



Hamilton

STAFF COMMENTS

HEARING DATE: July 2, 2024

A-24:140 – 19 East 21st Street, Hamilton

Recommendation:

Approve – Development Planning

Proposed Conditions:

Proposed Notes:



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Development Planning:

The purpose of this application is to facilitate the construction of an accessory building (detached garage) in the rear yard.

The following variance is requested:

1. To permit an aggregate gross floor area for all accessory buildings of 13.4% total lot coverage whereas the requirement is an aggregate Gross Floor Area of all Accessory Buildings shall not exceed 45 square metres or 7.5% total lot coverage, whichever is the lesser.

Site History

On April 23, 2024, the applicant has received final and binding approval for Minor Variance application A-24:54, to facilitate the construction of an accessory building (detached garage) in the rear yard. The following variances were granted by Committee of Adjustment:

1. To permit a minimum setback from the side lot line of 0.9 metres instead of the minimum required side yard setback of 1.2 metres.
2. To permit a minimum setback from the rear lot line of 0.6 metres instead of the minimum required rear yard setback of 1.2 metres.

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.

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

The subject lands are zoned Low Density Residential “R1” District, which permits a single detached dwelling and accessory structures.

Analysis

Variance 1

The applicant is proposing an aggregate gross floor area for all accessory buildings of 13.4% total lot coverage whereas the requirement is an aggregate gross floor area of all accessory buildings shall not exceed 45 square metres or 7.5% total lot coverage, whichever is the lesser. The intent of the provision is to prevent overdevelopment of lands and ensure that sufficient space is available for



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landscaping and amenity area. The proposed accessory structure will function as a two-car detached garage within the rear yard and be accessible to the laneway abutting the rear yard property line. Staff are satisfied that there is sufficient amenity space available within the rear yard and that the proposal does not constitute an overdevelopment of the lands. Staff do not foresee any adverse impacts on the subject lands or adjacent properties as a result of the proposed detached garage. Staff support this variance as it is minor in nature, desirable for the appropriate development of the lands, and in keeping with the general intent and purpose of both the Official Plan and Zoning By-law.

Zoning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Proposed Notes:	

Cultural Heritage:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Proposed Notes:	

Development Engineering:

Recommendation:	No Comments
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Proposed Conditions:	
Comments:	
Proposed Notes:	

Building Engineering:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	
Proposed Notes:	<p>A building permit is required for the construction the proposed construction of an accessory building (detached garage) in the rear yard.</p> <p>Be advised that Ontario Building Code regulations may require specific setback and construction types.</p>

Real Estate:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	<p>Please be advised the subject property abuts a city owned alleyway. Should a reduced set back be required or requested, Corridor Management should be engaged for comment.</p>

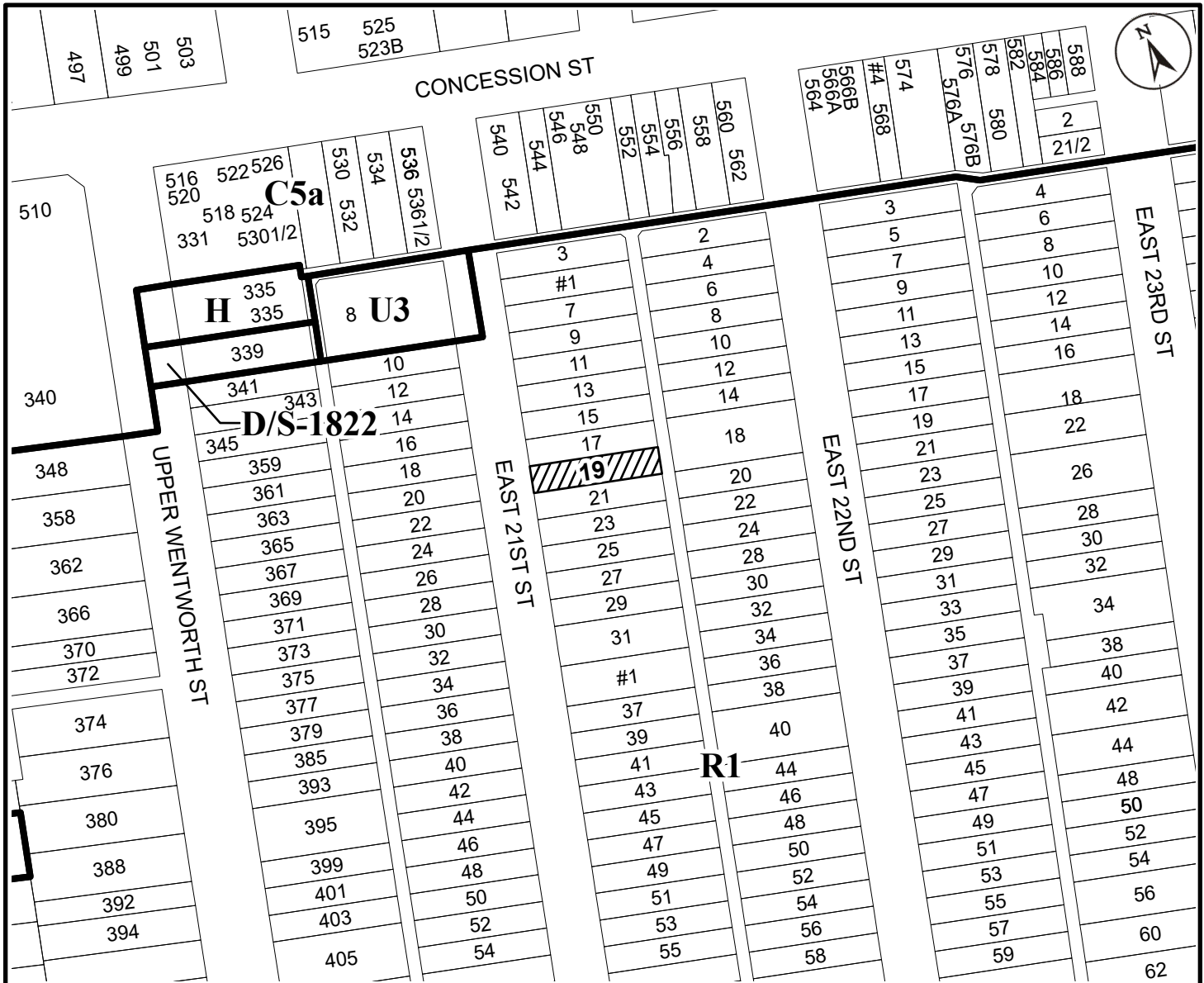


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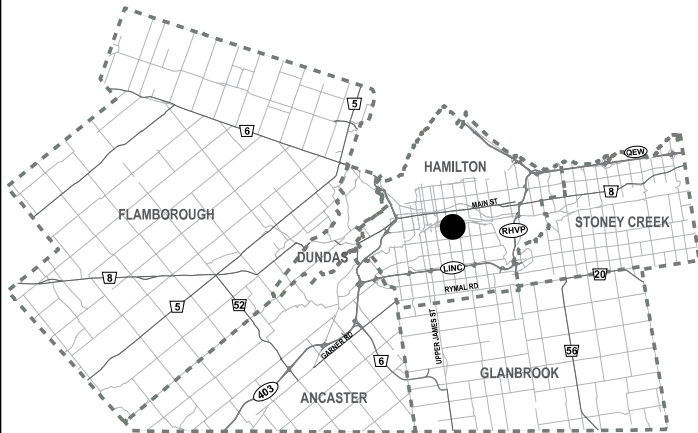
Proposed Notes:	
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Transportation Planning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Proposed Notes:	



● Site Location



City of Hamilton

Committee of Adjustment

Subject Property



19 East 21st Street, Hamilton
(Ward 7)

File Name/Number:
A-24:140

Date:
June 19, 2024

Technician:
AL

Map Not To Scale

Appendix "A"



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