

April 2nd, 2015

HM/A-15:41 (111 Winston Avenue, Hamilton)

PLANNING and ECONOMIC DEVELOPMENT DEPARTMENT

Development Planning – Urban:

The purpose of this application is to permit a total of 15 habitable rooms within the existing single detached dwelling.

Provincial Policy Statement (2014)

The application has been reviewed with respect to the Provincial Policy Statement (PPS), specifically sections 1.1-Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns. Staff is of the opinion that the proposal complies to the provisions above.

Urban Hamilton Official Plan

The subject lands are identified as "Neighbourhoods" on Schedule "E" – Urban Structure and designated "Neighbourhoods" on Schedule "E-1" – Urban Land Use Designations in the Urban Hamilton Official Plan (UHOP). The following policies 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.3.2.7 The City shall require quality urban and architectural design. Development of lands within the Neighbourhoods designation shall be designed to be safe, efficient, pedestrian oriented, and attractive, and shall comply with the following criteria:

e) Development shall comply with Section B.3.3 – Urban Design Policies and all other applicable policies.

B.3.3.1.5 Ensure that new development is compatible with and enhances the character of the existing environment and locale.

B.3.3.1.6 Create places that are adaptable and flexible to accommodate future demographic and environmental changes.

B.3.3.2.3 Urban design should foster a sense of community pride and identity by:

- a) respecting existing character, development patterns, built form, and landscape;

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b) promoting quality design consistent with the locale and surrounding environment;

The policies of the Official Plan generally are supportive of development patterns which are respectful and compatible of the existing environment. Even though no exterior construction or redevelopment is proposed, the required variances must be considered against these policies, notably the existing driveway/parking accommodation situation. Urban Design policies recognize that over time demographics can change for given areas and accommodation should be considered in light of these changes. As always, there must be a balance between current and future needs, as well as the overall neighbourhood.

Secondary Plan

The subject property is designated "Low Density Residential 2" in the Ainslie Wood Westdale Secondary Plan. Please note the following policies:

6.2.5.4 Low Density Residential Designation

- a) The following policies shall apply to the lands designated Low Density Residential 2 on Map B.6.2-1 – Ainslie Wood Westdale – Land Use Plan:
- 8)
- iv) Low Density Residential 2 areas permit single detached dwellings, semi-detached dwellings, duplexes, and street townhouses. These uses shall include dwellings with accessory apartments/second dwelling units. Single detached housing shall be the primary form of housing in most of these areas, especially in the interior of neighbourhoods. Existing, legal 3, 4, and 5-plexes shall be recognized as permitted uses.

Notwithstanding Policy E.3.4.4 of Volume 1, the Low Density Residential 2 densities shall generally be from 10 – 29 units per gross hectare. The area of large lots noted in Policy B.6.2.5.3 d) – General Residential Policies of Volume 2 shall have a lower density.

Where single detached housing presently exists in the interior of the neighbourhood, the maintenance of such low density housing shall be preferable to new higher density housing forms.

An area of large lots is recognized within the Low Density Residential 2 designation, located immediately east of McMaster University. Any future housing created through *redevelopment* in this area shall retain this density, to help preserve this area's character. The boundaries of this area are:

- 9)
- 1. For lands north of Sterling Street, this area is bounded by Mayfair Crescent, Sterling Street, Dalewood Crescent, and Oak Knoll Drive, also Mayfair Place and Oakwood Place; and,

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2. For lands south of Sterling Street, this area is bounded by Forsyth Street, King Street, Whitton Road and Sterling Street, also including Forsyth Place. (AM 2015 03 25)

Cultural Heritage Landscape:

The subject property is adjacent to the Veteran's Housing Area Cultural Heritage Landscape as identified in Map B.6 2-2 in the Ainslie Wood Westdale Secondary Plan in the Urban Hamilton Official Plan. Accordingly, the following section of the Urban Hamilton Official Plan applies:

- B.3.4.1.3 "Ensure that all new *development*, site alterations, building alterations, and additions are contextually appropriate and maintain the integrity of all on-site or *adjacent cultural heritage resources*."

Where new construction and/or site alterations or additions to existing structures are proposed in a Cultural Heritage Landscape, key considerations are the visual and physical impact on landscape features, typically public views of the building fabric, building set-back, the streetscape and significant vistas.

The request variance is to permit a total of fifteen (15) habitable rooms within an existing family dwelling.

Notwithstanding that the subject property is adjacent to the Veteran's Housing Area Cultural Heritage Landscape, staff have reviewed the application and are of the opinion that the cultural heritage value of the adjacent landscape will be conserved.

City of Hamilton Zoning By-law 6593

The subject property is zoned "C/S-1335 and 1335a" (Urban Protected Residential) district in the City of Hamilton Zoning By-law, to which the proposed use complies.

Variance 1

This variance represents the existing situation as no additions are proposed for the dwelling. In light of this, and given that the deficiency is minor, staff are supportive of this variance.

Variance 2-5

The intent and purpose of a minimum number of parking spaces is to ensure adequate parking is provided on site for the number of vehicles that may be generated by the size or intensity of the use. For residential dwellings, the City of Hamilton zoning by-law determines the amount of required parking as a direct ratio to the number of habitable rooms. The number of habitable rooms is indicative of the number of people living in a given dwelling.

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The Official Plan takes into consideration that demographics may change for a given area, and therefore flexibility should be provided in regard to built form and by-law provisions while taking into consideration future uses and compatibility with the surrounding area. The proposal is in keeping with these considerations, however staff note that the number of habitable rooms and lack of parking spaces is approaching a level that would be considered an overbuilding of the lot and not supportable.

The subject dwelling appears to have adequate room for 4-5 vehicles, as the driveway extends onto the public right of way. This is characteristic for the area.

A parking space width of 2.5m is the standard for the new 05-200 By-law which is not yet in full force. Staff are of the opinion these variances meet the intent of the Official Plan and Zoning By-law and can be considered to be minor in nature. Staff are supportive of these variances.

Variance 6

The existing driveway is characteristic of other residential driveways for the area. It appears that more than 50% of the front yard is landscaped. Staff consider the variance to be minor and are supportive.

Recommendation:

It is the opinion of staff that the proposed variances are minor in nature, are desirable and appropriate for the use of the lands, and meet the intent and purpose of the Official Plan and Zoning By-law. Therefore staff recommends that the proposed variances be **Approved**.

Building Division:

Subject to the issuance of a building permit in the normal manner.

Development Engineering – West:

Provided that the existing drainage patterns are maintained, Engineering Approvals has no concerns from a grading perspective.

Hamilton Municipal Parking System (Parking Services):

For the information of the Committee, the applicant is requesting a variance to provide 3 of the 6 required parking spaces for this property. Applicant should be informed that tandem parking is not ideal as drivers often look for alternative parking arrangements instead of having to jockey vehicles in and of the driveway, thereby increasing the demand for on-street or off-site parking. In addition, the on-street parking is very limited in the vicinity of this property and "Time Limit" parking regulations are present throughout this area.

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PUBLIC WORKS DEPARTMENT

Traffic, Engineering and Operations Division:

No comment.

See attached for additional comments.