

**HM/A-15:151**

**219 Bowman Street, Hamilton**

The purpose of this application is to permit interior alterations to add additional habitable rooms within the existing cellar.

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 and 1.1.3-Settlement Areas. Staff are of the opinion that the application is consistent with these PPS policies.

Urban Hamilton Official Plan

The subject lands are identified as "Neighbourhoods" on Schedule "E" – Urban Structure, "Neighbourhoods" on Schedule "E-1" – Urban Land Use Designations in the Urban Hamilton Official Plan (UHOP). 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.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;
- b) promoting quality design consistent with the locale and surrounding environment;

The proposed development is for the internal renovation of the existing dwelling with no additions proposed or external changes proposed. As this is the case, the dwelling is maintaining the existing character of the area.

City of Hamilton Zoning By-law 6593

The subject property is zoned "C/S-720", "C/S-1335" and "C/S-1335a" (Urban Protected Residential, etc.) in the City of Hamilton Zoning By-law, to which the proposed use complies.

Variance 1:

The City of Hamilton Zoning By-law defines habitable rooms as follows:

**"Habitable Room"** means any room of a residential building or an institutional building, used or capable of being used by one or more persons for living, eating or sleeping, or as a kitchen serving a dwelling unit; but does not include a bathroom, water-closet compartment, laundry, serving or storage pantry, corridor or other space not for use frequently or during extended periods.

The proposal is to add 4 additional habitable rooms to the 7 existing habitable rooms for a total of 11. The parking regulations of the by-law require 2 parking spaces for the first 8 habitable rooms and 0.5 spaces for every room thereafter. The 7 existing rooms require 2 spaces. Rooms 9-11 require an additional 1.5 parking spaces. As it is not possible to provide 0.5 parking spaces, the requirement is rounded up to 2.

The existing house has a driveway which appears to be 16.5m long and 2.4m wide. A length of 16.5m would allow for 3 parking spaces at 5.5m long which is the new requirement under the 05-200 by-law. While the spaces may not be the proper size, should the need arise, it appears 3 of 4 required spaces can be provided. Staff are of the opinion the deficiency is minor and are supportive of the variance.

Variance 2-5:

These variances represent the existing driveway. As no changes are proposed, this is essentially recognizing an existing situation. The width is deficient by 0.2m under the new 05-200 standards. The lack of manoeuvring space is mitigated by the fact this is a residential street where traffic is required to move at slower speeds thus making manoeuvring more manageable for a smaller access and driveway. As this represents an existing situation, staff are supportive of these variances.

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 meets the intent and purpose of the Official Plan and Zoning By-law. Therefore, staff recommends that the proposed variances be **Approved**.