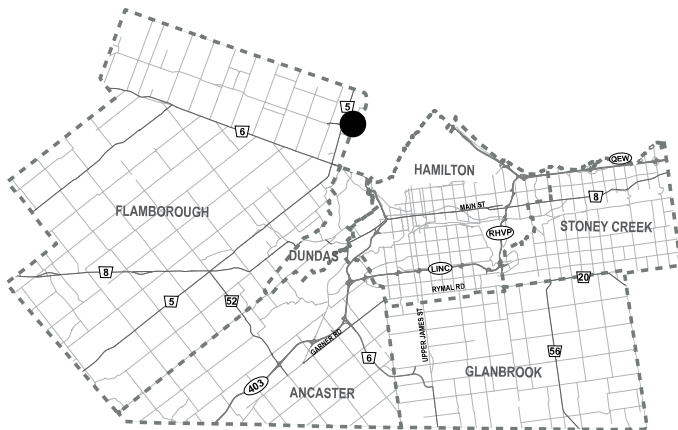
HEARING DATE: August 14, 2025

Recommendation:	Deny
Proposed Conditions:	
Comments:	<p>Transportation Planning recommend denial of proposed Variance #1 <i>A minimum parking space length of 4.5 meters shall be provided instead of the minimum required parking space length of 5.8 meters.</i></p> <p>City of Hamilton Zoning By-law allows for compact car parking spaces to be as small as 2.6 metres wide by 5.5 metres long. Ebenezer Drive has a municipal sidewalk, with a parking space as small as 4.56 metre long, the vehicle may overhang onto the sidewalk and prevent a clear path for pedestrians, including any pedestrians with mobility issues. Additionally, the proposed Variance will require the removal of a Municipal Street tree to maneuver in/out of the new parking space.</p>
Notes:	

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



● Site Location



City of Hamilton

Committee of Adjustments

Subject Property



17 Ebenezer Drive, Flamborough
(Ward 15)

File Name/Number:
A-25:129

Date:
July 29, 2025

Technician:
RS

Scale:
N.T.S.

Appendix "A"



Hamilton

Planning and Economic Development Department