



Hamilton

STAFF COMMENTS

HEARING DATE: February 13, 2024

HM/A-23:347 – 1036 Garth Street, Hamilton

Recommendation:

Development Planning - Approve

Proposed Conditions:

N/A

Proposed Notes:

Staff note that the proposed semi-detached dwellings are to be converted from a single detached dwelling currently under construction.



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Development Planning:

Background

Consent to Sever Application HM/B-24:02 was submitted to create two separate lots for the development of semi-detached dwellings. A Minor Variance Application is required to address the minimum lot area and minimum lot width requirements of the Former City of Hamilton Zoning By-law No. 6593.

Analysis

Urban Hamilton Official Plan

The subject lands are designated as “Neighbourhoods” in Schedule E-1 - Urban Land Use Designations under the Urban Hamilton Official Plan and are identified as “Neighbourhoods” in Schedule E – Urban Structure of the Urban Hamilton Official Plan. Policies found in Sections B.2.4.2 and E.3.2.4, amongst others, are applicable. The proposed residential use is permitted.

Archeology

No comment.

Cultural Heritage

No comment.

Gilbert Neighbourhood Plan

The subject site is further identified as “Single and Double” within the Gilbert Neighbourhood Plan. Semi-detached dwellings are permitted, and the proposed application is facilitating the long term vision of the Gilbert Neighbourhood Plan.

Former City of Hamilton Zoning By-law No. 6593

The subject lands are zoned “C/S-1822” (Urban Protected Residential) District, Modified in Former City of Hamilton Zoning By-law No. 6593, semi-detached dwellings are a permitted use.

Variances 1 and 2

1. To permit a minimum lot width of 6.6 metres for each individual semi-detached dwelling whereas the By-law requires a minimum lot width of 9.0 metres.



- 2. To permit a minimum lot area of 205 square metres for each individual semi-detached dwelling whereas the By-law requires a minimum lot area of 270 square metres.

The intent of these provisions is to ensure lots are of a sufficient size to accommodate a semi-detached dwelling, accessory uses, amenity space and associated performance standards such as, but not limited to, minimum setbacks and maximum lot coverage.

Staff note that the structure is currently under construction as an approved single detached dwelling and as outlined in the Planning Justification Report submitted with this application, the intent of the development is to convert the single detached dwelling into semi-detached dwellings on separate lots.

Staff note that the semi-detached dwellings are proposed to have a Ground Floor Area of approximately 153 square metres each, which complies with the minimum requirements of the Zoning By-law. Therefore, staff are of the opinion that the proposed lots are of a viable, developable size and maintain the intent of the Zoning By-law and the requested variances are minor in nature.

Staff are of the opinion that variances 1 and 2 meet the four tests of a minor variance. Based on the foregoing, **staff support the variances.**

Zoning:

Recommendation:	Comments Only
Comments:	<p>1. Construction of the semi-detached dwellings is subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setback and construction types.</p> <p>2. Demolition of existing buildings are subject to the issuance of a demolition permit in the normal manner.</p>
Notes:	vi. The variances requested of this application are necessary to facilitate lands severance application HM/B-24:02

Development Engineering:

Recommendation:	No comments.
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Transportation Planning:

Recommendation:	Approve
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Building Engineering:



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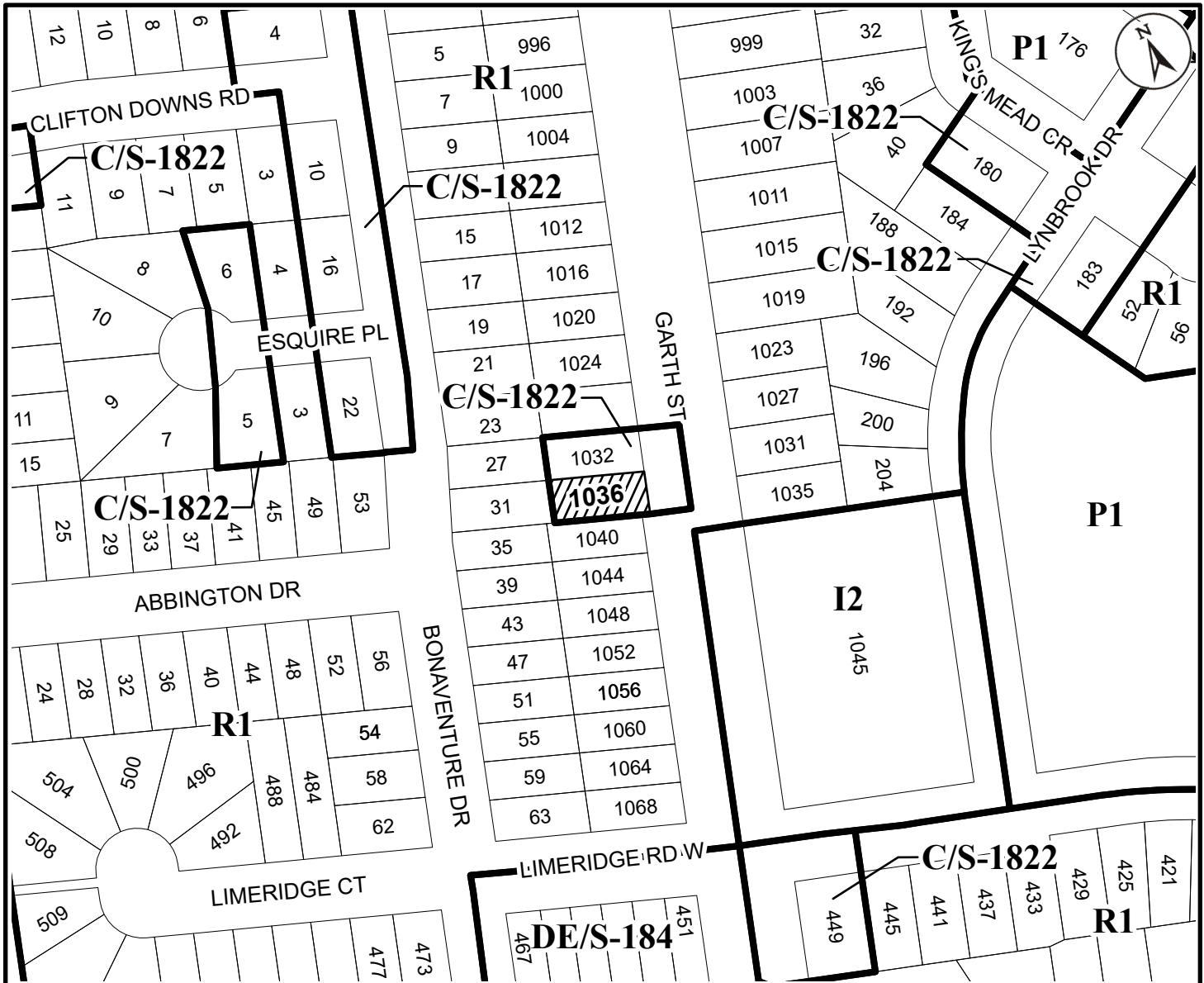
HEARING DATE: February 13, 2024

Recommendation:	Comments Only
Notes:	Building Permit # 23 105630, issued on August 2, 2023, to construct a single-family dwelling remains not finalized. Be advised that Ontario Building Code regulations may require specific setback and construction types.

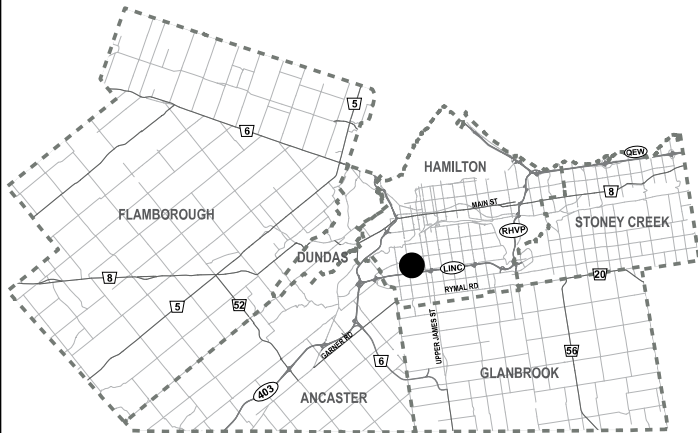
Legislative Approvals:

Recommendation:	No comments.
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Please Note: Public comment will be posted separately, if applicable.



● Site Location



City of Hamilton

Committee of Adjustment

Subject Property



1036 Garth Street, Hamilton
(Ward 14)

File Name/Number:

HM/A-23:347

Date:

January 29, 2024

Technician:

AL

Map Not To Scale

Appendix "A"



Hamilton