



Hamilton

STAFF COMMENTS

HEARING DATE: February 13, 2025

A-24:281 — 24 Royce Avenue, Stoney Creek

Recommendation:

Approve — Development Planning

Proposed Conditions:

Proposed Notes:

A building permit is required for the construction of the proposed 2-storey, 136.28m² garage addition to the rear of the existing single detached dwelling.

Be advised that Ontario Building Code regulations may require specific setback and construction types. (Building Engineering)



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Development Planning:

Background

The variances requested by the applicant are in order to facilitate the construction of a two storey, 136.28m² garage addition to the rear of the existing single detached dwelling.

The following variances are requested:

1. A minimum setback from the Rear Lot Line of 4.45 metres shall be permitted instead of the minimum required 7.5 metres.

Urban Hamilton Official Plan

The subject property is designated “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations in the Urban Hamilton Official Plan. Policy E.3.2.3 a) permits residential dwellings, including second dwelling units and housing with supports. Policy E.3.4.3 a) permits single detached, semi detached, duplex, triplex, fourplex, and street townhouse dwellings. The subject property is identified as being within the Western Development Area Secondary Plan found in Volume 2 of the Urban Hamilton Official Plan. The lands are further designated as “Low Density Residential 2b” on Land Use Map B.7.1-1. Policy B.1.5 a) of Volume 2 of the Urban Hamilton Official Plan states that the applicable policies of Volume 1 shall apply for the purposes of permitted density ranges, built form, and height for lands designated “Low Density Residential 2b”, amongst others. The proposal complies with these policies.

Archaeological:

No comments.

Cultural Heritage:

No comments.

Zoning By-law No. 05-200

The subject property is zoned Low Density Residential (R1) Zone in Zoning By-law No. 05-200, which permits the single detached dwelling use.

Analysis

Variance 1



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1. A minimum setback from the Rear Lot Line of 4.45 metres shall be permitted instead of the minimum required 7.5 metres.

The intent of the minimum setback from the rear lot line is to provide adequate private amenity space and provide compatible development which does not create situations of overlook and overdevelopment of a lot. Staff have no concerns with the proposed reduction of the rear yard setback given the configuration being a corner lot with a flankage lot line, and the rear lot line is mutually shared with the adjacent property's side lot line. There are adequate side yards and front yards for amenity uses on the subject lands. The proposal does not generate concerns of overlook and the proposed setback is in character with the existing neighbourhood. The proposed development to add a two storey 136.28m² garage addition is minor given that the site has an existing carport and rooftop amenity area, which appears to be replaced through this proposal. In staff's opinion the proposed reduced rear yard setback will not greatly exacerbate the existing rear yard setback that exists on the subject property. Staff defer concerns of site drainage to Development Engineering staff. Development Planning staff are **supportive** of the proposed variance as the variance meets the four tests under the *Planning Act*.

Based on the forgoing analysis staff recommend **approval** as it maintains the general intent and purpose of the Official Plan and Zoning By-law, is minor in nature and is desirable for the appropriate development of the subject lands.

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	<ol style="list-style-type: none"> 1. Please be advised no elevations were provided. Proposed existing condition for building height. If conformity cannot be achieved, additional variances may be required. 2. Please be advised a variance was requested for eave and gutter reduction, however, no dimensions were provided to determine the variance. The proposed development is subject to Section 4.6(a) under Hamilton Zoning By-law 05-200. Additional variances may be required if variance #1 is not approved and if the proposed eave and gutter projects more than the required 0.6m into the rear yard.
Notes:	

Development Engineering:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	



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Notes:	
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Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	
Notes:	<p>A building permit is required for the construction of the proposed 2-storey, 136.28m² garage addition to the rear of the existing single detached dwelling.</p> <p>Be advised that Ontario Building Code regulations may require specific setback and construction types.</p>

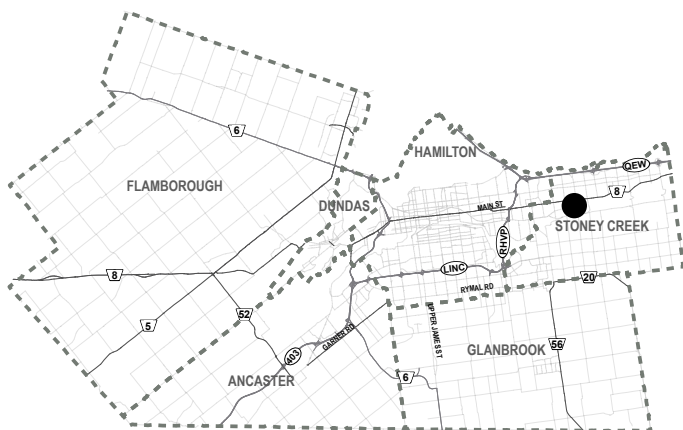
Transportation Planning:

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



24 Royce Avenue, Stoney Creek
(Ward 10)

File Name/Number:
A-24:281

Date:
February 6, 2025

Technician:
DR

Scale:
N.T.S.

Appendix "A"



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