



Hamilton

STAFF COMMENTS

HEARING DATE: October 8, 2024

A-24:199 – 113 Melville Street, Dundas

Recommendation:

Development Planning - Approve

Proposed Conditions:

Proposed Notes:



Hamilton

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HEARING DATE: October 8, 2024

Development Planning:

Background

To permit the construction of a proposed car port, attached to an existing accessory building.

Analysis

Urban Hamilton Official Plan

The subject lands are identified as “Neighbourhoods” in Schedule E – Urban Structure and are designated “Mixed Use – Medium Density” in Schedule E – 1 Urban Land Use Designations of the Urban Hamilton Official Plan. Policy E.3.4.3, amongst others, is applicable and permits the existing single detached dwelling.

Archaeology

No comments.

Cultural Heritage

The subject property, located at 113 Melville Street, is comprised of a circa 1894 two-storey red brick dwelling, known as Lawnside and is listed on the City’s Municipal Heritage Register as a non-designated property. The subject property is situated within the newly proposed Melville Street Heritage Conservation District. Hamilton City Council approved the staff and Heritage Committee recommendations on the final Melville Street Heritage Conservation District Study findings and directed staff to proceed with preparing a Plan for the proposed District.

Accordingly, section B.3.4.1.3 and B.3.4.2.1(g) of the Urban Hamilton Official Plan, Volume 1, apply.

The proponent proposes to permit the construction of a proposed car port, attached to an existing accessory building.

Notwithstanding that the on-site property is listed on the Municipal Heritage Register and is situated within the proposed Melville Street Heritage Conservation District, Staff have reviewed the application and are of the opinion that the cultural heritage value or interest of the on-site cultural heritage resource will be conserved, as the existing detached accessory structure will remain and because of the low profile of the car port and the proposed location, causing minimal physical impact and visual disruption. Until such time as Council may proceed with designation of the new Melville Street Heritage Conservation District, no Heritage Permit approvals are required to implement this proposal.

Staff have no further comments on the application as circulated.



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

The subject lands are zoned Low Density Residential (R1) Zone in City of Hamilton Zoning By-law No. 05-200. The existing single detached dwelling is permitted.

Variance 1

1. A maximum gross floor area of an accessory building shall be 59 square metres instead of the maximum 45 square metres or 7.5% total lot coverage, whichever is the lesser.

The intent of this provision is to ensure that accessory buildings are subordinate in size and scale to the principal building.

Staff note that the existing garage has an area of 35.36 square metres and the proposed carport has an area of 22.97 square metres. Staff are of the opinion that as the proposed addition is only a covered parking area and not an enclosed addition to the existing garage, the garage functionally remains subordinate in size and scale to the existing dwelling.

Staff are of the opinion that the requested variance maintains the general intent of the Urban Hamilton Official Plan and Zoning By-law, is desirable for the appropriate use of the land and is minor in nature. Staff support the variance.

Variance 2

2. A flankage yard setback of 0.3 metres shall be permitted for an accessory building instead of the minimum 3.0 metres required.

The intent of this provision is to ensure a consistent streetscape to maintain the character of the neighbourhood.

Staff note that the subject property is a corner lot, with the flankage yard having frontage on Princess Street. Staff further note that, while setbacks vary by property, setbacks from front and flankage property lines along both Melville Street and Princess Street are typically small and structures are close to the streetline. Staff further note that the existing detached garage on the subject property has a setback of approximately 0.1 metres whereas the proposed carport would have a setback of 0.3 metres. Therefore, the proposed carport is consistent with the character and streetscape of the area and staff do not anticipate any negative impacts to the character of the neighbourhood.

Staff are of the opinion that the requested variance maintains the general intent of the Urban Hamilton Official Plan and Zoning By-law, is desirable for the appropriate development and is minor in nature. Staff support the variance.



Variance 3

- 3. A minimum 0.3 metre setback from a streetline shall be provided where a vehicular entrance to an accessory building is provided instead of the 6.0 metre setback required.

The intent of this provision is to ensure sufficient manoeuvring space is provided for between the on-site parking and to avoid negative impacts to the public right-of-way.

Staff note that while the proposed carport is to be only 0.3 metres from the streetline, an additional four metres of manoeuvring space is available between the property line and the curb of the road. Staff further note that, as the carport will not be fully enclosed so visibility while manoeuvring will generally be unobscured.

Staff are of the opinion that the requested variance maintains the general intent of the Urban Hamilton Official Plan and Zoning By-law, is desirable for the appropriate development and is minor in nature. Staff support the variance.

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

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	<p>1. Requested variances are required to permit the construction of a proposed car port, attached to an existing accessory building.</p> <p>2. It is noted that by-law 24-051 has come into force and effect, rezoning the property in question from the R2 zone pursuant to Dundas Zoning By-law 3581-86 to the R1 zone pursuant to Hamilton Zoning By-law 05-200. As such, the variances written in relation to Dundas by-law 3581-86 are no longer required.</p>
Notes:	

Development Engineering:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	Provided the existing drainage pattern is maintained, Development Engineering has no comments.
Notes:	



Hamilton

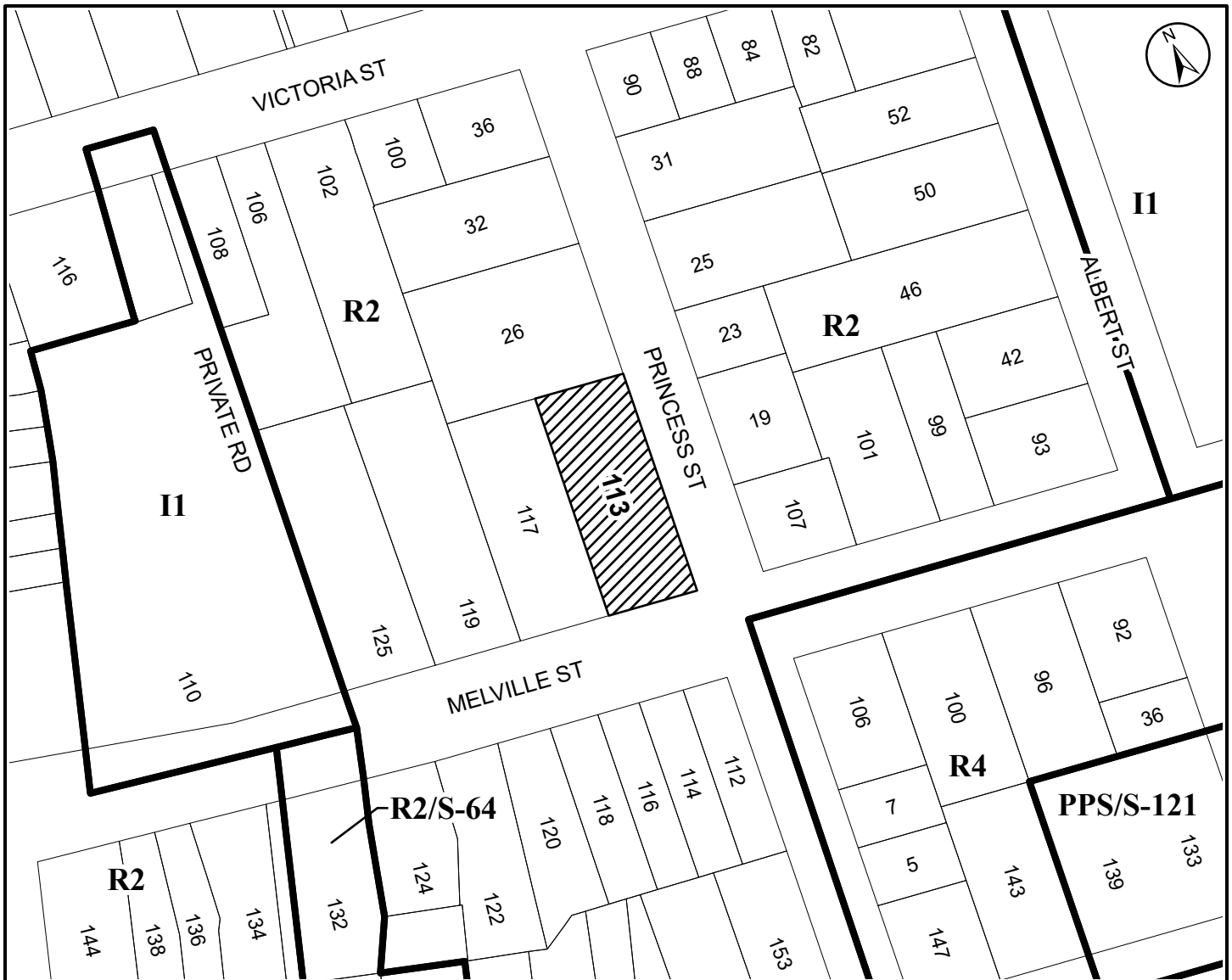
Building Engineering:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	
Notes:	<p>A building permit is required for the construction of the proposed car port, attached to an existing accessory building.</p> <p>Be advised that Ontario Building Code regulations may require specific setback and construction types.</p>

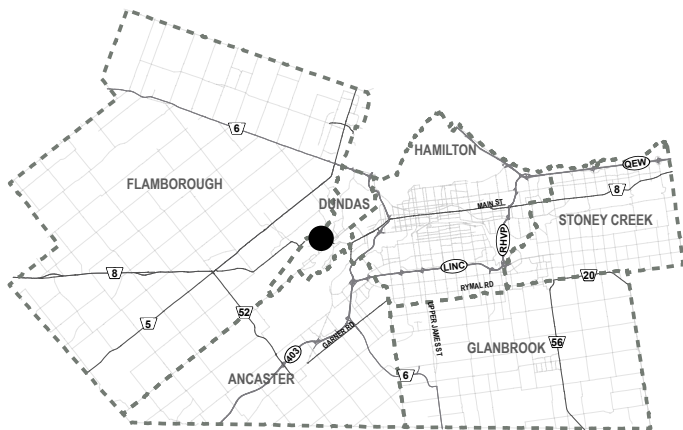
Transportation Planning:

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



113 Melville Street, Dundas
(Ward 13)

File Name/Number:
A-24:199

Date:
September 26, 2024

Technician:
SH

Scale:
N.T.S.

Appendix "A"



Hamilton

Planning and Economic Development Department