

July 10<sup>th</sup>, 2014

FL/B-14:58 (25 Howard Blvd., Flamborough)

PLANNING and ECONOMIC DEVELOPMENT DEPARTMENT

Development Planning – West:

The purpose of this application is to permit conveyance of a 683.5m<sup>2</sup> parcel of land for residential purposes and to retain a 683.5m<sup>2</sup> parcel of land for residential purposes.

Provincial Policy Statement

The application is consistent with the Provincial Policy Statement.

Urban Hamilton Official Plan

The subject property is designated "Neighbourhoods" in the Urban Hamilton Official Plan. The following polices apply:

**E.3.2.3** The following uses shall be permitted on lands designated Neighbourhoods on Schedule E-1 – Urban Land Use Designations:

- a) residential dwellings, including second dwelling units and housing with supports.

**E.2.6.7** Neighbourhoods shall generally be regarded as physically stable areas with each neighbourhood having a unique scale and character. Changes compatible with the existing character or function of the neighbourhood shall be permitted. Applications for development and residential intensification within Neighbourhoods shall be reviewed in consideration of the local context and shall be permitted in accordance with Sections B.2.4–Residential Intensification, E.3.0 –Neighbourhoods Designation, E.4.0 Commercial and Mixed Use Designations, and, E.6.0 – Institutional Designation.

**B.3.3.2.6** Where it has been determined through the policies of this Plan that compatibility with the surrounding areas is desirable, new development and redevelopment should enhance the character of the existing environment by:

- d) complementing the existing massing patterns, rhythm, character, colour, and surrounding context.

Town of Flamborough Zoning By-law 90-145-Z

The subject property is zoned "R1-6" (Urban Residential – Single Detached) Zone in the Town of Flamborough Zoning By-law, to which the use complies.

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The "R1-6" Zone requires a minimum lot frontage of 30m and a minimum lot area of 1,390 sq. m. Neither the lands to be severed or lands to be retained will comply with the minimum lot area or lot frontage requirements and will, in fact, have a lot area and lot frontage of approximately half of what is required in the Zoning By-law.

The proposed lot size for both the lands to be severed and lands to be retained are similar in size to the lots located at 17, 19 and 22 Howard Blvd. Staff are of the opinion that the proposed lot sizes will be compatible with the surrounding character.

As the proposed lots are significantly deficient with regard to the provisions of the "R1-6", the subject property is the subject of a re-zoning application (ZAR-14-004). A decision on that application has not yet been made, as such, the application for severance is premature.

Recommendation:

As the subject property is the subject of a rezoning application, it is the opinion of staff that the application for severance is premature and should be **Tabled**.

Should the Committee choose to not table the application, staff require the inclusion of condition #1 below.

Condition (if approved):

1. That the applicant receive final approval of rezoning application ZAR-14-004.

Growth Management:

Note: Based on this application being approved and all conditions being met, the owner / applicant should be made aware that the lands to be conveyed will remain as 25 Howard Blvd., and the lands to be retained will be assigned the municipal address of 27 Howard Blvd.

Building Division:

COMMENTS:

1. The applicant should obtain an appropriate municipal address for the proposed parcel(s) from the Growth Planning Section of the Planning and Economic Development Department prior to the issuance of a building permit.
2. Demolition of all or an appropriate portion of the building straddling the proposed property line shall be a condition of consent. Such demolition is subject to a demolition permit issued in the normal manner.

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3. The R1-6 zoning district permits only limited residential uses. The applicant may wish to ensure that the proposed uses for the lands to be conveyed/retained are permitted.
4. Variances for lot area and lot frontage will be required for both the lands to be conveyed and the lands to be retained.

**CONDITIONAL UPON:**

1. The owner shall receive final approval of any necessary variances from the requirements of the Zoning By-law as deemed necessary by the Planning and Economic Development Division (Building Division).
2. The owner shall demolish all or an appropriate portion if any buildings straddling the proposed property line, to the satisfaction of the Planning and Economic Development Department (Building Division).
3. That the owner/applicant apply for and receive any required building permits in the normal manner to the satisfaction of the Planning and Economic Development Department (Building Division).

**Development Engineering – West:**

**Information**

1. There is a 200 mm diameter watermain, a 250 mm sanitary sewer, and a 375 mm diameter storm sewer within the Howard Boulevard road allowance available to service the conveyed and retained lands directly.
2. The City has no road widening requirements on this section of Howard Boulevard.

**Recommendations**

1. The Owner is required to enter into and register on the title of the subject lands, a Consent Agreement with the City of Hamilton to the satisfaction of the Manager of Engineering Approvals in order to deal with grading and drainage. The applicant shall demonstrate to the satisfaction of the Manager of Engineering Approvals that all drainage from the conveyed and retained lands shall be taken to a suitable outlet.

**Hamilton Municipal Parking System (Parking Services):**

No concerns.

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**PUBLIC WORKS DEPARTMENT**

**Source Protection Planning:**

No comments.

**Traffic, Engineering and Operations Division:**

Separate access is required to the retained and severed lands. In this regard, an Access Permit from Public Works will be required. Details on the permit process can be obtained from Dave Lavallo at ext 4578

**CORPORATE SERVICES:**

**Budgets, Taxation & Policy (outstanding taxes):**

The owner shall pay any outstanding realty taxes and/or all other charges owing to the City Treasurer.

**See attached for additional comments.**