



Hamilton

STAFF COMMENTS

HEARING DATE: September 25, 2025

A-25:141 — 62 Genoa Drive, Hamilton

Recommendation:

Variances 1 and 2 are not required with the removal of the parking space in the garage,
- Variance 3 - approve with conditions — Development Planning

Proposed Conditions:

1. That the variances be implemented in accordance with the site plan prepared by Noble Prime Solutions LTD, dated June 19, 2025 submitted with the application, to the satisfaction of the Director of Development Planning.
2. That a minimum of 50% of the gross area of the front yard be maintained as landscaped area, as shown on the submitted site plan prepared by Noble Prime Solutions LTD, dated June 19, 2025, to the satisfaction of the Director of Development Planning.

Proposed Notes:

A building permit is required for the construction of the proposed secondary dwelling unit. (Building Engineering)

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

“Caution: Notwithstanding current surface conditions, the property has been determined to be an area of archaeological potential. Although an archaeological assessment is not required by the City of Hamilton, the proponent is cautioned that during development activities, should deeply buried archaeological materials be found on the property the Ontario Ministry of Citizenship and Multiculturalism (MCM) should be notified immediately (416-212-8886). In the event that human remains are encountered during construction, the proponent should immediately contact both MCM and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services (416-212-7499).” (Development Planning)



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Development Planning:

Background

The purpose of Minor Variance application A-25:141 is to permit alterations to the existing front yard and parking conditions for the existing semi-detached dwelling.

Analysis

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. Policy E.3.4.3, amongst others, is applicable and permits the existing semi-detached dwelling and proposed additional dwelling unit.

Ryckmans Neighbourhood Plan

The subject lands are identified as “Single and Double” on Map 7508 of the Ryckmans Neighbourhood Plan.

Archaeology

The subject property meets one (1) of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential:

- 1) Within 250 metres of known archaeological sites.

This criterion defines 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.

If this variance is approved, the proponent must be advised by the Committee of Adjustment as follows:

“Caution: Notwithstanding current surface conditions, the property has been determined to be an area of archaeological potential. Although an archaeological assessment is not required by the City of Hamilton, the proponent is cautioned that during development activities, should deeply buried archaeological materials be found on the property the Ontario Ministry of Citizenship and Multiculturalism (MCM) should be notified immediately (416-212-8886). In the event that human remains are encountered during construction, the proponent should immediately contact both MCM and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services (416-212-7499).”

Cultural Heritage

No comments.



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Former City of Hamilton Zoning By-law No. 6593

The subject lands are zoned “D/S-1801” (Urban Protected Residential – One and Two Family Dwellings, etc.) District, Modified and “D/S-1822” (Urban Protected Residential – One and Two Family Dwellings, etc.) District, Modified in Former City of Hamilton Zoning By-law No. 6593. The existing semi-detached dwelling and proposed additional dwelling unit are permitted.

Variance 1

1. One parking space (serving the existing dwelling) may be obstructed by another parking space (serving the existing dwelling) instead of each parking space being unobstructed and freely and readily accessible.

The intent of this provision is to prevent parking spaces from blocking or interfering with the normal use of other parking spaces.

Based on discussion with Zoning staff, only one parking space is required for the existing semi-detached dwelling. Development Planning recommends that the required parking space be illustrated in the garage and that the second parking space shown on the driveway be removed as it is not a required parking space. As submitted, Development Planning staff cannot support the proposed minor variance. Once the parking space is removed from the site plan, this variance is no longer required and will not restrict the use of the driveway for parking.

Variance 2

2. One parking space (serving the existing dwelling) shall be permitted to be located in the required front yard notwithstanding a parking space is not permitted to be located within a required front yard in a Residential Zone.

The intent of this provision is to maintain the character of residential neighbourhoods by ensuring that required front yards are not used for parking areas. Section 18 of Zoning By-law No. 6593 expressly prohibits the use of required front yards for parking in Residential Districts.

Based on discussion with Zoning staff, only one parking space is required for the existing semi-detached dwelling. Development Planning recommends that the required parking space be illustrated in the garage and that the second parking space shown on the driveway be removed as it is not a required parking space. As submitted, Development Planning staff cannot support the proposed minor variance. Once the parking space is removed from the site plan, this variance is no longer required and will not restrict the use of the driveway for parking.

Variance 3

3. No parking spaces shall be required for a Secondary Dwelling Unit instead of the minimum of one space required per Secondary Dwelling Unit.

The intent of this provision is to ensure that new secondary dwelling units do not result in parking shortages within residential areas.



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However, provincial and municipal policy directions encourage the development of secondary dwelling units and support reducing or eliminating parking requirements as a barrier to constructing additional housing units. The subject property can accommodate two off street parking spaces for the main dwelling and is located in close proximity to Upper James Street, where there is access to transit and commercial uses.

Staff are of the opinion that Variance 3 maintains the intent of the Urban Hamilton Official Plan and Zoning By-law, is desirable for the appropriate use of the land, and is minor in nature. Staff support the variance.

Staff note that Variances 1 and 2 are not required, as only one parking space within the garage is required for the existing dwelling. The additional driveway space shown on the drawings is surplus and unnecessary from a Zoning perspective. Staff recommend that it be removed from the submitted drawings. Staff are unable to support Variances 1 and 2. Variance 3 maintains the general intent and purpose of the Urban Hamilton Official Plan and Zoning By-law, is desirable for the appropriate use of the land, and is minor in nature.

Based on the foregoing analysis, staff recommend that Variance 3 be approved, subject to the conditions outlined above.

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	Requested variances are required to facilitate the construction of a proposed Secondary Dwelling unit
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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STAFF COMMENTS

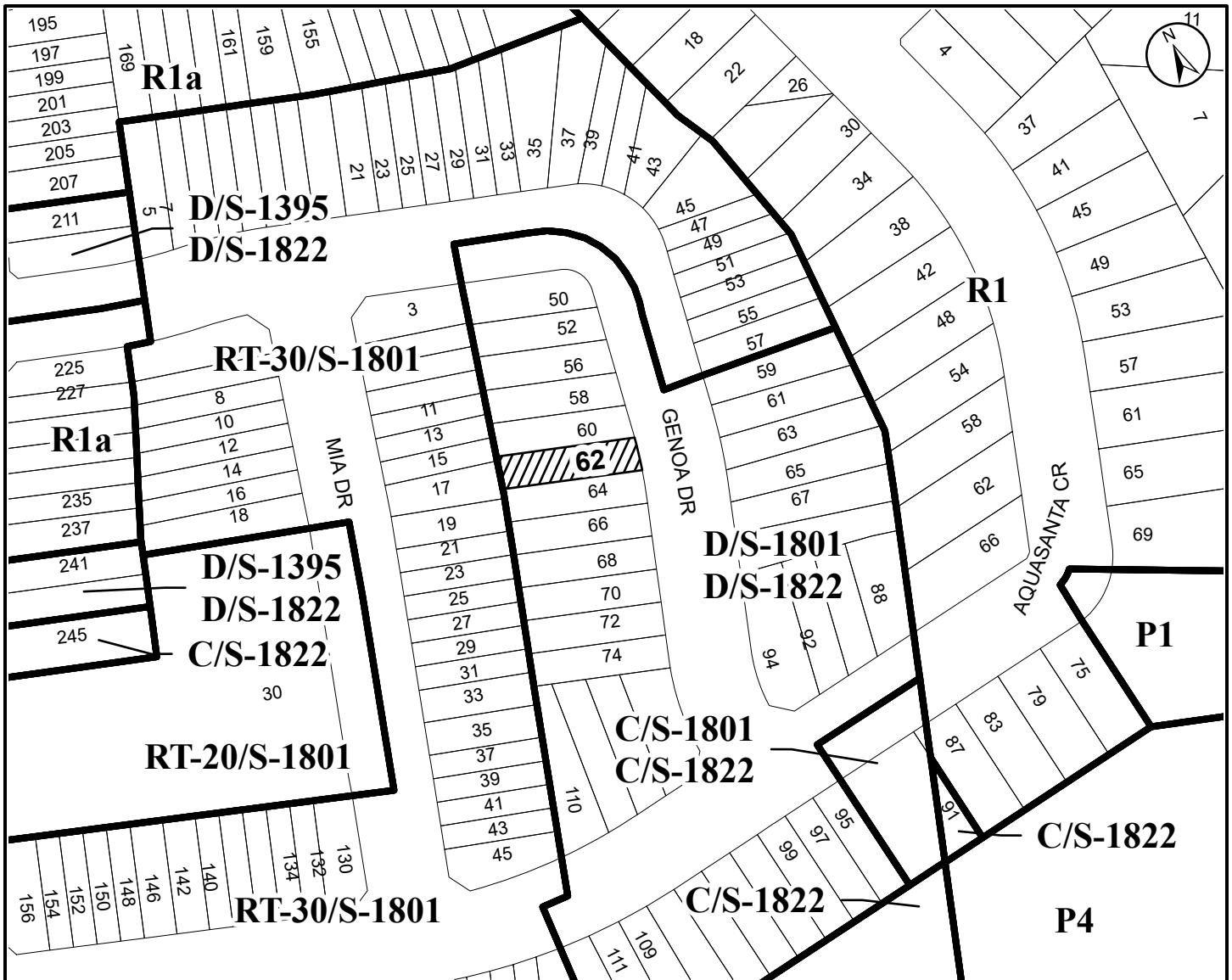
HEARING DATE: September 25, 2025

Notes:	<p>A building permit is required for the construction of the proposed secondary dwelling unit.</p> <p>Be advised that Ontario Building Code regulations may require specific setback and construction types.</p>
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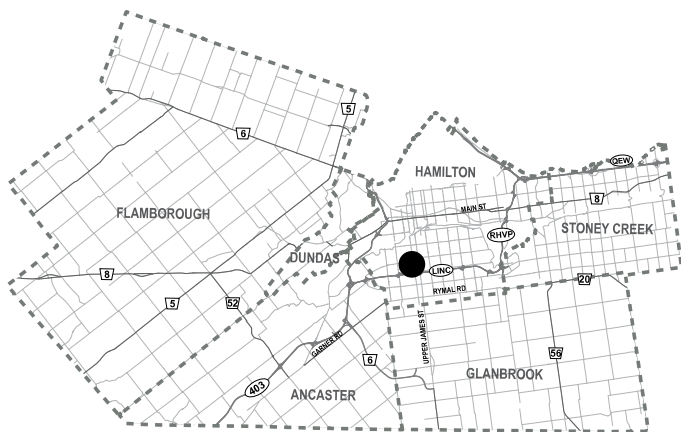
Transportation Planning:

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

 62 Genoa Drive, Hamilton (Ward 8)

File Name/Number:
A-25:141

Date:
September 5, 2025

Technician:
RS

Scale:
N.T.S.

Appendix "A"



Hamilton