



Hamilton

**STAFF COMMENTS**

**HEARING DATE: September 10, 2024**

**A-24:185 (50 East Cres., Ancaster)**

**Recommendation:**

Development Planning - Approve

**Proposed Conditions:**

1. That the approved variance only apply to the proposed development illustrated on the site plan dated 01-08-24, prepared by Alphatrons, submitted with this application, to the satisfaction of the Director of Development Planning.

**Proposed Notes:**



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**STAFF COMMENTS**

**HEARING DATE: September 10, 2024**

## **Development Planning:**

### **Background**

To construct a two-storey single detached dwelling with an attached garage and additional dwelling unit.

### **Analysis**

#### **Urban Hamilton Official Plan**

The subject lands are identified as “Neighbourhoods” in Schedule E – Urban Structure and are designated as “Neighbourhoods” in Schedule E-1 – Urban Land Use Designations of the Urban Hamilton Official Plan. Policy E.3.2.3, amongst others, is applicable and permits the proposed single detached dwelling and additional dwelling unit.

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

The subject lands are Existing Residential “ER” Zone in Former Town of Ancaster Zoning By-law No. 87-57. The proposed singled detached dwelling and additional dwelling unit are permitted uses.

#### **Variance 1**

1. A minimum rear yard of 12.47 metres shall be permitted instead of the minimum required rear yard of 20.44 metres.

The intent of this provision is to ensure sufficient amenity space is provided in the rear yard of the subject property and to ensure residential lots are not overdeveloped. Staff defer to Development Engineering staff regarding stormwater management and drainage concerns.

Staff note that as the subject property is greater than 50 metres in depth, the required rear yard is 40 percent of the depth of the lot, or 20.44 metres. Staff further note that the subject property is irregularly shaped, like a kite, widening towards the rear of the lot but then narrowing to a point at the very end of the property. This irregular shape places the rear lot line, at its closest, 12.47 metres from the wall of the stairwell to the proposed walkout basement. The proposed dwelling otherwise has a setback greater than 16 metres to the rear lot line, as far as 24.8 metres at the furthest. Staff are of the opinion that sufficient amenity space is maintained within the proposed rear yard.



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Additionally, staff note that the setback provisions of the Existing Residential “ER” Zone, in combination with the maximum lot coverage of 20%, are intended to prevent the overdevelopment of residential lots within areas of Ancaster that have a rural road cross section as well as rely on ditches and swales for stormwater management. Provided that Development Engineering staff have no concerns from a stormwater management or drainage perspective, Development Planning staff support the requested variance.

Staff are of the opinion that the requested variance meets the four tests of a minor variance. Based on the foregoing, **staff recommend approval.**

### Zoning:

Recommendation:	Comments and Conditions / Notes
Proposed Conditions:	
Comments:	<p>1. Please note a variance is required for the parking space size of 2.7m x 5.5m shown in the garage as 3.5m x 6.0m is required.</p> <p>2. Please note a variance is required for the proposed parking layout as it does not comply to Section 7.14(a) (iv) as the single detached dwelling and secondary dwelling parking spaces are obstructed from the street (tandem).</p> <p>3. Insufficient information provided to determine if walkout basement in the rear yard conforms to Section 7.12 (b) and (f) additional variance may be required.</p> <p>4. Variances are as written by applicant.</p>
Notes:	

### Development Engineering:

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

### Building Engineering:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	



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Notes:	<p>Building Permit # 19-148549, issued on October 10, 2019, Alterations to the interior of the single-family dwelling to connect to municipal sewers. remains not finalized.</p> <p>A building permit is required for the to construct a two-storey single detached dwelling with an attached garage and secondary dwelling unit.</p> <p>Be advised that Ontario Building Code regulations may require specific setback and construction types.</p>
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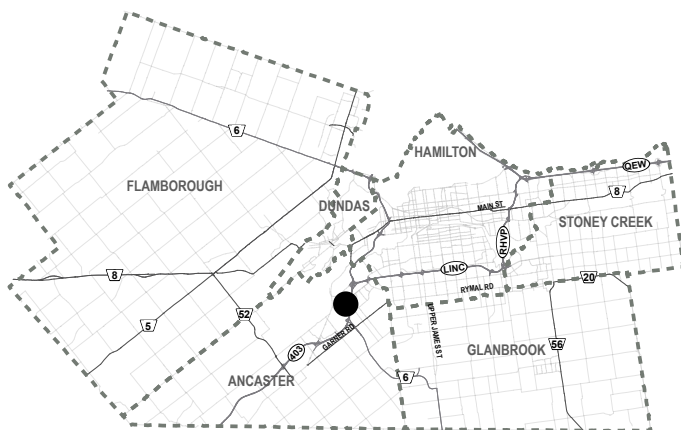
### Transportation Planning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

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



● Site Location



**City of Hamilton**

## Committee of Adjustments

### Subject Property



50 East Crest, Ancaster (Ward 12)

File Name/Number:

A-24:185

Date:

August 27, 2024

Technician:

SH

Scale:

N.T.S.

Appendix "A"



**Hamilton**

Planning and Economic Development Department