



Hamilton

**STAFF COMMENTS**

**HEARING DATE: May 21, 2024**

**A-24:77 – 44 Normanhurst Avenue, Hamilton**

Recommendation:

Approve

Proposed Conditions:

Proposed Notes:



Hamilton

Development Planning:

**Background**

The application is to permit an Accessory Building within the rear yard of an Existing Single Detached Dwelling.

The following variances are requested:

1. A minimum setback of 0.9 metres to a rear or side lot line shall be permitted instead of the minimum required setback of 1.2 metres to a rear or side lot line for an Accessory Building.
2. A maximum lot coverage of 32.7 m<sup>2</sup> (9.61%) shall be permitted instead of a maximum Gross Floor Area of 25.5 m<sup>2</sup> (7.5%) for an Accessory Building.

Urban Hamilton Official Plan

The subject lands are identified as “Neighbourhoods” on Schedule E – Urban Structure and designated “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations in the Urban Hamilton Official Plan. The “Neighbourhoods” designation permits single detached dwellings with associated accessory structures.

City of Hamilton Zoning By-law No. 05-200

The subject lands are zoned Low Density Residential “R1”, which permits single detached dwellings.

**Analysis**

Variance 1

The applicant is proposing that a minimum setback of 0.9 metres to a rear or side lot line be permitted instead of the minimum required setback of 1.2 metres to a rear or side lot line for an accessory building. Planning staff defer any drainage or grading concerns to Development Engineering. Staff are of the opinion that a 0.9 metre side yard setback on both sides is sufficient space for access or future maintenance within the side yard. Furthermore, the proposed structure is a single storey in height and is not anticipated to generate any adverse shadowing or privacy impact on adjacent neighbours. In Staff’s opinion, the variance is minor in nature and meets the intent of the Zoning By-law. Staff support this variance.

Variance 2



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The applicant is proposing a Gross Floor Area of 32.7 m<sup>2</sup>, which equates to a 9.61% lot coverage, instead of a maximum Gross Floor Area of 25.5 m<sup>2</sup> with a 7.5% lot coverage for an Accessory Building. The purpose stated by the applicant as to why compliance with the By-law is not possible is that the proposed accessory building is going to be used as a detached garage and for storage and needs to be a necessary size to fit a vehicle and storage. Staff do not foresee any negative impacts associated with the increased in maximum lot coverage for the accessory building. It's worth noting that even with the increase in maximum lot coverage, the Gross Floor Area proposed is below the maximum 45 square metres permitted within the By-law. Staff are of the opinion that the variance is minor and desirable for the lands. Staff support this variance.

Based on the foregoing, the requested variances maintain the general intent and purpose of the Urban Hamilton Official Plan and Zoning By-law 05-200. The variances are considered to be minor in nature and desirable for the appropriate use of the property.

### Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	1. Please note, additional variances may be required should the projection of the eaves troughs or overhangs exceed the permitted 0.08 metres projection into the required side yard.
Proposed Notes:	

### Development Engineering:

Recommendation:	No comments.
Proposed Conditions:	
Comments:	
Proposed Notes:	

### Building Engineering:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	
Proposed Notes:	A building permit is required for the construction of the proposed Accessory Building within the rear yard of an Existing Single Detached Dwelling.  Be advised that Ontario Building Code regulations may require specific setback and construction types.



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**STAFF COMMENTS**

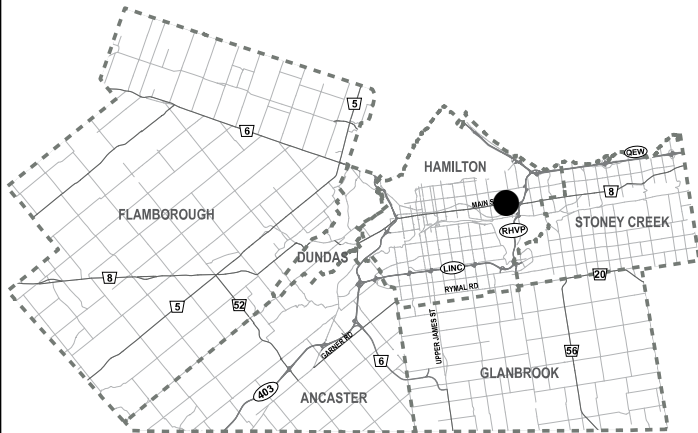
**HEARING DATE: May 21, 2024**

Transportation Planning:

Recommendation:	Approve
Proposed Conditions:	
Comments:	
Proposed Notes:	



● Site Location



**City of Hamilton**

**Committee of Adjustment**

**Subject Property**



44 Normanhurst Avenue, Hamilton (Ward 4)

**File Name/Number:**

HM/A-24:77

**Date:**

May 8, 2024

**Technician:**

NB

Map Not To Scale

**Appendix "A"**



Hamilton