



Hamilton

STAFF COMMENTS

HEARING DATE: July 23, 2024

A-24:150 – 51 Peer Court, Ancaster

Recommendation:

Approve

Proposed Conditions:

1. That the Owner submits for review and implements a revised Site Plan to demonstrate appropriate visual screening, through either the incorporation of mature landscaping along the rear (westerly) lot line, or the incorporation of a privacy screen on the portion of the deck facing the rear yard amenity area of the adjacent neighbour(s) to the west, all to the satisfaction of the Director of Development Planning.

Proposed Notes:



Hamilton

STAFF COMMENTS

HEARING DATE: July 23, 2024

Development Planning:

Background

The purpose of this application is to permit the construction a deck (22.3 square metres) with associated steps in the rear yard of an existing single detached dwelling.

The following variance is requested:

1. To permit a deck over 1.2 metres in height (and associated steps) to have a setback to the rear lot line of 2.6 metres instead of 6.0 metres required.

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.

Former Town of Ancaster Zoning By-law No. 87-57

The subject lands are zoned Residential 4 “R4-592” District, which permits a single detached dwelling and accessory structures.

Analysis

Variance 1

The applicant is proposing a minimum rear yard setback of 2.6m be permitted for a new deck with a height of 2.51 m instead of the minimum 6m rear yard setback required. The proposed deck will have a gross floor area of approximately 21.0 square metres and will maintain the side yard setbacks of the existing dwelling. It should be noted that the portion of the deck closest to the rear lot line is the stairs, which project further into the rear yard. The functional portion of the deck will be 3.84 metres for the rear lot line. Staff note that strict adherence to the Zoning By-law would result in a deck that is quite narrow and less functional. There is an existing board on board privacy fence and mature cedars along the rear (westerly) property line that will help screen and mitigate issues of privacy and overlook onto the rear yard neighbouring lands to the west. In order to ensure that privacy and overlook is appropriately mitigated, staff have recommended the incorporation of appropriate visual screening be included as a condition of approval. Staff are satisfied that the requested variance, subject to the proposed conditions, will not negatively impact the abutting neighbours and will enhance the rear yard amenity area on the subject property. Staff support this variance.

Based on the foregoing, the requested variance maintains the general intent and purpose of the Urban Hamilton Official Plan and the Former Town of Ancaster Zoning By-law No. 87-57. The



Hamilton

variance is considered to be minor in nature and desirable for the appropriate development of the property.

Zoning:

| | |
|----------------------|--------------|
| Recommendation: | No Comments. |
| Proposed Conditions: | |
| Comments: | |
| Notes: | |

Development Engineering:

| | |
|----------------------|-------------|
| Recommendation: | No Comments |
| Proposed Conditions: | |
| Comments: | |
| Notes: | |

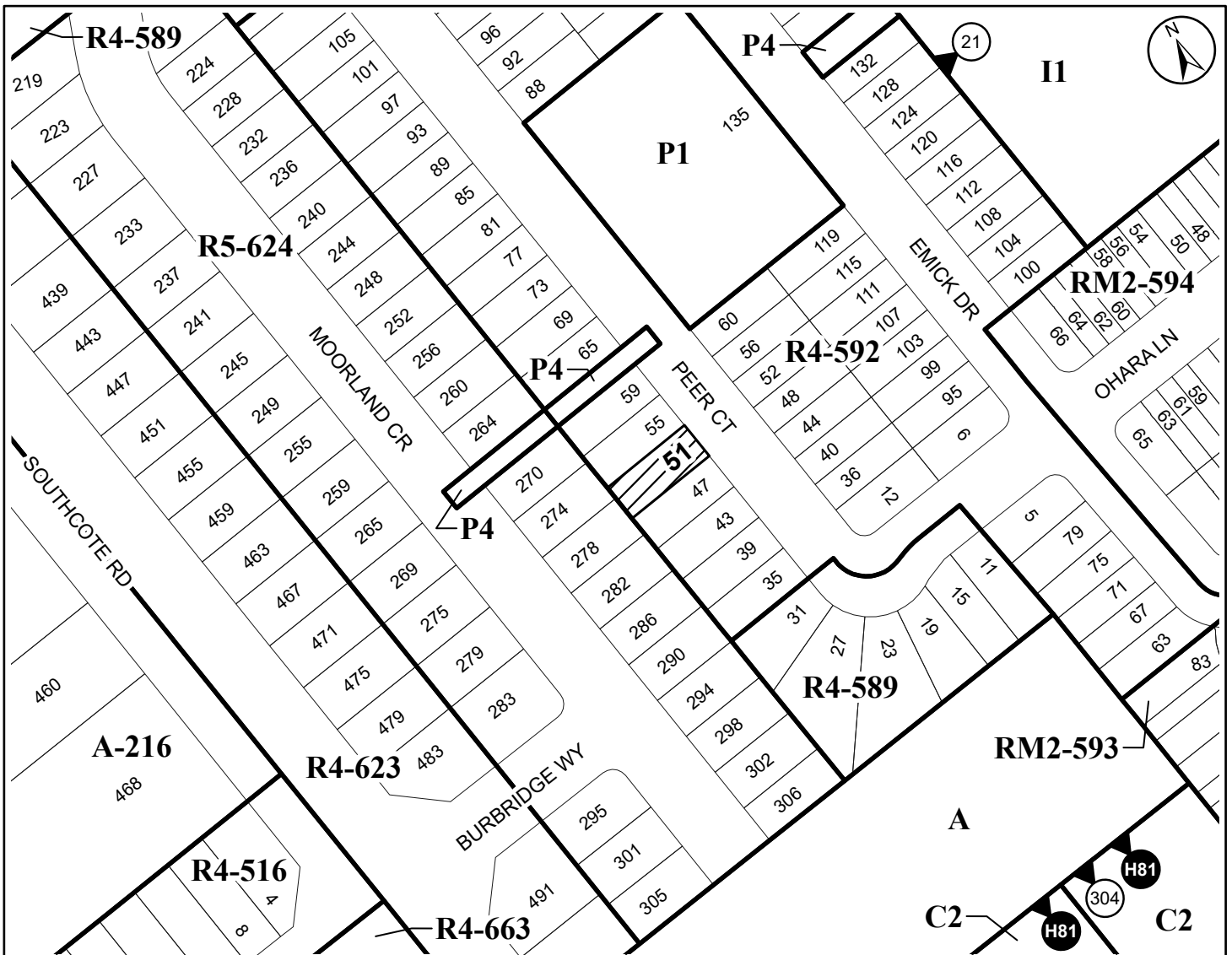
Building Engineering:

| | |
|----------------------|--|
| Recommendation: | Comments Only |
| Proposed Conditions: | |
| Comments: | |
| Notes: | <p>A building permit is required for the construction of the proposed deck (22.3m²) with associated steps in the rear yard of an existing single detached dwelling.</p> <p>Be advised that Ontario Building Code regulations may require specific setback and construction types.</p> |

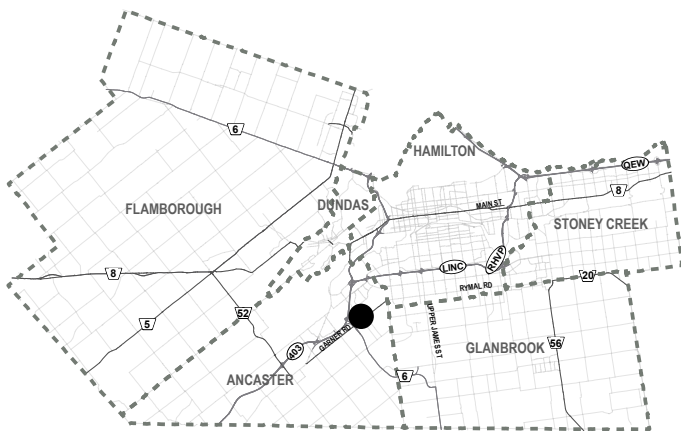
Transportation Planning:

| | |
|----------------------|---------|
| Recommendation: | Approve |
| Proposed Conditions: | |
| Comments: | |
| Notes: | |

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



● Site Location



City of Hamilton

Committee of Adjustments

Subject Property

 51 Peer Court, Ancaster (Ward 12)

File Name/Number:

A-24:150

Date:

July 5, 2024

Technician:

SH

Scale:

N.T.S.

Appendix "A"



Hamilton

Planning and Economic Development Department