

NOTICE OF PUBLIC HEARING
Consent/Land Severance

You are receiving this notice because you are either:

- Assessed owner of a property located within 60 metres of the subject property
- Applicant/agent on file, or
- Person likely to be interested in this application

APPLICATION NO.:	GL/B-22:39	SUBJECT PROPERTY:	91 STRATHEARNE PLACE GLANBROOK
-------------------------	-------------------	--------------------------	-----------------------------------

APPLICANTS: Agent Urban in Mind – J. Dickie and Applicant B. Wieske
Owners A. & K. Elgersma

PURPOSE & EFFECT: To permit the conveyance of a parcel of land and to retain a parcel of land for residential purposes.

	Frontage	Depth	Area
SEVERED LANDS:	40.34 m [±]	55.82 m [±]	2,196.41 m ^{2±}
RETAINED LANDS:	1,276.488 m [±]	55.81 m [±]	1,276.448 m ^{2±}

Associated Planning Act File(s):

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

This application will be heard by the Committee as shown below:

DATE:	Thursday, June 23, 2022
TIME:	1:55 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

For more information on this matter, including access to drawings illustrating this request and other information submitted:

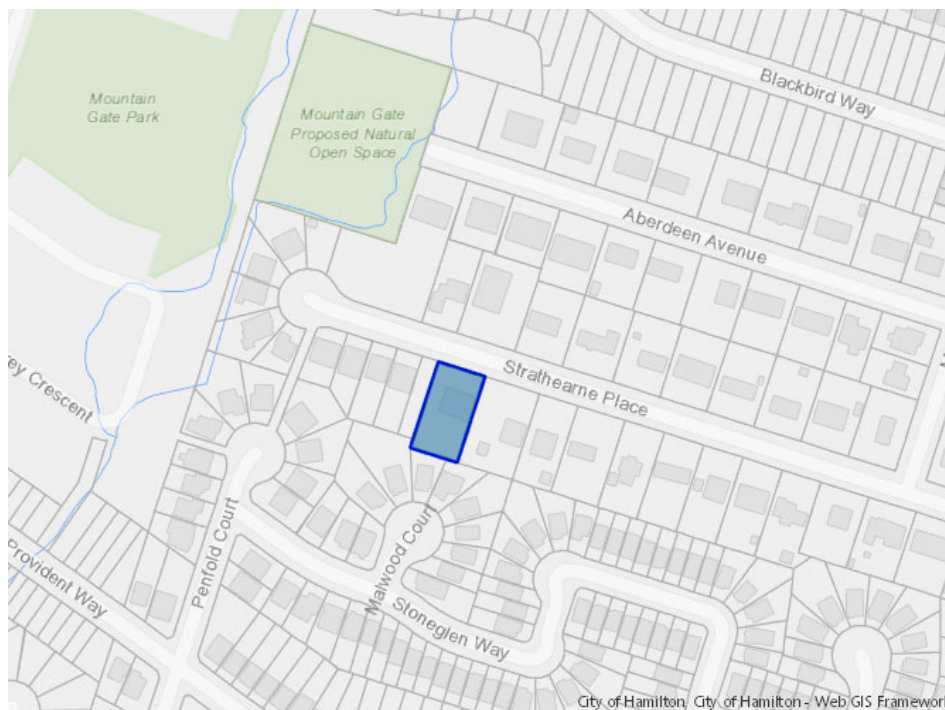
- Visit www.hamilton.ca/committeeofadjustment

- Email Committee of Adjustment staff at cofa@hamilton.ca
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

PUBLIC INPUT

Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

Orally: If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.



Subject Lands

DATED: June 7, 2022

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public, and may include posting electronic versions.

GL/B-22:39

If a person or public body that files an appeal of a decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent does not make written submissions to The City of Hamilton Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

If you wish to be notified of the decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent, you must make a written request to the Secretary-Treasurer of The City of Hamilton Committee of Adjustment by email at cofa@hamilton.ca or by mail through City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5.

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon two days before the Hearing.**

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All comments received by noon two business days before the meeting will be forwarded to the Committee members.

Comments are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions During the Virtual Meeting

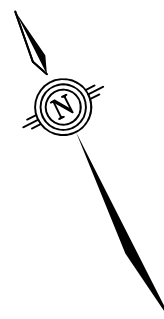
Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. **Interested members of the public must register by noon the day before the hearing.**

To register to participate by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221. The following information is required to register: Committee of Adjustment file number that you wish to speak to, the hearing date, name and address of the person wishing to speak, if they will be connecting via phone or video, and if applicable the phone number they will be using to call in. A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

All members of the public who register will be contacted by Committee Staff to confirm details of the registration prior to the Hearing and provide an overview of the public participation process.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.



STRATHEARNE PLACE

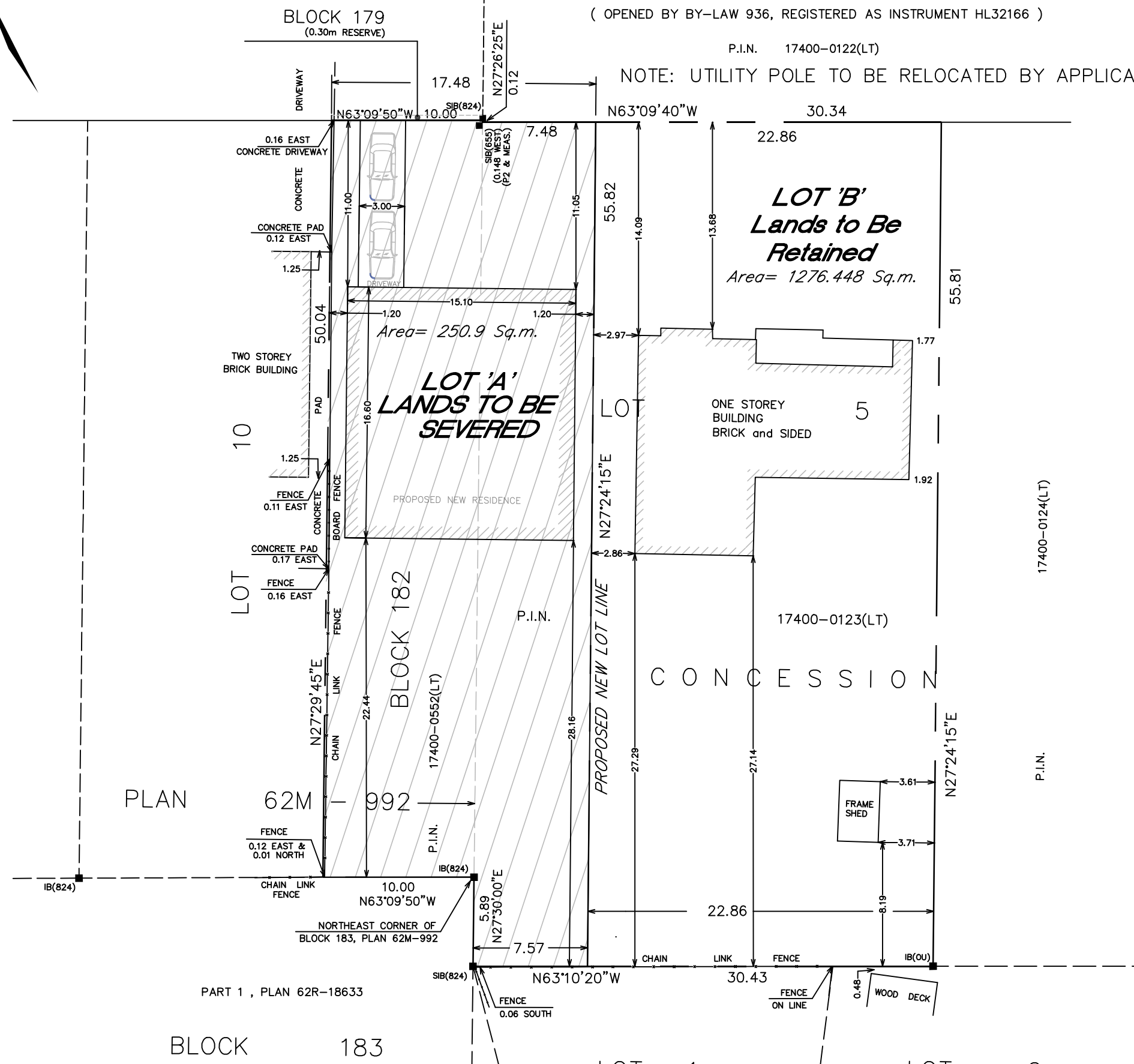
(BY PLAN 62M-992)

STRATHEARNE PLACE

(OPENED BY BY-LAW 936, REGISTERED AS INSTRUMENT HL32166)

P.I.N. 17400-0122(LT)

NOTE: UTILITY POLE TO BE RELOCATED BY APPLICANT



CONCEPT SITE PLAN

91 STRATHEARNE PLACE
MT. HOPE (HAMILTON)

CURRENT ZONING
ER (EXISTING RESIDENTIAL)
PROPOSED ZONING
R3 (RESIDENTIAL "R3" ZONE)

EXISTING LOT - 2,196.413m² (0.54ac, 0.22ha)

LANDS TO BE SEVERED LOT 'A' - 919.965 m² (0.23ac, 0.09ha)

LANDS TO BE RETAINED - LOT 'B' - 1,276.448m² (0.32ac, 0.13ha)

	Current Zoning ER ZONING	Proposed Zoning R3 ZONING	LOT 'A' Severed Lands	LOT 'B' Retained Lands
MIN. LOT AREA	1,390 m ²	450 m ²	919.965m ²	1276.448m ²
MIN. LOT FRONTAGE	22.5 m	15.0 m	17.48 m	22.86 m
MIN. LOT DEPTH	30.0 m	-----	50.04 m	55.81 m
MIN. FRONT YARD	9.0 m	7.5 m	7.5 m	13.68 m
MIN. SIDE YARD	1.8 m & 5.4 m	1.2 m ***	1.2m	1.77 m & 2.86 m
BUILDING AREA	-----	-----	250.9m ² **	193.4m ²
MAX LOT COVERAGE	25.0%	35.0%	27.27%**	15.2%
BUILDING HEIGHT	10.7 m	10.7 m	m	m

** VALUES BASED ON EXAMPLE FOOTPRINT DRAWN ON PLAN

***THE PROPOSED DESIGN ASSUMES THAT THE NEW HOME TO BE BUILT ON SEVERED LANDS WILL BE CONSTRUCTED WITH AN ATTACHED GARAGE OR CARPORT IN CORRESPONDANCE TO THE R3 ZONING OF GLANBROOK ZONING BY-LAW 464.

NOTE: DRAWING IS FOR DISCUSSION
PURPOSES ONLY.

SURVEY BASE INFORMATION BY:

Drawing Dated: 19 July, 2021.

W & R WEST & RUUSKA LTD. Ontario Land Surveyors
17 NELSON STREET
BRANTFORD, ONT., N3T 2M6
PHONE: (519)752-8641

DRWN: TSK
CHKD: WES
W210152

SCALE: 1: 300 WHEN PRINTED ON 11 x 17

PROJECT NO.
2020_33

DATE: NOVEMBER 4, 2021

DRAWN BY: S.C.
REVIEWED BY: T.G.



DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

**PROPOSED
SEVERANCE SKETCH**

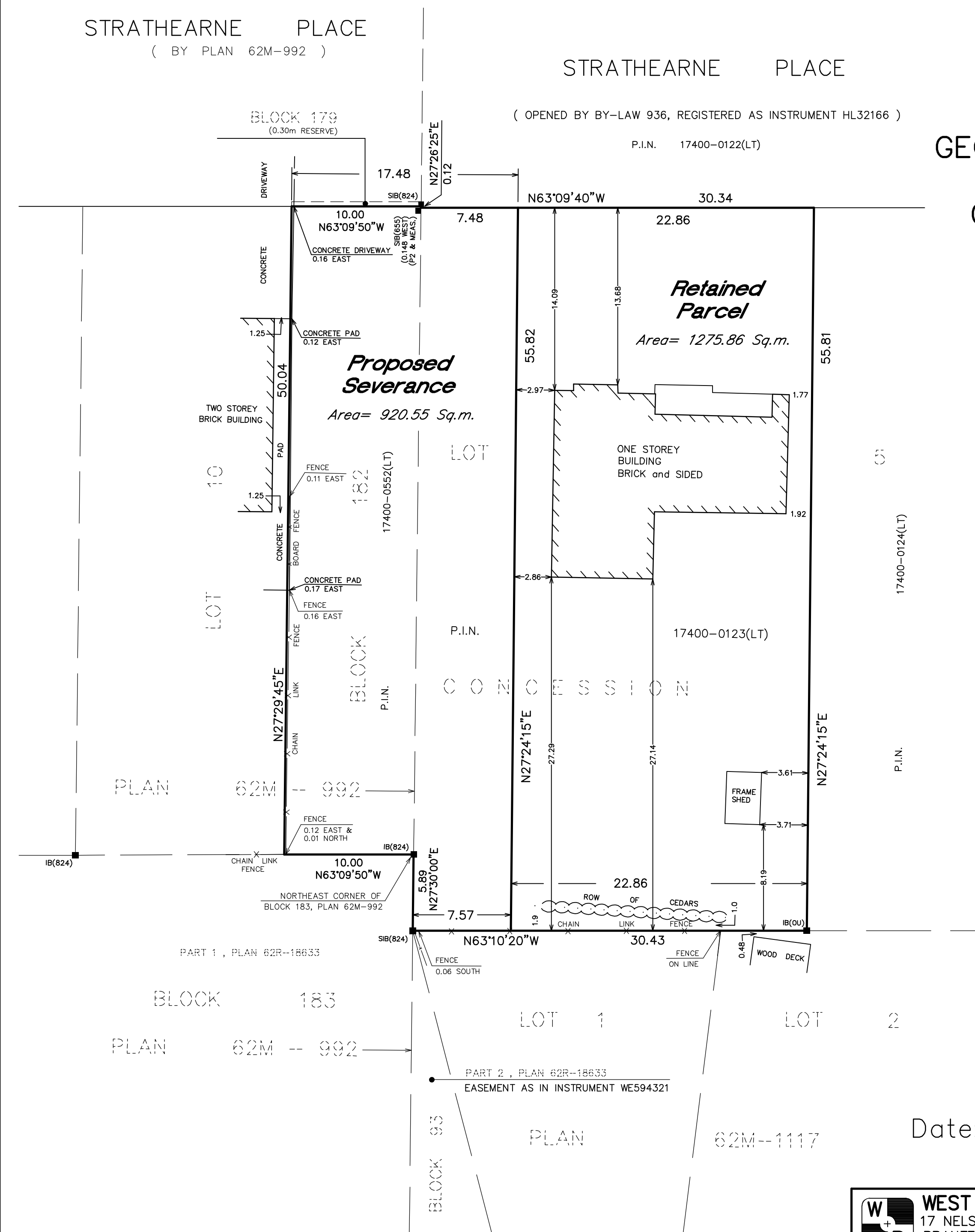
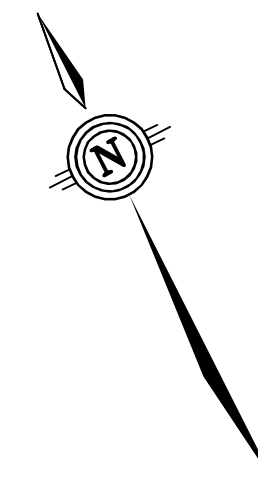
BLOCK 182
PLAN 62M-992
PART OF LOT 5
CONCESSION 5
GEOGRAPHIC TOWNSHIP
OF GLANBROOK
CITY OF HAMILTON

SCALE - 1 : 250

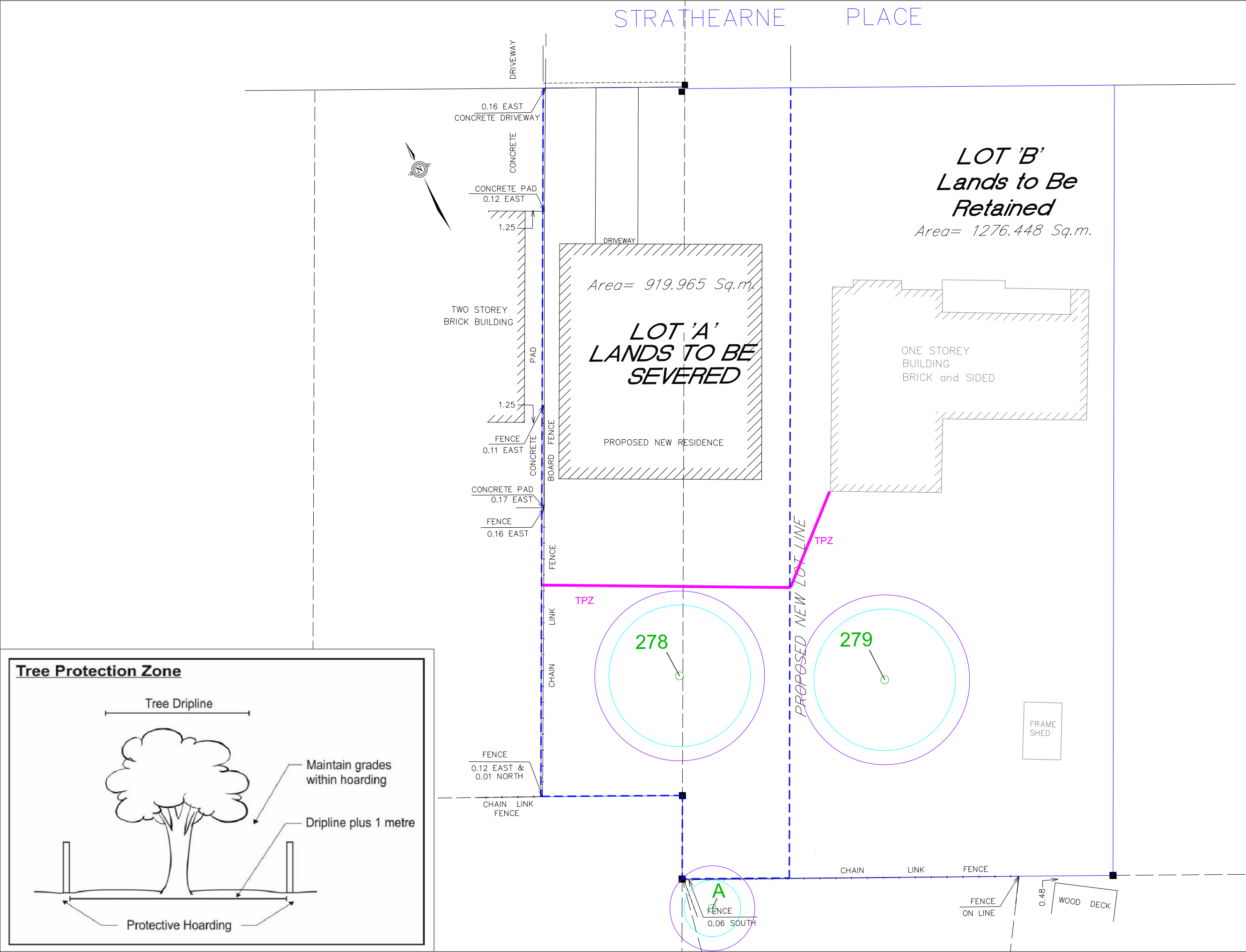


WEST & RUUSKA LTD.

© COPYRIGHT, 2021.



Date: 19 July, 2021.



LEGEND

Tree Inventory
Refer to Table 1 of the report dated 16 March 2022 for complete tree inventory information. Trees greater than 10cm DBH on or within six meters of the subject area and trees of all sizes within the City road right-of-way were included in the inventory.

Tree Removals
No tree removals are required to accommodate the proposed development.

Tree Preservation
The preservation of all trees will be possible with the appropriate tree protection measures. Trees identified for preservation are indicated with GREEN labels. Tree protection measures must be implemented prior to the construction phase (earth works). Required tree preservation fencing is indicated in MAGENTA.

Tree Label (GREEN), Preservation Recommended

Tree Location Estimated by KFCI

Dripline Plus 1m (PURPLE Circle)

Dripline (CYAN Circle)

Location of Tree Preservation Fencing (Solid Thick MAGENTA)

Property Boundary (Solid BLUE)

Subject Area (Dashed BLUE)

TREE PROTECTION PLAN NOTES

- It is the applicants' responsibility to discuss potential impacts to trees located near or wholly on adjacent properties or on shared boundary lines with their neighbours. Should such trees be injured to the point of instability or death the applicant may be held responsible through civil action. The applicant would also be required to replace such trees to the satisfaction of Urban Forestry.
- Tree protection barriers shall be installed to standards as detailed in this document and to the satisfaction of Urban Forestry.
- Tree protection barriers must be installed using plywood clad hoarding (minimum 19mm or ¾" thick) or an equivalent approved by Urban Forestry.
- Where required, signs as specified in Section 4, Tree Protection Signage must be attached to all sides of the barrier.
- Prior to the commencement of any site activity such as site alteration, demolition or construction, the tree protection measures specified on this plan must be installed to the satisfaction of Urban Forestry.
- Once all tree/site protection measures have been installed, Urban Forestry staff must be contacted to arrange for an inspection of the site and approval of the tree/site protection requirements. Photographs that clearly show the installed tree/site protection shall be provided for Urban Forestry review.
- Where changes to the location of the approved TPZ or sediment control or where temporary access to the TPZ is proposed, Urban Forestry must be contacted to obtain approval prior to alteration.
- Tree protection barriers must remain in place and in good condition during demolition, construction and/or site disturbance, including landscaping, and must not be altered, moved or removed until authorized by Urban Forestry.
- No construction activities including grade changes, surface treatments or excavation of any kind are permitted within the area identified on the Tree Protection Plan or Site Plan as a tree protection zone (TPZ). No root cutting is permitted. No storage of materials or fill is permitted within the TPZ. No movement or storage of vehicles or equipment is permitted within the TPZ. The area(s) identified as a TPZ must be protected and remain undisturbed at all times.
- All additional tree protection or preservation requirements, above and beyond the installation of tree protection barriers, must be undertaken or implemented as detailed in the Urban Forestry approved arborist report and/or the approved tree protection plan and to the satisfaction of Urban Forestry.
- If the minimum tree protection zone (TPZ) must be reduced to facilitate construction access, the tree protection barriers must be maintained at a lesser distance and the exposed portion of TPZ must be protected using a horizontal root protection method approved by Urban Forestry.
- Any roots or branches indicated on this plan which require pruning, as approved by Urban Forestry, must be pruned by an arborist. All pruning of tree roots and branches must be in accordance with good arboricultural practice. Roots that have received approval from Urban Forestry to be pruned must first be exposed using pneumatic (air) excavation, by hand digging or by a using low pressure hydraulic (water) excavation. The water pressure for hydraulic excavation must be low enough that root bark is not damaged or removed. This will allow a proper pruning cut and minimize tearing of the roots. The arborist retained to carry out crown or root pruning must contact Urban Forestry no less than three working days prior to conducting any specified work.
- The applicant/owner shall protect all by-law regulated trees in the area of consideration that have not been approved for removal throughout development works to the satisfaction of Urban Forestry.
- Convictions of offences respecting the regulations in the Street Tree By-law and Private Tree By-law are subject to fines. A person convicted of an offence under these by-laws is liable to a minimum fine of \$500 and a maximum fine of \$100,000 per tree, and/or a Special Fine of \$100,000. The landowner may be ordered by the City to stop the contravening activity or ordered to undertake work to correct the contravention.
- Prior to site disturbance the owner must confirm that no migratory birds are making use of the site for nesting. The owner must ensure that the works are in conformance with the Migratory Bird Convention Act and that no migratory bird nests will be impacted by the proposed work no less than 48 hours prior to conducting any specified work.

No.	Issue/Revisions	Date	By
1	Report Submission	16 Mar. '22	KNH

Base Data: West & Ruuska Ltd. (survey), Urban in Mind (site)

146 Lakeshore Road West
PO Box 1267 Lakeshore W PO
Oakville ON L6K 0B3
t: 289.837.1871
e: consult@kuntzforestry.ca
web: www.kuntzforestry.ca

Client
Andrew and Kayla Elgersma
91 Strathearne Place
Hamilton, Ontario L0R 1W0

Property
91 Strathearne Place
Hamilton, Ontario

Tree Inventory & Preservation Plan

Project	P3196	Figure
Date	16 March 2022	1
Scale	1:250	

PLANNING JUSTIFICATION REPORT CONSENT AND ZONING BY-LAW AMENDMENT

APRIL 22, 2022

91 STRATHEARNE PLACE (MOUNT HOPE) HAMILTON, ON



— Subject Property

Prepared by:

Urban in Mind,
Professional Urban Planning, Land Development & CPTED Consultants

www.UrbanInMind.ca

(905) 320-8120



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1.0 INTRODUCTION:

Urban in Mind has been retained by the applicant to obtain a **Consent & Zoning By-Law Amendment** approval for the property municipally known as 91 Strathearne Place (“subject property”) in Hamilton, Ontario. The intention is to sever the lands to create one new single-detached lot. The existing residence will remain on the retained lands.

1.1 Purpose of the Report:

The purpose of this **Planning Justification Report** is to provide an analysis of the subject property, and to evaluate the proposal in context with the applicable planning policies and neighbouring uses/character, thereby providing a sound argument for the approval of the planning applications.

2.0 SUBJECT PROPERTY AND SURROUNDING AREA:

2.1 Site Overview:

Figure 1: Aerial View of Subject Property (Google Maps)



The subject property (**Figure 1**) is located within the community of Mount Hope on the south side of Strathearne Place just west of Marion Street. The site has a frontage of

Figure 2: Southampton Estates Subdivision (A.T. McLaren)

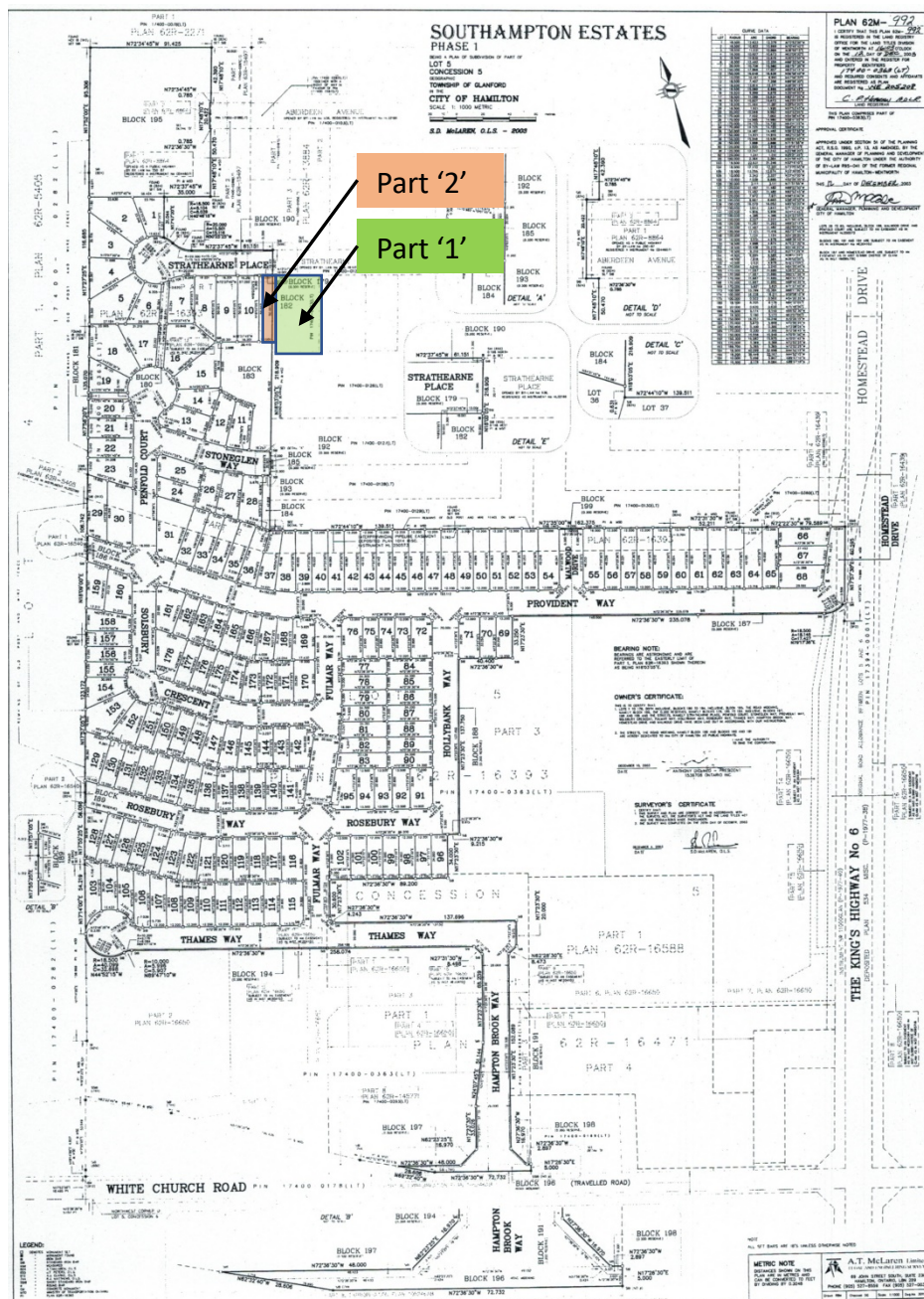


Figure 3: Street View of Subject Property (Photo taken by Owner in 2022)



The immediate surrounding area includes the following:

Figure 4: Strathearne Place Streetscape (East of Subject Property)

Figure 5: Strathearne Place Streetscape (West of Subject Property)

Figure 5: 92 & 100 Strathearne Place (Across the Street)

Figure 6: 83 & 103 Strathearne Place (Abutting Properties)

Figure 4: Strathearne Place Streetscape *Old Subdivision* (East of Subject Property)



Figure 5: Strathearne Place Streetscape (West of Subject Property) (Google Maps)



Figure 6: 92 & 100 Strathearne Place (Across the Street) (Google Maps)



100 Strathearne Place

92 Strathearne Place

Figure 7: 83 & 103 Strathearne Place (Abutting Properties) (Google Maps)



2.2 Neighbourhood Character:

The subject property is located in Mount Hope, being small urban community that is within the southern limits of Hamilton's Urban Area. The subject property is surrounded by low-density residential uses on all sides. To the west of the subject property along Strathearne Place are newer 1.5 and 2-storey single-detached homes which form part of the Southamptton Estates Subdivision. This side of the road (west of the subject property) is considered an urban cross-section roadway associated with the 'Southamptton Estates Subdivision'. This area is more compact, contains less landscaping, has larger building footprints and tighter setbacks when compared to the properties that are situated on the older segment of the street (east of the subject property), which primarily features older bungalows on larger lots. The older section of the road (east of the subject property), is considered a Rural cross-section roadway.

Homestead Drive, which is within walking distance from the subject property, acts as the primary spine within the greater community area and contains several local commercial uses. Since the community is located at the edge of Hamilton's Urban Boundary, the surrounding landscape is characterized by golf courses, farmland, and of course the Hamilton International Airport. The airport is located within 2 km from the subject property, but does not pose any conflicts for the proposed 2-storey dwelling on the subject property.

As a side note, there are also a large amount of vacant lands within the site's immediate vicinity that are actively pursuing development applications which are expected to dramatically increase the area's population and transform the Mount Hope built character.

2.3 Transportation:

The segment of Strathearne Place that abuts the subject property is classified as a 'Local Road' with an existing 'Right-of-Way' width of approximately 20.2 m. The City has indicated that a 'Right-of-Way' widening will not be required as a result of the proposed development. The subject property is located at the edge of Hamilton's Urban Boundary within a low-density residential neighbourhood. As such, most residents rely on the automobile travel between the City of Hamilton proper, and the community of Mount Hope.

The proposed development will provide sufficient parking spaces to meet the requirements of the Zoning By-Law. In addition, there is a municipal bus stop located within a 10-15 minutes' walk from the site at the intersection of Airport Road and Homestead Drive which provides somewhat convenient access to downtown Hamilton.

3.0 PROPOSED DEVELOPMENT & PLANNING APPLICATIONS:

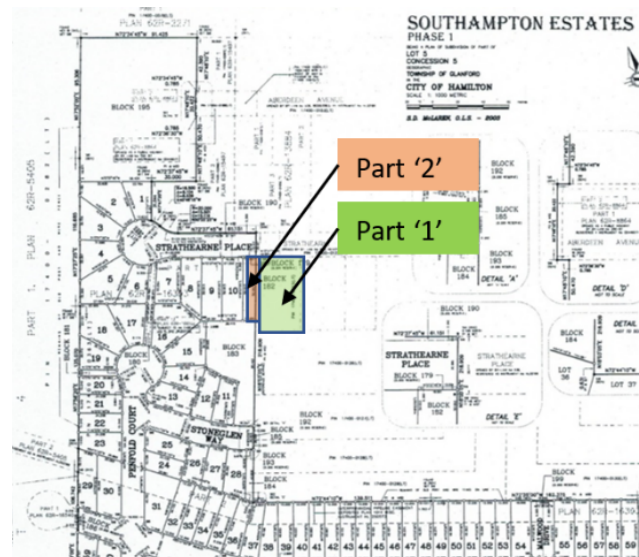
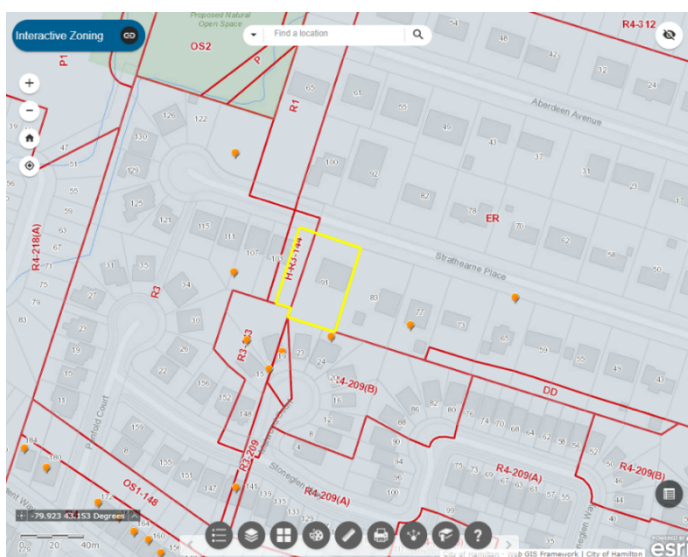
The facilitate the proposed infill development, the following planning approvals are required:

- Consent (Land Severance)
- Zoning By-Law Amendment (Rezoning & Removal of Holding Provision)

Since Part '1' & Part '2' are merged as one single property, it is the intent of the owner to sever the subject property to create a second lot. The existing house will remain on the retained lands. A new single-detached dwelling will be built on the severed/merged lands.

The subject property is currently dual-zoned under the Former Glanbrook Zoning By-law No. 464. **Part '1'** is zoned as 'Existing Residential (ER)' & **Part '2'** is zoned as 'Residential 3 with Site-Specific Exception 144 (H-R3-144)'.

Figure 8: Interactive Zoning Map (City of Hamilton)



The city has historically placed a **holding provision** on 'Part 2' to prevent future development on the lands due to uncertainties related to the ownership (*at time of the Southampton Estates Subdivision development*). Site-Specific Exception 144 states that the holding provision can be removed once the ownership issue has been resolved. A title search was completed in 2021 which confirmed that Part 'A' & 'B' are under the same ownership (**Appendix 'J'**) controlled by the subject property's/applicant's owner. As such, the holding provision is no longer required.

Since the proposed development will result in the creation of one new lot, a Zoning By-Law Amendment is required to provide for a more consistent zone across both lots (i.e. severed & retained). The proposed Zoning By-Law Amendment will remove the holding provision from the subject property and rezone the entire site to the more appropriate Residential 'R3' zone as a natural extension to the Southampton Estates lotting pattern.

Table 1: Proposed Zoning Conditions

Zoning By-law No. 464.	Current ER Zoning	Proposed R3 Zoning	Lot 'A' Severed Lands	Lot 'B' Retained Lands
Min. Lot Area	1,390 m ²	450 m ²	919.965 m ²	1276.448 m ²
Min. Lot Frontage	22.5 m	15.0 m	17.48 m	22.86 m
Min. Lot Depth	30.0 m	----	50.04 m	55.81 m
Min. Front Yard	9.0 m	7.5 m	7.5 m	13.68 m (Ex.)
Min. Side Yard	1.8 m (With Garage)	1.2 m (With Garage)	1.2 m (With Garage)	1.77 m & 2.86 m (Ex.)
Min. Rear Yard	10.7 m	7.5 m	22.44 m	27.14 m (Ex.)
Max. Lot Coverage	25.0%	35.0%	27.27%	15.2% (Ex.)
Max. Building Height	10.7 m	10.7 m	Compliance with R3 Zoning will be Ensured	In Compliance with R3 Zoning
Min. Parking Tandem Permitted	2	2	Compliance with R3 Zoning will be Ensured	In Compliance with R3 Zoning

Ex. Existing Condition

PLEASE NOTE: The Justification for the proposed development conditions is described in **SECTION 5.0** of this Report.

Figure 9: Proposed Severance Sketch

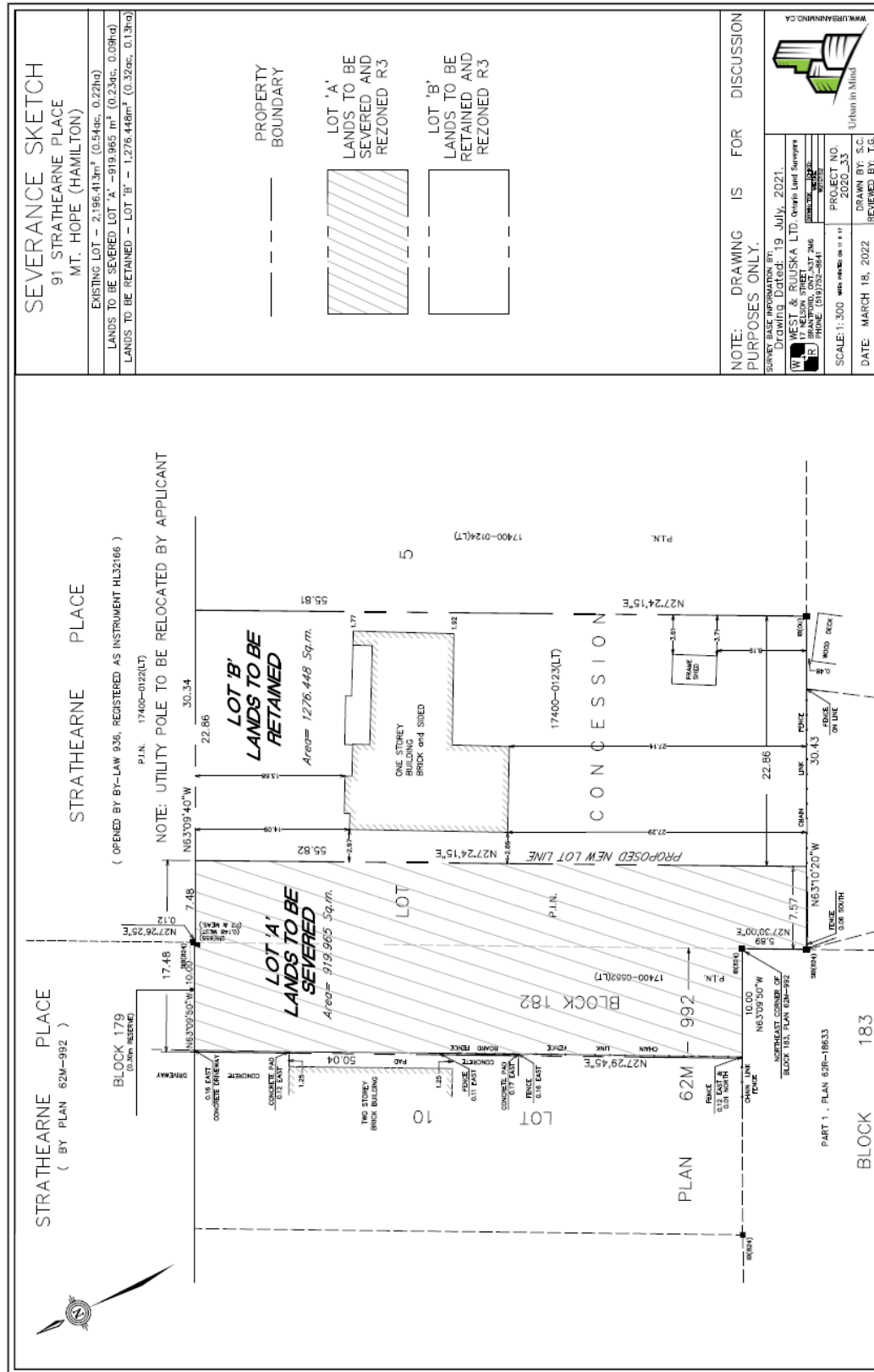
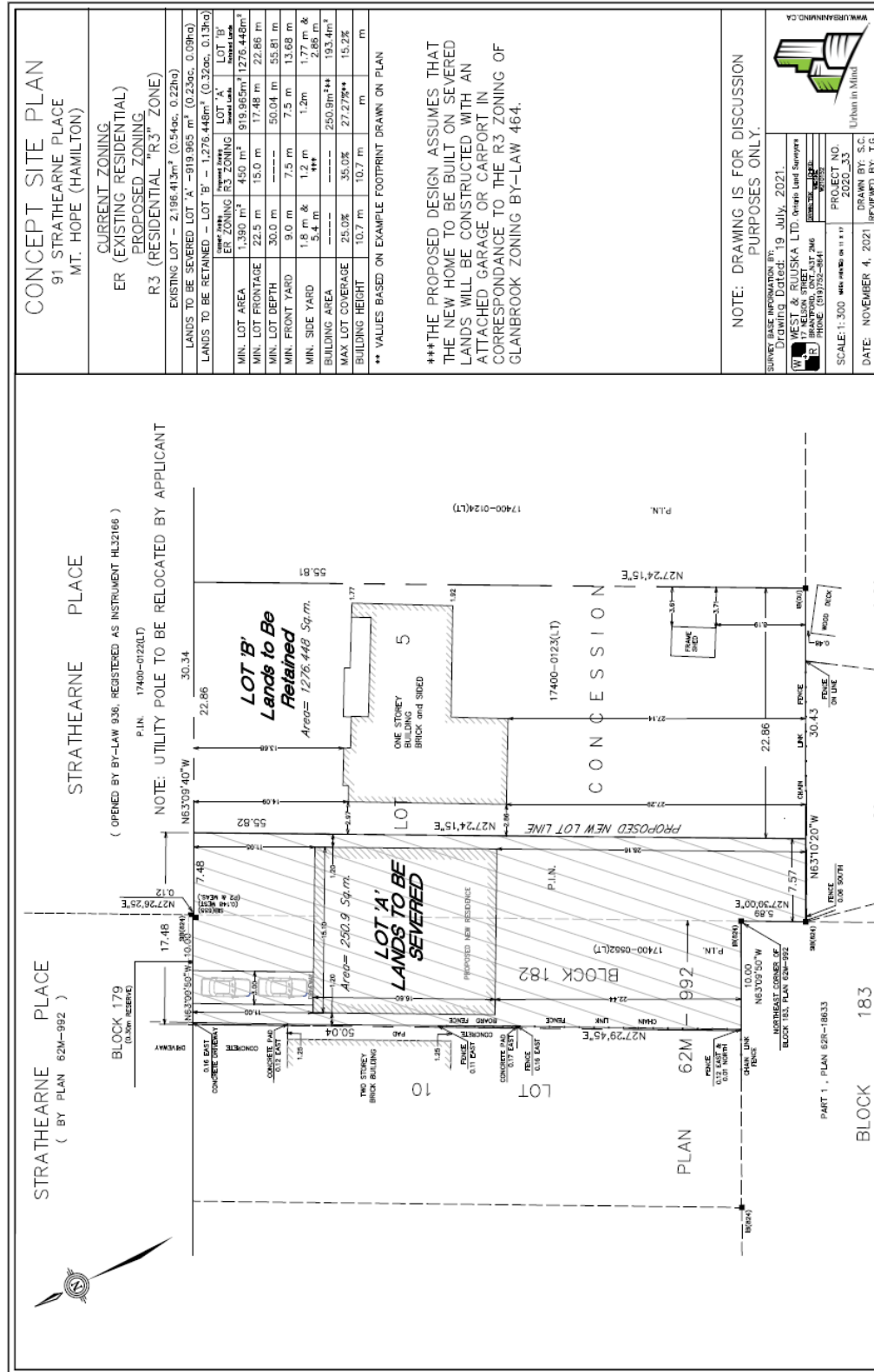


Figure 10: Concept Site Plan



3.1 Impact of the Proposed Development:

The proposed development will add one new single-detached dwelling and driveway access on to Strathearn Place road. It will also result in the preservation of the existing housing stock as the existing dwelling would remain in-tact. Both the severed and retained lots will have large front and rear yard setbacks to provide for adequately sized landscaped amenity spaces. There will also be more than enough room to provide for the required amount of parking spaces. Given the proposed 'R3' Zoning permissions, the new development will provide for a respectful and natural lotting fabric, building size and setbacks that are compatible with the adjacent Southampton Estate properties. The proposed development is essentially the continuation of on-going redevelopment efforts which started on the west side of Strathearn Place and is continuing eastward along the older portion of the street.

Overall, the proposed development is providing for an opportunity to reinvigorate an underutilized parcel of land with new infill development which will increase the number of housing options within the City of Hamilton while providing for additional residents to support neighbourhood shops, community organizations, schools, enhanced municipal transit viability, and additional municipal tax base.

4.0 PLANNING POLICY REVIEW:

4.1 Planning Act, R.S.O. 1990, c. P.13:

The Planning Act is the leading provincial legislation that sets out the rules for land use planning in Ontario. The Planning Act ensures that matters of provincial interest are met and guides planning policy to protect citizen rights and the natural environment.

Applicable provisions from the Planning Act have been included as follows:

"PART I PROVINCIAL ADMINISTRATION **Provincial Interest**

- 2** The Minister, the council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,
- (a) the protection of ecological systems, including natural areas, features and functions;
 - (b) the protection of the agricultural resources of the Province;
 - (c) the conservation and management of natural resources and the mineral resource base;
 - (d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;
 - (e) the supply, efficient use and conservation of energy and water;
 - (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
 - (g) the minimization of waste;

- (h) the orderly development of safe and healthy communities;
- (h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;
- (i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;
- (j) the adequate provision of a full range of housing, including affordable housing;
- (k) the adequate provision of employment opportunities;
- (l) the protection of the financial and economic well-being of the Province and its municipalities;
- (m) the co-ordination of planning activities of public bodies;
- (n) the resolution of planning conflicts involving public and private interests;
- (o) the protection of public health and safety;
- (p) the appropriate location of growth and development;
- (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
- (r) the promotion of built form that,
 - (i) is well-designed,
 - (ii) encourages a sense of place, and
 - (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;
- (s) the mitigation of greenhouse gas emissions and adaptation to a changing climate. 1994, c. 23, s. 5; 1996, c. 4, s. 2; 2001, c. 32, s. 31 (1); 2006, c. 23, s. 3; 2011, c. 6, Sched. 2, s. 1; 2015, c. 26, s. 12; 2017, c. 10, Sched. 4, s. 11 (1); 2017, c. 23, Sched. 5, s. 80.

PART VI SUBDIVISION OF LAND

Plan of subdivision approvals

51(24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,

- (a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;
- (b) whether the proposed subdivision is premature or in the public interest;
- (c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;
- (d) the suitability of the land for the purposes for which it is to be subdivided;
- (d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;
- (e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;
- (f) the dimensions and shapes of the proposed lots;

- (g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;
- (h) conservation of natural resources and flood control;
- (i) the adequacy of utilities and municipal services;
- (j) the adequacy of school sites;
- (k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;
- (l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and
- (m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the *City of Toronto Act, 2006*. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2)."

4.2 Provincial Policy Statement (PPS) (2020):

The Provincial Policy Statement (PPS) for the Province of Ontario was recently updated in May 2020. It provides the provincial policy direction on matters of provincial interest related to land development provided under Section 3 of the *Planning Act*. The goal of the PPS is to enhance the quality of life for all people living, working and/or playing in Ontario.

Applicable excerpts from the Provincial Policy Statement are as follows:

"Part V: Policies

1.0 Building Strong Healthy Communities

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, liveable and safe communities are sustained by:

- a)** promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b)** accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- c)** avoiding development and land use patterns which may cause environmental or public health and safety concerns;

- d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;
- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;

1.1.3 Settlement Areas

Settlement areas are urban areas and rural settlement areas, and include cities, towns, villages and hamlets. Ontario's settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.

The vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities. Development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

1.1.3.1 Settlement areas shall be the focus of growth and development.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
- e) support active transportation;
- f) are transit-supportive, where transit is planned, exists or may be developed; and Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

1.4 Housing

1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

b) permitting and facilitating:

- 1.** all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and
- 2.** all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;

c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;

e) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and

f) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

1.6 Infrastructure and Public Service Facilities

1.6.6 Sewage, Water and Stormwater

1.6.6.1 Planning for sewage and water services shall:

a) accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing:

- 1.** municipal sewage services and municipal water services;

c) promote water conservation and water use efficiency;

d) integrate servicing and land use considerations at all stages of the planning process; and

e) be in accordance with the servicing hierarchy outlined through policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5. For clarity, where municipal sewage services and municipal water services are not available, planned or feasible, planning authorities have the ability to consider the use of the servicing options set out through policies 1.6.6.3, 1.6.6.4, and 1.6.6.5 provided that the specified conditions are met.

1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.

1.6.6.7 Planning for stormwater management shall:

- a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;
- b) minimize, or, where possible, prevent increases in contaminant loads;
- c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;
- d) mitigate risks to human health, safety, property and the environment;
- e) maximize the extent and function of vegetative and pervious surfaces; and
- f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.

1.6.7 Transportation Systems

1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.

1.7 Long-Term Economic Prosperity

1.7.1 Long-term economic prosperity should be supported by:

- a) promoting opportunities for economic development and community investment-readiness;
- c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;
- d) maintaining and, where possible, enhancing the vitality and viability of downtowns and main streets;
- e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes.

1.8 Energy Conservation, Air Quality and Climate Change

1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which:

- a) promote compact form and a structure of nodes and corridors;
- b) promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;
- c) focus major employment, commercial and other travel-intensive land uses on sites which are well served by transit where this exists or is to be developed, or designing these to facilitate the establishment of transit in the future;
- e) encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion”

4.3 Growth Plan for the Greater Golden Horseshoe (2019):

The Places to Grow Act, 2005, S.O. 2005, c. 13, is legislation that enables the “Growth Plan for the Greater Golden Horseshoe” policy. The Growth Plan for the Greater Golden Horseshoe (Growth Plan) is a provincial policy that aims to control growth and development within the Greater Golden Horseshoe Area in a way that supports economic prosperity, protects the environment and improves the quality of life for all residents. The Growth Plan also encourages intensification by directing a significant portion of new growth to the built-up areas of communities, thus protecting agricultural areas from encroaching development and incompatible land uses.

The Growth Plan sets regional standards for growth and development that must be incorporated into municipal planning documents. The City of Hamilton has already incorporated Growth Plan (2006) policies into its Official Plan document, and is currently in the process of updating its Official Plan to reflect the new Growth Plan (2019) and PPS (2020) policies.

The subject property is defined as being within the ‘Built-Up Area’ designation (**Appendix ‘A’**) of the Growth Plan. *Applicable policies from the Growth Plan have been included as follows:*

“2 Where and How to Grow

2.1 Context

To support the achievement of complete communities, this Plan establishes minimum intensification and density targets that recognize the diversity of communities across the GGH.

Building compact and complete communities, and protecting agricultural lands, water resources and natural areas will help reduce greenhouse gas emissions and ensure communities are more resilient to the impacts of climate change.

2.2 Policies for Where and How to Grow

2.2.1 Managing Growth

- 2. Forecasted growth to the horizon of this Plan will be allocated based on the following:

- a) the vast majority of growth will be directed to settlement areas that:
 - i. have a delineated built boundary;
 - ii. have existing or planned municipal water and wastewater systems; and
 - iii. can support the achievement of complete communities;
 - c) within settlement areas, growth will be focused in:
 - i. delineated built-up areas;
 - ii. strategic growth areas;
 - iii. locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and
 - iv. areas with existing or planned public service facilities;
3. Upper- and single-tier municipalities will undertake integrated planning to manage forecasted growth to the horizon of this Plan, which will:
- b) be supported by planning for infrastructure and public service facilities by considering the full life cycle costs of these assets and developing options to pay for these costs over the long-term;
 - c) provide direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form;
4. Applying the policies of this Plan will support the achievement of complete communities that:
- a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
 - b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
 - c) provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;
 - d) expand convenient access to:
 - i. a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;
 - e) provide for a more compact built form and a vibrant public realm, including public open spaces;

2.2.2 Delineated Built-up Areas

- 1. By the time the next municipal comprehensive review is approved and in effect, and for each year thereafter, the applicable minimum intensification target is as follows:

- a) A minimum of **50 per cent** of all residential development occurring annually within each of the Cities of Barrie, Brantford, Guelph, **Hamilton**, Orillia and Peterborough and the Regions of Durham, Halton, Niagara, Peel, Waterloo and York will be within the delineated built-up area; and
- 3. All municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will:
 - a) identify strategic growth areas to support achievement of the intensification target and recognize them as a key focus for development;
 - b) identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas;
 - c) encourage intensification generally throughout the delineated built-up area;
 - d) ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities;
 - f) be implemented through official plan policies and designations, updated zoning and other supporting documents.

2.2.6 Housing

- 1. Upper- and single-tier municipalities, in consultation with lower-tier municipalities, the Province, and other appropriate stakeholders, will:
 - a) support housing choice through the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan by:
 - i. identifying a diverse range and mix of housing options and densities, including additional residential units and affordable housing to meet projected needs of current and future residents; and
- 2. Notwithstanding policy 1.4.1 of the PPS, 2020, in implementing policy 2.2.6.1, municipalities will support the achievement of complete communities by:
 - a) planning to accommodate forecasted growth to the horizon of this Plan;
 - b) planning to achieve the minimum intensification and density targets in this Plan;
 - c) considering the range and mix of housing options and densities of the existing housing stock; and
 - d) planning to diversify their overall housing stock across the municipality.
- 3. To support the achievement of complete communities, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.”

4.4 City of Hamilton Official Plan (2013):

The current version City of Hamilton Official Plan (OP) has been in effect since 2013. Since this time, the OP has been amended several times to ensure consistency with the policies of the Provincial Plans.

The OP is the leading planning document for guiding growth, land use and development within the City of Hamilton. The document addresses matters such as infrastructure, population growth, servicing, transit, natural heritage, cultural heritage, and administrative municipal policies.

The following “Urban” Hamilton Official Plan designations apply to the subject property:

- The subject property is located within the ‘**Neighbourhoods**’ Urban Structure Element & Land Use Designation (**Appendix ‘B’ & ‘C’**).
- The subject property is located within an ‘**Airport Influence Area**’ and falls within the ‘**25 NEF Contour**’ for noise exposure (**Appendix ‘D’ & ‘E’**).
- The subject property is located within close proximity to a ‘**BLAST Potential Rapid Transit Line**’ (**Appendix ‘F’**).
- The subject property is considered to be on lands that have ‘**Archaeological Potential**’ (**Appendix ‘G’**).
- The subject property is located within the ‘**Low Density Residential 2**’ Land Use Designation as per the Mount Hope Secondary Plan (**Appendix ‘H’**).

Applicable excerpts from the City of Hamilton Official Plan have been included as follows:

“Chapter B – Communities

B.2.0 DEFINING OUR COMMUNITIES

2.4 Residential Intensification

2.4.1 General Residential Intensification Policies

2.4.1.1 Residential intensification shall be encouraged throughout the entire built-up area, in accordance with the policies of Chapter E – Urban Systems and Designations and Chapter F – Implementation.

2.4.1.2 The City’s primary intensification areas shall be the Urban Nodes and Urban Corridors as illustrated on Schedule E – Urban Structure and as further defined in secondary plans and corridor studies for these areas, included in Volume 2.

2.4.1.3 The residential intensification target specified in Policy A.2.3.3.4 shall generally be distributed through the built-up area as follows:

- c) 40%** of the residential intensification target is anticipated to occur within the Neighbourhoods as illustrated on Schedule E – Urban Structure.

2.4.1.4 Residential intensification developments shall be evaluated based on the following criteria:

- a) a balanced evaluation of the criteria in b) through g), as follows;
- b) the relationship of the proposal to existing neighbourhood character so that it maintains, and where possible, enhances and builds upon desirable established patterns and built form;
- c) the development's contribution to maintaining and achieving a range of dwelling types and tenures;
- d) the compatible integration of the development with the surrounding area in terms of use, scale, form and character. In this regard, the City encourages the use of innovative and creative urban design techniques;
- e) the development's contribution to achieving the planned urban structure as described in Section E.2.0 – Urban Structure;
- f) infrastructure and transportation capacity; and,
- g) the ability of the development to comply with all applicable policies.

2.4.2 Residential Intensification in the Neighbourhoods Designation

2.4.2.1 Residential intensification within lands designated Neighbourhoods identified on Schedule E-1 - Urban Land Use Designations shall comply with Section E.3.0 – Neighbourhoods Designation.

2.4.2.2 When considering an application for a residential intensification development within the Neighbourhoods designation, the following matters shall be evaluated:

- a) the matters listed in Policy B.2.4.1.4;
- b) compatibility with adjacent land uses including matters such as shadowing, overlook, noise, lighting, traffic, and other nuisance effects;
- c) the relationship of the proposed building(s) with the height, massing, and scale of nearby residential buildings;
- d) the consideration of transitions in height and density to adjacent residential buildings;
- e) the relationship of the proposed lot(s) with the lot pattern and configuration within the neighbourhood;
- f) the provision of amenity space and the relationship to existing patterns of private and public amenity space;
- g) the ability to respect and maintain or enhance the streetscape patterns including block lengths, setbacks and building separations;
- h) the ability to complement the existing functions of the neighbourhood;

j) infrastructure and transportation capacity and impacts.

Facilitating Residential Intensification

2.4.4 The City, when reviewing or developing new secondary plans or corridor studies, shall identify opportunities for residential intensification to support the intensification targets and related policies.

2.4.5 The City shall establish zoning that permits residential intensification generally throughout the built-up area, in accordance with this Plan.

B.3.0 QUALITY OF LIFE AND COMPLETE COMMUNITIES

3.2 Housing Policies

3.2.1 Urban Housing Goals

The following goals shall apply in the urban area:

3.2.1.1 Provide for a range of housing types, forms, and densities to meet the social, health and well-being requirements of all current and future residents.

3.2.1.2 Provide housing within complete communities.

3.2.1.6 Increase the mix and range of housing types, forms, tenures, densities, affordability levels, and housing with supports throughout the urban area of the City.

3.2.4 General Policies for Urban Housing

3.2.4.1 The development of a full range of housing forms, types, and densities shall be provided for and promoted throughout the City of Hamilton through residential intensification and new development. A full range of housing forms, types, and densities means the full spectrum of physical housing types including single detached dwellings, semi-detached dwellings, duplexes, townhouses of various types (street, block, stacked), apartments and other forms of multiple dwellings, and lodging houses, built at a range of densities.

3.2.4.2 The development of housing with a full range of tenure, affordability, and support services shall be provided for and promoted throughout the City. Where there are documented unmet needs for housing tenure, affordability levels or support services, priority shall be given to development applications that help meet those needs. Housing with a full range of tenure, affordability and support services in a full range of built housing forms means both ownership and primary rental housing with a full range of affordability, social housing, rent-geared-to-income housing, lodging houses, shared and/or congregate-living housing arrangements, housing with supports, emergency and transitional housing, and housing that meets all needs.

- 3.2.4.5** The existing stock of housing shall be retained wherever possible and kept in a safe and adequate condition through use of the City's Demolition Control bylaw, Property Standards by-law, and incentive programs financed by the City or by senior levels of government.

3.3 Urban Design Policies

3.3.1 Urban Design Goals

The following goals shall apply in the urban area:

- 3.3.1.1** Enhance the sense of community pride and identification by creating and maintaining unique places.
- 3.3.1.2** Provide and create quality spaces in all public and private development.
- 3.3.1.3** Create pedestrian oriented places that are safe, accessible, connected, and easy to navigate for people of all abilities.
- 3.3.1.4** Create communities that are transit-supportive and promote active transportation.
- 3.3.1.5** Ensure that new development is compatible with and enhances the character of the existing environment and locale.
- 3.3.1.6** Create places that are adaptable and flexible to accommodate future demographic and environmental changes.
- 3.3.1.7** Promote development and spaces that respect natural processes and features and contribute to environmental sustainability.
- 3.3.1.8** Promote intensification that makes appropriate and innovative use of buildings and sites and is compatible in form and function to the character of existing communities and neighbourhoods.

3.3.2 General Policies and Principles

- 3.3.2.1** The physical design of a site shall:

- a) relate to its role in the overall urban structure of the City;
- b) enhance the function of the applicable urban structure element described in Section E.2.0 – Urban Structure; and,
- c) be in accordance with the applicable policies of Chapter E – Urban Systems and Designations, secondary plans, specific design studies and other plans or studies that make specific design recommendations

- 3.3.2.2** The principles in Policies B.3.3.2.3 through B.3.3.2.10 inclusive, shall apply to all development and redevelopment, where applicable.

Principles

- 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;
 - c)** recognizing and protecting the cultural history of the City and its communities;
 - e)** conserving, maintaining, and enhancing the natural heritage and topographic features of the City and its communities;
 - f)** demonstrating sensitivity toward community identity through an understanding of the character of a place, context and setting in both the public and private realm;
 - g)** contributing to the character and ambiance of the community through appropriate design of streetscapes and amenity areas;
- 3.3.2.4** Quality spaces physically and visually connect the public and private realms. Public and private development and redevelopment should create quality spaces by:
- a)** organizing space in a logical manner through the design, placement, and construction of new buildings, streets, structures, and landscaping;
 - b)** recognizing that every new building or structure is part of a greater whole that contributes to the overall appearance and visual cohesiveness of the urban fabric;
 - c)** using materials that are consistent and compatible with the surrounding context in the design of new buildings;
 - e)** creating a continuous animated street edge in urban environments;
- 3.3.2.5** Places that are safe, accessible, connected and easy to navigate shall be created by using the following design applications, where appropriate:
- a)** connecting buildings and spaces through an efficient, intuitive, and safe network of streets, roads, alleys, lanes, sidewalks, and pathways;
 - b)** providing connections and access to all buildings and places for all users, regardless of age and physical ability;
 - c)** ensuring building entrances are visible from the street and promoting shelter at entrance ways;
 - e)** providing appropriate way-finding signage considering size, placement, and material that clearly identifies landmarks, pathways, intersections, cycling and transit routes, and significant natural and cultural heritage features;

- f) providing pedestrian-scale lighting;
- g) designing streets and promoting development that provides real and perceived safety for all users of the road network;
- j) creating places and spaces which are publicly visible and safe.

3.3.2.6 Where it has been determined through the policies of this Plan that compatibility with the surrounding areas is desirable, new development and redevelopment should enhance the character of the existing environment by:

- a) complementing and animating existing surroundings through building design and placement as well as through placement of pedestrian amenities;
- d) complementing the existing massing patterns, rhythm, character, colour, and surrounding context; and,
- e) encouraging a harmonious and compatible approach to infilling by minimizing the impacts of shadowing and maximizing light to adjacent properties and the public realm.

3.3.2.8 Urban design should promote environmental sustainability by:

- a) achieving compact development and resulting built forms;

3.3.3 Built Form

3.3.3.2 New development shall be designed to minimize impact on neighbouring buildings and public spaces by:

- a) creating transitions in scale to neighbouring buildings;
- b) ensuring adequate privacy and sunlight to neighbouring properties; and,
- c) minimizing the impacts of shadows and wind conditions.

3.3.3.3 New development shall be massed to respect existing and planned street proportions.

3.3.3.4 New development shall define the street through consistent setbacks and building elevations. Design directions for setbacks and heights are found in Chapter E – Urban Systems and Designations and in the Zoning By-law.

3.3.3.5 Built form shall create comfortable pedestrian environments by:

- a) locating principal façades and primary building entrances parallel to and as close to the street as possible;
- b) including ample glazing on ground floors to create visibility to and from the public sidewalk;
- c) including a quality landscape edge along frontages where buildings are set back from the street;

3.3.10 Parking

- 3.3.10.3** Provision of parking shall be in accordance with the design directions described in Section E – Urban Systems and Designations.

3.4 Cultural Heritage Resources Policies

3.4.4 Archaeology Policies

The City shall require the protection, conservation, or mitigation of sites of archaeological value and areas of archaeological potential as provided for under the Planning Act, R.S.O., 1990 c. P.13, the Environmental Assessment Act, the Ontario Heritage Act, the Municipal Act, the Cemeteries Act, or any other applicable legislation.

Archaeological Assessment Requirements

- 3.4.4.5** Prior to site alteration or soil disturbance relating to a Planning Act, R.S.O., 1990 c. P.13 application, any required archaeological assessment must be approved, in writing by the City, indicating that there are no further archaeological concerns with the property or concurring with the final resource management strategy to be implemented. The City may also require a higher standard of conservation, care and protection for archaeological resources based on prevailing conditions and circumstances within the City and the results of any dialogue with First Nations and their interests.

- 3.6.3** Noise, Vibration, and Other Emissions Noise, vibration, and other emissions such as dust and odours from roads, airports, railway lines and stationary sources have the potential to negatively impact the quality of life of residents. The objective of the following policies is to protect residents from unacceptable levels of noise, vibration, and other emissions and to protect the operations of transportation facilities, commercial, and employment (industrial) uses.

General Policies for Noise and Vibration Emissions

- 3.6.3.1** Development of noise sensitive land uses, in the vicinity of provincial highways, parkways, minor or major arterial roads, collector roads, truck routes, railway lines, railway yards, airports, or other uses considered to be noise generators shall comply with all applicable provincial and municipal guidelines and standards.

Airport Noise and Vibration

- 3.6.3.6** Development within the vicinity of John C. Munro International Airport shall be in accordance with Section C.4.8 – Airport.

CHAPTER C – CITY WIDE SYSTEMS AND DESIGNATIONS

C.4.0 INTEGRATED TRANSPORTATION NETWORK

4.5 Roads Network

Functional Classification

4.5.2 The road network shall be planned and implemented according to the following functional classifications and right-of-way widths:

f) Local roads, subject to the following policies:

- ii)** The basic maximum right-of-way widths for local roads shall be 26.213 metres in designated Employment Areas and 20.117 metres in all other areas, unless specifically described otherwise in Schedule C-2 – Future Right-of-Way Dedications;
- iii)** The City recognizes that in older urban built up areas there are existing right-of-way widths significantly less than 20.117 metres. Notwithstanding the other right-of-way dedication policies of this Plan, it is the intent of the City to increase these existing rights-of-ways to a minimum of 15.24 metres with daylight triangles at intersections instead of the minimum required 20.117 metre right-of-way width, provided all the required road facilities, municipal sidewalks and utilities can be accommodated in this reduced right-of-way width.

Right-of-Way Dedications

4.5.6 The City shall reserve or obtain right-of-way dedications as described in Schedule C-2 – Future Right-of-Way Dedications. Where a right-of-way is not described in Schedule C-2 – Future Right-of-Way Dedications, the City shall reserve or obtain dedications for right-of-ways as described in Section C.4.5.2. The aforesaid dedications shall be reserved or obtained through subdivision Chapter C – City Wide Systems and Designations C.4 14 of 20 Urban Hamilton Official Plan February 2021 approval, condominium approval, land severance consent, site plan approval or by gift, bequeathment, purchase or through expropriation where necessary and feasible.

4.5.6.2 Right-of-way dedication obtained through land severance or consent shall be taken from both the severed and retained parcels of land, unless in the opinion of the City obtaining the dedication from both parcels would not be practicable or feasible.

Parking and Loading

4.5.15 Parking and loading requirements regulated through the Zoning By-Law or site plan approval shall ensure adequate parking for the site, while avoiding excess parking supply that can discourage transit use and active transportation choices.

4.8 Airport

4.8.7 All development and redevelopment shall comply with all provincial and municipal standards, criteria and guidelines regarding noise and vibration from

air traffic sources, including Section B.3.6.3 – Noise, Vibration and Other Emissions.

- 4.8.8** Proposals for development, infill development and redevelopment of residential or other sensitive land uses shall comply with the following requirements in Table C.4.8.1 – Requirement for Development in the Vicinity of John C. Munro International Airport, based on all applicable locational criteria. Proposals may meet more than one locational criteria and thereby be subject to more than one set of requirements.

Table C.4.8.1: Requirements for Development in the Vicinity of John C. Munro International Airport

	Locational Criteria	Requirements
1	35 NEF and greater, and/or within the Airport Influence Area	<p>a) All new <i>development of residential and other sensitive land uses</i>, including infill development and redevelopment, shall be prohibited.</p> <p>b) New land uses which may cause a potential aviation hazard shall be prohibited.</p>
2	28 NEF and greater, but less than 35 NEF	<p>a) All new <i>development of residential and other sensitive land uses</i>, including infill development and redevelopment, shall be prohibited.</p> <p>b) New land uses which may cause a potential aviation hazard shall be prohibited.</p> <p>c) All <i>development applications</i> approved prior to approval of this Plan may proceed.</p>
3	25 NEF and greater, but less than 28 NEF	<p>a) All <i>development and redevelopment proposals</i> for residential and other <i>sensitive land uses</i> shall be required to submit a <i>detailed noise study</i>, employ noise mitigation measures and include appropriate warning clauses in accordance with Section B.3.6.3 - Noise, Vibration and Other Emissions, and Policy C.4.8.6.</p> <p>b) New land uses which may cause a potential aviation hazard shall be prohibited.</p>

- 4.8.10** Any permitted development, redevelopment or infill development at or above 25 NEF or within the Airport Influence Area shall be required to submit a detailed noise study, implement noise mitigative measures in accordance with provincial and federal guidelines/standards or municipal approaches that achieve the same objective, and include appropriate warning clauses in lease or rental agreements, agreements of purchase and sale, and within development agreements.

C.5.0 INFRASTRUCTURE

5.3 Lake-Based Municipal Water and Wastewater Systems

- 5.3.5** All new development and redevelopment within the urban area shall be connected to the City's water and wastewater system.

- 5.3.10** The City shall discourage changes in land use designation and zoning which would result in the underutilization of previously planned and/or constructed water and wastewater systems.
- 5.3.11** The City shall ensure that any change in density can be accommodated within the municipal water and wastewater system.
- 5.3.12** Water and wastewater systems shall be designed and constructed in accordance with the specifications and standards of the City, provincial guidelines, and other applicable standards, regulations and guidelines.
- 5.3.15** The City shall be satisfied that adequate infrastructure services can be provided prior to any development or intensification proceeding and, where technically and economically possible, the City shall require such services to be located underground.
- 5.4 Storm Water Management Facilities**
- 5.4.2** Any new development that occurs shall be responsible for submitting a detailed storm water management plan prior to development to properly address on site drainage and to ensure that new development has no negative impact on off-site drainage.
- 5.4.9** All land designated on Schedule E-1 – Urban Land Use Designations shall meet the following conditions:
- a) development and/or redevelopment shall be connected to, or serviced by, a storm water drainage system or other appropriate system such as ditches, or any other techniques acceptable to the City, Conservation Authorities, or the Province and/or detailed in a Storm Water Master Plan or other relevant study;
 - b) development shall be in accordance with the system capacity for drainage and storm water management and where relevant, will conform to storm water site management plans, a Storm Water Master Plan, site plans and/to other relevant studies, guidelines or regulations; and,
 - c) storm water systems shall be designed and constructed, in accordance with the City' standards and guidelines, provincial guidelines, storm water master plans, master drainage plans and any other relevant study or legislation.

CHAPTER E – URBAN SYSTEMS AND DESIGNATIONS

E.1.0 GOALS

The following goals shall apply to the urban systems and land use designations of this plan.

- e) Plan and designate lands for a range of housing types and densities, taking into account affordable housing needs.

- f) Promote and support design which enhances and respects the character of existing neighbourhoods and creates vibrant, dynamic, and liveable urban places.
- g) Promote and support appropriate residential intensification throughout the urban area and focused in Urban Nodes and Urban Corridors.
- h) Recognize that Hamilton's neighbourhoods are stable, not static.
- i) Protect land adjacent to John C. Munroe Airport for future expansion.

E.2.0
2.6
URBAN STRUCTURE
Neighbourhoods
Function

- 2.6.2 Neighbourhoods shall primarily consist of residential uses and complementary facilities and services intended to serve the residents. These facilities and services may include parks, schools, trails, recreation centres, places of worship, small retail stores, offices, restaurants, and personal and government services.
- 2.6.3 The Neighbourhood element of the urban structure shall be implemented through land use designations shown on Schedule E-1 – Urban Land Use Designations.
- 2.6.4 The Neighbourhoods element of the urban structure shall permit and provide the opportunity for a full range of housing forms, types and tenure, including affordable housing and housing with supports.

Scale

- 2.6.7 Neighbourhoods shall generally be regarded as physically stable areas with each neighbourhood having a unique scale and character. Changes compatible with the existing character or function of the neighbourhood shall be permitted. Applications for development and residential intensification within Neighbourhoods shall be reviewed in consideration of the local context and shall be permitted in accordance with Sections B.2.4 – Residential Intensification, E.3.0 – Neighbourhoods Designation, E.4.0 – Commercial and Mixed Use Designations, and, E.6.0 – Institutional Designation.

E.3.0
3.1
NEIGHBOURHOODS DESIGNATION
Policy Goals

- 3.1.1 Develop compact, mixed use, transit-supportive, and active transportation friendly neighbourhoods.
- 3.1.2 Develop neighbourhoods as part of a complete community, where people can live, work, shop, learn, and play.

3.1.3 Plan and designate lands for a range of housing types and densities, taking into account affordable housing needs.

3.1.4 Promote and support design which enhances and respects the character of existing neighbourhoods while at the same time allowing their ongoing evolution.

3.1.5 Promote and support residential intensification of appropriate scale and in appropriate locations throughout the neighbourhoods.

**3.2 Neighbourhoods Designation – General Policies
Function**

3.2.1 Areas designated Neighbourhoods shall function as complete communities, including the full range of residential dwelling types and densities as well as supporting uses intended to serve the local residents.

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;
- b) open space and parks;
- c) local community facilities/services; and,
- d) local commercial uses.

Scale and Design

3.2.4 The existing character of established Neighbourhoods designated areas shall be maintained. Residential intensification within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood in accordance with Section B.2.4 – Residential Intensification and other applicable policies of this Plan.

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:

- b) Garages, parking areas, and driveways along the public street shall not be dominant. Surface parking between a building and a public street (excluding a public alley) shall be minimized.
- c) Adequate and direct pedestrian access and linkages to community facilities/services and local commercial uses shall be provided.
- d) Development shall improve existing landscape features and overall landscape character of the surrounding area.

e) Development shall comply with Section B.3.3 – Urban Design Policies and all other applicable policies.

3.2.11 To maintain existing neighbourhood character and to provide for pedestrian friendly environments, reduced right-of-way widths may be permitted in accordance with Section C.4.5 – Roads Network.

3.2.13 The City supports residential intensification on lands within the Neighbourhoods designation in accordance with Section B.2.4 – Residential Intensification Policies, F.1.14 – Division of Land, and other applicable policies.

3.3 Residential Uses – General Policies

Three categories of residential land use are described in this section but are not designated on Schedule E-1 - Urban Land Use Designations. These residential categories provide general location, scale, and design directions for the purposes of secondary planning and zoning. These categories may also be applied in the redevelopment of larger sites.

3.3.1 Lower density residential uses and building forms shall generally be located in the interiors of neighbourhood areas with higher density dwelling forms and supporting uses located on the periphery of neighbourhoods on or in close proximity to major or minor arterial roads.

3.3.2 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.

3.4 Low Density Residential Function

3.4.1 The preferred location for low density residential uses is within the interior of neighbourhoods.

3.4.2 Low density residential areas are characterized by lower profile, grade-oriented built forms that generally have direct access to each unit at grade.

3.4.3 Uses permitted in low density residential areas include single-detached, semidetached, duplex, triplex, and street townhouse dwellings.

Scale

3.4.4 For low density residential areas the maximum net residential density shall be 60 units per hectare.

3.4.5 For low density residential areas, the maximum height shall be three storeys.
Design

3.4.6 Development in areas dominated by low density residential uses shall be designed in accordance with the following criteria:

- a) Direct access from lots adjacent to major or minor arterial roads shall be discouraged.
- b) Back lotting along public streets and in front of parks shall be discouraged. The City supports alternatives to back lotting, such as laneway housing and window streets, to promote improved streetscapes and public safety, where feasible.
- c) A mix of lot widths and sizes compatible with streetscape character; and a mix of dwelling unit types and sizes compatible in exterior design, including character, scale, appearance and design features; shall be encouraged. Development shall be subject to the Zoning By-law regulations for appropriate minimum lot widths and areas, yards, heights, and other zoning regulations to ensure compatibility.
- d) Development, including the creation of infill lots involving the creation of new public streets or extensions, shall generally proceed by way of plan of subdivision. Such plans shall achieve the logical and sequential extension of streets and municipal services and an efficient lotting pattern.

CHAPTER F – IMPLEMENTATION

F.1.0 PLANNING ACT IMPLEMENTATION TOOLS

1.14 Division of Land

1.14.3 Creation – Urban Area Neighbourhoods Designation

1.14.3.1 Consents for new lot creation, for both the severed and retained lands, for residential uses in the Neighbourhoods designation shown on Map E-1 – Urban Land Use Designation, shall be permitted provided the following conditions are met:

- a) The lots comply with the policies of this Plan, including secondary plans, where one exists;
- b) The lots comply with existing Neighbourhood Plans;
- c) The lots are in conformity with the Zoning By-law or a minor variance is approved;
- d) The lots reflect the general scale and character of the established development pattern in the surrounding area by taking into consideration lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview;
- e) The lots are fully serviced by municipal water and wastewater systems; and,
- f) The lots have frontage on a public road.

B.5.0 GLANBROOK SECONDARY PLANS

5.4 Mount Hope Secondary Plan

5.4.1.1 In addition to Section B.1 – General Policies, the following general policies shall apply to the Mount Hope Secondary Plan area:

- b)** Development shall be encouraged to be designed in such a manner as to incorporate existing significant vegetation as a natural and aesthetic component of the development

Residential Designations

5.4.2 The residential areas are designated Low Density Residential 2, Low Density Residential 2c, Low Density Residential 3f, and Medium Density Residential 3 on Map B.5.4-1 Mount Hope - Land Use Plan. The following policies shall apply to each of these land use designations.

5.4.2.1 General Residential Policies In addition to Section E.3.0 – Neighbourhoods Designation of Volume 1, the following policies shall apply to the lands designated for residential uses on Map B.5.4-1 – Mount Hope – Land Use Plan:

- b)** Residential development shall be sensitive to existing residential uses, and redevelopment of the vacant portions of existing large lot residential development shall be encouraged.
- d)** Permitted residential uses shall include single detached dwellings, semidetached dwellings, townhouses, apartments and housing with supports

5.4.2.2 Low Density Residential

- a)** Notwithstanding Sections E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the lands designated Low Density Residential 2 on Map B.5.4-1 – Mount Hope – Land Use Plan:
 - i)** The permitted uses shall primarily consist of single detached dwellings, duplex, semi-detached and triplex dwellings.
 - ii)** The maximum density shall be 25 units per net hectare

5.4.8 Transportation Policies

5.4.8.1 In addition to Section C.4.0 – Integrated Transportation Network of Volume 1, the following policies shall apply to the Mount Hope Secondary Plan area:

- c)** The costs related to the design and construction of all new public roads and the upgrading of the adjacent existing public roads required as a result of the development of the Mount Hope Secondary Plan area shall be at the expense of the developer(s). The details regarding these works and costs shall be established in the subdivision agreement(s) and/or the

development, maintenance and use (site plan) agreement(s) to be approved by the City and executed by the City and the developer(s).

5.4.9 Noise and Other Airport Impacts

5.4.9.1 Mount Hope Secondary Plan area is in the vicinity of John C. Munro International Airport, Highway 6, and the Airport Employment Growth District. All of these uses have the potential to cause negative impacts on nearby sensitive land uses. To ensure that negative impacts on sensitive land uses are minimised and the operations of John C. Munro International Airport, Highway 6, and the Airport Employment Growth District are not compromised:

- a) Sections B.3.6.3 – Noise, Vibration and Other Emissions and C.4.8 – Airport of Volume 1, shall apply to the Mount Hope Secondary Plan area;
- b) all new development and redevelopment shall conform to all relevant legislation, policies, standards and guidelines;
- c) future residents of residential development shall be advised of the potential for noise nuisance through appropriate warning clauses included in lease or rental agreements, agreements of purchase and sale, and within required development agreements; and,

5.4.10 Infrastructure

5.4.10.1 In addition to Section C.5.0 – Infrastructure of Volume 1, the following policies shall apply to the Mount Hope Secondary Plan area:

- c) Storm drainage facilities shall comply with all requirements of the City, including the Master Stormwater Management Plan for the Mount Hope Secondary Plan Area.
- d) Lands required for the storm water drainage channels shall be dedicated free of charge and free of all encumbrances to the City by the developer(s)."

4.5 Township of Glanbrook Zoning By-Law 464

The subject property is currently zoned as 'ER' (Existing Residential) & 'H-R3-144' (Holding Provision Residential 3 with Site-Specific Exception 144) under the Township of Glanbrook Zoning By-law No. 464 (**Appendix 'I'**).

Applicable excerpts from the Township of Glanbrook Zoning By-Law No. 464 are as follows:

"Township of Glanbrook Zoning By-Law 464

SECTION 7: GENERAL PROVISIONS FOR ALL ZONES

7.35 MINIMUM PARKING REQUIREMENTS

(a) General Provisions

- (i) The minimum number of required parking spaces shall be as prescribed in Subsection 7.35 (b) of this By-law.
- (ii) If the calculation of the required parking spaces results in a fraction, the next higher whole number shall apply, and when a building or lot has more than one (1) use, the required parking spaces shall be the sum required for the separate uses
- (iv) The parking facilities shall have adequate access from a street to permit unobstructed ingress and egress of motor vehicles. Notwithstanding the foregoing, tandem parking is permitted for single detached, semi-detached, street townhouse and block townhouse dwellings, and home occupations and home professions.
- (vi) Access to parking spaces, except those accessory to single detached, semidetached, street townhouse or block townhouse dwellings, shall be provided in accordance with the following provisions:
 - (a) Direct Access Ingress and egress directly to and from every parking space shall be by means of a driveway, lane or aisle having a minimum width of 6 metres (20 feet); and
 - (b) Off-Street Parking Space Requirements The minimum number of off-street parking spaces for the following uses shall be provided as specified hereinafter:

USE	MINIMUM REQUIRED PARKING SPACES
<u>RESIDENTIAL USES</u>	
Single-detached, Semi-detached Duplex, Triplex and Street Townhouse Dwelling	2 spaces for each dwelling unit

SECTION 11: GENERAL PROVISIONS FOR ALL RESIDENTIAL ZONES

11.6 PARKING SPACES IN RESIDENTIAL ZONES

In addition to the parking requirements pursuant to Subsection 7.35 of this By-law, the following provisions shall also apply to parking spaces in Residential Zones:

- (a) In any Residential Zone, at grade parking areas shall not occupy more than thirty five percent (35%) of the total lot area,

11.8 GARAGE

The floor elevation of a garage shall be a minimum of 30 centimetres (12 inches) above the centre line of the street adjacent to the garage, unless other provisions are made for adequate drainage to the satisfaction of the Township Engineer.

SECTION 12: EXISTING RESIDENTIAL "ER" ZONE

No person shall within any Existing Residential "ER" Zone, use any land, or erect, alter or use any building or structure except for such purposes and in accordance with the following provisions:

12.1 PERMITTED USES

- (a) One (1) single detached dwelling per lot, and
(b) Uses, buildings and structures accessory to the use described in Paragraph(a) of this Subsection.

12.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 12.1 (SINGLE DETACHED DWELLING)

- | | |
|---|--|
| (a) Minimum Lot Frontage | 22.5 metres (75 feet) |
| (b) Minimum Lot Depth | 30 metres (100 feet) |
| (c) Minimum Lot Area | 1,390 square metres (14,965 square feet) |
| (d) Maximum Lot Coverage | 25 percent |
| (e) Minimum Front Yard | 9 metres (30 feet) |
| (f) Minimum Side Yard | 1.8 metres (6 feet), except: |
| (i) On an interior lot where no attached garage or attached carport is provided, the minimum side yard on one (1) side shall be 5.4 metres (18 feet); and | |
| (g) Minimum Rear Yard | 10.7 metres (35 feet) |
| (h) Minimum Floor Area Per Dwelling | |
| (i) 1 Storey | 100 square metres (1,075 square feet) |
| (ii) 1½ Storey or Split Level | 120 square metres (1,290 square feet) |
| (iii) 2 or 2½ Storey | 145 square metres (1,560 square feet) |

- (i) Maximum Height 10.7 metres (35 feet)
- (j) Minimum Parking Requirements
Pursuant to the provisions of Subsections 7.35, 11.5, and 11.6 of this By-law.

SECTION 15: RESIDENTIAL "R3" ZONE

No person shall within any Residential "R3" Zone, use any land, or erect, alter or use any building or structure, except in accordance with the following provisions.

15.1 PERMITTED USES

- (a) One (1) single detached dwelling per lot, and
- (b) Uses, buildings and structures accessory to the use described in Paragraph(a) of this Subsection.

15.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 15.1 (SINGLE DETACHED DWELLING)

- (a) Minimum Lot Frontage 15 metres (50 feet), except on a corner lot the minimum frontage shall be 18 metres (60 feet)
- (b) Minimum Lot Area 450 square metres (4,840 square feet), except on a corner lot the minimum lot area shall be 550 square metres (5,920 square feet)
- (c) Maximum Lot Coverage 35 percent
- (d) Minimum Front Yard 7.5 metres (25 feet)
- (e) Minimum Side Yard 1.2 metres (4 feet), except:
 - (i) Where the side yard provides access to a parking area or rear yard garage, the minimum side yard shall be 3 metres (10 feet); and
 - (ii) On an interior lot where no attached garage or attached carport is provided, the minimum side yard on one (1) side shall be 4.5 metres (15 feet); and
 - (iii) On a corner lot, the minimum side yard (abutting the flankage street shall be 5 metres (16.5 feet), except that an attached garage or attached carport which fronts on the flanking street shall not be located within 6 metres (20 feet) of the flankage street line.
- (f) Minimum Rear Yard 7.5 metres (25 feet)

- (g) Minimum Floor Area Per Dwelling
 - (i) 1 storey 100 square metres (1,075 square feet)
 - (ii) 1½ storey or Split Level 120 square metres (1,290 square feet)
 - (iii) 2 or 2½ storey 135 square metres (1,450 square feet)
- (h) Maximum Height 10.7 metres (35 feet)
- (i) Minimum Parking Requirements Pursuant to the provisions of Subsections 7.35, 11.5, and 11.6 of this By-law.

SECTION 44: EXCEPTIONS TO THE PROVISIONS OF THIS BY-LAW

H-R3-144 The removal of the holding symbol “H” by By-law for the lands zoned Residential Holding H-R3-144, shall require proper resolution of the related ownership issue and their subsequent consolidation of these lands with the appropriate adjacent lands to the east and/or west. The establishment of these lands as a separate lot shall not be permitted.”

5.0 PLANNING JUSTIFICATION

5.1 Planning Act, R.S.O. 1990, c. P.13:

The proposed Consent Application will result in the creation of one new lot in an area that is suitable for growth and development given the availability of municipal services and the overall size of the subject property. The subject lot is large enough to support more than one house and will be in character with abutting dwellings to the west. The dimensions of the new lot and proposed developable area will support an orderly development with sufficient parking and ample landscaped open space.

The proposed Zoning By-Law Amendment & Holding Removal Application will update the current zoning to bring it in line with the abutting zoned lands to the west. It is in Provincial Interest as it would remove the ‘Holding Provision’ from the subject property to facilitate the provision of new housing to help sustain the local economy and promote a more vibrant community. Furthermore, it would also rezone the site to the ‘R3’ Zone which will provide development that is in character with the surrounding residential neighbourhood in terms of setbacks, building height, footprint size and density.

Neither application is premature since they have both undergone the required planning process, are purposeful and responsive to the provincial and local planning objectives and not premature, and can be easily accommodated into the municipal service system.

As such, the proposed development conforms to the Planning Act.

5.2 Provincial Policy Statement (PPS) (2020):

The proposed Consent Application is well-aligned with the policies of the Provincial Policy Statement (PPS) as it seeks to achieve cost-effective development patterns that minimize land consumption and servicing costs by severing underutilized residential lands within a settlement area to provide for the creation of an additional residential lot (1.1.1 e).

Furthermore, the removal of the holding provision and the rezoning of the site will allow the owner to redevelop their property in a way that better responds to the housing needs of current and future residents within the City of Hamilton (1.4.3 b 1.). The proposed single-detached dwelling will also provide for a slight increase in overall residential density and a more compact built form to address the intensification objectives of the Plan (1.1.3.3).

As such, the proposed development conforms to the Provincial Policy Statement.

5.3 Growth Plan for the Greater Golden Horseshoe (2019):

The subject property is located within a 'Built-Up Area' (Mount Hope urban area) that is well serviced by municipal infrastructure (2.2.1 2 a). Given the policies of the Growth Plan for the Greater Golden Horseshoe, the proposed development is appropriate for the subject lands because it will provide for a new housing option and a slightly higher residential density to help support the City of Hamilton in achieving their minimum intensification target (2.2.2 1. a) and in accommodating their forecasted population growth (2.2.6 2 a).

Furthermore, it will allow for the construction of one new single-detached dwelling on underutilized land that will contribute to a more compact built form along the Strathearne Place streetscape to help enhance the visual aesthetics and overall vibrancy of the neighbourhood (2.2.1 4. e).

As such, the proposed development conforms to the Growth Plan for the Greater Golden Horseshoe.

5.4 City of Hamilton Official Plan (2013):

The proposed Consent and Zoning By-Law Amendment Applications are well-aligned with the Urban Design and Land Division policies of the City of Hamilton Official Plan since they will provide for development standards that reflect the general scale and character of the surrounding established area through the use of compatible lot configurations, building typologies, setbacks and massing patterns (3.3.1.8) (1.14.3.1 d).

According to the Mount Hope Secondary Plan, single-detached dwellings are permitted within residential areas (5.4.2.1 d). Furthermore, the Secondary Plan also speaks to how redevelopment is encouraged on vacant portions of large residential lots (5.4.2.1 b). Lastly, the maximum permitted density of the 'Low Density Residential 2' Land Use Designation is 25 units per hectare (5.4.22 ii), for which the proposal is well within. That

being said, the proposed development is in full conformity with the policies of the Mount Hope Secondary Plan.

Although the site is within close proximity to the Hamilton International Airport and falls within the '25 NEF Contour Line' (**Appendix 'D' & 'E'**), a Noise Study was not requested as a required study as a part of the pre-consultation process. Nevertheless, the site is located within the interior of an existing residential neighbourhood and will not result in its outward expansion. With that being said, the noise impacts from the airport should not be significantly different from the abutting built-up properties, or what already existing on the site.

In addition, the site is located within an area with 'Archaeological Potential' (**Appendix 'G'**), and as such, an Archaeological Assessment was completed which determined that there are no archeological concerns with the redevelopment of the subject property.

The proposed development therefore conforms to the City of Hamilton Official Plan.

5.5 Township of Glanbrook Zoning By-Law 464

The subject property is currently dual-zoned as 'Existing Residential (ER)' and 'Residential 3 with Site-Specific Exception 144 (H-R3-144)'. This current zoning (with Holding Provision) does not facilitate the proposed development. The reason why the Holding Provision 'H' was originally placed on the property is to ensure who the actual owner was at the time of the abutting Southampton Estates Subdivision. Since the ownership was at that time in question, a Holding provision was place on the west side of the subject property (**Part 2 - Figure 2**). This issue has been rectified through a title search which confirmed that both 'Part 1' & 'Part 2' are under the same ownership (**Appendix 'J'**), and through conversations with municipal staff. As such, the city should be able to proceed with the removal of the holding provision since this issue is now resolved.

Furthermore, now that the intention is to intensify the lands through a land severance that would ultimately create 1 new single-detached lot, a rezoning will need to occur to eliminate the 'Existing Residential (ER)' zoning from both the severed and retained lands to allow for one consistent zoning category across both lots and as a natural continuation of the Southampton Estates Subdivision zoning to the immediate west. The 'R3' zoning is the most appropriate option for both the severed and retained lots to follow suit with the dominant zoning for new single-detached development within the surrounding neighbourhood, and which would allow for development that meets the intent of the parent Official Plan. All the properties that are located to the west of the subject property on the newer portion of Strathearne Place are zoned as 'R3' (**Appendix 'I'**). The proposed rezoning is essentially a continuation of the modernization of west side of Strathearne Place. No site-specific zoning provisions are being applied for as the proposed development will fully comply with the 'R3' Zoning of the Township of Glanbrook Zoning By-Law 464. The goal is to provide for a compatible built form that is in character with the with the Southampton Estates Subdivision.

As such, the proposed development meets the general intent of Zoning By-Law 464.

6.0 CONCLUSION

Given the analysis presented in this Planning Justification Report, it is the Author's professional planning opinion as a Registered Professional Planner that there is merit to support the proposed planning applications because they are considered to be of '**Good Planning**,' in the '**Public Interest**', and in '**Conformity**' with the Planning Act, Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe & the Hamilton Official Plan, while also meting the general intent of the Township of Glanbrook Zoning By-Law 464.

As such, the proposed Consent Application and respective Zoning By-law Amendment with the removal of the current Holding Provision **should be approved**.

I hereby certify that this Planning Justification Report was prepared and/or reviewed by Registered Professional Planner (RPP), within the meaning of the Canadian Institute of Planners and the *Ontario Professional Planners Institute Act*, 1994.



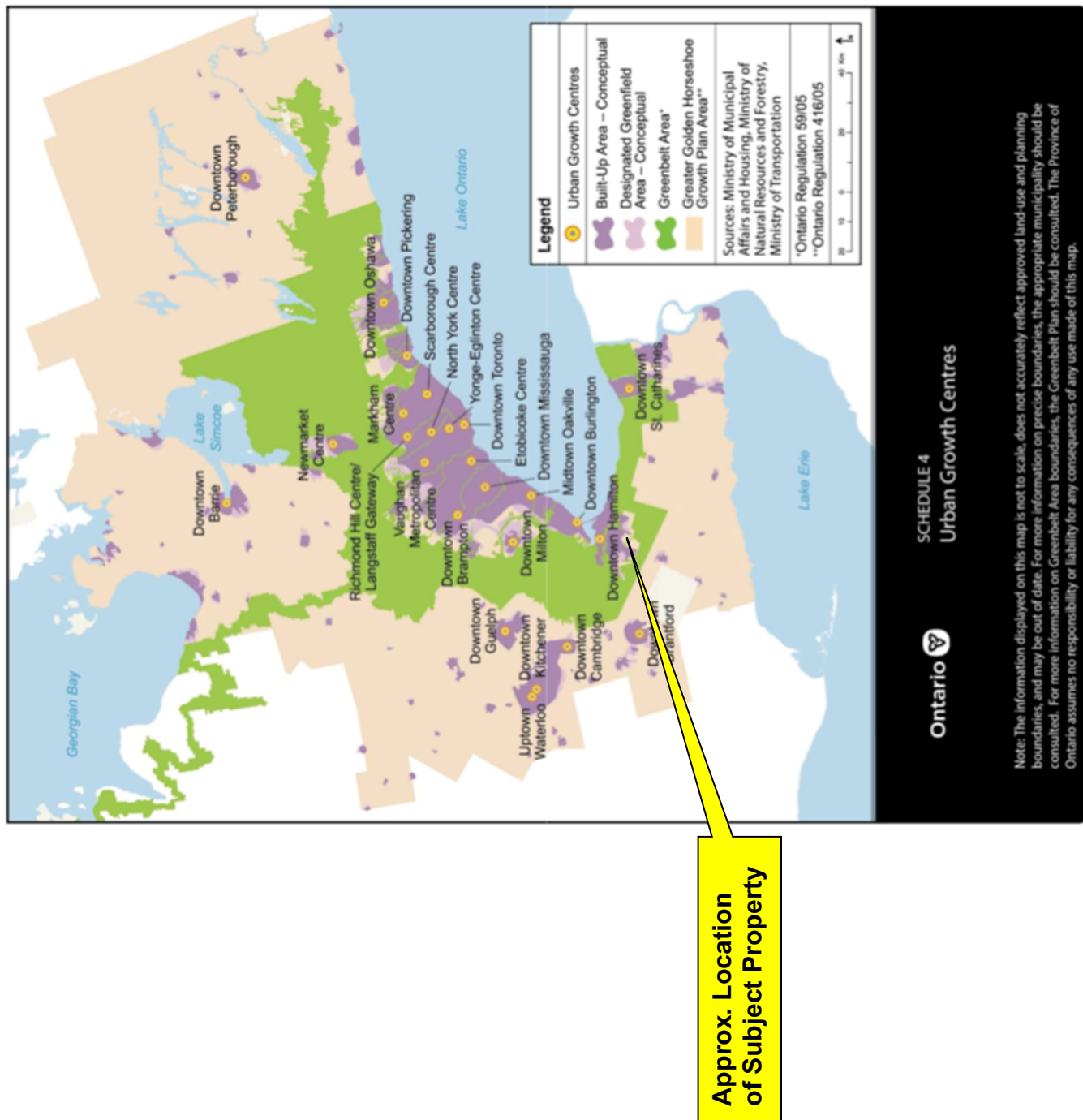
Terrance Glover, RPP, CPT

Principal

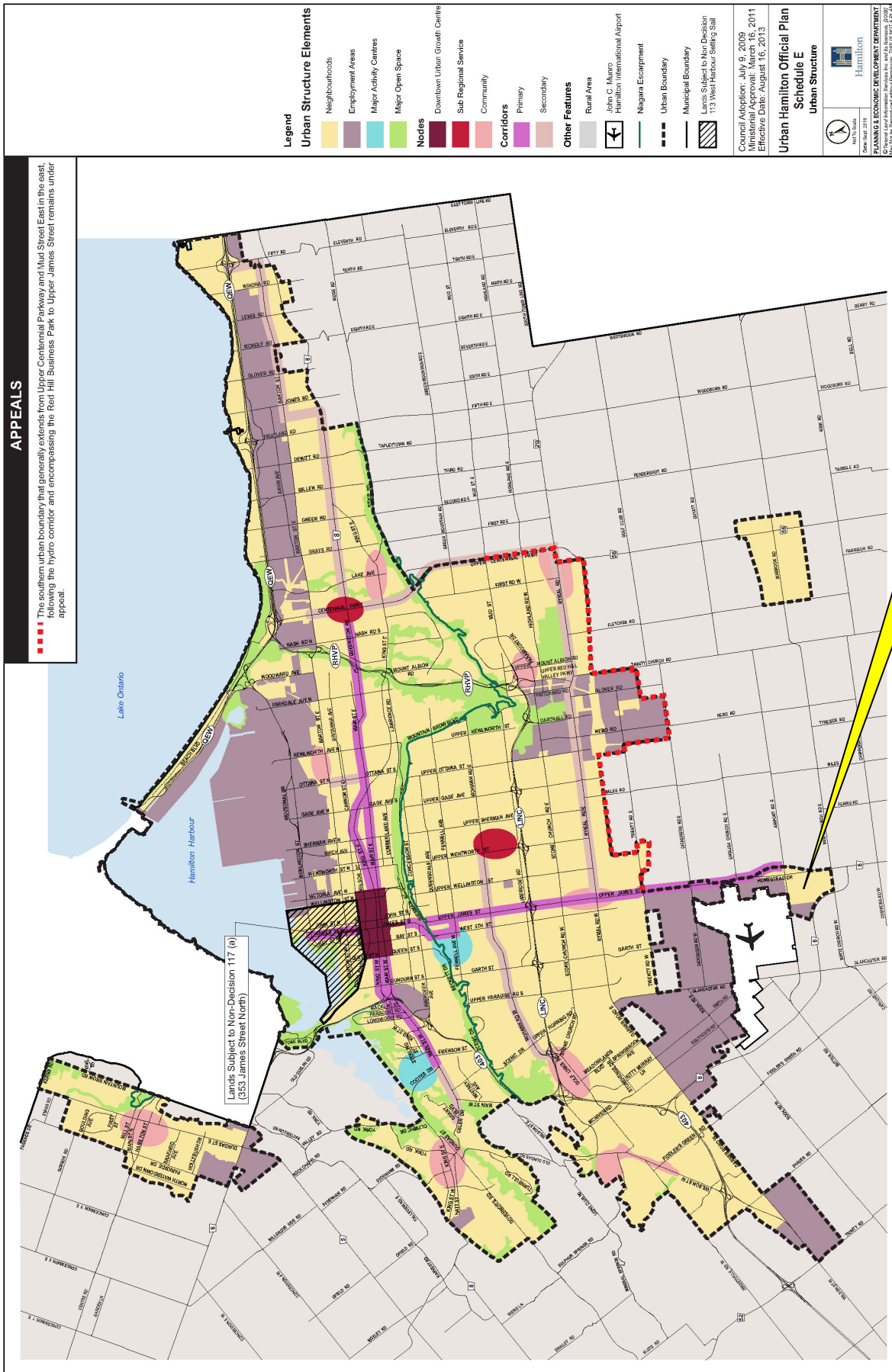
Urban in Mind, Professional Urban Planning, Land Development & CPTED Consultants



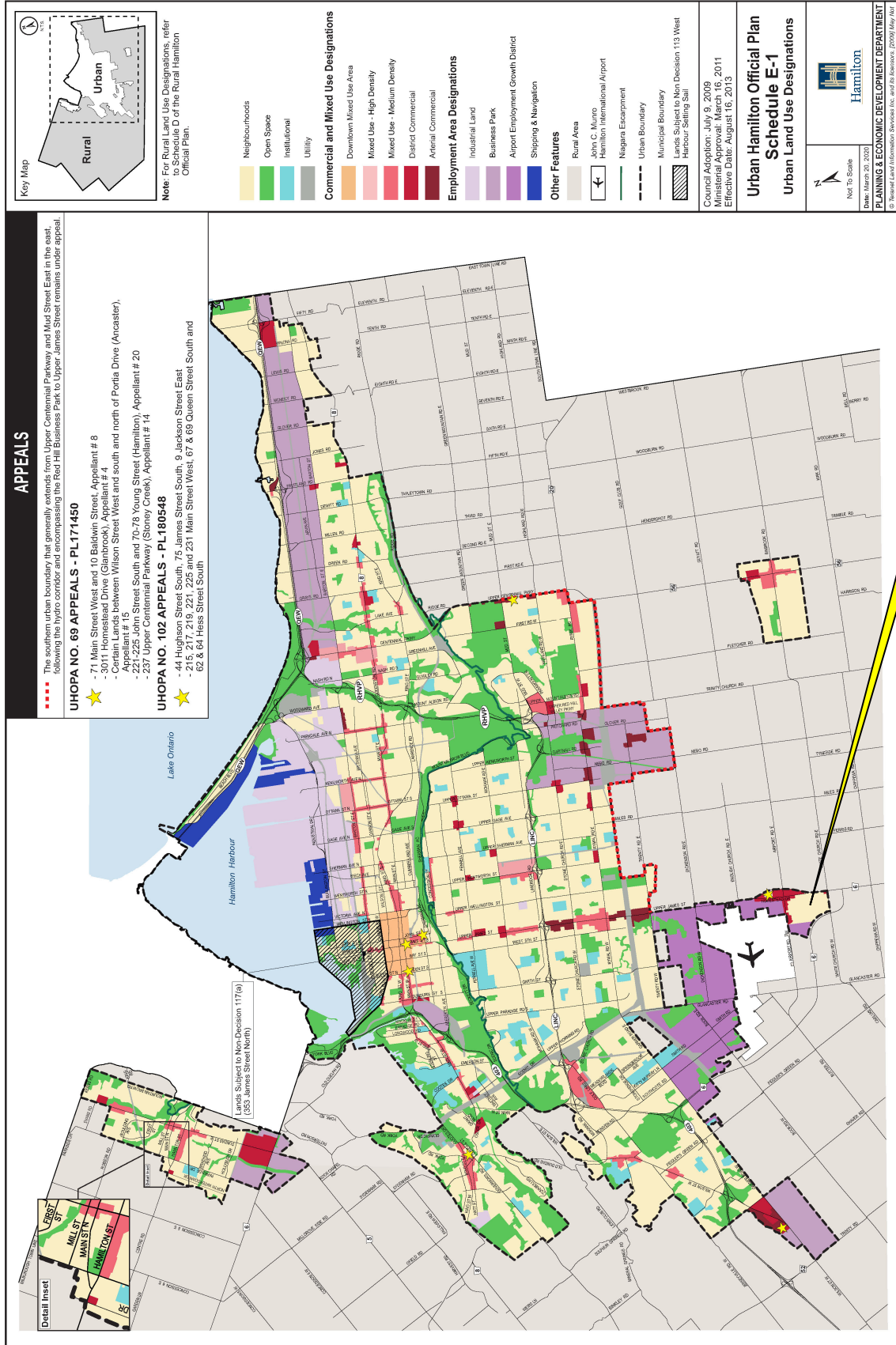
Appendix 'A' (Places to Grow – Schedule 4, Urban Growth Centres)



Appendix 'B' (Hamilton Urban Official Plan – Urban Structure)

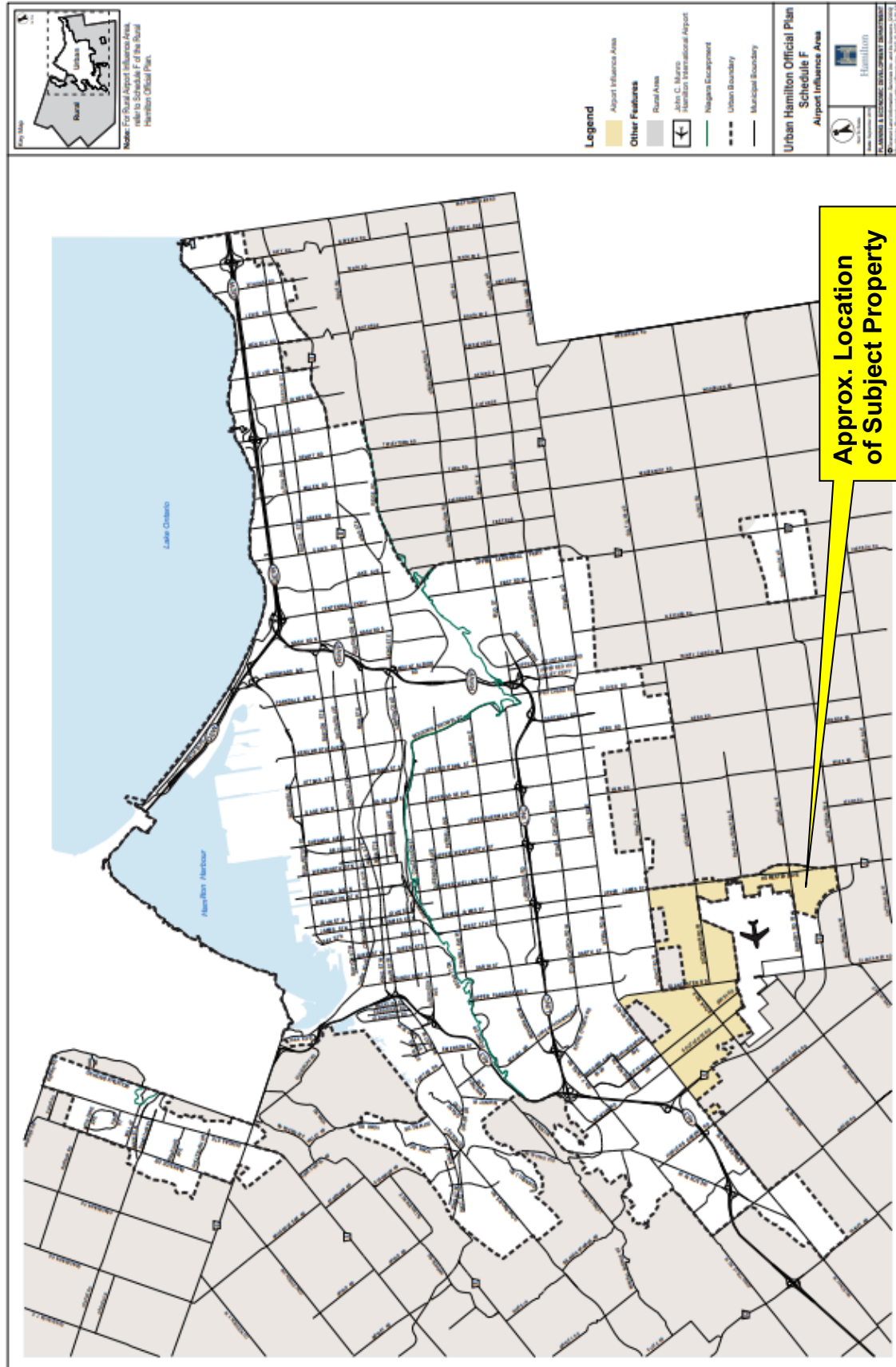


Appendix 'C' (Hamilton Urban Official Plan – Urban Land Use Designation)



Approx. Location
of Subject Property

Appendix 'D' (Hamilton Urban Official Plan – Airport Influence Area)



Appendix ‘E’

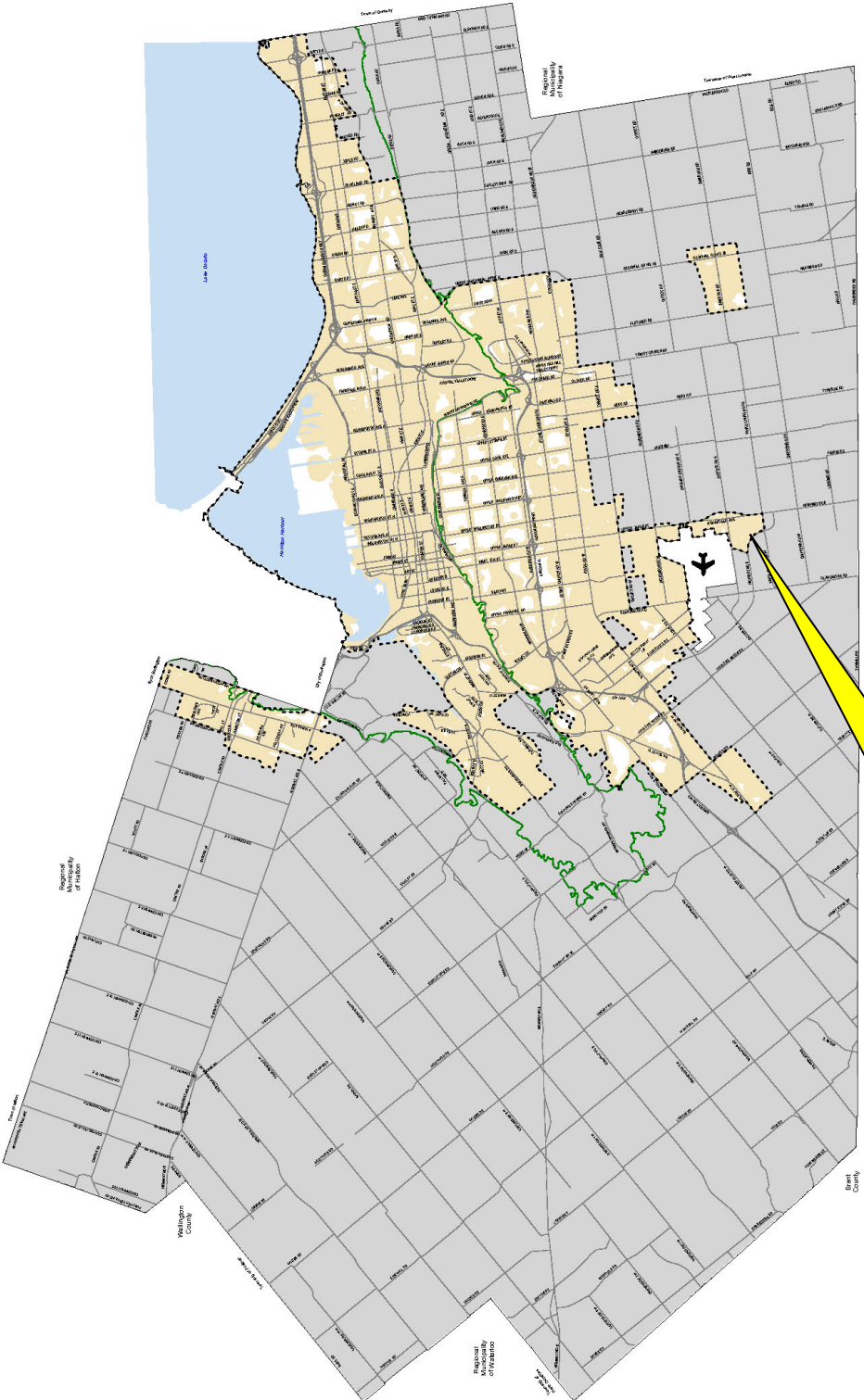


Appendix 'F' (Hamilton Urban Official Plan – Major Transportation Facilities and Routes)

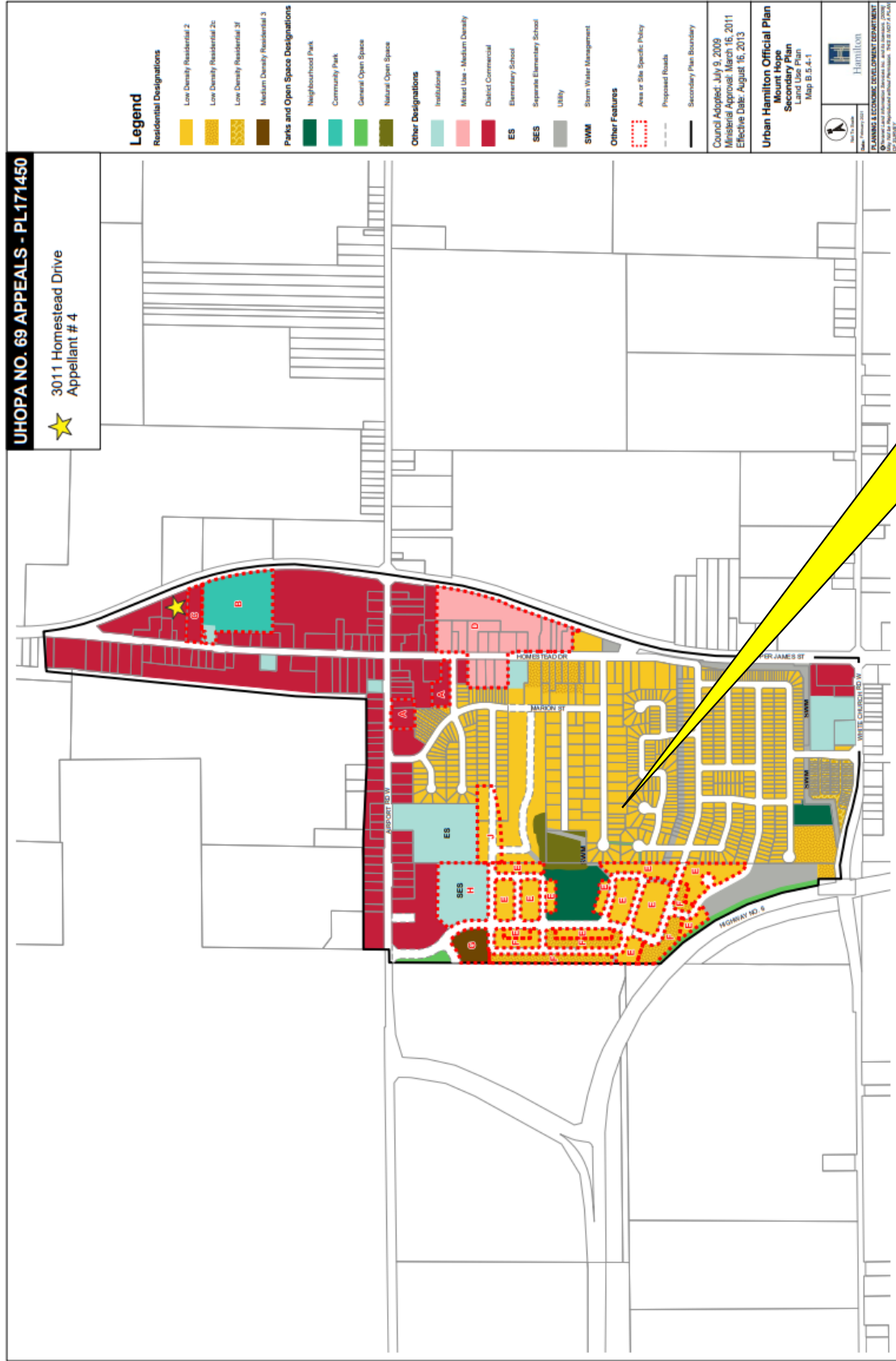


Approx. Location
of Subject Property

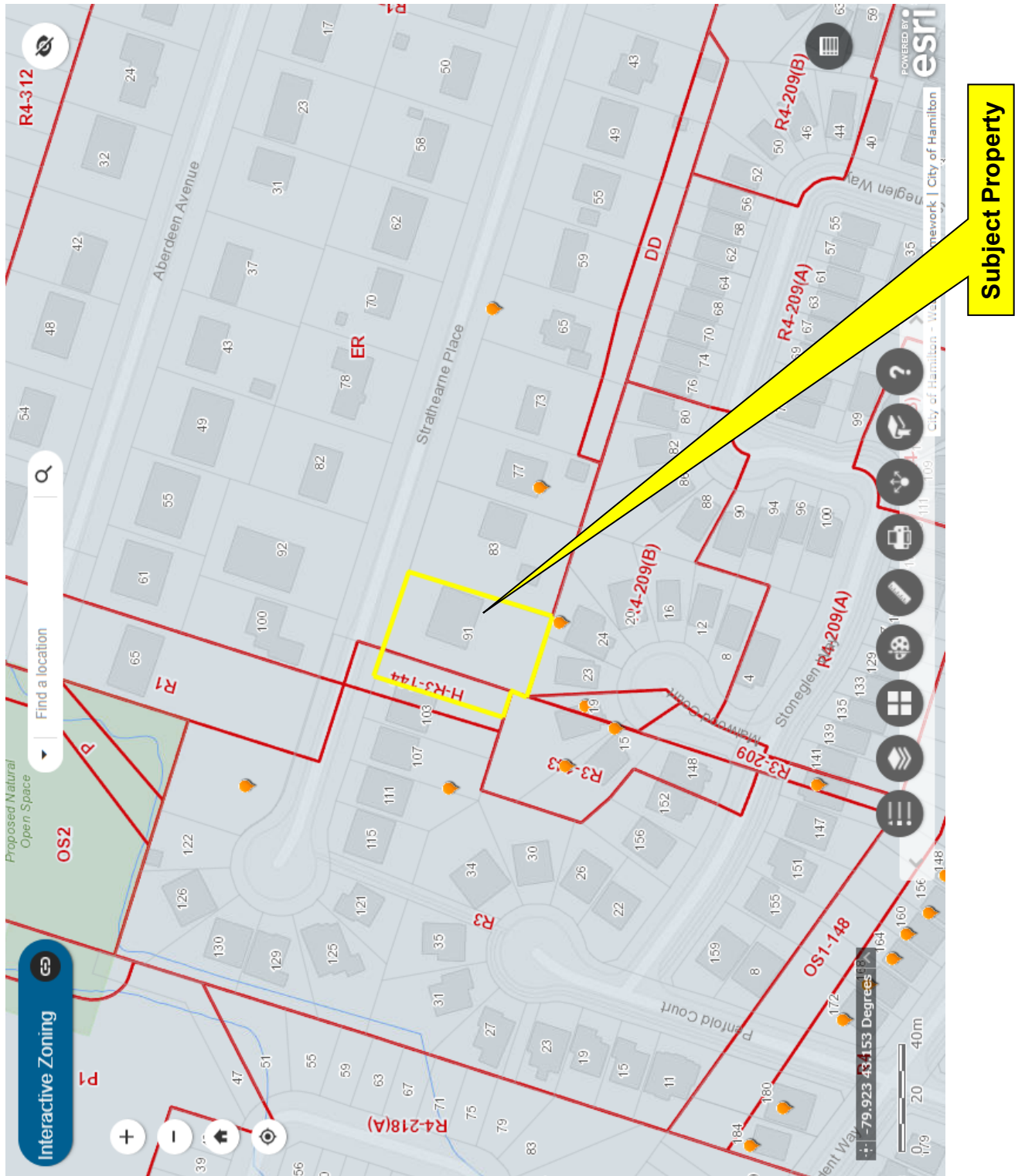
Appendix 'G'



Appendix 'H' (Mount Hope Secondary Plan – Land Use Plan)



Appendix 'P'
(Interactive Zoning Map –Township of Glanbrook Zoning By-Law 464)



Appendix 'J'

Title Search – Property Ownership Confirmation



PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

LAND
REGISTRY
OFFICE #62

17400-0552 (LT)

PAGE 1 OF 1
PREPARED FOR "wyne02"
ON 2021/10/26 AT 15:25:06

* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

PROPERTY DESCRIPTION:

BLOCK 182, PLAN 62M992, GLANFORD; S/T EASE IN FAVOUR OF CITY OF HAMILTON AS IN WE206331; CITY OF HAMILTON

PROPERTY REMARKS:

SUBJECT TO SUBSECTION 44(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPHS 3 & 14 THEREOF AND PROVINCIAL SUCCESSION DUTIES AND EXCEPT PARAGRAPH 11 AND ESCHEATS OR FORFEITURE TO THE CROWN UP TO THE DATE OF REGISTRATION WITH AN ABSOLUTE TITLE.

ESTATE/QUALIFIER:

FEE SIMPLE
ABSOLUTE

RECENTLY:
SUBDIVISION FROM 17400-0367

FIN CREATION DATE:
2003/12/30

OWNERS' NAMES
ELGERSMA, ANDREW JORDAN
ELGERSMA, KAYLA JANINE

CAPACITY SHARE
JTEN
JTEN

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/CHKD
** PRINTOUT INCLUDES ALL DOCUMENT TYPES (DELETED INSTRUMENTS NOT INCLUDED) **						
HL82795	1959/03/31	BYLAW				C
CD274759	1984/03/16	NOTICE				C
		REMARKS: HAMILTON AIRPORT				
CD492326	1989/01/26	AGREEMENT			THE CORPORATION OF THE TOWNSHIP OF GLANBROOK	C
62M992	2003/12/12	PLAN SUBDIVISION				C
WE206328	2003/12/18	NO SUB AGREEMENT		1536708 ONTARIO INC.	CITY OF HAMILTON	C
WE206331	2003/12/18	TRANSFER EASEMENT	\$1	1536708 ONTARIO INC.	CITY OF HAMILTON	C
		REMARKS: LTS 1 TO 178 & BLKS 181, 182, 183, 184 PLAN 62M992; LOT GRADING				
WE210958	2004/01/19	APL ANNEX REST COV		1536708 ONTARIO INC.		C
WE1303930	2018/08/22	NOTICE		HER MAJESTY THE QUEEN IN RIGHT OF CANADA		C
		REMARKS: AIRPORT ZONING REGULATIONS				
WE1332614	2019/01/15	CHARGE	\$424,000	ELGERSMA, ANDREW JORDAN ELGERSMA, GERALD PAUL	COMPUTERSHARE TRUST COMPANY OF CANADA	C
WE1549593	2021/09/29	TRANSFER	\$3,889	ELGERSMA, ANDREW JORDAN ELGERSMA, GERALD PAUL	ELGERSMA, ANDREW JORDAN ELGERSMA, KAYLA JANINE	C
WE1549594	2021/09/29	CHARGE	\$385,000	ELGERSMA, ANDREW JORDAN ELGERSMA, KAYLA JANINE	THE BANK OF NOVA SCOTIA	C

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

Appendix 'J' - Continued

Title Search – Property Ownership Confirmation



Ontario ServiceOntario

PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

LAND
REGISTRY
OFFICE #62

17400-0123 (LT)

PAGE 1 OF 1
PREPARED FOR rwyne02
ON 2021/10/26 AT 15:25:56

* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

PROPERTY DESCRIPTION: PT LT 5, CON 5 GLANFORD, AS IN W4155451, EXCEPT THE EASEMENT THEREIN; GLANBROOK CITY OF HAMILTON

PROPERTY REMARKS:

ESTATE/QUALIFIER:
FEE SIMPLE
LT CONVERSION QUALIFIED
OWNERS' NAMES
ELGERSMA, ANDREW JORDAN
ELGERSMA, KAYLA JANINE

RECENTLY:
FIRST CONVERSION FROM BOOK
CAPACITY SHARE
JTEN
JTEN

PIN CREATION DATE:
1996/12/23

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD	
EFFECTIVE	2000/07/29	THE NOTATION OF THE "BLOCK IMPLEMENTATION DATE" OF 1996/12/23 ON THIS PIN					
WAS REPLACED WITH THE	"PIN CREATION DATE"	OF 1996/12/23					
** PRINTOUT	INCLUDES ALL DOCUMENT TYPES (DELETED INSTRUMENTS NOT INCLUDED) **						
**SUBJECT,	ON FIRST REGISTRATION UNDER THE LAND TITLES ACT, TO:						
**	SUBSECTION 44(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES *						
**	AND ESCHEATS OR FORFEITURE TO THE CROWN.						
**	THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF						
**	IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTION OR BOUNDARIES SETTLED BY						
**	CONVENTION.						
**	ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES.						
**DATE OF CONVERSION TO LAND TITLES:	1996/12/23 **						
HL82795	1959/03/31	BYLAW				C	
CD274759	1984/03/16	NOTICE				C	
REMARKS: HAMILTON AIRPORT							
WE1303922	2018/08/22	NOTICE		HER MAJESTY THE QUEEN IN RIGHT OF CANADA		C	
WE1332614	2019/01/15	CHARGE	\$424,000	ELGERSMA, ANDREW JORDAN ELGERSMA, GERALD PAUL	COMPUTERSHARE TRUST COMPANY OF CANADA	C	
WE1549593	2021/09/29	TRANSFER	\$3,889	ELGERSMA, ANDREW JORDAN ELGERSMA, GERALD PAUL	ELGERSMA, ANDREW JORDAN ELGERSMA, KAYLA JANINE	C	
WE1549594	2021/09/29	CHARGE	\$385,000	ELGERSMA, ANDREW JORDAN	THE BANK OF NOVA SCOTIA	C	

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NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

Stage 1 & 2 Archaeological Assessment

91 Strathearne Place
Part of Lot 5, Concession 5
Neighbourhood of Mount Hope
City of Hamilton
Historic Township of Glanford
Historic County of Wentworth

April 19, 2022

Prepared for: The Proponent

Prepared by: Irvin Heritage Inc.

Archaeological Licensee: Thomas Irvin, P379

PIF#: P379-0457-2022

Version: Original

EXECUTIVE SUMMARY

Irvin Heritage Inc. was contracted by the proponent to conduct a Stage 1 and 2 Archaeological Assessment in support of a Severance Application for a Study Area which is approximately 0.23 Ha in size.

The Stage 1 Archaeological Assessment indicated that the Study Area retained archaeological potential. As such, a Stage 2 Archaeological Assessment consisting of a 5 m Test Pit Survey was conducted. The Stage 2 identified no archaeological resources within the Study Area.

Given the results and conclusions of the completed Stage 1 & 2 assessment, the following recommendations are made:

- It is the professional opinion of the archaeological licensee, Thomas Irvin (P379) that the Study Area has been sufficiently assessed and is free of further archaeological concern.
- Notwithstanding the above recommendations, the provided Advice On Compliance With Legislation shall take precedent over any recommendations of this report should deeply buried archaeological resources or human remains be found during any future earthworks within the Study Area.

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Project Personnel

Professional Licensee & Project Manager:

Thomas Irvin, MA (P379)

Field Director(s):

Kathleen McGowan, Hon. BA (R1299)

Assistant Field Director(s):

NA

Field Archaeologist(s):

NA

Report Author(s):

Thomas Irvin, MA (P379)
Kathleen McGowan, Hon. BA (R1299)

GIS & Graphics:

Michelle Pandith, BA

1. ASSESSMENT CONTEXT

1.1. Development Context

Irvin Heritage Inc. was retained by the proponent to conduct a Stage 1 and 2 Archaeological Assessment of their property (the Study Area) located at the municipal address of 91 Strathearne Place, Part of Lot 5, Concession 5, Neighbourhood of Mount Hope, City of Hamilton, Historic Township of Glanford in the Historic County of Wentworth (Map 1).

The requirement for a Stage 1 & 2 Archaeological Assessment was triggered by the Approval Authority in response to a Severance Application under the Planning Act for the construction of residential units. The assessment reported on herein was undertaken after direction by the Approval Authority and before formal application submission.

The Stage 1 & 2 Archaeological Assessment reported here was undertaken for the entirety of the legal 0.23 Ha property. Permission, without limitation, was provided by the proponent to survey, assess, and document the archaeological potential and resources, if present, of the Study Area.

1.2. Environmental Setting

The Study Area is rectangular, approximately 0.23 Ha in size, is a graded and built up residential property surrounded by manicured lawn (Maps 2 & 3). The Study Area is bordered on the north by Strathearne Place and on all other sides by existing residential development.

The Study Area is located within the Buckhorn Creek - Welland River Watershed and is within close proximity of water drainage and small water courses associated with Welland River. The west side of the property is graded for drainage and there is extensive pooling of water and ground saturation at the southern extent of the property (NDMNRF 2022).

The Study Area is situated within the Haldimand Clay Plain (23) physiographic region of Southern Ontario.

2. HISTORICAL CONTEXT

2.1. Treaty History

The Study Area is located within the boundaries of the Between the Lakes Treaty No. 3. This treaty was signed on December 7, 1792 by Chiefs and Principle Women of the Mississauga Nation as well as John Graves Simcoe on behalf of the British Crown. The treaty includes over 3 million acres between Lake Ontario and Lake Erie. It extends along the northeastern shore of Lake Erie to before Port Bruce where it shares its western border with the McKee Purchase, London Township Purchase, and Huron Tract Purchase. It extends north to approximately Arthur and then southeast to Indian Point, Burlington. On the east, it is bordered by the Ajetance Purchase, the Head of the Lake Purchase, and the Brant Tract. The Between the Lakes Treaty is split into two sections with the Haldimand Tract running directly down the middle of the treaty 6 miles on either side the Grand River (MIA 2022)

2.2. County History

Wentworth County is located at the western tip of Lake Ontario. Administratively, Wentworth originally belonged in the District of Nassau created in 1788. In 1792, it was redesigned within the District of Gore with Hamilton named the town of Gore. When the Districts were broken down into counties in 1850, Wentworth and Halton remained municipally tethered (MOGACS 2022) (Page & Smith 1875). In 1854, the counties separated and Wentworth was comprised of The City of Hamilton, Town of Dundas, and the Townships of Ancaster, Barton, Beverly, Binbrook, East and West Flamborough, Glanford, and Saltfleet (Page & Smith 1875). The county stayed in this organization until 1973 when it became the Regional Municipality of Hamilton-Wentworth and then changed in 2001 to the City of Hamilton (Weaver 2019).

Wentworth saw European exploration as early as the 1600s but patents for land ownership in the area were not granted until 1796 (Smith 1897). The first settlers were United Empire Loyalists followed by Western European Immigrants. Settlement was slow at the beginning of the 19th century due to the process of land clearing and the prevalence of wolves (Page & Smith 1875). Wentworth was an ideal area for trade with many existing travel routes and shipping availability on Lake Ontario. Ancaster initially rose to prominence as a trade centre but Hamilton was close on its heels. The Burlington Beach canal, constructed in 1826, allowed schooners to sail right into Hamilton's deep harbour and this new accessibility was a catalyst for Hamilton's growth into a manufacturing and trade hub (Ancaster Township historical Society 1973). A boom of European settlers followed in 1830 and brought a variety of merchants and

manufacturers to the young city (Weaver 2019). The invention of the steam engine made a huge difference to the Wentworth economy. After its arrival in 1841, places like Ancaster slowly moved from water to steam power for their industries. In 1851, the Great Western Railway arrived in Hamilton, squashing surrounding towns' ability to keep up economically and turning Hamilton into an industrial powerhouse (Ancaster Township Historical Society 1973). This industrial edge brought with it massive migration during the World Wars as the demand for industrial production skyrocketed. Migrants came from both Eastern Canada and following the wars, Europe. After the 1950s, increased globalization meant a steep decline in Hamilton's industrial importance. Modernly, the heart of Hamilton's economy has shifted from industrial steel and manufacturing to information and health services. Along the major highways around the former Wentworth County the sight of laboratories and offices is becoming commonplace (Weaver 2019).

2.3. Local or Community History

Glanford Township is located directly south of Barton Township, Hamilton's city center. It was originally part of Lincoln Township and named in honour of Glanford Briggs, a parish in Lincolnshire England. In 1854, it was reorganized into Wentworth County and in 1974, Glanford and Binbrook Townships were amalgamated into the new Hamilton-Wentworth County reconstruction. The name given to this new township was a composite of the two names: Glanbrook (Rayburn 1977). Settlement of Glanford began early after patents were granted. By 1815 there were 50 registered inhabitants but through the century the Township remained largely agrarian with only one main village, the village of Mount Hope in the centre of the Glanford Township (Page & Smith 1875).

Mount Hope is located south of the Hamilton's city centre. Prior to the amalgamation of Wentworth County into the City of Hamilton it served as the only village in the Township of Glanford. Its central location and positioning on the Port Dover Road, now Highway 6, made it an ideal location for settlement. Settlers began arriving in 1810 and by 1850 there were over 1000 inhabitants of the village and Mount Hope became the seat of the Township of Glanford (Page & Smith 1875) (Smith 2007). Mount Hope was originally named "Swazie's Corners" but changed to Mount Hope formally in 1913. This name was chosen in the 1850s as it is the highest point between Lake Ontario and Lake Erie and either the settlers hoped it would become a large prosperous village or temperance supporters hoped alcohol would be banned (Rayburn 1977). Mount Hope remained a quiet but prosperous village until an air training centre

was built there during World War II. This centre brought increased population and industry to the growing village (Smith 2007).

2.4. Study Area History

A review of historical resources resulted in the following data relevant to the Study Area:

Map 4: 1798 Patent Map (Jones 1791)

The Study Area is situated within part of Lot 5, Concession 5. The land containing the Study Area is listed as under the ownership of John Marsh. There are no structures noted within or adjacent to the Study Area.

Map 5: 1859 Map of the County of Wentworth Ontario (Surtees 1859)

The Study Area is situated within part of Lot 5, Concession 5. The land containing the Study Area is listed as under the ownership of Walter W. Fink. There are no structures noted within or adjacent to the Study Area.

Map 6: 1875 Illustrated Historical Atlas of the County of Wentworth (Page & Smith 1875)

The Study Area is situated within part of Lot 5, Concession 5. The land containing the Study Area is listed as under the ownership of W. L. Smith. There are no structures noted on or adjacent to the Study Area

The following should be noted in regard to the review of historic maps:

- Study Area placement within historic maps is only approximate
- Many historic maps were subscriber based, meaning only individuals who paid a fee would have their property details mapped

3. ARCHAEOLOGICAL CONTEXT

The Study Area is situated within an overall historic landscape that would have been appropriate for both resource procurement and habitation by both Indigenous and Euro-Canadian peoples.

3.1. Registered Archaeological Sites

A search of the Ontario Sites Database conducted on April 13, 2022, using a Study Area centroid of 17T E 587638 N 4778261 indicated that there are 119 registered archaeological sites within a 1 km radius of the Study Area. None of the registered archaeological sites are within the Study Area nor are any within a 50 m buffer.

TABLE 10: SITES WITHIN 1 KM

Borden #	Site Name	Time Period	Affinity	Site Type
AgGx-965	<i>None Provided</i>	Post-Contact	Euro-Canadian	residential
AgGx-766	P14	Pre-Contact	Aboriginal	scatter
AgGx-765	P10	Pre-Contact	Aboriginal	scatter
AgGx-764	P9	Pre-Contact	Aboriginal	scatter
AgGx-763	P8	Pre-Contact	Aboriginal	scatter
AgGx-762	P4	Pre-Contact	Aboriginal	scatter
AgGx-761	P3	Woodland, Late	Aboriginal	scatter
AgGx-760	P2	Pre-Contact	Aboriginal	scatter
AgGx-759	P1	Archaic, Late	<i>None Provided</i>	scatter
AgGx-758	H1	Post-Contact	Euro-Canadian	Unknown
AgGx-731	<i>None Provided</i>	Post-Contact, Pre-Contact	<i>None Provided</i>	camp / campsite, farmstead
AgGx-730	Homestead 5	Archaic, Late	Aboriginal	scatter
AgGx-729	<i>None Provided</i>	Pre-Contact	<i>None Provided</i>	camp / campsite
AgGx-728	<i>None Provided</i>	Pre-Contact	<i>None Provided</i>	camp / campsite
AgGx-727	Homestead 2	Archaic, Late	Aboriginal	findspot
AgGx-726	<i>None Provided</i>	Post-Contact	<i>None Provided</i>	farmstead
AgGx-627	<i>None Provided</i>	Archaic, Middle	Aboriginal	scatter
AgGx-626	<i>None Provided</i>	Archaic, Late	Aboriginal	scatter
AgGx-625	<i>None Provided</i>	Pre-Contact	Aboriginal	scatter
AgGx-624	<i>None Provided</i>	Pre-Contact	Aboriginal	scatter
AgGx-623	<i>None Provided</i>	Pre-Contact	Aboriginal	scatter
AgGx-619	<i>None Provided</i>	Archaic, Middle	Aboriginal	findspot
AgGx-618	<i>None Provided</i>	Pre-Contact	Aboriginal	findspot

Stage 1 & 2 Archaeological Assessment

Borden #	Site Name	Time Period	Affinity	Site Type
AgGx-609	<i>None Provided</i>	Pre-Contact	Aboriginal	findspot
AgGx-608	<i>None Provided</i>	Post-Contact, Pre-Contact	Aboriginal	homestead, scatter
AgGx-607	<i>None Provided</i>	Pre-Contact	Aboriginal	scatter
AgGx-606	<i>None Provided</i>	Archaic, Early, Archaic, Middle	Aboriginal	Unknown
AgGx-605	<i>None Provided</i>	Pre-Contact	Aboriginal	scatter
AgGx-604	<i>None Provided</i>	Woodland, Middle	Aboriginal	scatter
AgGx-603	<i>None Provided</i>	Archaic, Middle, Woodland, Middle	Aboriginal	scatter
AgGx-597	<i>None Provided</i>	Archaic, Late	Aboriginal	scatter
AgGx-596	<i>None Provided</i>	Pre-Contact	<i>None Provided</i>	scatter
AgGx-591	<i>None Provided</i>	Woodland, Late	Aboriginal	scatter
AgGx-590	<i>None Provided</i>	Pre-Contact	Aboriginal	scatter
AgGx-588	<i>None Provided</i>	Other	<i>None Provided</i>	Unknown
AgGx-587	<i>None Provided</i>	Archaic, Late, Archaic, Middle	<i>None Provided</i>	scatter
AgGx-501	<i>None Provided</i>	Pre-Contact	Aboriginal	scatter
AgGx-500	<i>None Provided</i>	Archaic, Middle	Aboriginal	Unknown
AgGx-499	<i>None Provided</i>	Woodland, Late	Neutral	Unknown
AgGx-481	<i>None Provided</i>	<i>None Provided</i>	<i>None Provided</i>	<i>None Provided</i>
AgGx-480	<i>None Provided</i>	<i>None Provided</i>	<i>None Provided</i>	<i>None Provided</i>
AgGx-479	<i>None Provided</i>	<i>None Provided</i>	<i>None Provided</i>	<i>None Provided</i>
AgGx-478	Mountain Gate IX	<i>None Provided</i>	<i>None Provided</i>	<i>None Provided</i>
AgGx-477	<i>None Provided</i>	<i>None Provided</i>	<i>None Provided</i>	<i>None Provided</i>
AgGx-476	<i>None Provided</i>	<i>None Provided</i>	<i>None Provided</i>	<i>None Provided</i>
AgGx-475	<i>None Provided</i>	<i>None Provided</i>	<i>None Provided</i>	<i>None Provided</i>
AgGx-474	Mountain Gate V	<i>None Provided</i>	<i>None Provided</i>	<i>None Provided</i>
AgGx-473	Mountain Gate IV	<i>None Provided</i>	<i>None Provided</i>	<i>None Provided</i>
AgGx-472	Mountain Gate III	<i>None Provided</i>	<i>None Provided</i>	<i>None Provided</i>
AgGx-471	Mountain Gate II	Pre-Contact	Aboriginal	camp / campsite
AgGx-470	Mountain Gate I	<i>None Provided</i>	<i>None Provided</i>	<i>None Provided</i>
AgGx-346	<i>None Provided</i>	Archaic, Late	Aboriginal	findspot

Stage 1 & 2 Archaeological Assessment

Borden #	Site Name	Time Period	Affinity	Site Type
AgGx-345	<i>None Provided</i>	Woodland, Middle	Aboriginal	findspot
AgGx-344	<i>None Provided</i>	Pre-Contact	Aboriginal	findspot
AgGx-343	<i>None Provided</i>	Archaic	Aboriginal	findspot
AgGx-342	<i>None Provided</i>	Pre-Contact	Aboriginal	findspot
AgGx-341	<i>None Provided</i>	Archaic, Early	Aboriginal	findspot
AgGx-340	<i>None Provided</i>	Pre-Contact	Aboriginal	findspot
AgGx-339	<i>None Provided</i>	Other	OtherNeutral_	Otherfindspot_
AgGx-338	<i>None Provided</i>	Pre-Contact	Aboriginal	findspot
AgGx-337	<i>None Provided</i>	Pre-Contact	Aboriginal	scatter
AgGx-336	<i>None Provided</i>	Pre-Contact	Aboriginal	findspot
AgGx-335	<i>None Provided</i>	Pre-Contact	Aboriginal	findspot
AgGx-334	<i>None Provided</i>	Pre-Contact	Aboriginal	findspot
AgGx-333	<i>None Provided</i>	Post-Contact	Euro-Canadian	findspot
AgGx-332	<i>None Provided</i>	Pre-Contact	Aboriginal	findspot
AgGx-300	Niapenco	Pre-Contact	Aboriginal	findspot
AgGx-299	Trimble	Archaic, Early, Archaic, Middle, Pre-Contact	Aboriginal	scatter
AgGx-298	Southampton	Archaic, Middle	Aboriginal	Othercamp/ campsite
AgGx-297	Glanford	Pre-Contact	Aboriginal	findspot
AgGx-296	Woodbrook	Pre-Contact	Aboriginal	scatter
AgGx-295	Kirk	Pre-Contact	Aboriginal	scatter
AgGx-294	Mount Hope	Archaic, Early, Archaic, Middle	Aboriginal	Othercamp/ campsite
AgGx-293	Longview	Pre-Contact	Aboriginal	scatter
AgGx-292	Tisdale	Pre-Contact	Aboriginal	scatter
AgGx-291	Tyneside	Archaic, Middle	Aboriginal	findspot
AgGx-290	Nebo	Archaic, Late	Aboriginal	findspot
AgGx-289	Miles	Archaic, Early	Aboriginal	scatter
AgGx-288	Ferris	Archaic, Late	Aboriginal	findspot
AgGx-287	Marion	<i>None Provided</i>	<i>None Provided</i>	<i>None Provided</i>
AgGx-286	Southern Pine	Pre-Contact	Aboriginal	scatter

Stage 1 & 2 Archaeological Assessment

Borden #	Site Name	Time Period	Affinity	Site Type
AgGx-285	Strathearne	Archaic, Early	Aboriginal	findspot
AgGx-257	Lancaster	Woodland, Late	Aboriginal, Iroquoian	hamlet
AgGx-187	Many Splendors E	Woodland, Late	Aboriginal, Iroquoian	Unknown
AgGx-186	Many Splendors D	Archaic	Aboriginal	<i>None Provided</i>
AgGx-184	Jerome Historic	Post-Contact	Euro-Canadian	cabin, homestead
AgGx-183	Many Splendors C	Archaic, Late	Aboriginal	Unknown
AgGx-182	Many Splendors B	Archaic	Aboriginal	Unknown
AgGx-181	Many Splendors A	Archaic, Late	Aboriginal	Unknown
AgGx-175	<i>None Provided</i>	<i>None Provided</i>	<i>None Provided</i>	<i>None Provided</i>
AgGx-174	<i>None Provided</i>	<i>None Provided</i>	<i>None Provided</i>	<i>None Provided</i>
AgGx-173	<i>None Provided</i>	<i>None Provided</i>	<i>None Provided</i>	<i>None Provided</i>
AgGx-172	<i>None Provided</i>	<i>None Provided</i>	<i>None Provided</i>	<i>None Provided</i>
AgGx-167	Jerome C	Woodland, Late	Aboriginal, Iroquoian	Othercamp/ campsite
AgGx-166	Jerome B	Woodland, Woodland, Late	Aboriginal, Iroquoian, Neutral	Othercamp/ campsite
AgGx-165	Jerome	Other	OtherNeutral_	<i>None Provided</i>
AgGx-164	White Church	Pre-Contact	Aboriginal	Othercamp/ campsite
AgGx-163	Hotz	Other	<i>None Provided</i>	Othercamp/ campsite_
AgGx-162	Babyzac	<i>None Provided</i>	<i>None Provided</i>	<i>None Provided</i>
AgGx-128	Jerome 5	<i>None Provided</i>	<i>None Provided</i>	<i>None Provided</i>
AgGx-114	Jerome 4	Archaic	Aboriginal	Unknown
AgGx-113	Whaley 2	<i>None Provided</i>	<i>None Provided</i>	<i>None Provided</i>
AgGx-1066	<i>None Provided</i>	Archaic, Late	Aboriginal	hunting loss
AgGx-1065	<i>None Provided</i>	Archaic, Late	Aboriginal	hunting loss
AgGx-1064	<i>None Provided</i>	Archaic, Middle	Aboriginal	hunting loss
AgGx-1063	<i>None Provided</i>	Woodland, Middle	Aboriginal	hunting loss
AgGx-1062	<i>None Provided</i>	Archaic, Late	Aboriginal	hunting loss
AgGx-1061	<i>None Provided</i>	Archaic, Late	Aboriginal	hunting loss
AgGx-1038	<i>None Provided</i>	Post-Contact	Euro-Canadian	agricultural, farmstead
AgGx-1037	<i>None Provided</i>	Pre-Contact	Aboriginal	Unknown

Stage 1 & 2 Archaeological Assessment

Borden #	Site Name	Time Period	Affinity	Site Type
AgGx-1034	<i>None Provided</i>	Pre-Contact	Aboriginal	camp / campsite
AgGx-1033	<i>None Provided</i>	Pre-Contact	Aboriginal	camp / campsite
AgGx-1030	WCR-2	Post-Contact, Pre-Contact	Aboriginal	scatter
AgGx-1029	WCR-1	Post-Contact, Pre-Contact	Aboriginal, Euro-Canadian	Unknown, scatter
AgGx-1027	<i>None Provided</i>	Archaic, Late	<i>None Provided</i>	findspot
AgGx-1026	<i>None Provided</i>	Archaic, Middle	<i>None Provided</i>	findspot
AgGx-1021	<i>None Provided</i>	Pre-Contact	<i>None Provided</i>	Unknown
AgGx-1002	AgGx-1002	Pre-Contact	<i>None Provided</i>	camp / campsite
AgGx-1001	AgGx-1001	Woodland	<i>None Provided</i>	camp / campsite

3.2. Related and/or Adjacent Archaeological Assessments

A Stage 1 & 2 Archaeological Assessment report was authored by ASI in 2002 for a development which may potentially border the western limit of the Study Area (ASI 2002). While numerous archaeological sites were documented in this report none were found within 50 of the limit of the Study Area. This previous report had no impact in regard to the recommendations, methods or findings of this report.

3.3. Cemeteries & Burials

As per a cursory search conducted on April 13, 2022, there are no known or registered cemeteries or burials within or adjacent to the Study Area.

3.4. Archaeological Management Plan

The Study Area is situated within the limits of the City of Hamilton Archaeological Management Plan (City of Hamilton 2016). This document was reviewed, but has no impact as to the recommendations, methods or findings of this report.

3.5. Heritage Conservation District

The Study Area is not situated within an existing or proposed Heritage Conservation District.

3.6. Heritage Properties

The Study Area contains no registered or listed heritage properties.

3.7. Historic Plaques

There are no historic plaques within a 100 m radius of the Study Area (Ontario Heritage Trust 2022).

4. STAGE 1 ANALYSIS & CONCLUSIONS

It is clear that the Study Area retains archaeological potential owing to the environmental setting of the Study Area in relation historic settlement, proximity of registered archaeological sites, and proximity to a watercourse.

As such, the Study Area retains archaeological potential and should be subject to a Stage 2 Archaeological Assessment.

5. STAGE 1 RECOMMENDATIONS

Given the analysis and conclusion of the completed Stage 1 assessment, the following recommendations are made:

- Lands which are not viable to plough must be subject to a test pit survey with the following conditions:
 - ▶ All test pits are to be excavated by hand at 5 m intervals along 5 m transects
 - ▶ Test pits must be excavated to within 1 m of all extant and/or ruined structures when present
 - ▶ All test pits must be 30 cm in diameter and be excavated into the first 5 cm of subsoil
 - ▶ All test pits must be examined for evidence of fill, stratigraphy or cultural features
 - ▶ All excavated soils must be screened through 6 mm wire mesh to facilitate artifact recovery
 - ▶ All artifacts recovered must be retained via their associated test pit
 - ▶ All test pits are to be backfilled unless instructed otherwise by the landowner

6. STAGE 2 FIELD METHODOLOGY

Prior to the initiation of fieldwork, the Field Director reviewed the existing Stage 1 archaeological analysis and recommendations; all field staff were then briefed on the archaeological potential of the Study Area. Fieldwork was conducted in April 2022 (see Table 2). The weather consisted of light cloud cover or sunny conditions, but at all times the assessment was conducted under appropriate weather conditions.

TABLE 12: DATES & DIRECTORS OF ASSESSMENT

Date	Weather	Field Director(s)	Assistant Field Director(s)
Apr 5, 2022	5°C, mostly sunny	K. McGowan (R1299)	-

The assessment began with a visual review of the Study Area conditions.

The Study Area was found to consist of a developed lot in an overall developed residential landscape. The area was found to consist of steeply graded drainage lands on the eastern and western sides of the Study Area (Image 1 & 2). A 5 m Test Pit Survey was conducted over the manicured and level lawn in the front of the extant home, and at the base of the graded slope in the rear of the property (Images 3 & 4). The topsoil consisted of a mixture of dark brown clay soil and gravel atop a light brown sandy clay gravel mixture subsoil. It should be noted that the Field Director was abundantly cautious and examined all soils for not only cultural materials but also other evidence of occupation such as fire cracked rock, etc.

The archaeological methodology employed during the Stage 2 Test Pit survey consisted of:

- All test pits were excavated by shovel at 5 m intervals on 5 m transects (unless noted above)
- Test pits were excavated to within 1 m of all structures, both extant and in ruin, when present
- All test pits were 30 cm in diameter and were excavated into the first 5 cm of subsoil
 - ▶ All test pits must be examined for evidence of fill, stratigraphy or cultural features
- All excavated soils which were of an undisturbed context were screened through 6 mm wire mesh
- All test pits were backfilled

7. STAGE 2 RECORD OF FINDS

The completed archaeological assessment resulted in the creation of various documentary records (Table 3).

TABLE 3: INVENTORY OF STAGE 2 HOLDINGS

Record Type or Item	Details	# of Boxes
Field Notes: P379-0457-2022	Digital Files	-
Photos: P379-0457-2022	Digital Files	-

8. STAGE 2 ANALYSIS & CONCLUSIONS

The Study Area subject to Stage 2 survey, measuring approximately 0.23 Ha in size was subject to a complete archaeological assessment. No archaeological resources were noted during the survey.

TABLE 4: SUMMARY OF STAGE 2 ASSESSMENT METHODOLOGIES & FINDINGS

Assessment Method	Findings	Ha	% of Study Area
Archaeological Potential: 5 m Test Pit Survey	No Resources	0.09	39.1%
Low Potential: Graded Slope >20	-	0.09	39.1%
Low Potential: Extant Structures, Driveways etc.	-	0.05	21.7%
Total		0.23	100

9. STAGE 2 RECOMMENDATIONS

Given the results and conclusions of the completed Stage 1 & 2 assessment, the following recommendations are made:

- It is the professional opinion of the archaeological licensee, Thomas Irvin (P379) that the Study Area has been sufficiently assessed and is free of further archaeological concern.
- Notwithstanding the above recommendations, the provided Advice On Compliance With Legislation shall take precedent over any recommendations of this report should deeply buried archaeological resources or human remains be found during any future earthworks within the Study Area.

10. ADVICE ON COMPLIANCE WITH LEGISLATION

The Standards and Guidelines for Consultant Archaeologists requires that the following standard statements be provided within all archaeological reports for the benefit of the proponent and approval authority in the land use planning and development process (MTC 2011:126):

This report is submitted to the Minister of Tourism, Culture and Sport as a condition of licensing in accordance with Part VI of the Ontario Heritage Act, R.S.O. 1990, c 0.18. The report is reviewed to ensure that it complies with the standards and guidelines that are issued by the Minister, and that the archaeological fieldwork and report recommendations ensure the conservation, protection and preservation of the cultural heritage of Ontario. When all matters relating to archaeological sites within the project area of a development proposal have been addressed to the satisfaction of the MTCS, a letter will be issued by the ministry stating that there are no further concerns with regard to alterations to archaeological sites by the proposed development.

It is an offence under Sections 48 and 69 of the Ontario Heritage Act for any party other than a licensed archaeologist to make any alteration to a known archaeological site or to remove any artifact or other physical evidence of past human use or activity from the site, until such time as a licensed archaeologist has completed archaeological fieldwork on the site, submitted a report to the Minister stating that the site has no further cultural heritage value or interest, and the report has been filed in the Ontario Public Register of Archaeology Reports referred to in Section 65.1 of the Ontario Heritage Act.

Should previously undocumented archaeological resources be discovered, they may be a new archaeological site and therefore subject to Section 48 (1) of the Ontario Heritage Act. The proponent or person discovering the archaeological resources must cease alteration of the site immediately and engage a licensed consultant archaeologist to carry out archaeological fieldwork, in compliance with Section 48 (1) of the Ontario Heritage Act.

Archaeological sites recommended for further archaeological fieldwork or protection remain subject to Section 48 (1) of the Ontario Heritage Act and may not be altered, or have artifacts removed from them, except by a person holding an archaeological licence.

The Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, c.33 requires that any person discovering human remains must notify the police or coroner and the Registrar of Cemeteries at the Ministry of Consumer Service.

11. IMAGES



Image 1: Extensive graded slope along the eastern portion of the Study Area.



Image 2: Extensive grading and slope forming the western extent of the Study Area.

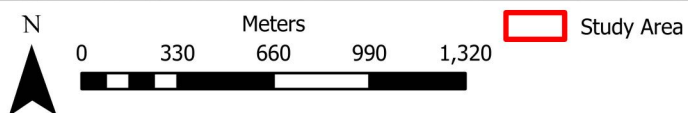
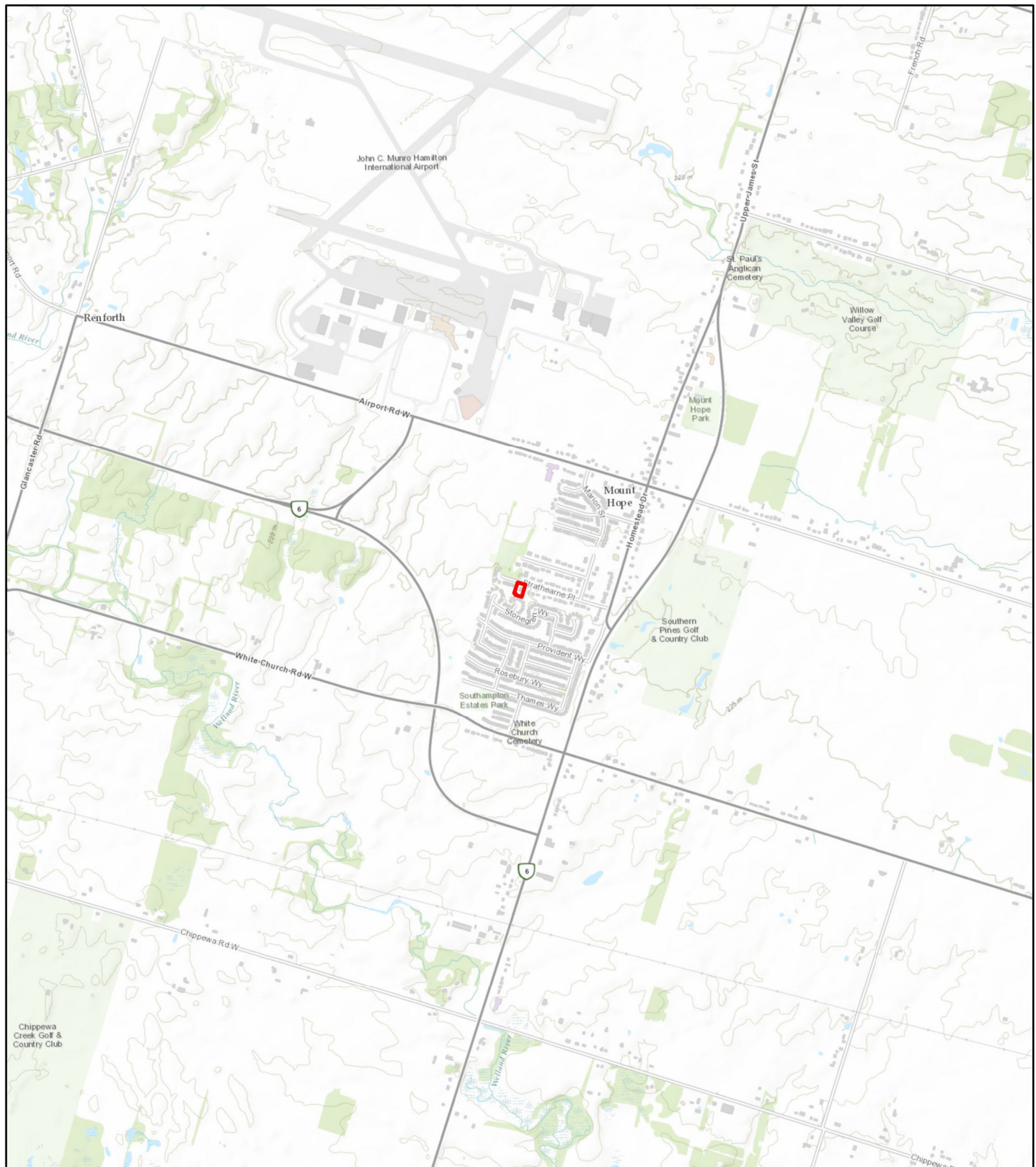


Image 3: Area subject to 5 m Test Pit Survey.



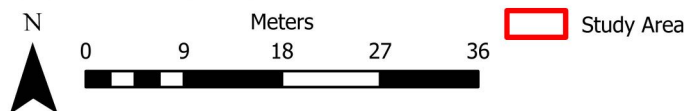
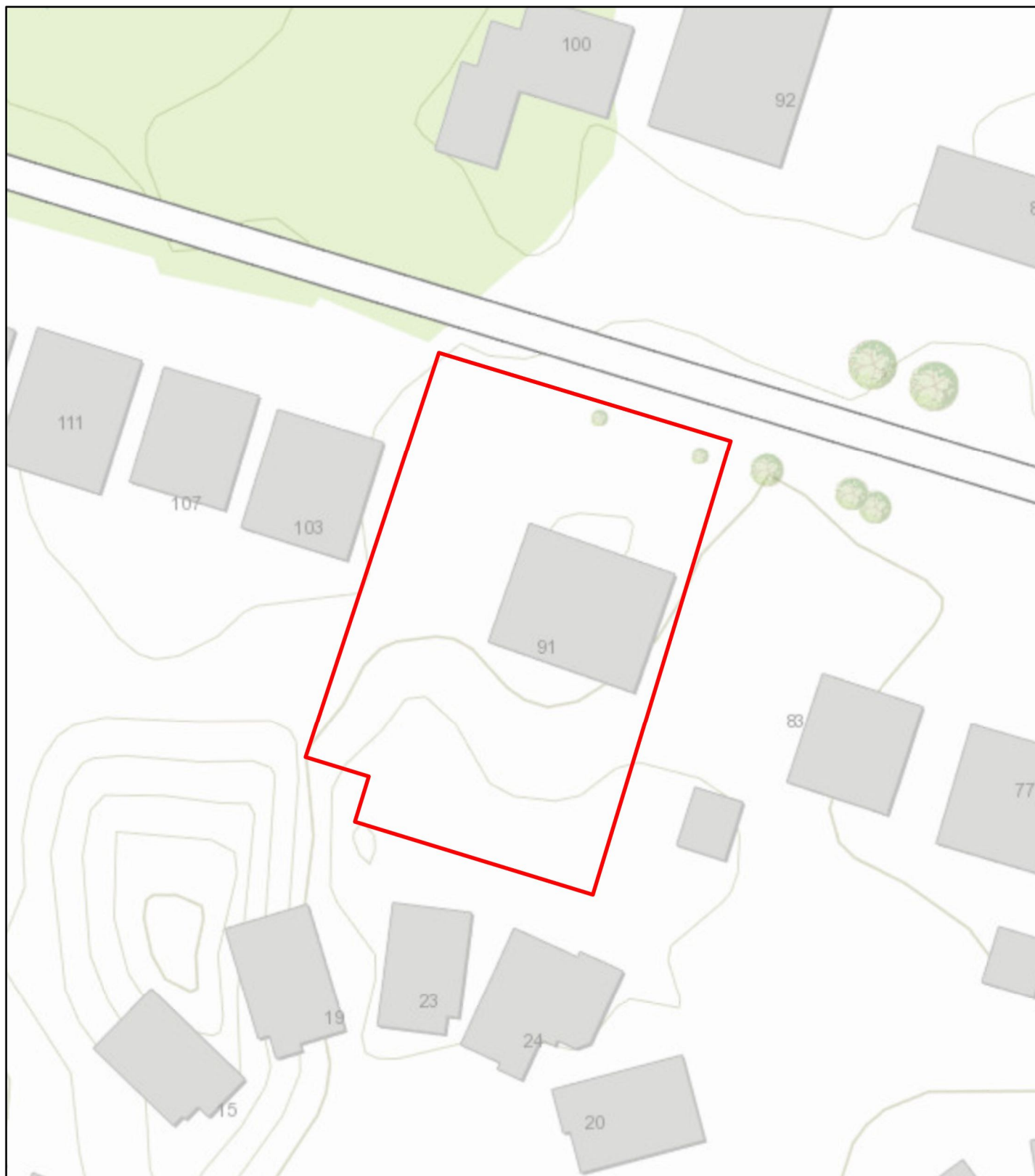
Image 4: Area subject to 5 m Test Pit Survey; note the slope forming on the left margin of the image.

12. MAPS



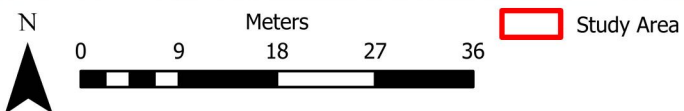
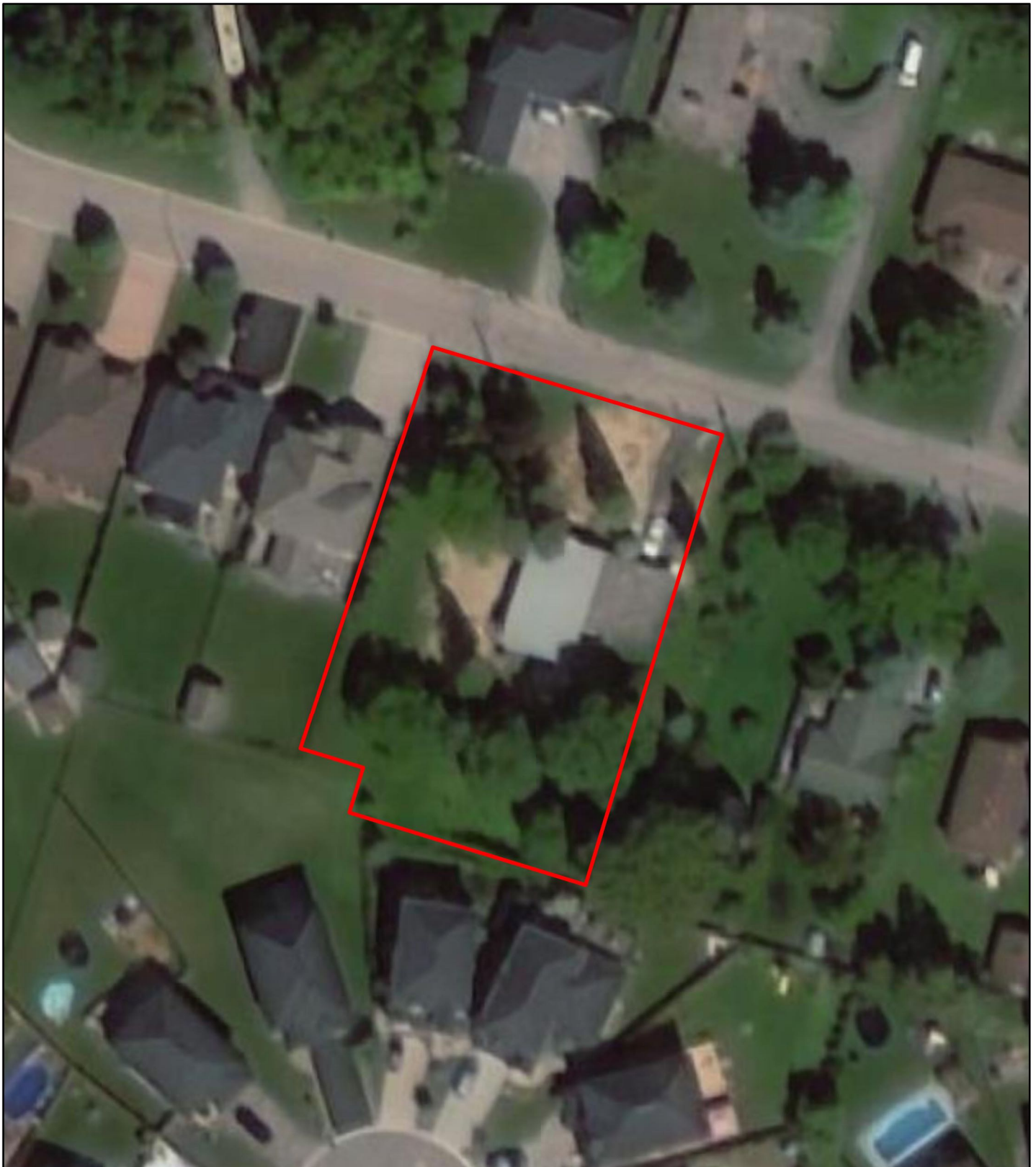
Source: McMaster University, City of Hamilton, Province of Ontario, Ontario MNR, Esri Canada, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, METI/NASA, EPA, USDA, AAFC, NRCan

Map 1: Study Area Location



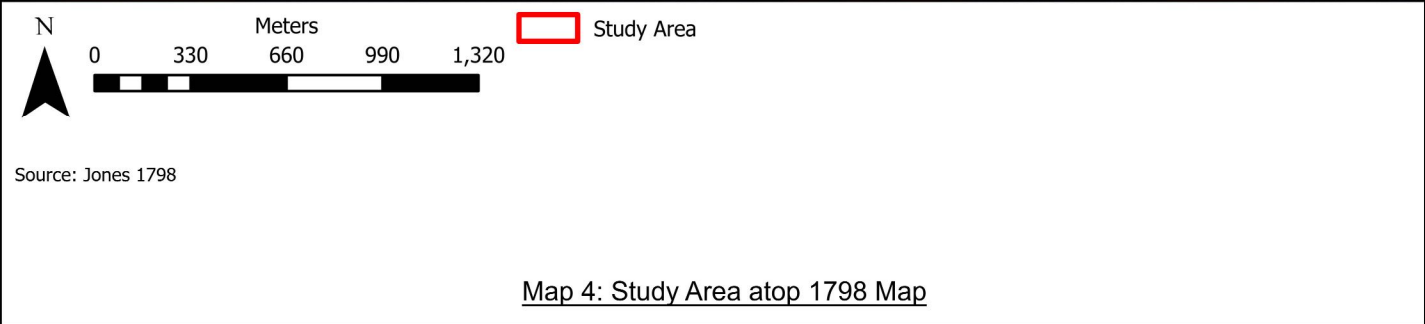
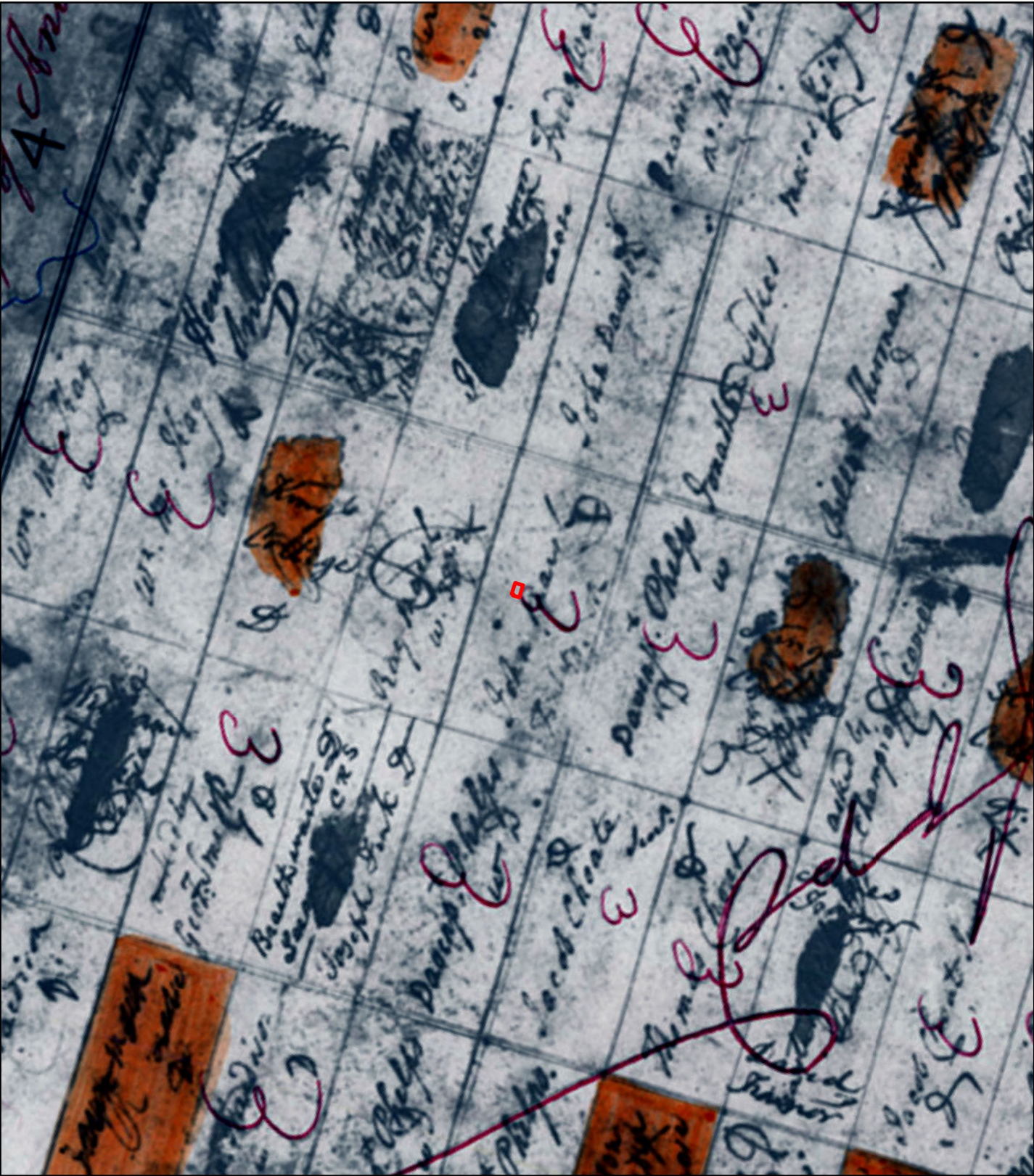
Source: McMaster University, City of Hamilton, Ontario
MNR, Esri Canada, Esri, HERE, Garmin, GeoTechnologies,
Inc., USGS, EPA, USDA, AAFC, NRCan

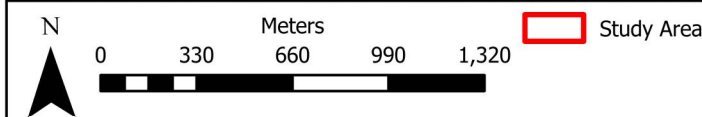
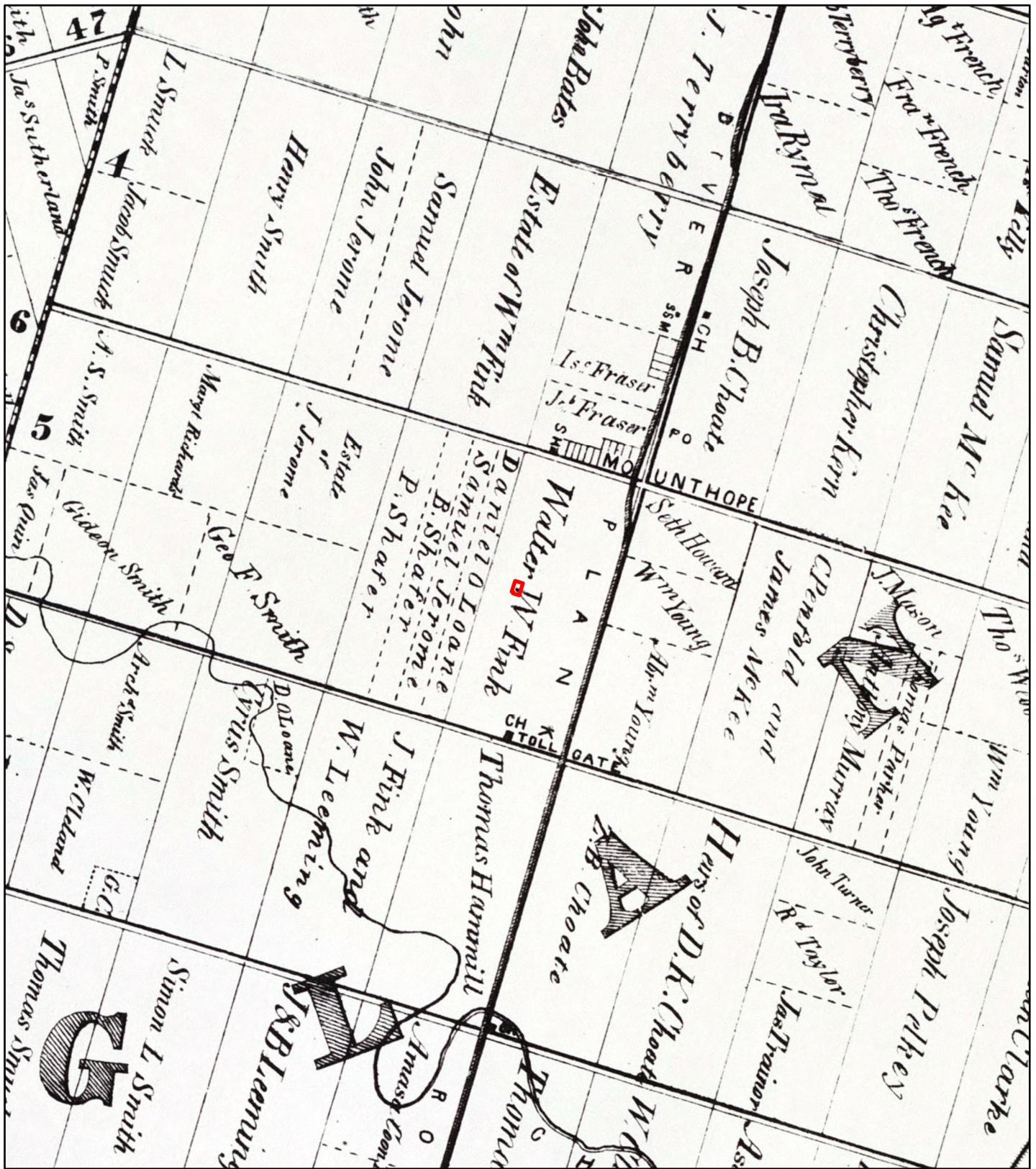
Map 2: Study Area Topographic Detail



Source: Maxar, Microsoft

Map 3: Study Area Environmental Detail





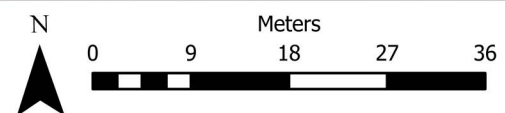
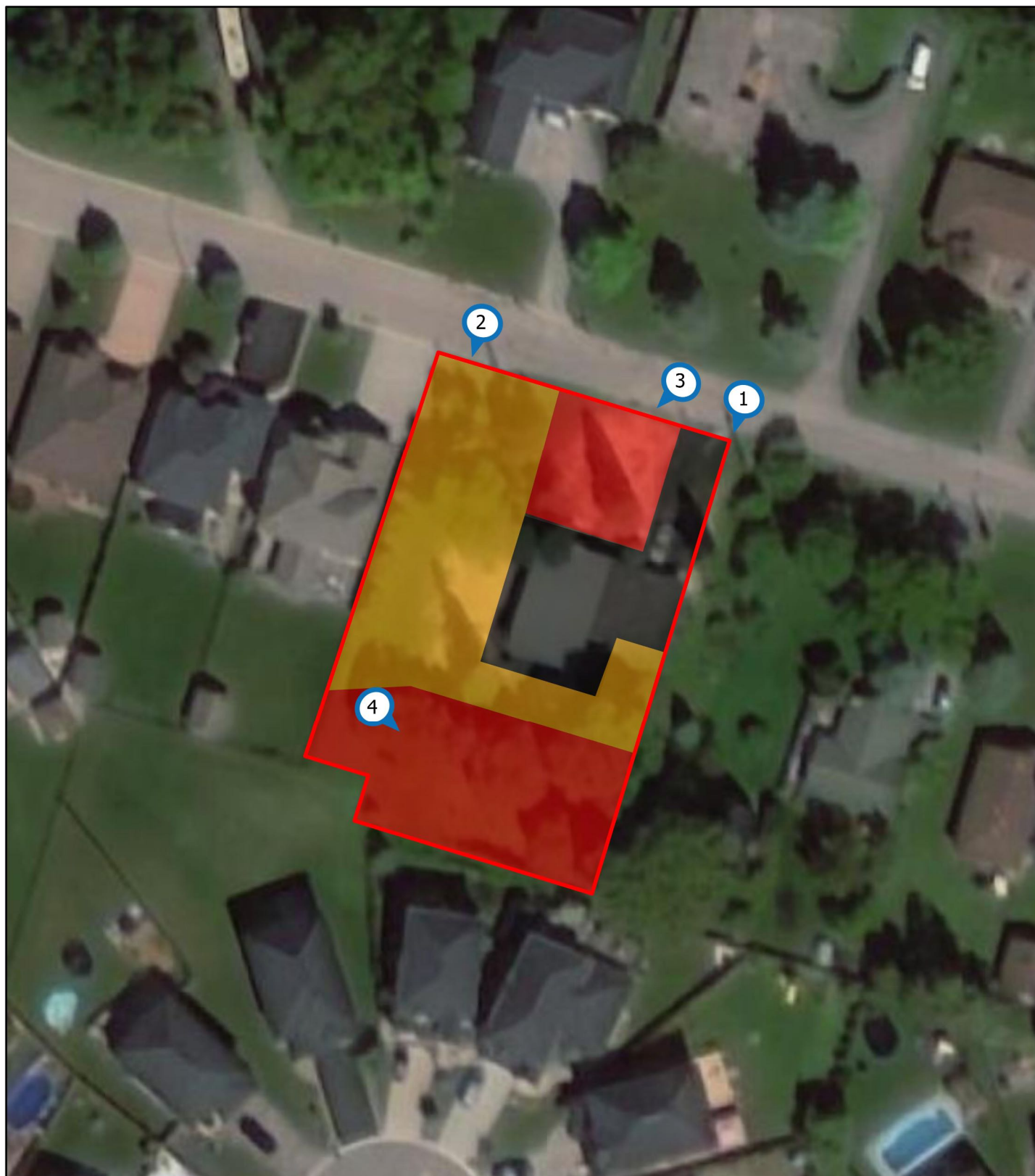
Source: Surtees 1859

Map 5: Study Area atop 1859 Map



Source: Page & Smith 1875

Map 6: Study Area atop 1875 Map



Source: Maxar, Microsoft

- Study Area
- 5m Test Pit Survey Conducted: No Archaeological Resources
- Low Potential: Graded Slope $>20^\circ$
- Low Potential: Extant Structures, Driveways etc.
- Photo # & Direction

Map 7: Stage 2 Results of Assessment

13. REFERENCES

Ancaster Township Historical Society

1973 Ancaster's Heritage: A History of Ancaster Township, Volume I. Edited by Paul Grimwood. Ancaster Township Historical Society: Ancaster.

Archaeological Services Inc (ASI)

2002 Stage 1&2 Archaeological Assessment of the Proposed Southhampton Estates, Mount Hope, Township of Glanbrook, City of Hamilton, Ontario. CIF#2001-025-024

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2022 "Early Districts and Counties 1788-1899" *The Changing Shape of Ontario*. Government of Ontario: Accessed online.

Ontario Heritage Trust

2021 "An Inventory of Provincial Plaques Across Ontario". Accessed online.

Ontario Ministry of Indigenous Affairs (MIA)

2020 Map of Ontario Treaties and Reserves. Accessed online.

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2021 Ontario Watershed Boundaries(OWB). Accessed online.

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1875 Illustrated Historical Atlas of the County of Wentworth Ontario Page & Smith: Toronto. 1971 Reproduction Edition, The Dundas Valley School of Art: Dundas Ont.

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1997 Place Names of Ontario, University of Toronto Press Incorporated: Toronto.

Smith, J.H

1897 Historical Sketch of the County of Wentworth and the Head of the Lake . Order of the County Council: Hamilton

Smith, Sandy

2007 "Mount Hope" Glanford Recollections and Reflections. Glanbrook Heritage Society: Accessed online.

Weaver, John C.

2019 "Hamilton." The Canadian Encyclopedia. Historica Canada: Accessed online

**Committee of Adjustment**

City Hall, 5th Floor,
71 Main St. W.,
Hamilton, ON L8P4Y5

Phone: (905) 546-2424 ext. 4221

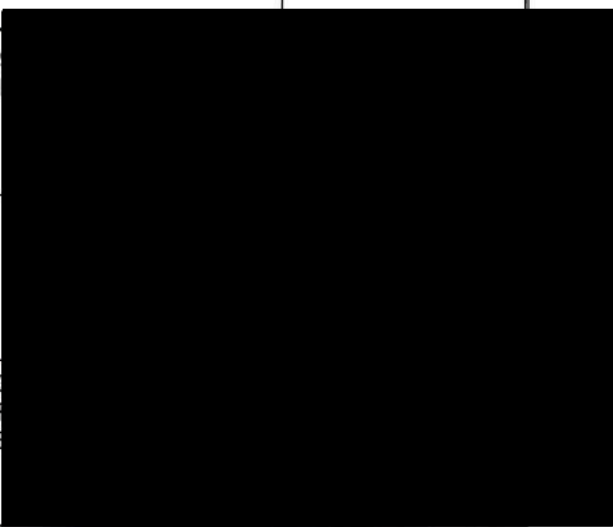
Email: cofa@hamilton.ca

**APPLICATION FOR CONSENT TO SEVER LAND
UNDER SECTION 53 OF THE PLANNING ACT**

Office Use Only

Date Application Received:	Date Application Deemed Complete:	Submission No.:	File No.:
----------------------------	-----------------------------------	-----------------	-----------

1 APPLICANT INFORMATION

	NAME	MAILING ADDRESS	
Purchaser*			Phone:
			E-mail:
Registered Owners(s)	ANDREW JORDAN, ELGERSMA & KAYLA JANINE, ELGERSMA		
Applicant(s)**	Bill Wiese		
Agent or Solicitor	Jacob Dickie - Urban in Mind		

***Purchaser must provide a copy of the portion of the agreement of purchase and sale that authorizes the purchaser to make the application in respect of the land that is the subject of the application. (O. Reg. 786/21)**

**** Owner's authorisation required if the applicant is not the owner or purchaser.**

1.3 All correspondence should be sent to

☐ Purchaser

☐ Applicant

☐ Owner

☒ Agent/Solicitor

2 LOCATION OF SUBJECT LAND Complete the applicable lines

2.1 Area Municipality Hamilton	Lot	Concession	Former Township Glanbrook
Registered Plan N°.	Lot(s)	Reference Plan N°.	Part(s)
Municipal Address 911 Strathearn Place, Hamilton, ON L0R 1W0			Assessment Roll N°.

2.2 Are there any easements or restrictive covenants affecting the subject land?

☐ Yes ☒ No

If YES, describe the easement or covenant and its effect:

3 PURPOSE OF THE APPLICATION

3.1 Type and purpose of proposed transaction: (check appropriate box)

a) Urban Area Transfer (do not complete Section 10):

☒ creation of a new lot

☐ addition to a lot

☐ an easement

Other: ☐ a charge

☐ a lease

☐ a correction of title

b) Rural Area / Rural Settlement Area Transfer (Section 10 must also be completed):

☐ creation of a new lot

☐ creation of a new non-farm parcel

(i.e. a lot containing a surplus farm dwelling
resulting from a farm consolidation)

☐ addition to a lot

Other: ☐ a charge

☐ a lease

☐ a correction of title

☐ an easement

3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

3.3 If a lot addition, identify the lands to which the parcel will be added:

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of land intended to be **Severed (lease, easement, charge etc.)**:

Frontage (m)	Depth (m)	Area (m ² or ha)
40.34 m 17.48m	55.82 m	2196.41 sq.m

Existing Use of Property to be severed:

☒ Residential

☐ Agriculture (includes a farm dwelling)

☐ Other (specify) _____

☐ Industrial

☐ Agricultural-Related

☐ Commercial

☐ Vacant

Proposed Use of Property to be severed:

☒ Residential

☐ Agriculture (includes a farm dwelling)

☐ Other (specify) _____

☐ Industrial

☐ Agricultural-Related

☐ Commercial

☐ Vacant

Building(s) or Structure(s):

Existing: 1 Single-Detached Building with Attached Garage - To be Retained

Proposed: 1 Single-Detached Lot - Severed Lands

Existing structures to be removed: _____

Type of access: (check appropriate box)

☐ provincial highway

☐ municipal road, seasonally maintained

☒ municipal road, maintained all year

☐ right of way

☐ other public road

Type of water supply proposed: (check appropriate box)

☒ publicly owned and operated piped water system

☐ privately owned and operated individual well

☐ lake or other water body

☐ other means (specify) _____

Type of sewage disposal proposed: (check appropriate box)

- ☒ publicly owned and operated sanitary sewage system
☐ privately owned and operated individual septic system
☐ other means (specify) _____

4.2 Description of land intended to be **Retained (remainder)**:

Frontage (m) 1276.488 <i>22.46m</i>	Depth (m) 55.81	Area (m ² or ha) 1276.448
---	---------------------------	--

Certificate Request for Retained Lands: ☐ Yes*

* If yes, a statement from an Ontario solicitor in good standing that there is no land abutting the subject land that is owned by the owner of the subject land other than land that could be conveyed without contravening section 50 of the Act. (**O. Reg. 786/21**)

Existing Use of Property to be retained:

- ☒ Residential ☐ Industrial ☐ Commercial
☐ Agriculture (includes a farm dwelling) ☐ Agricultural-Related ☐ Vacant
☐ Other (specify) _____

Proposed Use of Property to be retained:

- ☒ Residential ☐ Industrial ☐ Commercial
☐ Agriculture (includes a farm dwelling) ☐ Agricultural-Related ☐ Vacant
☐ Other (specify) _____

Building(s) or Structure(s):

Existing: 1 Single-Detached Building with Attached Garage - To be Retained

Proposed: 1 Single-Detached Lot - Severed Land

Existing structures to be removed: _____

Type of access: (check appropriate box)

- ☐ provincial highway ☐ right of way
☐ municipal road, seasonally maintained ☐ other public road
☒ municipal road, maintained all year

Type of water supply proposed: (check appropriate box)

- ☒ publicly owned and operated piped water system ☐ lake or other water body
☐ privately owned and operated individual well ☐ other means (specify) _____

Type of sewage disposal proposed: (check appropriate box)

- ☒ publicly owned and operated sanitary sewage system
☐ privately owned and operated individual septic system
☐ other means (specify) _____

4.3 Other Services: (check if the service is available)

- ☒ electricity ☒ telephone ☒ school bussing ☒ garbage collection

5 CURRENT LAND USE

5.1 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): _____

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

Please provide an explanation of how the application conforms with a City of Hamilton Official Plan.

Single-Detached Dwellings are permitted within the Neighbourhoods Land Use Designation. The proposal seeks to increase the number of housing options within an area that has the servicing capacity to accommodate modest forms of infill development that are in character with the surrounding area.

5.2 What is the existing zoning of the subject land?

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number? Zoning - Existing Residential (ER) & Residential 3 with Site-Specific Exception 144 (H-R3-144)

5.3 Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified. Please check the appropriate boxes, if any apply.

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
An agricultural operation, including livestock facility or stockyard*	<input type="checkbox"/>	
A land fill	<input type="checkbox"/>	
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	
A provincially significant wetland	<input type="checkbox"/>	
A provincially significant wetland within 120 metres	<input type="checkbox"/>	
A flood plain	<input type="checkbox"/>	
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	
An active railway line	<input type="checkbox"/>	
A municipal or federal airport	<input type="checkbox"/>	

*Complete MDS Data Sheet if applicable

6 PREVIOUS USE OF PROPERTY

- ☐ Residential ☐ Industrial ☐ Commercial
☒ Agriculture ☐ Vacant ☐ Other (specify)

- 6.1 If Industrial or Commercial, specify use _____
- 6.2 Has the grading of the subject land been changed by adding earth or other material, i.e., has filling occurred?
☐ Yes ☒ No ☐ Unknown
- 6.3 Has a gas station been located on the subject land or adjacent lands at any time?
☐ Yes ☒ No ☐ Unknown
- 6.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
☐ Yes ☒ No ☐ Unknown
- 6.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
☐ Yes ☒ No ☐ Unknown
- 6.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or biosolids was applied to the lands?
☐ Yes ☒ No ☐ Unknown
- 6.7 Have the lands or adjacent lands ever been used as a weapons firing range?
☐ Yes ☒ No ☐ Unknown
- 6.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?
☐ Yes ☒ No ☐ Unknown
- 6.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (e.g., asbestos, PCB's)?
☐ Yes ☒ No ☐ Unknown

- 6.10 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?
☐ Yes ☒ No ☐ Unknown
- 6.11 What information did you use to determine the answers to 6.1 to 6.10 above?
Aerial photos
- 6.12 If previous use of property is industrial or commercial or if YES to any of 6.2 to 6.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.
Is the previous use inventory attached?
☐ Yes ☐ No

7 PROVINCIAL POLICY

- 7.1 a) Is this application consistent with the Policy Statements issued under subsection of the *Planning Act*? (Provide explanation)
☒ Yes ☐ No
See PJR
- b) Is this application consistent with the Provincial Policy Statement (PPS)?
☒ Yes ☐ No (Provide explanation)
See PJR
- c) Does this application conform to the Growth Plan for the Greater Golden Horseshoe?
☒ Yes ☐ No (Provide explanation)
See PJR
- d) Are the subject lands within an area of land designated under any provincial plan or plans? (If YES, provide explanation on whether the application conforms or does not conflict with the provincial plan or plans.)
☒ Yes ☐ No
PPS and Growth Plan. See PJR
- e) Are the subject lands subject to the Niagara Escarpment Plan?
☐ Yes ☒ No
If yes, is the proposal in conformity with the Niagara Escarpment Plan?
☐ Yes ☐ No
(Provide Explanation)
- f) Are the subject lands subject to the Parkway Belt West Plan?
☐ Yes ☒ No
If yes, is the proposal in conformity with the Parkway Belt West Plan?
☐ Yes ☒ No (Provide Explanation)
- g) Are the subject lands subject to the Greenbelt Plan?
☐ Yes ☒ No

If yes, does this application conform with the Greenbelt Plan?

☐ Yes

☒ No

(Provide Explanation)

8 HISTORY OF THE SUBJECT LAND

8.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or a consent under sections 51 or 53 of the *Planning Act*?

☐ Yes

☒ No

☐ Unknown

If YES, and known, indicate the appropriate application file number and the decision made on the application.

8.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

8.3 Has any land been severed or subdivided from the parcel originally acquired by the owner of the subject land? ☐ Yes ☒ No

If YES, and if known, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

8.4 How long has the applicant owned the subject land?

8.5 Does the applicant own any other land in the City? ☐ Yes ☐ No

If YES, describe the lands in "11 - Other Information" or attach a separate page.

9 OTHER APPLICATIONS

9.1 Is the subject land currently the subject of a proposed official plan amendment that has been submitted for approval? ☐ Yes ☒ No ☐ Unknown

If YES, and if known, specify file number and status of the application.

9.2 Is the subject land the subject of any other application for a Minister's zoning order, zoning by-law amendment, minor variance, consent or approval of a plan of subdivision?

☐ Yes

☒ No

☐ Unknown

If YES, and if known, specify file number and status of the application(s).

File number _____ Status _____

10 RURAL APPLICATIONS

10.1 Rural Hamilton Official Plan Designation(s)

☐ Agricultural

☐ Rural

☐ Specialty Crop

☐ Mineral Aggregate Resource Extraction

☐ Open Space

☐ Utilities

☐ Rural Settlement Area (specify) _____

Settlement Area

Designation

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate the existing land use designation of the abutting or non-abutting farm operation.

10.2 Type of Application (select type and complete appropriate sections)

- | | | |
|---|---|-------------------------|
| <input type="checkbox"/> Agricultural Severance or Lot Addition | } | (Complete Section 10.3) |
| <input type="checkbox"/> Agricultural Related Severance or Lot Addition | | |
| <input type="checkbox"/> Rural Resource-based Commercial Severance or Lot Addition | | |
| <input type="checkbox"/> Rural Institutional Severance or Lot Addition | | |
| <input type="checkbox"/> Rural Settlement Area Severance or Lot Addition | | |
| | | |
| <input type="checkbox"/> Surplus Farm Dwelling Severance from an Abutting Farm Consolidation | | (Complete Section 10.4) |
| | | |
| <input type="checkbox"/> Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation | | (Complete Section 10.5) |

10.3 Description of Lands

a) Lands to be Severed:

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from in Section 4.1)
----------------------------------	--

Existing Land Use: _____ Proposed Land Use: _____

b) Lands to be Retained:

Frontage (m): (from Section 4.2)	Area (m ² or ha): (from Section 4.2)
----------------------------------	---

Existing Land Use: _____ Proposed Land Use: _____

10.4 Description of Lands (Abutting Farm Consolidation)

a) Location of abutting farm:

(Street) (Municipality) (Postal Code)

b) Description abutting farm:

Frontage (m):	Area (m ² or ha):
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Existing Land Use(s): _____ Proposed Land Use(s): _____

c) Description of consolidated farm (excluding lands intended to be severed for the surplus dwelling):

Frontage (m):	Area (m ² or ha):
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Existing Land Use: _____ Proposed Land Use: _____

d) Description of surplus dwelling lands proposed to be severed:

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from Section 4.1)
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Front yard set back: _____

e) Surplus farm dwelling date of construction:

- ☐ Prior to December 16, 2004 ☐ After December 16, 2004

f) Condition of surplus farm dwelling:

- ☐ Habitable ☐ Non-Habitable

- g) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

Frontage (m): (from Section 4.2)	Area (m ² or ha): (from Section 4.2)
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Existing Land Use: _____ Proposed Land Use: _____

10.5 Description of Lands (Non-Abutting Farm Consolidation)

- a) Location of non-abutting farm

(Street) (Municipality) (Postal Code)

- b) Description of non-abutting farm

Frontage (m):	Area (m ² or ha):
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Existing Land Use(s): _____ Proposed Land Use(s): _____

- c) Description of surplus dwelling lands intended to be severed:

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from Section 4.1)
----------------------------------	---

Front yard set back: _____

- d) Surplus farm dwelling date of construction:

☐ Prior to December 16, 2004 ☐ After December 16, 2004

- e) Condition of surplus farm dwelling:

☐ Habitable ☐ Non-Habitable

- f) Description of farm from which the surplus dwelling is intended to be severed (retained parcel):

Frontage (m): (from Section 4.2)	Area (m ² or ha): (from Section 4.2)
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Existing Land Use: _____ Proposed Land Use: _____

11 OTHER INFORMATION

Is there any other information that you think may be useful to the Committee of Adjustment or other agencies in reviewing this application? If so, explain below or attach on a separate page.

A ZBA for the subject lands is being submitted at the same time as this application

12 ACKNOWLEDGEMENT CLAUSE

I acknowledge that The City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

April, 27, 2022

Date

Andrew Kelgerson
Signature of Owner