



Hamilton

STAFF COMMENTS

HEARING DATE: February 13, 2025

A-24:270 — 215 West 32nd Street, Hamilton

Recommendation:

Table — Development Planning

Proposed Conditions:

Proposed Notes:



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Development Planning:

Background

The applicant is seeking variances to facilitate the construction of a proposed Additional Dwelling Unit - Detached and the construction of a garage addition.

The following variances are required:

1. A minimum southerly side yard setback of 0.6 metres shall be provided for an Additional Dwelling Unit - Detached instead of the minimum 1.2 metre side yard setback required.
2. A minimum rear yard setback of 0.6 metres shall be provided for an Additional Dwelling Unit - Detached instead of the minimum 1.2 metre rear yard setback required.
3. A maximum ground floor area of 84.6 square metres shall be provided instead of the maximum 70% of the ground floor area of the principal dwelling when the ground floor area of the principal dwelling is less than or equal to 105 square metres required.

Urban Hamilton Official Plan

The subject property is designated as “Neighbourhoods” on Schedule E-1-Urban Land Use Designation 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. Based on the forgoing policies, single detached dwellings and accessory dwelling units are permitted land uses.

Archeology:

No Comments.

Cultural Heritage:

No Comments.

City of Hamilton Zoning By-law No. 05-200, as Amended by By-law 24-051

The subject property is zoned R1 (Low Density Residential) in Zoning By-law No. 05-200. The R1 Zone permits the proposed single detached dwelling and Additional Dwelling Unit – Detached are permitted through Section 4.33 of the Zoning By-law. Accordingly, the proposed uses are permitted.

Analysis



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Variance 1 & 2

1. A minimum southerly side yard setback of 0.6 metres shall be provided for an Additional dwelling unit- detached instead of the minimum 1.2 metre side yard setback required.
2. A minimum rear yard setback of 0.6 metres shall be provided for an Additional Dwelling unit- detached instead of the minimum 1.2 metre rear yard setback required.

The intent of the minimum side yard setback is to allow for adequate space for access for maintenance and drainage to the Additional Dwelling Unit – Detached, and to minimize impacts related to massing and overlook on adjacent properties. Staff are not supportive of the proposed 0.6 metre side yard setback. Staff recommend that the application be tabled so that discussions can be had with the applicant to determine a suitable setback that can be viable and allow for adequate access and drainage between the proposed Additional Dwelling Unit - Detached and the property line. Staff would support a reduced setback to 0.9 metres consistent with Development Engineering recommendation, in accordance staff will require an updated site sketch that details the reduced setback to 0.9 metres for the side yard and rear yard of the proposed ADU and Detached Accessory Structure. Staff at this time have not received revised plans from the applicant to confirm the 0.9 metre side and rear yard requirement.

Variance 3

3. A maximum ground floor area of 84.6 square metres shall be provided instead of the maximum 70% of the ground floor area of the principal dwelling when the ground floor area of the principal dwelling is less than or equal to 105 square metres required.

The intent of the maximum ground floor area provision is to ensure the primary dwelling unit remains the dominant structure on the subject lands over the Accessory Dwelling Unit-Detached. This provision is also intended to prevent the overdevelopment of lands. Staff are of the opinion that more information is needed in order to determine how the proposed increase in gross floor area will impact the subject lands and surrounding area. Staff also require clarification on how the proposed accessory structure will be used. As proposed, the ground floor area of the accessory structure (≈84 square metres), exceeds that of the primary dwelling by ≈12.3 square metres. Staff have not yet received additional information in this regard and recommend the application be tabled.

Based on the forgoing staff recommend that the application be **tabled** to allow for discussions between the applicant and City staff based on the requested variances and proposal.

Zoning: see previous comments

Development Engineering:



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Recommendation:	Comments Only
Proposed Conditions:	N/A
Comments:	According to email from Planner, the applicant is willing to update the plans having a 0.9-meter setback for a drainage swale for the side and rear yards and having that showed Development Engineering has no concerns.
Notes:	

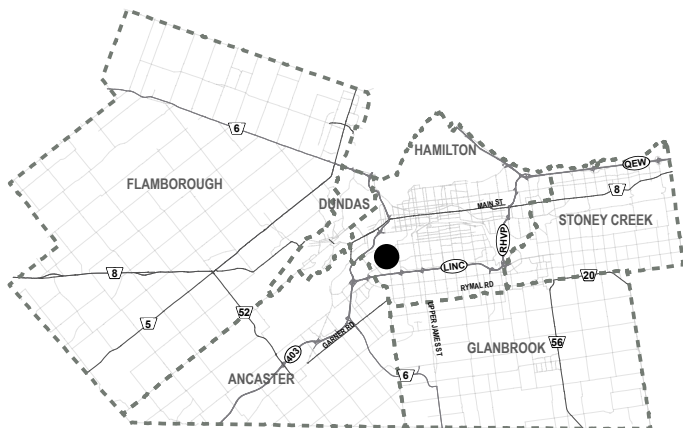
Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	
Comments:	<p>Building Permit # 23-120216, issued on June 29, 2023 to demolish existing half-storey and construct a 71.79m², second storey addition to the existing single-family dwelling and interior alterations to reconstruct 67.37 m² interior structure on the main floor remains not finalized.</p> <p>A building permit is required for the construction of the proposed additional dwelling unit-detached and the construction of a garage addition.</p> <p>Be advised that Ontario Building Code regulations may require specific setback and construction types.</p>
Notes:	

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



● Site Location



City of Hamilton

Committee of Adjustments

Subject Property



215 West 32nd Street, Hamilton
(Ward 14)

File Name/Number:
A-24:270

Date:
February 6, 2025

Technician:
DR

Scale:
N.T.S.

Appendix "A"



Planning and Economic Development Department

Hamilton