

July 9th, 2015

SC/A-15:187 (29 Lakeview Drive, Stoney Creek)

PLANNING and ECONOMIC DEVELOPMENT DEPARTMENT

Development Planning – Suburban:

The applicant is proposing to construct an accessory structure in the front yard.

Urban Hamilton Official Plan

The subject lands are identified as “Neighbourhoods” on Schedule “E” – Urban Structure, designated “Neighbourhoods” on Schedule “E-1” – Urban Land Use Designations in the Urban Hamilton Official Plan (UHOP).

Volume 1, Policy E.3.3.2 states:

“Development or redevelopment adjacent to areas of lower density shall ensure the height, massing, and arrangement of buildings and structures are compatible with existing and future uses in the surrounding area.”

This policy is addressed in the review below.

Stoney Creek Zoning By-law No. 3692-92

The lands are zoned Single Residential - Two “R2” Zone in Stoney Creek Zoning By-law No. 3692-92.

The general intent and purpose of this provision of the By-law is to maintain a consistent streetscape character. The applicant is proposing to recognize a front yard setback of 2.1 metres to the proposed shed whereas the By-law requires a minimum of 8.0 metres. The variance meets the general intent and purpose of the Official Plan since the existing single detached dwelling is a permitted use. Furthermore, as the subject lands along with other properties located along the north side of Lakeview Drive, backing onto Lake Ontario, contain accessory structures located in side or front yards in close proximity to the street, the proposed location meets the above noted Official Plan policy regarding the arrangement of structures, as it is compatible with the existing and future uses in the surrounding area. The variance meets the general intent and purpose of the Zoning By-law since an adequate setback is being provided to maintain the streetscape character. Staff note that many of the buildings and structures are located closer to Lakeview Drive as Lake Ontario requires restrictions on structures and setbacks to break walls, which result in the front yards essentially functioning as the rear yard amenity space. Staff are of the opinion that the variance is minor since the reduction in front yard setback will not

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adversely impact the streetscape character as the street is heavily treed and privacy fences are located along a major portion of Lakeview Drive screening the proposed accessory structure. Based on the foregoing, the reduced front yard setback to the proposed shed is deemed to be appropriate for the development and use of the lands.

Based on the foregoing, the requested variance is considered to be minor in nature, desirable for the appropriate use and development of the lands, and maintains the general intent and purpose of the Official Plan and Zoning By-law. Accordingly, staff support the application.

Building Division:

1. Pursuant to Section 6.1.4(d) of Stoney Creek Zoning By-law 3692-92, accessory buildings may be located in the front yard of lands backing onto the Lake Ontario shoreline provided they are a minimum of 8.0m from the front lot line. The variance is intended to permit the shed to be at least 2.1m from the front lot line.
2. Please be advised that a portion of this property is under Conservation Management. Please contact the Hamilton Conservation Authority for further information.
3. Order to Comply [Folder # 15-107332], dated April 7, 2015, is outstanding.
4. A building permit is required for construction of the proposed shed.

Development Engineering – East:

No Comment

Hamilton Municipal Parking System (Parking Services):

No Comment

PUBLIC WORKS DEPARTMENT

Traffic, Engineering and Operations Division:

The 7.35m clearance between the property line and the first parallel parking space must remain clear. We recommend either paint or signage is used to keep that area free of parked vehicles so the access remains clear and sightlines are not obstructed.