



Hamilton

STAFF COMMENTS

HEARING DATE: July 23, 2024

A-24:146 – 101 Westfield Crescent, Flamborough

Recommendation:

Development Planning - Deny

Proposed Conditions:

N/A

Proposed Notes:

N/A



Hamilton

STAFF COMMENTS

HEARING DATE: July 23, 2024

Development Planning:

Background

To facilitate the development of an additional dwelling unit.

Analysis

Niagara Escarpment Plan

The subject lands are designated “Urban Area” under the Niagara Escarpment Plan.

Urban Hamilton Official Plan

The subject lands are identified as “Neighbourhoods” in Schedule E – Urban Structure and are designated “Neighbourhoods” in Schedule E-1 – Urban Land Use Designations or the Urban Hamilton Official Plan. Policy E.3.2.3, amongst others, is applicable and permits the existing semi-detached dwelling and proposed additional dwelling unit.

Waterdown South Secondary Plan

The subject lands are designated “Low Density Residential 2” in Map B.4.3-1 Land Use Plan of the Waterdown South Secondary Plan. Policy 4.3.3.5, amongst others, is applicable and permits the existing semi-detached dwelling.

Archaeology

No comment.

Cultural Heritage

No comment.

Former Town of Flamborough Zoning By-law No. 90-145-Z

The subject lands are zoned Urban Residential Single Detached (R1-64) Zone, Modified in Former Town of Flamborough Zoning By-law No. 90-145-Z. The existing semi detached dwelling and proposed secondary dwelling unit are permitted uses.

Variance 1

1. To permit tandem parking for the parking space located in the attached garage and the space located on the driveway whereas tandem parking is not permitted.



Hamilton

The intent of this provision is to prevent parking for the additional dwelling unit from blocking or interfering with the normal use of the parking of the principle dwelling unit.

Staff are concerned that the requested variance will potentially cause conflict or interfere between use of the parking spaces intended for the main dwelling unit and secondary dwelling unit. Therefore, staff are of the opinion that the requested variance does not maintain the intent of the Zoning By-law and is not minor in nature. Staff do not support the variance.

Based on the foregoing, staff are of the opinion that Variance 1 does not maintain the intent of the Zoning By-law and is not minor in nature. However, Staff would be supportive of a revised variance to permit zero required parking space for the proposed secondary dwelling unit, whereas the Zoning By-law requires one parking space. **Staff recommend denial of Variance 1.**

Zoning:

Recommendation:	No comments.
Proposed Conditions:	
Comments:	
Notes:	i. Variance written as requested by applicant.

Development Engineering:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	N/A
Notes:	

Building Engineering:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	
Notes:	A building permit is required for the conversion of the proposed single family dwelling to a two-family dwelling.



Hamilton

STAFF COMMENTS

HEARING DATE: July 23, 2024

Transportation Planning:

Recommendation:	Approve
Proposed Conditions:	
Comments:	
Notes:	

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

NEC Comments - July 23, 2024 COA Agenda

Adair, Kendra (MNRF) <Kendra.Adair@ontario.ca>

Wed 7/10/2024 10:37 AM

To:Committee of adjustment <cofa@hamilton.ca>

Cc:Sperling, Janet (MNRF) <Janet.Sperling@ontario.ca>;Veshkini, Afsoon (MNRF) <Afsoon.Veshkini@ontario.ca>

Good morning Committee of Adjustment,

NEC staff have reviewed the July 23, 2024 CoA agenda and offer the following comments for your consideration.

The subject properties listed below are located outside of the Niagara Escarpment Development Control Area. As such, a Development Permit is not required from the NEC for development on these lands. However, the properties are located within the Niagara Escarpment Plan Area, and therefore, the policies of the Niagara Escarpment Plan (2017) are applicable.

- A-24:142 – 7 Grandview Court, Hamilton
 - The subject property is designated as Minor Urban Centre, with underlying Escarpment Rural Area by the 2017 Niagara Escarpment Plan. The policies in Parts 1.6 and 2 of the Niagara Escarpment Plan apply.
 - NEC staff have no concerns with the proposed addition to the single dwelling.

- A-24:146 – 101 Westfield Crescent, Hamilton
 - The subject property is designated as Urban Area by the 2017 Niagara Escarpment Plan. The policies in Parts 1.7 and 2 of the Niagara Escarpment Plan apply.
 - Part 2.2.11 of the Niagara Escarpment Plan contains specific criteria for secondary dwelling units within the Niagara Escarpment Plan Area:

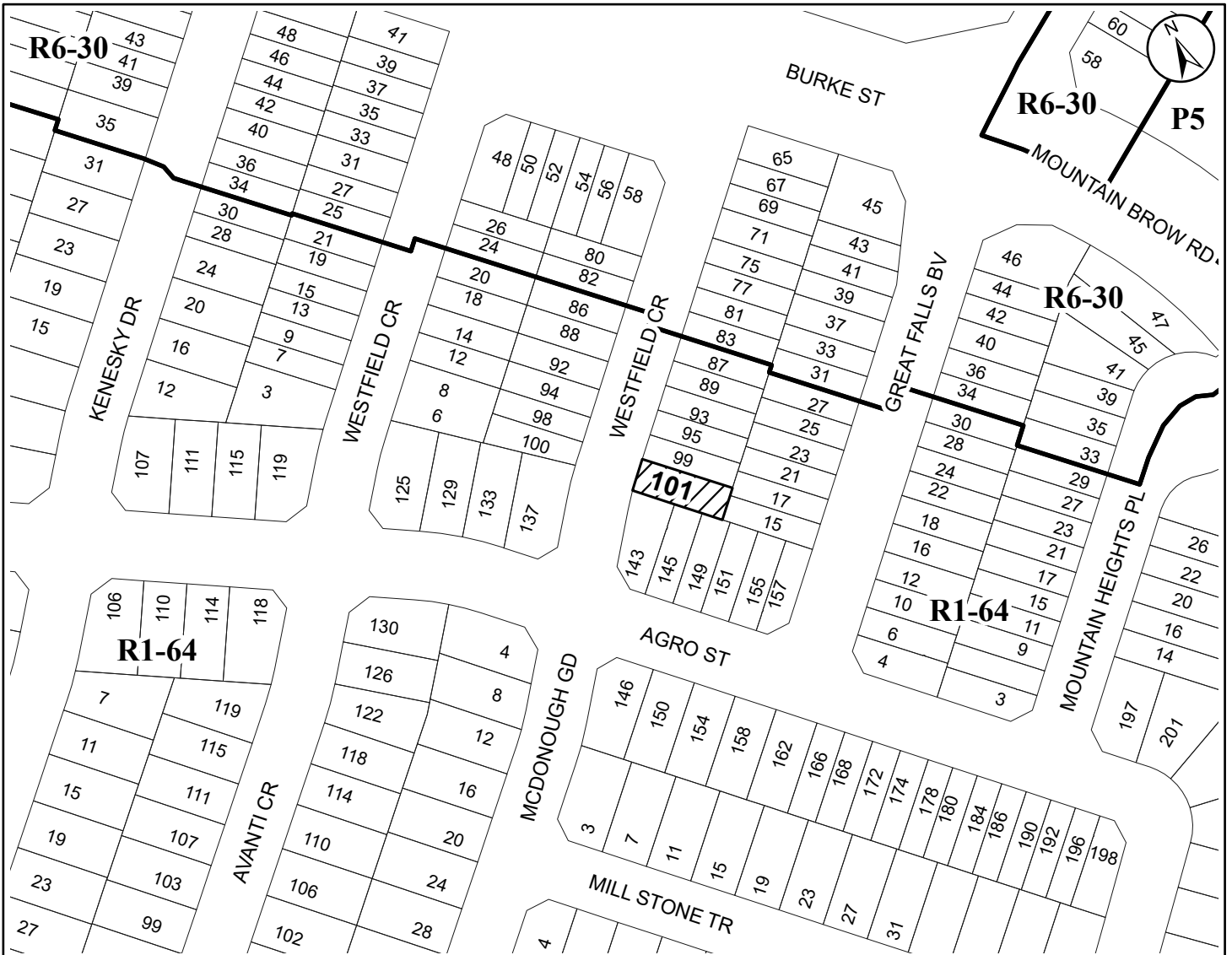
2.2.11 The following provisions apply to secondary dwelling units:

 - a) a single secondary dwelling unit may be permitted on an existing lot of record;*
 - b) notwithstanding the above, a secondary dwelling unit shall not be permitted on an existing lot of record where there is more than one single dwelling, including any dwelling approved under Part 2.2.7 of this Plan;*
 - c) the secondary dwelling unit shall be contained entirely within a single dwelling or in an addition to a single dwelling and shall not be permitted in a detached accessory facility;*
 - d) the floor area of a secondary dwelling unit shall be subordinate in size to the single dwelling;*
 - e) secondary dwelling units shall not be permitted in a group home or a single dwelling containing a bed and breakfast; and*
 - f) a home occupation or home industry shall not be permitted within a secondary dwelling unit.*
 - Based on the information provided in the application package, the proposal appears to conform with Part 2.2.11 above, and therefore NEC staff have no concerns.

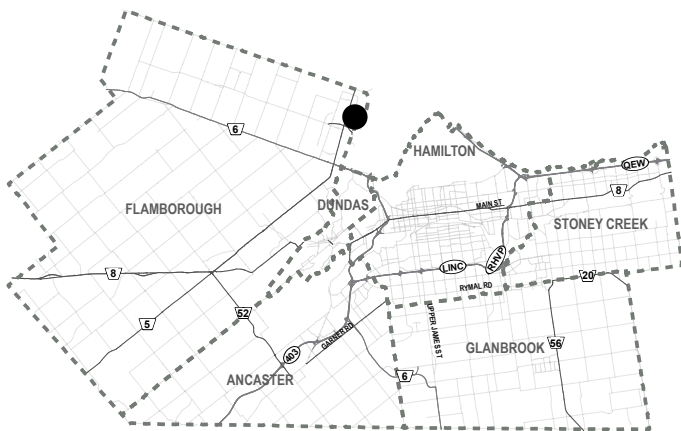
Please let me know if you have any questions.

Kind regards,

Kendra Adair (She/Her)



● Site Location



City of Hamilton

Committee of Adjustments

Subject Property



101 Westfield Crescent,
Flamborough (Ward 15)

File Name/Number:

A-24:146

Date:

July 5, 2024

Technician:

SH

Scale:

N.T.S.

Appendix "A"



Hamilton