



Hamilton

STAFF COMMENTS

HEARING DATE: July 23, 2024

A-24:142 – 7 Grandview Court, Dundas

Recommendation:

Approve

Proposed Conditions:

N/A

Proposed Notes:

N/A



Hamilton

Development Planning:

Background

To facilitate the construction of a garage attached to an existing single detached dwelling.

Analysis

Rural Hamilton Official Plan

The property is designated as “Rural Settlement Area” in Schedule D – Rural Land Use Designations.

Greenville Rural Settlement Area Plan

The property is further designated “Settlement Residential” on Map 8a within the Greenville Rural Settlement Area Plan. Policy A.3.5.5.3, among others, are applicable and permit single detached dwellings.

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

The subject lands are zoned Settlement Residential (S2) Zone, which permits the use of single detached dwellings.

Variance 1

1. A minimum side yard setback of 1.85 metres shall be permitted instead of the required minimum side yard setback of 3.0 metres.

The intent of this provision is to provide sufficient access, drainage, and to provide a proper building envelope. Staff defers any drainage concerns to Development Engineering.

Staff are of the opinion that the variance maintains the general intent of the By-law as sufficient access and a consistent building envelope will be provided. Staff are of the opinion that the variance is minor in nature and desirable for the development as no negative impacts are anticipated to the subject site or surrounding area and that the use of the land will be of what is permitted. Staff are of the opinion that the variance meets the four tests of a minor variance. Based on the foregoing, **staff support the variance.**

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	



Hamilton

Comments:	<ol style="list-style-type: none"> 1. Insufficient information was provided to determine zoning conformity for encroachments, front yard landscaping and parking. Additional variances may be required if compliance cannot be achieved. 2. Please be advised the property is subject to By-law 24-052 (Parking), which is not yet final and binding. Insufficient information was provided to review the proposed development against the requirements in By-law 24-052.
Notes:	

Development Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	N/A
Comments:	Provided the existing drainage pattern is maintained, Development Approvals has no comments.
Notes:	

Building Engineering:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	
Notes:	<p>A building permit is required for the construction of the proposed a garage attached to 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.

NEC Comments - July 23, 2024 COA Agenda

Adair, Kendra (MNRF) <Kendra.Adair@ontario.ca>

Wed 7/10/2024 10:37 AM

To:Committee of adjustment <cofa@hamilton.ca>

Cc:Sperling, Janet (MNRF) <Janet.Sperling@ontario.ca>;Veshkini, Afsoon (MNRF) <Afsoon.Veshkini@ontario.ca>

Good morning Committee of Adjustment,

NEC staff have reviewed the July 23, 2024 CoA agenda and offer the following comments for your consideration.

The subject properties listed below are located outside of the Niagara Escarpment Development Control Area. As such, a Development Permit is not required from the NEC for development on these lands. However, the properties are located within the Niagara Escarpment Plan Area, and therefore, the policies of the Niagara Escarpment Plan (2017) are applicable.

- A-24:142 – 7 Grandview Court, Hamilton
 - The subject property is designated as Minor Urban Centre, with underlying Escarpment Rural Area by the 2017 Niagara Escarpment Plan. The policies in Parts 1.6 and 2 of the Niagara Escarpment Plan apply.
 - NEC staff have no concerns with the proposed addition to the single dwelling.

- A-24:146 – 101 Westfield Crescent, Hamilton
 - The subject property is designated as Urban Area by the 2017 Niagara Escarpment Plan. The policies in Parts 1.7 and 2 of the Niagara Escarpment Plan apply.
 - Part 2.2.11 of the Niagara Escarpment Plan contains specific criteria for secondary dwelling units within the Niagara Escarpment Plan Area:

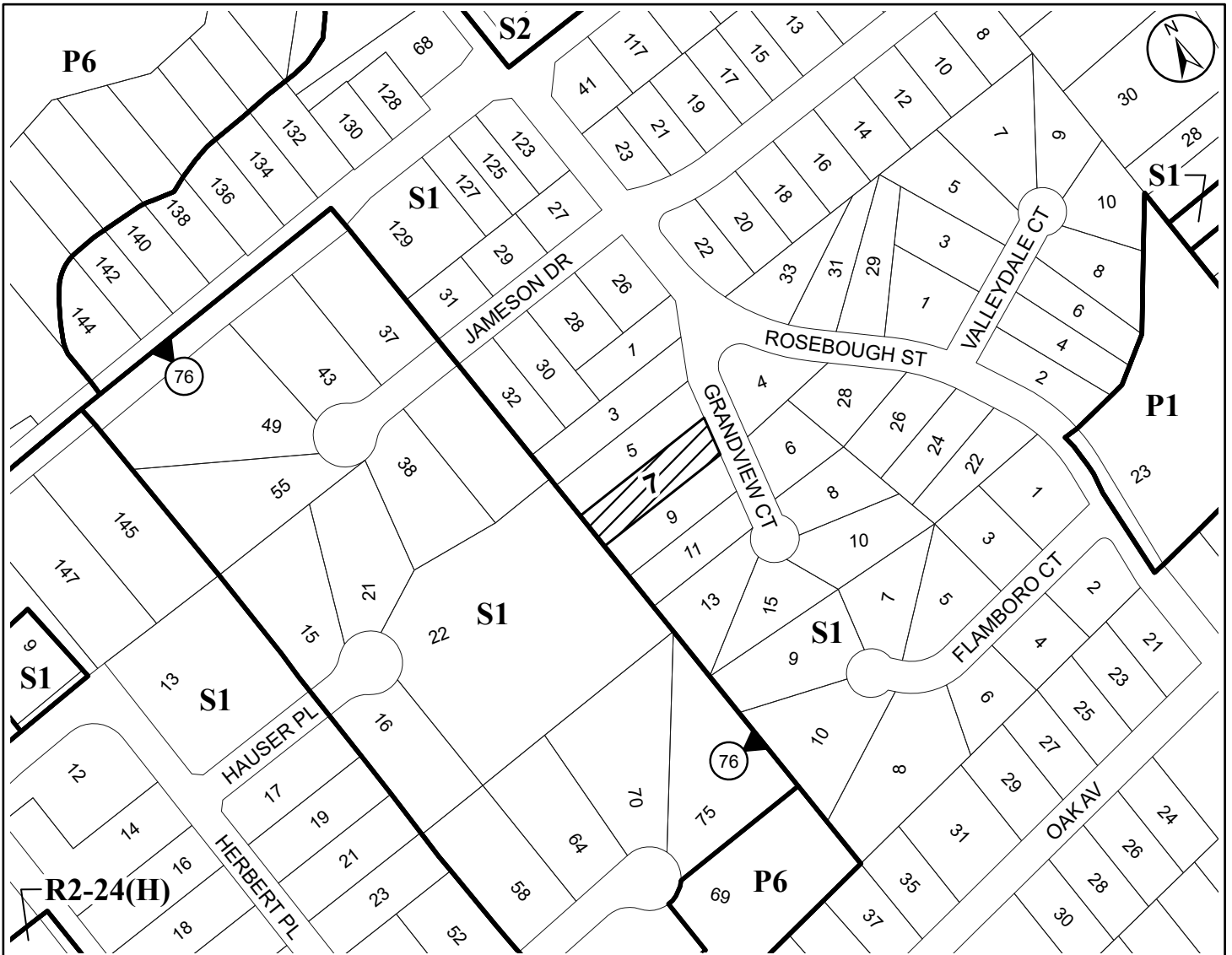
2.2.11 The following provisions apply to secondary dwelling units:

 - a) a single secondary dwelling unit may be permitted on an existing lot of record;*
 - b) notwithstanding the above, a secondary dwelling unit shall not be permitted on an existing lot of record where there is more than one single dwelling, including any dwelling approved under Part 2.2.7 of this Plan;*
 - c) the secondary dwelling unit shall be contained entirely within a single dwelling or in an addition to a single dwelling and shall not be permitted in a detached accessory facility;*
 - d) the floor area of a secondary dwelling unit shall be subordinate in size to the single dwelling;*
 - e) secondary dwelling units shall not be permitted in a group home or a single dwelling containing a bed and breakfast; and*
 - f) a home occupation or home industry shall not be permitted within a secondary dwelling unit.*
 - Based on the information provided in the application package, the proposal appears to conform with Part 2.2.11 above, and therefore NEC staff have no concerns.

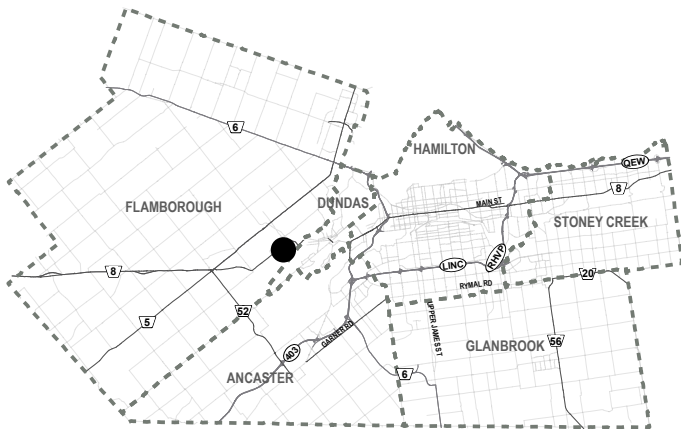
Please let me know if you have any questions.

Kind regards,

Kendra Adair (She/Her)



● Site Location



City of Hamilton

Committee of Adjustments

Subject Property



7 Grandview Court, Dundas
(Ward 13)

File Name/Number:

A-24:142

Date:

July 5, 2024

Technician:

SH

Scale:

N.T.S.

Appendix "A"



Hamilton

Planning and Economic Development Department