



Hamilton

STAFF COMMENTS

HEARING DATE: February 13, 2024

HM/A-23:345 – 115 Terrace Drive, Hamilton

Recommendation:

Development Planning - Approve

Proposed Conditions:

1. The Applicant is required to establish an encroachment agreement with the City of Hamilton for the parking spaces located within the municipal right-of-way (To the satisfaction of the Manager of Transportation Planning).

Proposed Notes:

N/A



Hamilton

STAFF COMMENTS

HEARING DATE: February 13, 2024

Development Planning:

Background

To facilitate the construction of a vestibule addition to the existing place of worship and the establishment of an accessory parking lot and existing condition thereof to be maintained.

Analysis

Urban Hamilton Official Plan

The subject lands are designated as “Neighbourhoods” in Schedule E-1 - Urban Land Use Designations under the Urban Hamilton Official Plan and are identified as “Neighbourhoods” in Schedule E – Urban Structure of the Urban Hamilton Official Plan. Policies E.3.2.3, amongst others, are applicable. A place of worship is a permitted use.

Archeology

No comment.

Cultural Heritage

No comment.

Natural Heritage

The subject property is located within the boundaries of the Urban Hamilton Official Plan (UHOP). Based on Schedule B (Natural Heritage System) of the UHOP, Core Areas (i.e., Environmentally Significant Areas, Areas of Natural and Scientific Interest, Significant Woodlands, wetlands, and watercourses) as well as Linkages (natural areas that ecologically connect Core Areas) have not been identified within or adjacent to the subject property. As a result, it is anticipated that the proposed variances will not result in further negative impacts to the City’s Natural Heritage System.

Based on aerial photograph interpretation, trees have been identified within the subject property. The City recognizes the importance of trees and woodlands to the health and quality of life in the community (i.e., canopy cover, energy conservation, mental health benefits) and encourages the protection and restoration of trees (policy C.2.11.1). It is anticipated that there will not be any further impacts to the trees within the property. If trees located within the municipal right-of-way are to be impacted, it is advised that the City’s Forestry Department be contacted.



Hamilton

STAFF COMMENTS

HEARING DATE: February 13, 2024

City of Hamilton Zoning By-law No. 05-200

The subject lands are zoned Neighbourhood Institutional (I1) Zone in City of Hamilton Zoning By-law No. 05-200 and a place of worship is a permitted use.

Variance 1

1. A minimum front yard of 3.0 metres shall be permitted whereas the By-law requires a minimum 6.0 metre front yard.

The intent of this provisions is to ensure there is sufficient separation between private and public spaces and to maintain the character of the streetscape and neighbourhood.

Staff note that the proposed vestibule addition is to meet the current extent of the existing metal canopy. Staff also note that the subject property is a through lot, and the vestibule extensions as well as the structure front on to Clarendon Avenue. The proposed 3.0 metre front yard is in keeping with the character of the surrounding area and the existing streetscape. Therefore, staff are of the opinion the requested variance maintains the intent of the Zoning By-law and is minor in nature.

Variances 2 to 6

2. Parking spaces and aisles giving direct access to abutting parking spaces shall be permitted to be as close as 0.0 metres from a street line whereas the By-law requires a minimum 3.0 metre setback from a street line.
3. No planting strip shall be permitted to be maintained between the street line and the parking spaces or aisles giving direct access to abutting parking spaces whereas the By-law requires a minimum 3.0 metre wide planting strip.
4. The parking lot shall be permitted to maintain no landscaped strip with no visual barrier along the abutting residential zones whereas the By-law requires a minimum 1.5 metre wide landscaped strip with a visual barrier abutting residential zones.
5. Parking spaces within the parking lot shall be permitted to be arranged with direct access from the street which may interfere with normal public use and provide for ingress and egress that is not in a forward motion whereas the By-law requires that parking is arranged so as to not interfere with a normal public use of the street and that a parking lot provide for ingress and egress of vehicles in a forward motion only.
6. An access driveway having a width of 3.4 metres shall be permitted for 60 degree parking and access driveway having a width of 4.0 metres shall be permitted for 90 degree parking whereas the Zoning By-law requires a minimum 5.5 metre width for 60 degree parking and a minimum 6.0 metre width for 90 degree parking.



Hamilton

The intent of these provisions is to ensure there is adequate separation between parking spaces and public roads by minimizing the potential impacts on abutting residential properties. Additionally, the provisions ensure there is sufficient space for egress and ingress for parking provided on-site.

Staff note that Variances 2 to 6 are to recognize the existing conditions of the subject property. Staff do not anticipate negative impacts on the surrounding neighbourhood or the normal public use of the streets. Therefore, staff are of the opinion that the variances are minor in nature.

Staff are of the opinion that the variances meet the four tests of a minor variance. Based on the foregoing, **staff support the variances.**

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	<ol style="list-style-type: none"> 1. This property is listed in the City of Hamilton’s Inventory of Buildings of Architectural and/or Historical Interest as a property of cultural heritage value or interest. Please contact a Cultural Heritage Planner CulturalHeritagePlanning@hamilton.ca for further information. 2. The lands are subject to Site Plan Control. 3. It is noticed that several parking spaces are shown to be located on the road allowances. Please be advised that upon approval of the above noted variances, only the parking spaces located on site shall be recognized for zoning compliance purposes. An Encroachment Agreement with the Public Works Department may be required for parking spaces shown to encroach on the Road Allowance. 4. The proposed increase in gross floor area requires a minimum of eight (8) parking spaces; therefore, compliance is achieved based a total of thirty (30) parking spaces located on site. 5. Please note that insufficient details were provided from which to confirm compliance respecting the parking space sizes and all access driveways for the overall site. It is noted that some parking spaces may be smaller than the minimum required size under the Hamilton Zoning By-law 05-200; therefore, further variances may be required.

Development Engineering:

Recommendation:	No comments
-----------------	-------------



Transportation Planning:

Recommendation:	Approve with Conditions
Proposed Conditions:	The Applicant is required to establish an encroachment agreement with the City of Hamilton for the parking spaces located within the municipal right-of-way (To the satisfaction of the Manager of Transportation Planning).

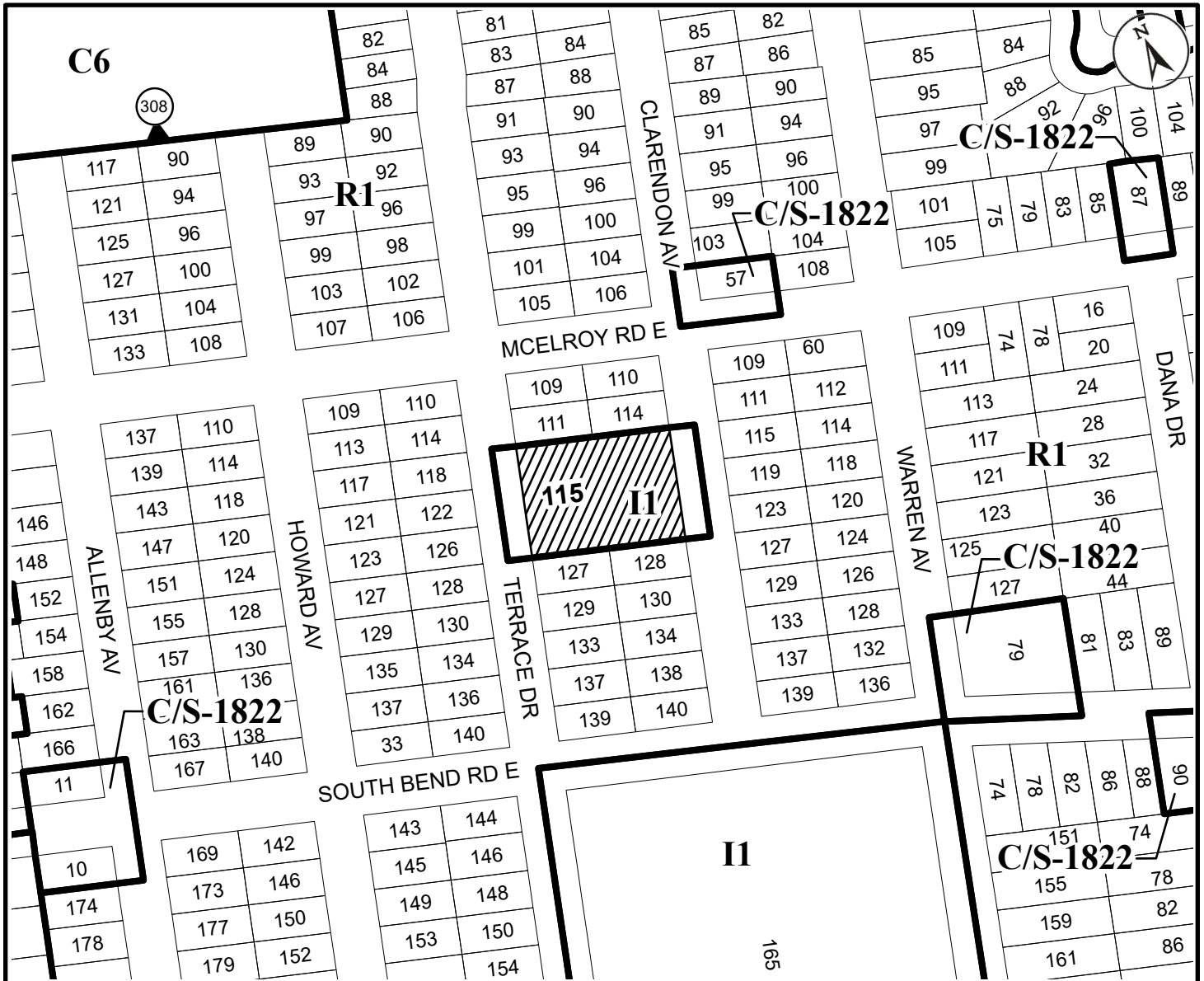
Building Engineering:

Recommendation:	Comments Only
Notes:	A building permit is required for the renovation of the proposed vestibule addition. Be advised that Ontario Building Code regulations may require specific setback and construction types.

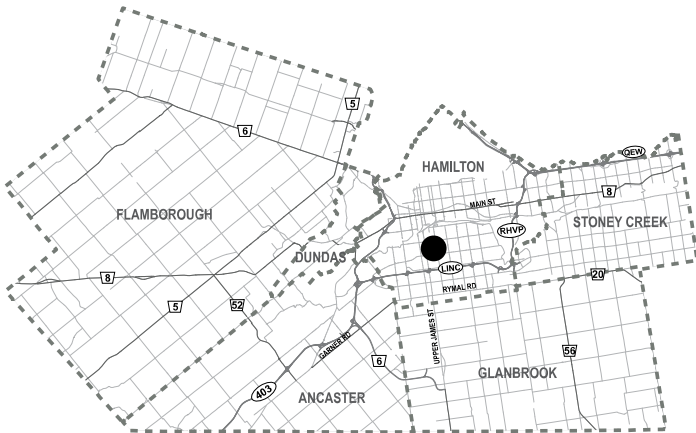
Legislative Approvals:

Recommendation:	No comments.
-----------------	--------------

Please Note: Public comment will be posted separately, if applicable.



● Site Location



City of Hamilton

Committee of Adjustment

Subject Property



115 Terrace Drive, Hamilton (Ward 8)

File Name/Number:

HM/A-23:345

Date:

January 29, 2024

Technician:

AL

Map Not To Scale

Appendix "A"



Hamilton