

November 12th, 2015**GL/A-15:317 (22 Bellstone Lane, Glanbrook)****PLANNING and ECONOMIC DEVELOPMENT DEPARTMENT****Development Planning – Suburban:**Provincial Policy Statement

The application has been reviewed with respect to the Provincial Policy Statement (PPS), namely the Settlement Areas policies 1.1.3.1, 1.1.3.2. Staff are of the opinion that the application is consistent with the policies that focus on growth in settlement areas.

Urban Hamilton Official Plan

The subject lands are identified as “Neighbourhoods” on Schedule “E” – Urban Structure and designated as “Neighbourhoods” on Schedule “E-1” – Urban Land Use Designations in Volume 1 of the Urban Hamilton Official Plan (UHOP). In addition, the subject lands are designated “Low Density Residential 2” in the North West Glanbrook Secondary Plan. Single detached dwellings are permitted within these designations.

Glanbrook Zoning By-law No. 464

The lands are zoned Residential “R3-140”, zone in Glanbrook Zoning By-law No. 464. Single detached dwellings are permitted within this zone.

Variance 1

The general intent and purpose of this provision in the By-law is to ensure adequate side yard setbacks are provided for access, privacy, and drainage purposes, as well as to maintain streetscape character. The applicant is proposing a minimum side yard setback of 3.8 metres, whereas Section 44 of the Glanbrook Zoning By-law No.464 requires a minimum side yard setback of 5.0 metres. The variance meets the general intent and purpose of the Official Plan since the single detached residential dwelling is permitted in the “Neighbourhoods” designation on Schedule “E-1” – Urban Land Use Designations in the Urban Hamilton Official Plan. The proposed variance meets the general intent and purpose of the Zoning By-law since an adequate side yard setback is being provided for access, privacy, and drainage purposes. Staff are of the opinion that the variance is minor since the reduction will not have an adverse impact on the adjacent properties and will maintain the character of the neighbourhood. Based on the foregoing, the reduced side yard setback is deemed to be appropriate for the development and use of the lands. Accordingly, staff support the variance.

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Variance 2

The general intent and purpose of this provision in the By-law is to ensure adequate rear yard setbacks are provided for privacy, amenity area, and drainage purposes. The applicant is proposing a minimum rear yard setback of 4.0 metres, whereas Section 44 of the Glanbrook Zoning By-law No.464 requires a minimum rear yard setback of 7.0 metres. The variance meets the general intent and purpose of the Official Plan since the single detached residential dwelling is permitted in the "Neighbourhoods" designation on Schedule "E-1" – Urban Land Use Designations in the Urban Hamilton Official Plan. The proposed variance meets the general intent and purpose of the Zoning By-law since an adequate rear yard setback is being provided for privacy, amenity space, and drainage. Staff are of the opinion that the variance is minor since the reduction will not have an adverse impact on the adjacent properties and will maintain the character of the neighbourhood. Based on the foregoing, the reduced rear yard setback is deemed to be appropriate for the development and use of the lands. Accordingly, staff support the variance.

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. A building permit is required for the construction of the proposed addition. Be advised that Ontario Building Code regulations may require specific setback and construction types.
2. The southerly lot line, being the shortest lot line abutting a street, is deemed to be the front lot line.

Development Engineering – West:

No comment.

Hamilton Municipal Parking System (Parking Services):

No concerns.

PUBLIC WORKS DEPARTMENT

Traffic, Engineering and Operations Division:

No comment.